

Markham's Heritage Planning Program

Heritage Policies and Guidelines

Background

- In considering a Heritage Permit application to allow illegally installed, vinyl siding on a property within the Unionville Heritage Conservation District, Council agreed to defer the matter until a workshop was held to better understand the heritage policies and guidelines.
- Staff has prepared a presentation that provides a general overview of our heritage program and the specific policies that apply.

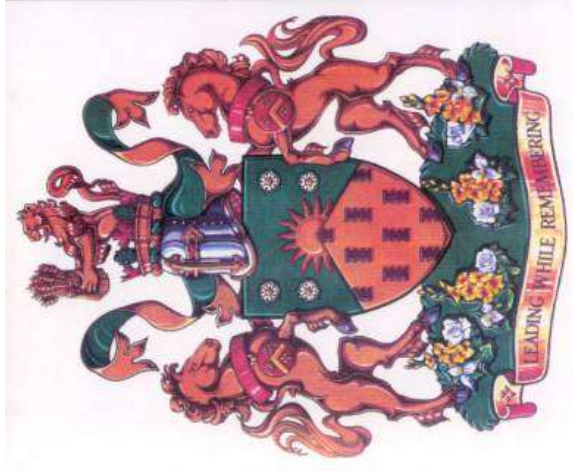
“to understand a place one must know its memories”

Richard England

Markham's Heritage Program

Markham has a robust and well respected heritage conservation program

The City's heritage conservation efforts have been recognized by Heritage Canada through awarding the first **Prince of Wales Prize** to Markham for outstanding stewardship of our built heritage, and by the Province of Ontario through the **Lieutenant Governor's Heritage Award for Community Leadership**



Cultural Heritage

- What is heritage or “cultural heritage”
- Not defined in legislation (OHA, Planning Act, PPS)
- “unique..identity..character”
- Can take many forms in our community

Cultural Heritage

- ‘Heritage’ - a complex term broadly understood as the natural and cultural inheritance of a community that defines its identity
- ‘Cultural Heritage’ – products of humankind
- ‘Natural Heritage’ – products of the environment or humankind’s relationship with the environment
- Tangible heritage (physical objects) and intangible heritage (beliefs, languages, attitudes)

Cultural Heritage

“Our cultural heritage is what we value from the past, and what we want to preserve for future generations.”

“Our cultural heritage is not just about the past – it is about the places, spaces and stories that we value today, that we want to acknowledge for the future.”

- *Ontario Ministry of Culture*

Key Objectives for Heritage Conservation

1. Identify, **Retain and Protect** cultural heritage resources
 - Fragile gifts from the past- once lost gone forever
 - They are not renewable
2. Ensure **retention of original material**- heritage attributes
 - “it is better to maintain than to repair”
 - “it is better to repair than to restore”
 - “it is better to restore than to replace”

Key Objectives for Heritage Conservation

3. Ensure new development attached to a cultural heritage resource or in a heritage district is **complementary** and does **not negatively impact** the heritage attributes of the resource or the character of the area
4. Protect features in the **public realm** that make a site or area unique
 - Streetscapes, lot patterns, vegetation, etc.

The Heritage Toolbox

Tools we use to achieve cultural heritage protection:

- Ontario Heritage Act
- Planning Act
- Municipal Controls
- Municipal Act

Ontario Heritage Act

- Formerly protection related to “historical” or “architectural” reasons for designation
- Today, protection relates to “**values**” = cultural heritage value or interest
- “**value**” is expressed through “**heritage attributes**”
- Heritage Attributes include: cladding materials, windows, doors, chimneys, architectural decoration, verandas, foundations, etc.
- Key form of protection is formal designation (individual or district) or a heritage easement agreement

Ontario Heritage Act

- Key components of the Act:
 - Municipal heritage committees
 - Register of Property of Cultural Heritage Value/Interest
 - Individual Designation (Part IV)
 - Heritage Conservation Districts (Part V)
 - Heritage Easement Agreements
 - Grants and Loans
 - Building Standards By-laws for Heritage
 - Delegation of Consent

Ontario Heritage Act

- **Municipal Heritage Committee** - **Heritage Markham**

- Established in 1975
- Markham's "municipal heritage committee"
- Volunteers - Advisory
- Offers recommendations to staff and Council on new construction, alterations, demolitions, conservation/protection, designation of:

- Individual properties of cultural heritage value
- Properties in a heritage conservation district



Ontario Heritage Act

- **Markham Register of Cultural Heritage Properties**
 - Municipalities must maintain a register of property that is of cultural heritage value or interest
 - Not static; can evolve over time
 - Used for land use planning, public research, tourism, education
 - identifies heritage issues up-front
 - Can include designated and non-designated properties
 - **Markham's Register is available for viewing on the City's website and is searchable. There are 1650 properties on the Register.**



Ontario Heritage Act

Individual Property Designation



Over 225 individual properties

Ontario Heritage Act

- **Standard Criteria for Individual Designation**
 - Prescribed by Ontario Regulation
 - Purpose: to provide an objective base for the evaluation
 - The prescribed criteria help ensure the effective, comprehensive and consistent determination of value or interest by all Ontario municipalities.
 - Criteria:
 - Design or physical value
 - Historical or associative value
 - Contextual value

Ontario Heritage Act

Heritage Conservation Districts By the Numbers:

- There are currently 110 districts in Ontario
 - Toronto (20)
 - Ottawa (17)
 - Hamilton (7)
 - Markham, London, Kitchener, St. Catharines (4 each)
- 40 are in the wings awaiting approval

Ontario Heritage Act

Markham's Heritage Conservation Districts

- Markham Village – 661 properties
- Unionville – 269 properties
- Thornhill – 150 properties
- Buttonville – 34 properties
- Total- 1114 properties



Heritage Conservation District Plans



The Corporation of the
Town of Markham
Development Services
Commission

**Thornhill - Markham
Heritage Conservation District**



THE DISTRICT PLAN—2007



The Corporation of the
Town of Markham
Development Services
Commission

**Buttonville
Heritage Conservation District**



The District Plan



The MARKHAM VILLAGE
HERITAGE CONSERVATION DISTRICT



**VOLUME 3
VOLUME 4
DESIGN
GUIDELINES
IMPLEMENTATION
PROCESS**

PREPARED FOR
TOWN OF MARKHAM

NOVEMBER 1989
REVISED
OCTOBER 1991
MAY 1992



The Corporation of the
Town of Markham
Development Services
Commission

Unionville Heritage Conservation District



THE DISTRICT PLAN

Ontario Heritage Act

- Designation (individually or by district) has resulted in:
 - Appropriate restoration and conservation
 - Compatible additions to heritage buildings
 - Complementary new infill development

Appropriate Conservation of Resources



Compatible Additions to Heritage Buildings



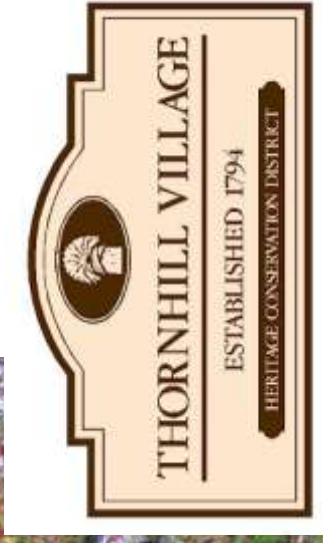
Complementary New Development Residential



Complementary New Development Commercial



Complementary Public Works



Ontario Heritage Act

- **Heritage Easement Agreements**
 - Legal agreement between municipality and owner for the conservation of property of cultural value
 - Often secured as a condition of approval or in exchange for funding assistance
 - Protects the building/attributes, requires building to be maintained, insurance required.
 - Markham has **141 heritage easement agreements**

Ontario Heritage Act

- **Grants and Loans**
 - Council may pass by-laws providing for grants or loans to the owner of a designated property
 - “the cost of alteration of such property” with terms and conditions.
- Markham’s Heritage Loan Program
- Designated Heritage Property Grant

Ontario Planning Legislation

- Recognizes that **heritage protection and conservation** is a key component of “**good planning**”
- **Key sections**
 - Provincial Interest (section 2)
 - Policy Statements (section 3)
 - Site Plan Control Area (section 41)
 - Subdivision (section 51)

Ontario Planning Legislation

- **Provincial Interest-2(d)**
- “council shall have regard to” matters of provincial interest
- Summary of Provincial Interests - Section 2(d)
 - “ ...the conservation of features of significant architectural, cultural, historical...interest”

Planning Act

- **Provincial Policy Statements-3(5)**
- Minister can issue policy statements relating to municipal planning that are of provincial interest
- Decisions of Approval Authority (council) “shall be consistent with the policy statements” .
- Section 2.6 of the **Policy Statement** identifies **the conservation of built heritage, cultural heritage landscapes and archaeological resources as provincial priorities** for land use planning

Ontario Planning Legislation

- **Site Plan Control and Subdivision approval**
 - Site plan control areas can be created for specific areas which allow greater regulation and design review of elevations (all Heritage districts)
 - Retention of heritage resources in **new subdivisions**: “regard shall be had...to (a) the effect of the development on matters of provincial interests. (use of conditions of approval)

Ontario Planning Legislation/ Municipal

- **Official Plan** – heritage & land use policies
- **Secondary Plans** – heritage & land policies
- **Zoning By-laws** – regulate building heights, setbacks, density, floor area, etc.
- **Zoning Infill By-laws** (Thornhill, Markham V)
- **Committee of Adjustment** – variance and consent applications

Municipal Act

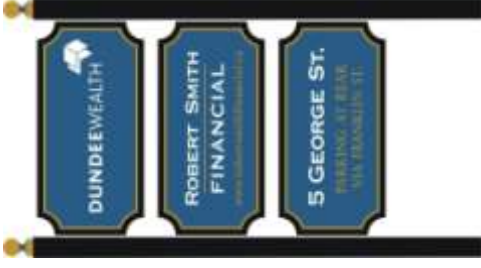
Financial Assistance

- Commercial Façade Improvement Grant Program
- Heritage Property Tax Reduction Program (Markham has had a program since 2003)

Municipal Act

Sign By-laws

- Signage By-laws can help protect the heritage character of buildings.
- Heritage Districts can also be Special Sign Districts in the Sign By-law
- Address: size, height, placement, materials, colours, non-internal illumination



Markham's Heritage Policies and Guidelines

A Brief Overview

Heritage Policies and Guidelines

- Our heritage policies and guidelines are derived from a number of sources including:
 - International Charters (Venice Charter, Appleton Charter)
 - World Heritage Convention
 - Standards and Guidelines for the Conservation of Historic Places in Canada
 - Ontario Heritage Legislation, Policy and Regulations
 - Markham Official Plan
 - Individually approved heritage conservation district plans

Heritage Policies and Guidelines

In the end, all of the various policies attempt to achieve a few basic conservation principles:

- The basic goal of conservation is to **pass the significant cultural values of heritage sites from one generation to the next**, with minimum impairment.
- Design interventions should seek to meet the owner's needs with **minimal impact on heritage values**, within governing restraints.
- It is:
 - better to **maintain** than to repair;
 - better to **repair** than to restore;
 - better to **restore** than to replace.

A.N. Didron, 1839

Heritage Policies and Guidelines

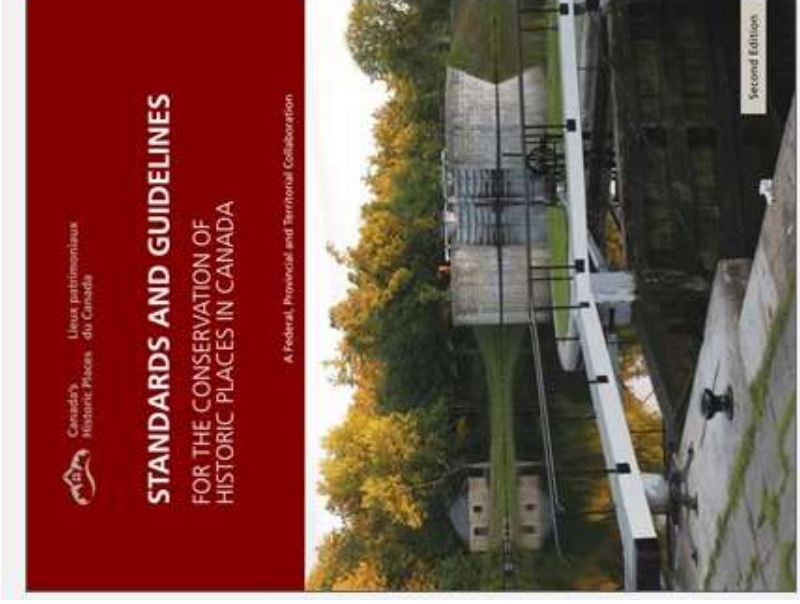
- Heritage laws in Canada were drafted after we signed the Venice Charter in the 1960s and the Appleton Charter in 1983.
- Like our obligation to protect human rights....we also accepted an obligation concerning the world's common heritage.

Canadian Standards

- [The Standards and Guidelines for the Conservation of Historic Places in Canada](#) is the first-ever pan-

Canadian benchmark for heritage conservation practice in this country.

- “Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, **replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.**”



Ontario Ministry of Culture

Policy statements and guidelines

Statement of policies

The Ontario Heritage Act requires that a district plan include a statement of policies and guidelines. This is an expression of a municipality's commitment to consistent decision-making in the review of development proposals and heritage permit applications.

Heritage and design guidelines

Guidelines for conservation of heritage property and identified heritage resources should be compatible with standards and guidelines that have been adopted by the Ontario government (see Ministry of Culture website at www.culture.gov.on.ca); and/or the Standards and Guidelines for the Conservation of Historic Places in Canada, developed under the Historic Places Initiative (see www.historicplaces.ca).



Ontario Ministry of Culture

Guiding Principles

Respect for Original Fabric

• InfoSheet •



Eight Guiding Principles in the Conservation of Built Heritage Properties

The following guiding principles are ministry statements in the conservation of built heritage properties and are based on international charters which have been established over the century. These principles provide the basis for all decisions concerning good practice in heritage conservation around the world. Principles explain the "why" of every conservation activity and apply to all heritage properties and their surroundings.



Ontario

1. RESPECT FOR DOCUMENTARY EVIDENCE:

Do not base restoration on conjecture.

Conservation work should be based on historic documentation such as historic photographs, drawings and physical evidence.

2. RESPECT FOR THE ORIGINAL LOCATION:

Do not move buildings unless there is no other means to save them.

Site is an integral component of a building or structure. Change in site diminishes cultural heritage value considerably.

3. RESPECT FOR HISTORIC MATERIAL:

Repair/conserv - rather than replace building materials and finishes, except where absolutely necessary.

Minimal intervention maintains the heritage content of the built resource.

4. RESPECT FOR ORIGINAL FABRIC:

Repair with like materials.

Repair to return the resource to its prior condition, without altering its integrity.

5. RESPECT FOR THE BUILDING'S HISTORY:

Do not restore to one period at the expense of another period.

Do not destroy later additions to a building or structure solely to restore to a single time period.

6. REVERSIBILITY:

Alterations should be able to be returned to original conditions. This conserves earlier building design and technique.

e.g. When a new door opening is put into a stone wall, the original stones are numbered, removed and stored, allowing for future restoration.

Markham Official Plan 2014

- It is the policy of Council:
 - To protect and conserve cultural heritage resources generally in accordance with the Standards and Guidelines for the Conservation of Historic Places in Canada, the Venice Charter, the Appleton Charter for the Protection and Enhancement of the Built Environment and other recognized heritage protocols and standards. Protection, maintenance and stabilization of existing cultural heritage attributes and features as opposed to removal or replacement will be the core principle for all conservation projects. (section 4.5.3.1)

Markham's Heritage District Plans

Conservation of Heritage Buildings- Key Policies

- Conserve and protect the heritage value of each resource.
- Conserve changes which, over time, have become heritage attributes in their own right
- Adopt an approach involving minimal intervention
- Evaluate the existing condition of attributes – use the gentlest means for any intervention
- Maintain attributes on an ongoing basis – to avoid major work/costs
- Repair rather than replace attributes using recognized conservation methods – repair with like materials

Markham's Heritage District Plans - Policy

- Replace using like materials any extensively deteriorated or missing parts
- Correct inappropriate interventions to attributes
- Make interventions to preserve attributes physically and visually compatible with the resource, also identifiable upon inspection.
- Respect documentary evidence – physical and archival.

Markham's Heritage District Plans - Policy

Exterior Cladding –Heritage Buildings

- Original external finish of a heritage building should be conserved and maintained- repair rather than replacement
- The use of metal and synthetic sidings such as vinyl is not supported
- Removal of siding material (i.e. aluminium, vinyl, asbestos tile, angelstone, etc.) is encouraged. Once removed, the heritage building should be restored to its original state using physical and archival evidence (of if unknown, a siding material appropriate to the style of the building/ common in the district)

Markham's Heritage District Plans - Policy

- All Heritage District Plans also have similar 'heritage building' conservation policies for the treatment of:
 - Windows and doors
 - Foundations
 - Architectural features
- Guidelines/policies for **additions to heritage buildings** and **new construction**, encourage the use of traditional materials, but other materials may be considered if they provide the appearance of traditional materials* and dependant upon visibility.

*staff review includes profile, colour, sheen, colour-fastness, durability and texture

Markham Heritage District Plans - Policy

- All of Markham's heritage conservation district plans:
 - Reflect accepted practice supported by international, national and provincial heritage bodies;
 - Reflect the policy used in most progressive municipalities;
 - Involved extensive public/community consultation and meetings; and,
 - Were approved by Markham Council.

Questions

... Old buildings are not ours. They belong, partly to those who built them, and partly to the generations of mankind who are to follow us. The dead still have their right in them:

That which they labored for... we have no right to obliterate. What we ourselves have built, we are at liberty to throw down. But what other men gave their strength, and wealth, and life to accomplish, their right over it does not pass away with their death.

By John Ruskin 1849

