



AMHERSTBURG

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JUNE 2025

# HERITAGE CONSERVATION DISTRICT PLAN

# ACKNOWLEDGEMENT OF INDIGENOUS COMMUNITIES

The Town of Amherstburg is situated on the traditional territories of the Three Fires Confederacy (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Wendat (also known as Huron-Wendat) and Wyandot Peoples. We further acknowledge that this land is covered by Treaty 35 which was signed on August 13, 1833 by representatives of the Crown and the Wendat.

This Plan takes into consideration the cultural heritage of Indigenous Communities, including their oral traditions and history when available and related to the scope of work.

## OTHER ACKNOWLEDGEMENTS

MHBC Planning Ltd. would like to thank the following organizations and individuals for their generous assistance in the completion of this document:

- The Amherstburg Branch of the Essex County Library;
- The Amherstburg Freedom Museum;
- The Amherstburg Heritage Committee;
- The Corporation of the Town of Amherstburg; and
- The Marsh Historical Collection.

Prepared for the Town of Amherstburg  
Prepared by:



In association with:  
Wendy Shearer Landscape Architects  
George Robb Architect



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# PART I

## HCD FRAMEWORK



# 1.0 INTRODUCTION

## 1.1 Background

MacNaughton Hermesen Britton Clarkson Planning Limited (MHBC) was retained by the Corporation of the Town of Amherstburg (“the Town”) to complete a Heritage Conservation District (HCD) Study (Phase 1) and Plan (Phase 2) for a select area generally within and surrounding the historic downtown of Amherstburg. The HCD Study determined that there was merit for establishing an HCD through designation under Part V of the Ontario Heritage Act (OHA) and provided boundary recommendations. Pursuant to the Town of Amherstburg Council meeting on June 25, 2024, Council approved the designation of the boundary area described as “Option 1” and adopted the Study. The approved Boundary subject to this Plan is illustrated in Figure 1, below.

The Amherstburg HCD Plan is based on the best practices as expressed in the Standards and Guidelines for the Conservation of Historic Places in Canada, as well as the guidance provided in the HCD Study previously prepared by a project team led by MHBC. The Plan is prepared in accordance with the OHA (as amended), the Provincial Policy Statement (PPS)<sup>1</sup> and the Ontario Heritage Toolkit (OHTK).

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1 A new Provincial Planning Statement was released in August 2024, and came into force on October 20th, 2024. The direction related to cultural heritage resource conservation is very similar to the 2020 PPS and does not change the approach to the evaluation undertaken as part of this report or the previous HCD Study.



Figure 1 - Approved HCD boundary

## 1.2 Purpose of the HCD Plan

*The intent of this Plan is not to prohibit development within the HCD, but to ensure that change within the HCD Boundary is managed and the unique character and sense of place is conserved and enhanced.*

The Amherstburg HCD Plan provides policies and guidelines for the wise management of cultural heritage resources located within the HCD Boundary. The intent of this Plan is not to prohibit development within the HCD, but to ensure that change within the HCD Boundary is managed and the unique character and sense of place is conserved and enhanced.

This Plan should be used by property owners and/or residents, Town Staff, the Municipal Heritage Committee and Town Council in the fulfillment of their responsibilities related to the conservation of the heritage character and attributes of the District and in making decisions on heritage permits under Part V of the OHA. Under Section 42 of the OHA, a heritage permit is required for the erection, demolition, removal or external alteration of a building or structure within a designated HCD.

## 1.3 How to read this HCD Plan

The Amherstburg HCD Plan is organized in a way to respond to those who are directly responsible for conserving the heritage character and attributes of the District. The HCD Plan is split into Parts, which contain the HCD Framework (Part I), Policies and Guidelines for Managing Change (Part II), Exempt Alterations (Part III), and Municipal Implementation (Part IV). This HCD Plan is therefore organized as follows:

*‘Contributing’ properties are those that express a particular architectural style, contribute to a theme identified as significant to the HCD, are listed / designated under the Ontario Heritage Act, are a landmark, or support the character of the area.*

*Properties not captured by the above were classified as ‘non-contributing’*

- Introduction, policy framework overview
- Description of significance of resources and character areas
- Alterations and additions to ‘contributing’ properties
- Policies and guidelines for ‘other’ properties
- Guidance for infill development
- General guidance applicable to all properties
- Policies and guidelines for the public realm
- Exempt alterations

Property owners within the HCD District are encouraged to review the entire Plan to understand its intent and contents. To understand which policies and/or guidelines apply to a property, owners should refer to **Appendix A** to determine whether their property is classified as “contributing” or “other” and determine which Character Area their property falls within, respectively. Policies and/or guidelines apply to both ‘contributing’ and ‘other’ properties; however, the framework of this Plan generally applies differential treatment based on this categorization.



Town of Amherstburg Heritage Planning staff can assist with the interpretation of this HCD Plan. This includes assisting with providing clarification regarding when a Heritage Permit application is required to proceed with a change or alteration to a property.

### 1.3.1 Who should use this HCD Plan

The Amherstburg HCD Plan is intended to be utilized by those who are proposing and managing change within the District, notably:

- Property owners and residents, and
- Town staff responsible for undertaking public works projects and reviewing development applications.

The policies and guidelines of the HCD Plan are also to be used by the Municipal Heritage Committee and Town Staff to provide advice to Council for making decisions on heritage permits under Part V of the OHA. Under Section 42 of the OHA, a heritage permit is required for the erection, demolition, removal or external alteration of a building or structure within a designated HCD. This HCD Plan also provides policies and guidelines for the conservation of features which contribute to the character of the area, including (but not limited to) lot fabric, trees and vegetation, landscape features and views.



*Aerial photograph of Amherstburg in 1920 (courtesy of the Town of Amherstburg).*

## 1.4 Statement of Goals

The designation of the Amherstburg HCD has the following goals:

- 1 *Recognize, protect and enhance cultural heritage resources and identify their valuable contribution to the community, including structures, landmarks, gateways, landscapes and neighbourhood contextual characteristics;*
- 2 *Regulate and guide the demolition and/or alteration of cultural heritage resources;*
- 3 *Identify opportunities to maintain and enhance the built form of the HCD, including: the public realm, streetscaping, public open spaces, neighbourhood character and block patterns;*
- 4 *Increase public awareness regarding the history of the Town and communicate the cultural, social and economic benefits that a unique sense of place contributes to the ongoing success of the Town;*
- 5 *Manage change and guide opportunities for new construction and infill projects that will have regard for the existing architectural character, massing, siting and scale of existing cultural heritage resources; and*
- 6 *Ensure the plan, guidelines and processes are easily understood and streamlined, including: property owner requirements/responsibilities, administrative processes, development requirements and any guidelines.*

## 1.5 Statement of Objectives

The primary objective of the proposed designation of the Amherstburg HCD is to manage change in a manner that results in the conservation of its unique cultural heritage character and heritage attributes.

The term “conservation” is defined by the Parks Canada Standards & Guidelines for the Conservation of Historic Places in Canada as follows:

*All actions or processes that are aimed at safeguarding the character defining elements of a cultural resource so as to retain its heritage value and extend its physical life. This may involve “Preservation,” “Rehabilitation,” “Restoration,” or a combination of these actions or processes.*

*Goals - Broad, long term outcomes which are appropriate and desirable.*

*Objectives - Short-term measurable actions for how to achieve those goals.*

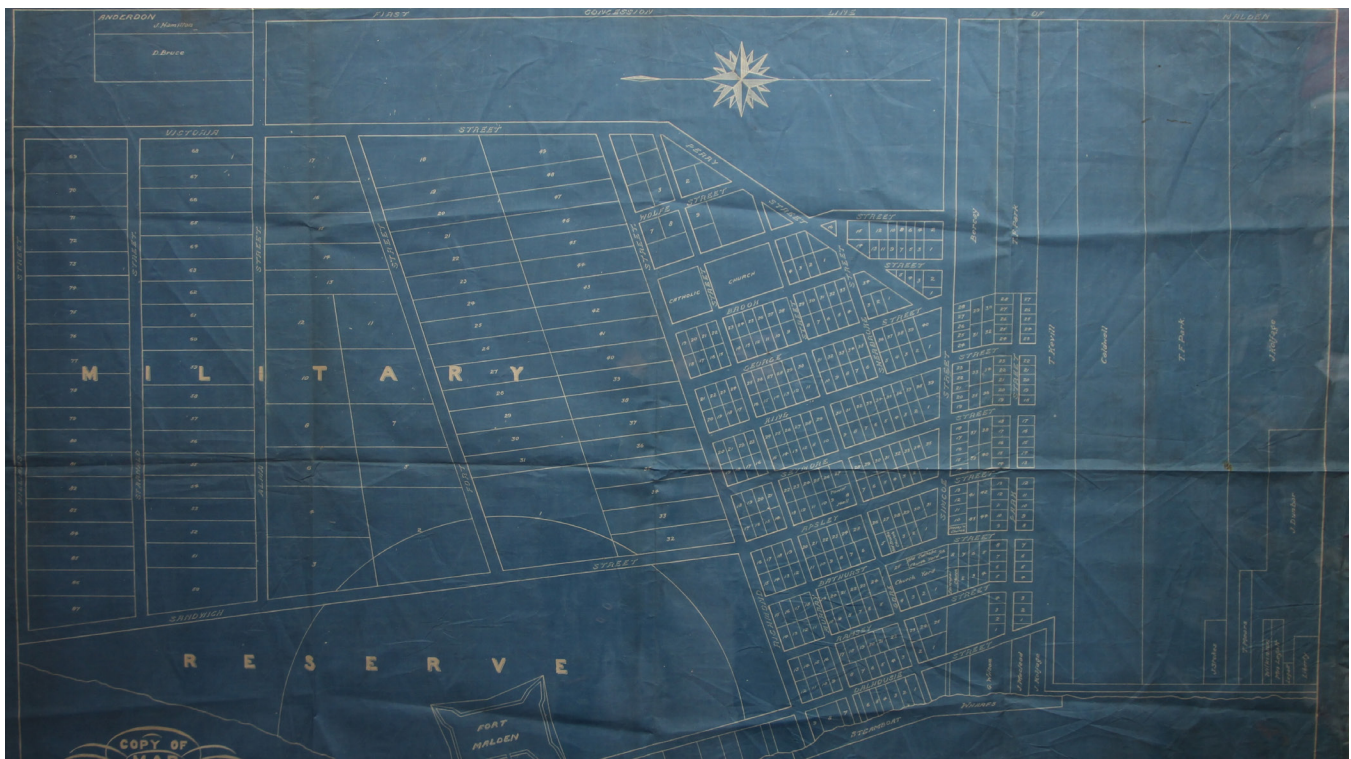
The purpose of an HCD is not to “freeze” or restore the physical components of a historic place to a particular period of time. Instead, the goal of conservation (through the HCD Plan) is to retain and maintain the identified character; this is achieved through providing policies and guidelines for appropriate change management of a designed cultural heritage landscape, which continues to evolve.

In designating the HCD under Part V of the OHA, several key objectives are sought as follows:

- To maintain and conserve the cultural heritage character and heritage attributes of the identified Character Areas within the Amherstburg HCD Boundary;
- To ensure the continued appreciation, enhancement and interpretation of the heritage resources located within the HCD Boundary;
- To avoid the loss or removal of heritage buildings and landscape features and encourage only those changes that are undertaken in a manner that if such alterations were removed in the future, impacts to the essential form and integrity of the heritage property and materials would be minimized or avoided;
- To encourage building and property owners to make repairs and undertake maintenance of property in order to conserve the overall character and appearance of the HCD and preserve authentic heritage fabric;
- To retain and maintain the low-profile built form within the HCD, which is generally that of a 1 to 2.5 storey building height, and to permit greater heights where it is compatible with the HCD objectives;
- To support existing uses and the appropriate adaptive re-use of heritage buildings;



- To prevent the establishment of those land uses and associated built forms which would be out of keeping with or have adverse effects on the identified character of the HCD;
- To prevent the demolition of existing buildings, natural features, or structures which are contributing to the identified heritage character, unless necessary for matters related to public safety;
- To facilitate appropriate new development, infill and alterations (such as Accessory Dwelling Units, or ADUs), that is sensitive to, compatible with, and distinguishable from the character of the HCD;
- To support the continuing care, conservation and maintenance of heritage properties wherever appropriate by providing guidance on sound conservation practice and encouraging applications for funding for eligible work; and,
- To examine available financial incentive programs and funding sources, and support the adoption of other appropriate funding programs within the Town's capability to provide ongoing support to HCD property owners for applicable projects.



Map of Amherstburg dated 1857  
(courtesy of the Town of Amherstburg).

## 1.6 Ontario Heritage Act requirements

The designation of an HCD under Part V of the OHA is typically undertaken in two phases: (1) an HCD Study, then if the area warrants designation (and is approved by Council) (2) an HCD Plan. As discussed, the Study prepared for this project determined that the area considered herein as the “Boundary” meets the legislated criteria under Part V of the OHA (Study is available on the Town’s website). This Report constitutes the second phase of the HCD designation process, being the HCD Plan. Public engagement with property owners, residents, community historic groups and the Municipal Heritage Committee has been a component of the project throughout both phases.

Subsection 41.1(5) of the OHA provides that an HCD Plan shall include the following:

- (a) *a statement of the objectives to be achieved in designating the area as a heritage conservation district;*
- (b) *a statement explaining the cultural heritage value or interest of the heritage conservation district;*
- (c) *a description of the heritage attributes of the heritage conservation district and of properties in the district;*
- (d) *policy statements, guidelines and procedures for achieving the stated objectives and managing change in the heritage conservation district; and*
- (e) *a description of the alterations or classes of alterations that are minor in nature and that the owner of property in the heritage conservation district may carry out or permit to be carried out on any part of the property, other than the interior of any structure or building on the property, without obtaining a permit under section 42. 2005, c. 6, s. 31.*

Section 2 of this document contains the required components provided for in (a), while the required components in (b) and (c) are contained in Section 3. The requirements set out in (d) are found in Sections 4 through 10 and those in (e) are described in Section 11.

## 2.0 SIGNIFICANCE AND RESOURCES

### 2.1 Statement of Cultural Heritage Value or Interest (CHVI)

Generally, the area within the HCD Boundary represents and reflects an early to mid-19th century commercial core established along a waterway (Detroit River) with mid- to late-19th century residential neighbourhoods surrounding the core. Within the HCD Boundary, the following Character Areas have been identified: North District, Downtown, South District, Waterfront, Sandwich Street, and the East District (see Figure 3). The character and CHVI of the HCD varies dependent on the Character Area, and as such, the following subsections provide a description and overview of the CHVI applicable to each Character Area.

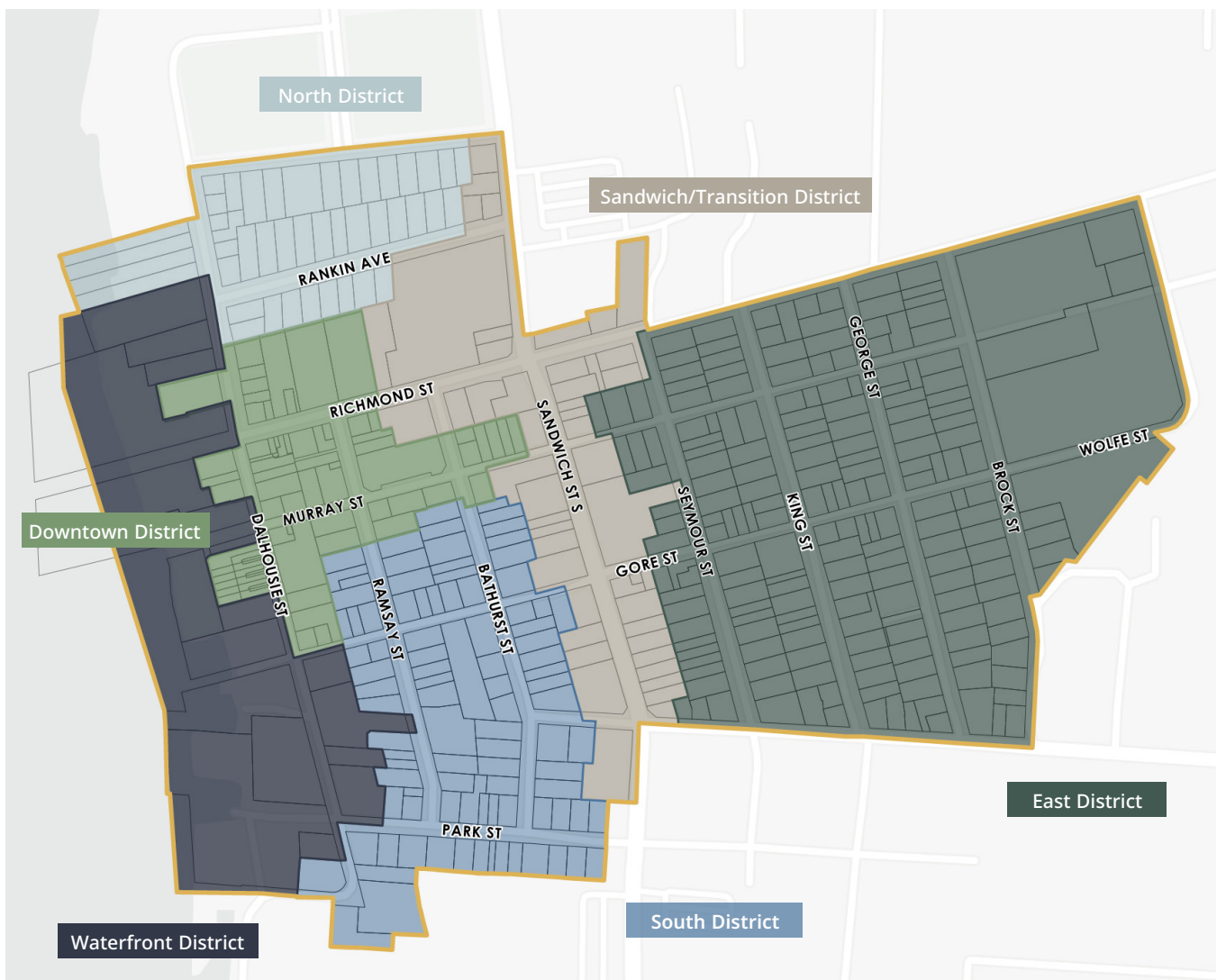


Figure 2 - HCD character areas



### 2.1.1 North District

The “North District” Character Area is generally located to the north of the Downtown and generally comprises a late 19th and early 20th century residential neighbourhood.

Following the disarming of Fort Malden in 1859, the reserve lands surrounding the Fort were sold in various configurations. Moreover, the majority of the lands comprising the North District Character Area were described as the “Park” and were sold to Arthur Rankin by the government in 1866 (included lands bound by North Street, Dalhousie Street, Sandwich Street and abutting the properties fronting onto Richmond Street) (Gaspar, 1996, 85). Rankin Street was laid out running east to west through the development and the remaining land was divided into 45 lots with 15 lots on the south side of North Street and 15 lots on either side of Rankin Street (Gaspar, 1996, 85). By 1867, Rankin had sold approximately half the lots and had 24 lots remaining for sale (Gaspar, 1996, 85). As per the Map of Essex County (Walling), dated 1877 (below), the lots were generally rectangular in shape with approximately 60 feet of frontage and varying depths based on the configuration of the blocks.



*Excerpt of Map of Essex County (Walling), dated 1877 (courtesy of University of Toronto) with the location of the North District Character Area outlined in white.*

The North District Character Area was generally developed in the late 19th and early 20th century with single detached dwellings. The original dwellings in this Area have a one to two and a half storey mass, generally have generous setbacks from the streets, and were primarily constructed in Late Victorian and Edwardian architectural styles with some Colonial-influenced buildings throughout. The streets in this Area are generally wide (accommodating traffic in either direction, street parking and sidewalks) and lined with mature trees.

The existing built fabric in this Area generally continues to express the original use (low-rise residential), lot pattern (i.e. lot width, setbacks), street pattern (i.e. wide right-of-way) and contains buildings and architectural styles that date to the late 19th and early 20th century.

Heritage attributes include:

- Low-rise residential use and scale of development;
- Rectangular lots of similar sizes generally reflecting the original subdivision of land that occurred in the 1860s;
- Consistent generous building setbacks;
- Construction dates of original buildings ranging between the late 19th century to the early 20th century;
- Architectural styles typical of those dating to the late 19th and early 20th century, with a high proportion of Late Victorian, Queen Anne and Edwardian buildings; and
- Residential streetscapes with mature trees on public and private lands visible from the streets (including North Street, Rankin Avenue, and Dalhousie Street between Richmond Street and North Street).



*Images of streetscape on Rankin Avenue: from the eastern segment facing west (above) and from the western segment facing northwest (right) (MHBC).*







*Images of streetscape on North Street: from the eastern segment facing west (above) and from the western segment facing southeast (right) (MHBC).*



*Images of Dalhousie Street: from the intersection with Rankin Avenue facing north (above) and from the intersection with North Street facing southeast (right) (MHBC).*



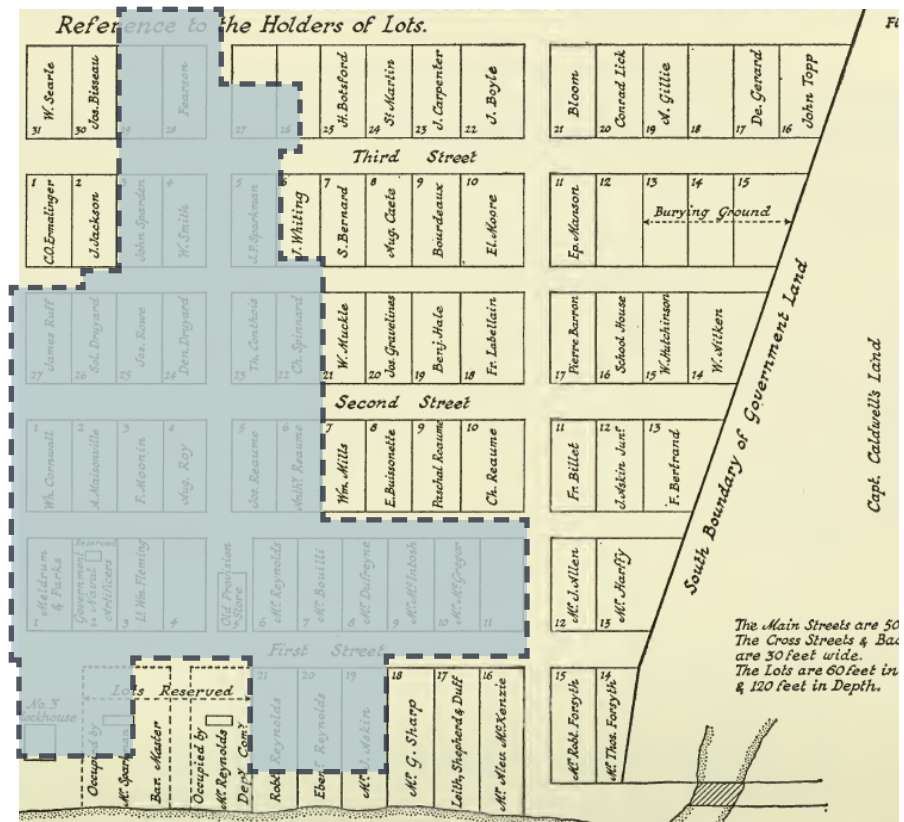


### 2.1.2 Downtown

The “Downtown” Character Area generally includes commercial and mixed-use (commercial/residential) buildings adjacent to the waterfront area and surrounded by residential neighbourhoods. The Downtown contains the most intensive uses of the Study Area, with building heights ranging up to four storeys.

In early 1798, 21 lots along the top of the riverbank to the south of the garrison grounds abutting William Caldwell’s land became available for building on while remaining under the ownership of the Crown (Gaspar, 1996, 50). These lots were assigned by a draw with a requirement that the lots be built upon within one year (Gaspar, 1996, 50). These lots were located along First Street (now known as Dalhousie Street) and were primarily occupied by traders and merchants who built one to two storey frame-construction shops, storehouses and wharves (on lots fronting onto the Detroit River) (Gaspar, 1996, 51). In order of succession, Second Street (now known as Ramsay Street) and Third Street (now known as Bathurst Street) were laid out with building lots and a burying ground shortly thereafter (Gaspar, 1996, 51).

The “Reference to the Holders of the Lots”, dated 1799, provides that the original portion of the Town was laid out with lots that are 60 feet wide with a depth of 120 and that main streets were 50 feet wide while cross streets and back streets were 30 feet wide (Lajeunesse, cxvii).



*Reference to Holders of the Lots, dated 1799 (Lajeunesse, cxviii), with the area to the south of Richmond Street within the Downtown Character Area highlighted in blue.*

During the War of 1812, any development in the Town which may have proven useful to the invading American army was destroyed by the British during their retreat and substantial damage was incurred to any remaining assets during the occupation by the Americans (Gaspar, 1996, 55). Once the Americans evacuated in 1815, the Town was re-built (Gaspar, 1996, 55). The lots in the Downtown continued to be owned by the Crown until 1819 when lot holders petitioned and were able to apply for Land Patents (Gaspar, 1996, 58).

The 1906 Fire Insurance Plan for Amherstburg (courtesy of the Library and Archives Canada) depicts that the Downtown Character Area was generally developed as follows:

- One to two storey dwellings constructed of wood and a livery generally occupied the north side of Richmond Street, with a Telephone Office located at the intersection with Dalhousie Street;
- Stores, hotels, banks, offices, warehouses and other commercial uses generally occupied the blocks and either side of the streets bound by Richmond Street, Dalhousie Street, Ramsey Street and Aspley Street (now known as Sandwich Street). The buildings were constructed of a combination of brick, stone and wood, had a scale that was generally between two and three storeys, and buildings were generally constructed at the street line; and
- To the south of the buildings fronting onto Murray Street, the Downtown Character Area was generally developed with single detached dwellings that were constructed of wood.



*Images of Murray Street facing west: from the intersection with Ramsay Street (above) and from mid-block between Ramsay Street and Dalhousie Street (MHBC).*



The existing built fabric in this Area generally continues to express the original use (largely commercial), street pattern (i.e. grid with narrow rights-of-way), street-orientation of development (i.e. street walls) and contains buildings and architectural styles that date to the 19th century.

Heritage attributes include:

- Predominant commercial and/or mixed-use (commercial/residential);
- Low-rise form of development;
- Linear and grid street patterns with narrow rights-of-ways;
- Construction dates of buildings from the 19th century;
- Architectural styles typical of those dating to the 19th and early 20th century, including a concentration of Italianate buildings along Murray Street and a high proportion of commercial Vernacular buildings;
- Commercial streetscapes with consistent street walls, including:
  - Along Murray Street to the west of Ramsay Street;
  - Along Richmond Street to the west of Ramsay Street; and
  - Dalhousie Street between Richmond Street and Murray Street;
- Views to the Kings Navy Park and Detroit River from Murray Street and Richmond Street, from the intersections with Ramsay Street and to the west of Ramsay Street; and
- The Gordon House (266 Dalhousie Street) as a landmark.



*Image of Richmond Street from the intersection with Ramsay Street, facing west (above) and image of Dalhousie Street facing south near the intersection with Dalhousie Street (right) (MHBC).*





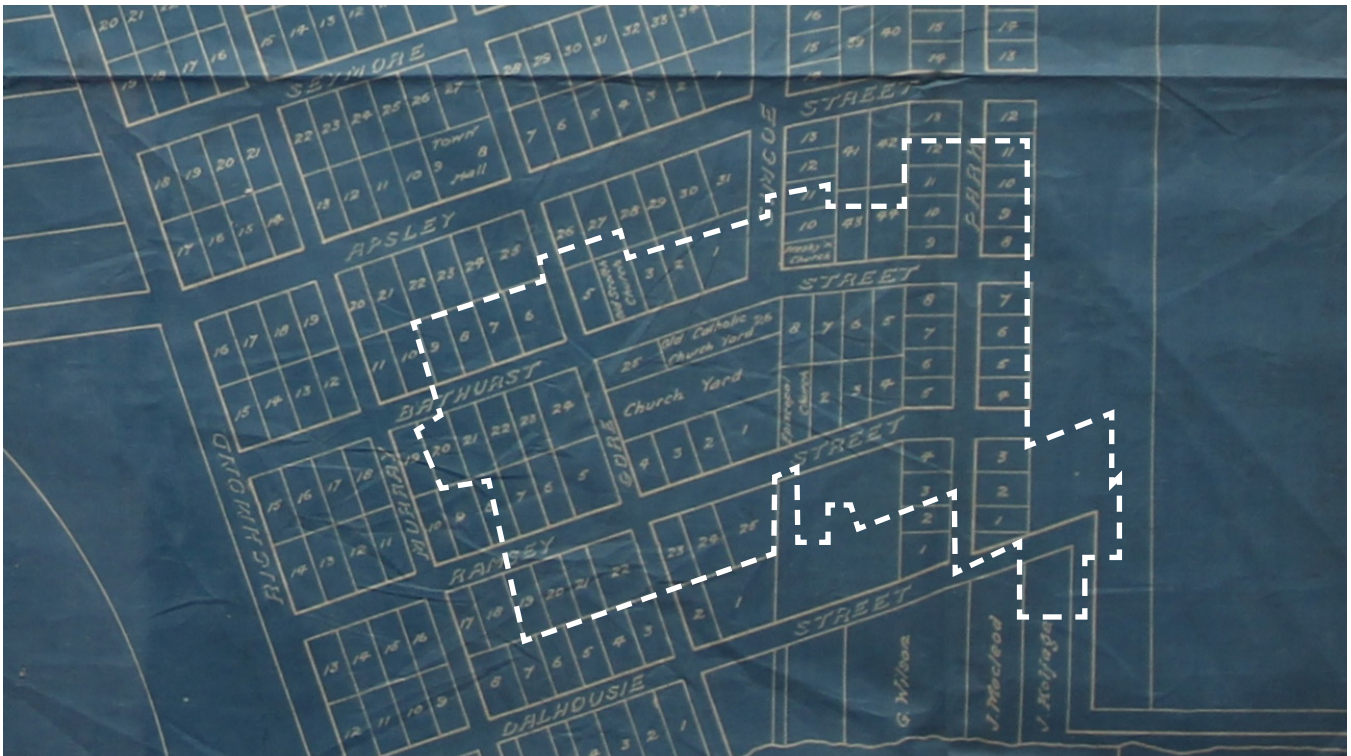
### 2.1.3 South District

The South District Character Area generally composes a low-rise residential neighbourhood dating to the mid-19th century and is located to the south of the Downtown.

In 1848, Thomas Park purchased land to the south of the existing development of the Town and subdivided the land into 57 lots accessed by Park Street (Gaspar, 1996, 76). Within 10 years, approximately half of these lots were sold (Gaspar, 1996, 76). The sale and development of the pre-existing subdivision that abuts the Park Street lands to the north, known as the Bercsy Block, was accelerated as a result of the growing interest in the area with the Park Street subdivision (Gaspar, 1996, 76).

The 1917 Fire Insurance Plan (courtesy of Library and Archives Canada) generally depicts the development of the Character Area with single detached dwellings constructed of wood with a one to two and a half storey mass and predominant gable roofs.

The existing built fabric in this Area generally continues to express the original use (low-rise residential), lot pattern (i.e. consistent lot widths



*Excerpt of Map of Amherstburg, dated 1857 (Brewster and Coste, courtesy of the Town of Amherstburg), oriented to the east, with the South District Character Area outlined in white.*

with consistent setbacks), and contains buildings and architectural styles that date to the mid to late 19th century.

Heritage attributes include:

- Low-rise residential use and scale of development;
- Rectangular lots of similar sizes generally reflecting the original subdivision of land;
- Consistent building setbacks;
- Construction dates of original buildings ranging between the mid to late 19th century and early 20th century;
- Architectural styles typical of those dating to the mid to late 19th century and early 20th century, with a high proportion of Vernacular dwellings;
- Residential streetscapes defined by buildings with a consistent setback, scale and style, including a concentration and groupings of Vernacular dwellings with street-facing gables along segments of Park Street and Bathurst Street;
- Local landmarks, including: Christ Church Amherstburg (317 Ramsay Street) and St. Andrew's Presbyterian Church (129 Simcoe Street)



*Image of dwellings on Park Street to the west of Bathurst Street, facing southwest (above) and image of intersection Gore Street and Ramsay Street, facing northwest (right) (MHBC).*





#### 2.1.4 Waterfront

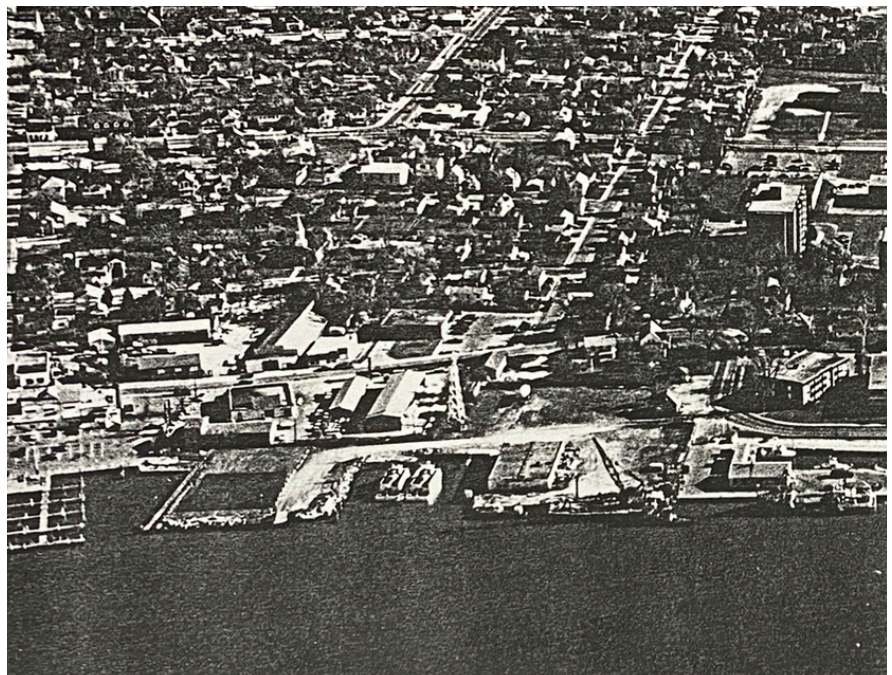
The Waterfront Character Area is generally located along the frontage of the Detroit River. This Character Area contains a mix of public (park) open space uses and vacant former industrial-type land.

In early 1798, 21 lots along the top of the riverbank to the south of the garrison grounds abutting William Caldwell's land became available for building on while remaining under the ownership of the Crown (Gaspar, 1996, 50). These lots had frontage on First Street (now known as Dalhousie Street) and included wharves built by merchants on lots fronting onto the Detroit River (Gaspar, 1996, 51). Utilizing the merchants' wharves, schooners were able to dock and unload trade goods (including furs) from the East (including Montreal) and from Canada West for local storefronts (Gaspar, 1996, 51-53).

The primary sector of employment in the Town was in shipbuilding for the Provincial Navy at the King's Navy Yard in the first decade of the 1800s (Gaspar, 1996, 52). During the retreat of the British during the War of 1812, the Kings Navy Yard was burnt and was not re-built following the evacuation of the Americans and the end of the War (Gaspar, 1996, 55). The Navy Yard Park, a National Historic Site, now generally occupies the location of the former Yard.



*Images of waterfront, generally between Gore Street and Park Street: image dated 1951 (above) and image dated 1990 (right) (courtesy of Marsh Historical Collection).*





*Images of view of waterfront and surrounding landscape features (MHBC).*



*Image of former industrial land between Gore Street and Park Street along the waterfront (top) and image of Kings Navy Yard Park (bottom) (MHBC).*

Following the War of 1812, the Town was re-established as a frontier town with exports (including agricultural goods and whitefish from the River) and imports occurring at the docks (Gaspar, 1996, 55, 66). Hotels, taverns, saloons, billiards and distilleries operated near the Detroit River into at least the mid-19th century, including William Horseman's Whitehorse Hotel on the northeast corner of the intersection of Dalhousie Street and Murray Street, to accommodate mariners and ships' passengers (Gaspar, 1996, 83).

To the south of Richmond Street, the 1906 Fire Insurance Plan (courtesy of Library and Archives Canada) depicts wharves to the rear of stores and dwellings on Dalhousie Street and depicts mills and industries along either side of Dalhousie Street to the south of Gore Street. The 1951 and 1990 aerial images of the area generally continue to depict docks and industry along the waterfront in this area.

The existing fabric of the Waterfront Character Area is generally in a state of transition to the south with the absence of current industrial-type activities. The lands to the south include vacant properties (former industrial lands) and a public lot that provides access to the ferry to Bois Blanc Island. To the north, the Navy Yard Park spans along the waterfront and includes plaques and installations that commemorate the former uses of the land.

Heritage attributes include:

- Its location adjacent to the original town site;
- The siting on the Detroit River and interaction with the Detroit River (docks);
- Landscaped open space for public use and commemoration;
- Local landmarks, including: the King's Navy Park, Commissariat Office, Park House and Pensioner's Cottage (west side of Richmond Street).



### 2.1.5 Sandwich Street/Transition

Sandwich Street generally contains a mix of low-rise commercial and institutional uses with pockets of pre-existing residential development. This Character Area is located between the Downtown and a residential neighbourhood to the east. Sandwich Street functions as the primary arterial road through the Town, connecting Amherstburg to Windsor to the north.

Fourth Street (now known as Sandwich Street) became available for development in 1804 and by 1812, Fifth Street (now known as Seymour Street) was being developed, presumably as a result of all the lots on Fourth Street being developed by this time (Gaspar, 1996, 53). The 1906 and 1917 Fire Insurance Plans (courtesy of Library and Archives Canada) generally depict Aspley Street (now Sandwich Street) within the Study Area as being developed with single detached dwellings with a wood construction and one to two storey mass. These Fire Insurance Plans also capture stores at the intersection with Murray Street, a Town Hall and Fire Station at the intersection with Gore Street and a public library at the intersection with Richmond Street.

Into the latter half of the 20th century, Sandwich Street and some of the surrounding lands largely were redeveloped with large-format commercial and service uses. The existing buildings along Sandwich Street, with the exception of the remaining dwellings from the 19th and early 20th century, do not have a consistent form or setback and are often separated from the street with surface parking. This Area does not have a consistent character due to its transitional nature.



*Images of Sandwich Street: near Simcoe Street facing north (above) and at the intersection with Gore Street facing north (right) (MHBC).*

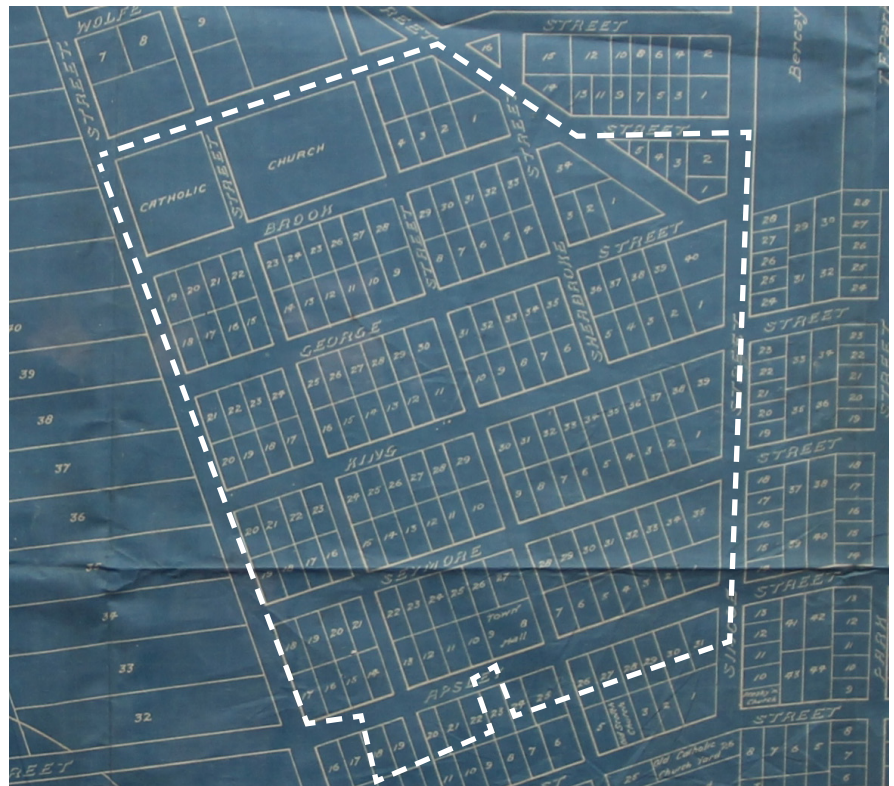


### 2.1.6 East District

The East District Character Area generally comprises a low-rise residential neighbourhood dating to the mid-19th century that is located to the east of Sandwich Street, to the east of Downtown.

In 1820, the existing town site was surveyed and extended by an additional four blocks to the east of George Street; however, these lots were not occupied for two decades following their survey (Gaspar, 1996, 58). By the end of the 1830s, development had reached Brock Street but there were still many vacant lots along King and George Streets (Gaspar, 1996, 65). As per the Map of Amherstburg (Figure 27, below), dated 1857, two of the most easterly blocks in the Study Area were reserved for the Catholic Church.

The East District Character Area contained a pocket of settlement of Freedom Seekers in the mid to late 19th century, known as the George-King-Seymour (GKS) Settlement which was located between Richmond Street and Simcoe Street on George, King and Seymour Streets (Kochaniec, Beyond the Underground Railroad). The GKS Settlement was centered around the Amherstburg First Baptist Church, the Nazrey African Methodist Episcopal Church, and the King Street School (Kochaniec, Beyond the Underground Railroad). The two aforementioned churches functioned as final stations for the Underground Railroad (Kochaniec, Beyond the Underground Railroad).



*Excerpt of Map of Amherstburg, dated 1857 (Brewster and Coste, courtesy of the Town of Amherstburg), oriented to the east, with the East District Character Area outlined in white.*

The 1906 Fire Insurance Plan (courtesy of the Library and Archives Canada) provides that the majority of the Character Area was developed with single detached dwellings constructed of wood, that there were some commercial uses located near the intersection of Gore Street and Seymore Street, that there were three institutional buildings (Methodist Church, school, and St. Jean Baptist Hall) located on King Street, a Baptist church on George Street, and that there were various institutional uses on the east side of Brock Street (St. Jean Baptiste Church, Presbyterian Church and St. Joseph's Academy).

The existing built fabric in this Area generally continues to express the original use (low-rise residential), lot pattern (i.e. consistent lot widths with consistent setbacks), and contains buildings and architectural styles that date to the mid to late 19th century.

Heritage attributes include:

- Low-rise residential use and scale of development;
- Rectangular lots of similar sizes generally reflecting the original subdivision of land;
- Construction dates of original buildings ranging between the mid-19th century and early 20th century;
- Architectural styles typical of those dating to the mid-19th century and early 20th century, with a high proportion of Vernacular, Georgian, Worker's Housing and Victory Housing styles;
- Properties associated with the Underground Railroad and/or early Black history of Amherstburg, including the Nazrey African Methodist Episcopal Church (now the location of the Amherstburg Freedom Museum) and the Amherstburg First Baptist Church;
- Residential streetscapes defined by mature trees, sidewalks, and features such as porches and steps located in close proximity to the street.
- Buildings with a consistent setback, scale and style, including a concentration and groupings of Vernacular dwellings with street-facing gables along Seymour Street, King Street and George Street;
- Local landmarks, including: St. John the Baptist Catholic Church (225 Brock Street), the Lighthouse Church (226 King Street), First Baptist Church (232 George Street), Mount Beulah Church (246 King Street), Amherstburg Freedom Museum and the Nazrey African Methodist Episcopal Church (271-273 King Street), and St. Anthony School (247 Brock Street).



*Image of group of Vernacular dwellings on George Street (top) and image of streetscape of George Street (bottom) (MHBC).*



### 2.1.7 Landscape Features

Cultural heritage landscapes can include streetscapes (series of buildings built in the same time period, trees, etc.) and historical settlements (groupings of two or more structures). Landscape features can have CHVI independently and could include heritage trees, statues, memorials/plaques, installations, and fencing.

The following landscape features have been identified in the Study Area:

- Historical settlement patterns in the Study Area are reflected in the circulation pattern of streets, lot fabrics, built forms, and land use patterns;
- Residential streetscapes which include treed boulevards:
  - North Street;
  - Rankin Avenue;
  - Dalhousie Street between Richmond Street and North Street;
  - King Street; and
  - George Street.
- Commercial streetscapes which include consistent street walls:
  - Richmond Street to the west of Ramsay Street;
  - Murray Street to the west of Ramsay Street; and
  - Dalhousie Street between Richmond Street and Murray Street.
- Residential streetscapes that include a concentration of Vernacular dwellings with street-facing gables:
  - Segments of Park Street;
  - Segments of Bathurst Street;
  - Segments of Seymour Street;
  - Segments of King Street; and
  - Segments of George Street.
- Vacant and open space (including public commemoration features) abutting the Detroit River.



Landmarks include recognizable natural or human-made features that are significant within their context and can be used as a point of reference for orientation. The following landmarks have been identified within the Study Area:

- St. John the Baptist Catholic Church (225 Brock Street);
- The Lighthouse Church (226 King Street);
- Christ Church Amherstburg (317 Ramsay Street);
- St. Andrew's Presbyterian Church (129 Simcoe Street);
- First Baptist Church (232 George Street);
- Mount Beulah Church (246 King Street);
- Amherstburg Freedom Museum and the Nazrey African Methodist Episcopal Church (271-273 King Street);
- St. Anthony School (247 Brock Street);
- The Gordon House (266 Dalhousie Street); and
- King's Navy Park, including the Commissariat Office, Park House and Pensioners Cottage (west side of Richmond Street).

The Standards and Guidelines for the Conservation of Historic Places (Second Edition) defines "Visual Relationships" in Section 4.1.5 as part of a character-defining element of a historic place and provides that it relates to an observer and their relationship with a landscape or landscape feature or between the relative dimensions of landscape features (scale). The Ontario Heritage Toolkit acknowledges that views of heritage attributes can be components of significant CHVI. This can include relationships between settings, landforms, vegetation patterns, buildings, landscapes, sidewalks, streets, and gardens.

Views can be either static or dynamic. Static views are those which have a fixed vantage point and view termination. Dynamic views are those related to a route (such as a road or walking trail) which includes a series of views of an object or vista. The vantage point of a view is the place in which a person is standing. The termination of the view includes the landscape or buildings which is the purpose of the view. The space between the vantage point and the termination (or object(s) being viewed) includes a foreground, middle-ground, and background. Views can also be 'framed' by buildings or features.

While there may be many vantage points providing views and vistas of a property, landscape, building or feature, these must be evaluated to determine whether they make an important contribution to the understanding of the identified CHVI of the Study Area. Pursuant to the above, the Study has identified the following significant views:

- View 1: View from the intersection of Richmond Street and Ramsay Street towards the King's Navy Park. This view begins at the intersection of Richmond Street and Ramsay Street and continues as one travels west towards the Detroit River. The view is framed by a consistent street wall on either side and terminates at the King's Navy Yard Park that includes a clock post, flag posts and a mature coniferous trees surrounded by public space with the Detroit River in the background.
- View 2: View from the intersection of Murray Street and Ramsay Street towards the King's Navy Park. This view begins at the intersection of Murray Street and Ramsay Street and continues as one travels west towards the Detroit River. The view is generally framed by a consistent street wall of two storey Italianate buildings on either side and terminates at an entrance to the King's Navy Park with the Detroit River in the background.
- View 3: View from King's Navy Yard Park waterfront towards the Detroit River. The view begins at the water's edge, looking outwards, and continues both upstream and downstream from the park area. The view is available at various locations throughout the park.



*Waterfront and landscape features  
within View 3 (MHBC)*





*From top to bottom, Views 1, 2 and 3 within the HCD boundary (MHBC)*



## 3.0 POLICY FRAMEWORK AND GUIDANCE

### 3.1 Ontario Heritage Act (OHA)

#### 3.1.1 Part V Designation

The OHA is the primary piece of legislation that governs the designation, conservation and management of cultural heritage resources in the Province. Part V of the OHA allows municipalities to designate lands as an HCD. Moreover, Section 41(1) provides:

*The council of the municipality may, by by-law, designate the municipality or any defined area or areas of it as a heritage conservation district if:*

- (a) there is in effect in the municipality an official plan that contains provisions relating to the establishment of heritage conservation districts; and*
- (b) where criteria for determining whether a municipality or an area of a municipality is of cultural heritage value or interest have been prescribed, the municipality or any defined area or areas of the municipality meets the prescribed criteria.*

Pursuant to the above, the HCD Study for this project provided a review of the provisions of the Town of Amherstburg Official Plan (including the policies of Section 6.4 which include direction for establishing HCDs) and evaluated the HCD in the context of the prescribed criteria of Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest (O. Reg. 9/06), as amended by the More Homes Built Faster Act. The Study determined that the Boundary meets the criteria of O. Reg. 9/06 and merits designation as an HCD.

As described earlier in this HCD Plan, Section 41.1(5) of the OHA provides a list of required information to be included in an HCD Plan. This Plan contains the required contents, as described in the aforementioned Section of this document.

Further to the above, Section 41.2 the OHA provides guidance for matters of consistency and conflicts with an HCD Plan:

- (1) *Despite any other general or special Act, if a heritage conservation district plan is in effect in a municipality, the council of the municipality shall not,*
  - (a) *carry out any public work in the district that is contrary to the objectives set out in the plan; or*
  - (b) *pass a by-law for any purpose that is contrary to the objectives set out in the plan. 2005, c. 6, s. 31.*
- (2) *In the event of a conflict between a heritage conservation district plan and a municipal by-law that affects the designated district, the plan prevails to the extent of the conflict, but in all other respects the by-law remains in full force. 2005, c. 6, s. 31.*

Section 41(1) of the OHA provides direction for alteration, erection, demolition and removal of buildings, structures and/or attributes:

*No owner of property situated in a heritage conservation district that has been designated by a municipality under this Part shall do any of the following, unless the owner obtains a permit from the municipality to do so:*

- 1. *Alter, or permit the alteration of, any part of the property, other than the interior of any structure or building on the property.*
- 2. *Erect any building or structure on the property or permit the erection of such a building or structure.*
- 3. *Demolish or remove, or permit the demolition or removal of, any attribute of the property if the demolition or removal would affect a heritage attribute described in the heritage conservation district plan that was adopted for the heritage conservation district in a by-law registered under subsection 41 (10.1).*
- 4. *Demolish or remove a building or structure on the property or permit the demolition or removal of a building or structure on the property. 2005, c. 6, s. 32 (1); 2019, c. 9, Sched. 11, s. 19 (1); 2022, c. 21, Sched. 6, s. 7 (1).*

Further to the above, Section 41(2) of the OHA provides that minor alterations or classes of alterations described in the HCD Plan in accordance with clause 41.1(5)(e) of the OHA may be carried out without a permit from the municipality.

### 3.1.2 Part IV Designations

Part IV of the OHA enables a municipality to “list” or “designate” individual properties that are of CHVI. Properties that are listed (non-designated) are included on the Town’s Municipal Heritage Register. Properties that are designated are recognized by way of a by-law registered on-title. The Boundary includes a number of municipally designated and listed (non-designated) properties under Part IV of the OHA.

The OHA provides that a property that is designated under Part IV may also be designated under Part V of the OHA and is subject to the HCD Plan as it relates to alterations and demolition and/or removals. Accordingly, this HCD Plan provides for the dual-designation of properties under both Part IV and Part V of the OHA.

## 3.2 Provincial Policy Statement (PPS)

*Planning legislation in Ontario requires that significant cultural heritage resources, including Cultural Heritage Landscapes and archaeological resources are conserved. Cultural heritage resources are managed by legislation under the Ontario Heritage Act. Both municipal governments and private property owners are required to adhere to the policies of the Act.*

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest related to land use planning and development, and sets the policy foundation for regulating the development and use of land. The PPS is to be read in its entirety and the relevant policies applied to each situation. All municipal decisions must be consistent with the policy direction contained within the PPS.

The PPS contains policies related to cultural heritage and archaeological resources in Section 2.6<sup>2</sup>. This Section directs that significant cultural heritage resources shall be conserved, and that development on adjacent lands will not be permitted unless it is demonstrated that heritage attributes will be conserved:

*2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved...*

*2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.*

Furthermore, various definitions related to cultural heritage matters are included in the PPS and have been incorporated into **Appendix B** of this HCD Plan.

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2 A new Provincial Planning Statement was released in August 2024, which will come into force on October 20th, 2024. The direction related to cultural heritage resource conservation is very similar to the 2020 PPS and does not change the approach to the evaluation undertaken as part of this report or the previous HCD Study.



### 3.3 Standards and Guidelines for the Conservation of Historic Places in Canada

Parks Canada adopted the updated Standards and Guidelines for the Conservation of Historic Places in Canada (“Standards and Guidelines”) in 2010. This document (available at: <http://www.historicplaces.ca/en/pages/standards-normes.aspx>) contains applicable guidance related to understanding historic resources and determining types of interventions, as well as best practices related to cultural heritage landscape conservation and building conservation. The Standards and Guidelines for the Conservation of Historic Places in Canada has also been referenced by many municipalities as a source of best practices related to heritage conservation.

*The Standards and Guidelines for the Conservation of Historic Places in Canada is a document which provides best practice for the conservation of built heritage resources and Cultural Heritage Landscapes.*

The Standards and Guidelines contain the following fourteen standards related to the conservation of historic places in Canada:

#### *General Standards for Preservation, Rehabilitation and Restoration*

- 1. Conserve the heritage value of an historic place. Do not remove, replace or substantially alter its intact or repairable character defining elements. Do not move a part of an historic place if its current location is a character-defining element.*
- 2. Conserve changes to an historic place that, over time, have become character-defining elements in their own right.*
- 3. Conserve heritage value by adopting an approach calling for minimal intervention.*
- 4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties, or by combining features of the same property that never coexisted.*
- 5. Find a use for an historic place that requires minimal or no change to its character-defining elements.*
- 6. Protect and, if necessary, stabilize an historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.*

7. *Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.*
8. *Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.*
9. *Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable on close inspection. Document any intervention for future reference.*

#### *Additional Standards Relating to Rehabilitation*

10. *Repair rather than replace character-defining elements. 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. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.*
11. *Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.*
12. *Create any new additions or related new construction so that the essential form and integrity of an historic place will not be impaired if the new work is removed in the future.*

#### *Additional Standards Relating to Restoration*

13. *Repair rather than replace character-defining elements from the restoration period. 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.*

14. *Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.*

The Standards and Guidelines also include direction for the conservation of historic places, including cultural heritage landscapes (particularly applicable to HCDs), archaeological sites, buildings, engineering works, and materials. Section 4.1 entitled “Guidelines for Cultural Landscapes Including Heritage Districts” of the Standards and Guidelines was considered in the Study Report for this project.

### 3.4 Ontario Heritage Toolkit

The Ministry of Citizenship and Multiculturalism (MCM) provides guidance for the OHA through the Ontario Heritage Toolkit (OHTK). The OHTK was published in 2006 and is currently being updated. One of the five guides of the OHTK is entitled: “Heritage Conservation Districts, A Guide to District Designation under the Ontario Heritage Act”. The introduction of this Guide notes that the designation of an HCD enables a municipality to manage and guide future change within the Boundary through the adoption of an HCD Plan with policies and guidelines for conservation, protection and enhancement of the area’s special character. This Guide also provided additional direction on the identification of HCDs that was considered in the Study for this project.

### 3.5 Additional Resources

The Province also previously published Information Sheets from time to time, and one such publication is entitled “Eight Guiding Principles in the Conservation of Built Heritage Properties” (2007). Decisions related to the conservation of historic structures may be guided by the following principles which lay out a straightforward approach to planning for the conservation of these resources:

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/conservé - 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.*
7. *Legibility: New work should be distinguishable from old. Buildings or structures should be recognized as products of their own time, and new additions should not blur the distinction between old and new.*
8. *Maintenance: With continuous care, future restoration will not be necessary. With regular upkeep, major conservation projects and their high costs can be avoided."*

There is a wide variety of literature available with respect to the conservation of heritage properties. Publications and websites are easily accessible to the public, and rather than repeat this information, property owners are encouraged to review these sources in order to acquaint themselves with current building and landscape conservation best practices. Some applicable sources are outlined below.

Well-Preserved: The Ontario Heritage Foundation's Manual of Principles and Practice for Architectural Conservation can be used for an introduction and practical guide to restoration and rehabilitation of heritage architecture (available at: <http://www.heritagetrust.on.ca/en/index.php/pages/publications/well-preserved>).

For additional detail, a series of bulletins entitled Preservation Briefs (published by Technical Preservation Services, US National Park Service) also address a comprehensive array of topics. Representative Preservation Brief titles of interest to owners of property in the District include:

- (2) Re-pointing Mortar Joints in Historic Buildings;
- (3) Improving Energy Efficiency in Historic Buildings;
- (9) The Repair of Historic Wooden Windows;
- (10) Exterior Paint Problems on Historic Woodwork;
- (11) Rehabilitating Historic Storefronts;
- (16) The Use of Substitute Materials on Historic Building Exteriors.
- (32) Making Historic Properties Accessible; and
- (47) Maintaining the Exterior of Small and Medium Size Historic Buildings.

The above papers (and others that may be of interest) are available at: <https://www.nps.gov/orgs/1739/preservation-briefs.htm>). Where not directly applicable, these papers provide advice on how to analyze a property, as well as the process to follow when selecting a plan for an alteration.



# PART II

## POLICIES AND GUIDELINES



## 4.0 INTRODUCTION

The Amherstburg Heritage Conservation District Plan follows from the Heritage Conservation District Study process previously completed on behalf of the Town. This HCD Plan should be read with reference to the preceding HCD Study and property inventory undertaken through that process.

The purpose of this HCD Plan is to ensure that continuing change is managed in a way that protects and conserves the character and heritage attributes of the District. An important overall objective in the District guidelines is to encourage change that is in keeping with, and respects, the existing character and cultural heritage values and attributes of the District. Changes to the District shall not diminish or detract from the character, history, cultural heritage values and integrity of the District. Physical change is expected to include alterations and additions to properties, new construction and infill development, and works undertaken within the public realm.

The guidelines recognize that there is a role for both restoration of historical features and the addition of complementary design that will add features which comply with the requirements. Over the long-term, it is intended that neighbourhood character will be conserved and enhanced. As such, the HCD Plan serves to guide physical change over time so it contributes to, and does not detract from, the District's historical character.

### 4.1 Classification of Properties

Based on the work conducted through the HCD Study process, properties were evaluated in order to determine which properties were 'contributing' to the character of the HCD Study Area, and which properties were 'non-contributing'.

The following criteria were utilized in order to determine if a property should be identified as 'contributing':

- Expresses or represents an architectural style and has fair or excellent integrity;
- OR contributes to a theme identified as significant to the HCD Study Area;
- AND is not infill;
- AND/OR is listed or designated under Part IV of the OHA;
- AND/OR includes a landmark;
- AND defines, maintains or supports the character of the area.

Properties not captured by the above criteria were identified as non-contributing.

The following figure identifies the 'contributing' properties within the HCD boundary, and a listing of 'contributing' and 'non-contributing' (referred to as 'other' for the purposes of this HCD Plan) properties can be found in Appendix A.

## 4.2 Policies vs. Guidelines

*A policy is a rule that must be adhered to.*

*A guideline constitutes best practice that will be encouraged.*

The subsections have been further organized into 'policies' and 'guidelines' where applicable. **Policies** are requirements that must be following when undertaking alterations to buildings or changes to properties. **Guidelines** are best-practice suggestions to be considered when undertaking alterations to buildings or changes to properties.

Not all policies and guidelines will apply in every case, and their application will depend on the nature of each proposal being evaluated. Where an alteration or change is proposed and there is no corresponding policy provided in this HCD Plan that would reasonably apply, the general intent, goals, and objectives should be referenced.

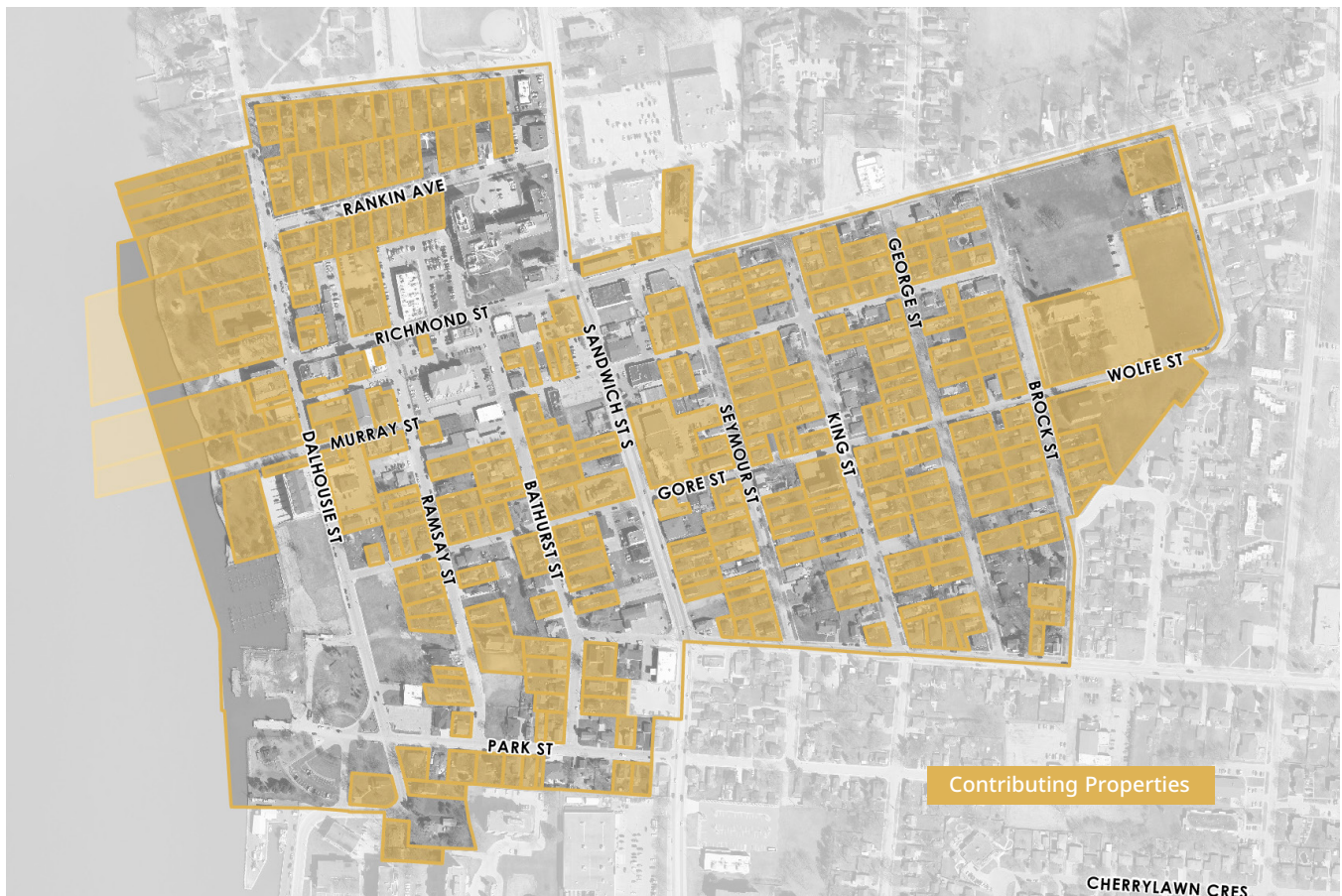


Figure 3 - Contributing properties in the HCD

## 5.0 ALTERATIONS TO CONTRIBUTING PROPERTIES

The policies and guidelines in this section address alterations to the roof and wall planes of buildings, as opposed to additions that involve more substantial work that extends beyond the existing building envelope (see Section 6.0 for guidelines relating to additions). The intent of these guidelines is to allow for alterations, repairs and upgrading to residential buildings in a manner that respects the form and integrity of the heritage attributes and building fabric.

Property and building conservation involve maintenance, repair, restoration, alteration and new work in the form of additions. Maintenance and repair are activities that are done throughout the life of the property. An owner may also wish to restore architectural elements that have been lost, alter architectural elements in order to meet new demands, and add new rooms or features. While regular maintenance and necessary repair are always encouraged, returning a contributing property or one of its features to its original appearance or to another documented point in the property's history is only an option for owners to consider.

In addition to the following guidelines, reference may also be made to more technical advice and conservation best practices referred to earlier in this document, namely the Standards and Guidelines for the Conservation of Historic Places in Canada and the US National Park Service Preservation Briefs, as noted earlier in this report. Other publications on the subject may be relevant and may be consulted for detailed advice and conservation techniques.



## CONTRIBUTING PROPERTY ALTERATIONS

### FOUNDATIONS & WALLS

ROOFS

WINDOWS

ENTRANCES

COMMERCIAL SIGNAGE & STOREFRONTS

FEATURES & SPACES AROUND BUILDINGS

REMOVAL OF HERITAGE BUILDING FABRIC



*Masonry may need to be re-pointed over time to extend its lifespan and avoid damage. Care should be taken when re-pointing to match mortars and techniques (unlike the example in the centre). Painting of previously unpainted masonry surfaces is not permitted (as in the example on the bottom).*

## 5.1 Foundations and Walls

### Policies

- a) Original/historic wall materials shall be retained and conserved where feasible. Replacement with modern materials in a sympathetic style is permitted.
- b) Protect original wall surfaces from cleaning methods that may permanently alter or damage the appearance of the surface or give a radically new look to the building. Sandblasting, strong chemical cleaning solutions or high pressure water blasting are not permitted. Other methods of cleaning will be considered on a case by case basis, subject to successful test patches being conducted.
- c) The painting of previously unpainted masonry is not permitted.
- d) Ensure that surface drainage, especially from downpipes, is directed away from foundation walls.

### Guidelines

- e) Brick masonry requires re-pointing from time to time and this process should be undertaken by tradespeople with experience in historic masonry techniques and materials. Mortar testing should be undertaken to ensure compatibility.
- f) Generally, lime-based mortar should be used, and joints should replicate the original in finish, colour and texture. Hard, cement based mortars are more rigid during freeze-thaw cycles and can cause brick units to deteriorate.
- g) The application of waterproofing and water repellant coatings should be avoided.
- h) Avoid the application of new finishes or coatings that alter the appearance of the original material, especially where they are substitutes for repair. Alterations that comprise unacceptable materials include water repellant coatings, paint on brick or stone, aluminum or vinyl siding. Materials such as concrete fibre board and synthetic wood products will be considered on a case-by-case basis.

## CONTRIBUTING PROPERTY ALTERATIONS

FOUNDATIONS & WALLS

ROOFS

WINDOWS

ENTRANCES

COMMERCIAL SIGNAGE & STOREFRONTS

FEATURES & SPACES AROUND BUILDINGS

REMOVAL OF HERITAGE BUILDING FABRIC

## 5.2 Roofs

### Policies

- a) Decorative roof features and original/historic roofing materials, such as slate, wood shingles, and copper on sloped roofs, shall be retained and conserved wherever possible. Replacement materials, if required, shall complement the original and/or historic materials.
- b) Many roofs within the District have asphalt shingles or metal, which may be replaced in kind.

### Guidelines

- c) Vents, skylights and other new roof elements should be sympathetic in type and material and shall be located out of general view from the public realm.
- d) Roof drainage should be maintained and directed away from building foundations.
- e) Maintenance of original roof shape is encouraged.
- f) The addition of solar panels or solar hot water heaters may be permitted on roofs but shall not damage or remove heritage fabric. The installation of this type of equipment should be in the same plane as the roof (e.g., at the rear slope of a roof or on a flat or low pitched roof), and not visible from the street.
- g) Chimneys can be important heritage attributes and should be retained. Non-functioning chimneys should be retained, capped and re-pointed where they are considered a heritage attribute of the building.



*Various roof styles and materials within the HCD*



## CONTRIBUTING PROPERTY ALTERATIONS

FOUNDATIONS & WALLS

ROOFS

WINDOWS

ENTRANCES

COMMERCIAL SIGNAGE & STOREFRONTS

FEATURES & SPACES AROUND BUILDINGS

REMOVAL OF HERITAGE BUILDING FABRIC

## 5.3 Windows

### Policies

- a) Maintain original window openings and entrances as well as their distinguishing features such as materials, surrounds, frames, shutters, sash and glazing.
- b) The removing or blocking up of window and entrance openings that are important to the architectural character and symmetry of the building is not permitted.
- c) New replacement windows shall be compatible with the original/ historic windows in terms of material, proportions (such as ratio of horizontal to vertical dimensions), rhythm and scale (such as placement and number of openings per building façade). Replacement windows shall convey the same appearance as the historic window and be physically and visually compatible.



*Changes to original window openings, as in the examples above, shall be avoided.*





## CONTRIBUTING PROPERTY ALTERATIONS

FOUNDATIONS & WALLS

ROOFS

WINDOWS

ENTRANCES

COMMERCIAL SIGNAGE & STOREFRONTS

FEATURES & SPACES AROUND BUILDINGS

REMOVAL OF HERITAGE BUILDING FABRIC

### Guidelines

- d) Repairing, rather than replacing original/historic windows is encouraged, and should focus on the minimal intervention required in order to ensure the integrity of the resource. This includes limited replacement in kind, or replacement with appropriate substitute material of irreparable elements, based on documentary or physical evidence where possible.
- e) Replacing in kind irreparable windows should be based on physical and documentary evidence where possible. If using the same materials and design details is not technically or economically feasible, then compatible substitute materials or details may be considered.
- f) Improvement in energy efficiency of single glazed units may be achieved with traditional exterior wood storm windows or contemporary interior magnetic storm glazing.
- g) Where historic documentation is available, replacement windows may be reproductions of earlier windows.



*Maintain original openings and replace materials in kind or with sympathetic materials.*



## CONTRIBUTING PROPERTY ALTERATIONS

FOUNDATIONS & WALLS

ROOFS

WINDOWS

ENTRANCES

COMMERCIAL SIGNAGE & STOREFRONTS

FEATURES & SPACES AROUND BUILDINGS

REMOVAL OF HERITAGE BUILDING FABRIC

## 5.4 Entrances

### Policies

- a) Protect and maintain entrances on principal elevations.
- b) Character-defining porches or verandahs (e.g. part of the original design and facing the street) shall only be removed where they pose a life/safety threat. In such cases, they shall be thoroughly recorded prior to removal to allow for their accurate reconstruction.
- c) The design and construction of a new entrance/porch is required to be compatible with the character of the building. Restoration of a missing porch must be based upon historical, pictorial and physical documentation.

### Guidelines

- d) Entrance ramps may be permitted for barrier-free access in accordance with applicable legislation but should not be physically attached to avoid damage to the heritage building fabric.
- e) Important features such as doors, glazing, lighting, steps and door surrounds should be conserved wherever possible.
- f) Where new entrances or exterior staircases are required, they should be installed on secondary elevations wherever possible.
- g) Wood is encouraged to be used in the construction of new entrances and porches. Other materials, such as synthetic wood products will be considered on a case by case basis through the heritage permit process.



*Entrances and porches contribute to the heritage character of the facade*





## CONTRIBUTING PROPERTY ALTERATIONS

FOUNDATIONS & WALLS

ROOFS

WINDOWS

ENTRANCES

## COMMERCIAL SIGNAGE & STOREFRONTS

FEATURES & SPACES AROUND BUILDINGS

REMOVAL OF HERITAGE BUILDING FABRIC

## 5.5 Commercial Storefronts and Signage

Nineteenth century commercial street frontages are most often built out to the street frontage and side lot lines, appearing as a continuous wall. This is often referred to as the “commercial street wall”. Storefronts must represent their retail use on the building exterior at grade. The conservation of commercial structures requires maintaining a balance between the needs of changing commercial uses and retail styles within the storefront area with the overall architectural heritage of the building.

The following policies and guidelines provide guidance on change and conservation for signage and commercial storefronts within the District.

### Policies

- Where the continuous street wall exists, it shall be maintained.
- Storefronts shall have a strong commercial presence at grade.
- Maintain and repair, rather than remove and replace, existing storefronts and storefront elements that a) are contributing to the streetscape, and/or b) are physically sound and compatible with the overall building facade through design, details and proportions. Storefronts may have historic value even if they are later additions.
- Signs shall not block architectural features such as windows and ornamentation and should be attached in a manner does not damage features of the façade. All projecting signs shall be located within the traditional sign band area.
- Buildings and business external identification signs shall be limited to the traditional locations such as the storefront sign band under the cornice or lettering on glazing.



*Examples of signage in Hamilton (right) and New Hamburg (above) that do not interfere with architectural features of the storefronts.*





## CONTRIBUTING PROPERTY ALTERATIONS

FOUNDATIONS & WALLS

ROOFS

WINDOWS

ENTRANCES

COMMERCIAL SIGNAGE & STOREFRONTS

FEATURES & SPACES AROUND BUILDINGS

REMOVAL OF HERITAGE BUILDING FABRIC

## Guidelines

- f) The Amherstburg commercial street wall has a variety building heights generally ranging from 1 to 2.5 storeys, and a variety of roof types. These built forms and streetscape patterns should be maintained.
- g) Examine and carefully remove contemporary storefront fabric to determine whether or not original, or earlier, heritage fabric can be revealed underneath. This fabric may be available for rehabilitation.
- h) Contemporary modern designs along a storefront at grade may be permitted provided they do not damage heritage building fabric and are complementary to the heritage building fabric above the first storey, and on adjacent buildings.
- i) Existing storefronts may be restored to an earlier period or style provided restoration is based upon historical documentation.
- j) External illumination may include gooseneck lighting, and similar forms of illumination.
- k) Corporate logos, icons and signage motifs may be permitted on building façades and store fronts provided that they are appropriately reduced in dimensions to fit within the fascia sign band.



*Examples of projected signage in Port Stanley (right) and New Hamburg (above) that respect existing architectural features.*



## CONTRIBUTING PROPERTY ALTERATIONS

FOUNDATIONS & WALLS

ROOFS

WINDOWS

ENTRANCES

COMMERCIAL SIGNAGE & STOREFRONTS

FEATURES & SPACES AROUND BUILDINGS

REMOVAL OF HERITAGE BUILDING FABRIC



*The elements surrounding a heritage building contribute to the overall character of the space*

## 5.6 Features and Spaces Around Buildings

### Policies

- Driveways, walkways, fences and walls that contribute to the character of the space around a heritage building shall be maintained.
- Keep parking areas, ancillary structures, and utilities such as heat pumps to the side or rear. In the case of corner lots, additional screening should be considered.
- Significant soil disturbance may require an archaeological assessment in accordance with municipal and Provincial policies to ensure archaeological resources are not affected.
- Proper site drainage shall be maintained to ensure that water does not damage foundation walls, and pool or drain towards the building
- Small scale signs, such as address signs or commemorative plaques, or small business signs are appropriate landscape features and are permitted.

## 5.7 Removal of Heritage Building Fabric

### Policies

- Heritage building fabric shall be repaired rather than replaced where possible. When undertaking repair, replacement or restoration, use the same materials as the original.
- The removal of heritage building fabric shall be kept to a minimum, and only permitted where required to integrate an addition with the original building.
- Where original material is removed for new openings, it shall be kept on-site and protected from the elements, and its original location documented so that it may be utilized in the future so the alteration may be reversible.



## CONTRIBUTING PROPERTY ADDITIONS

### LOCATION, MASSING & HEIGHT

DESIGN & CLADDING

ROOF TYPES

WINDOWS & ENTRANCES

OUTBUILDINGS & ADDITIONAL RESIDENTIAL  
UNITS

## 6.0 ADDITIONS TO CONTRIBUTING PROPERTIES

This section outlines guidelines for additions to residential buildings within the District. Additions are an important aspect of building evolution. The intent of these guidelines is to ensure that additions to residential buildings do not result in the loss of heritage building fabric, are designed in a way that clearly differentiates them from the original building fabric and are compatible with the character of the District. The following guidelines apply to the construction of additions:

### 6.1 Location, Massing and Height

#### Policies

- a) Additions are not permitted on the front façade, and shall be located at the rear or to the side of the main building.
- b) Where located at the side, the addition shall be situated between the mid-point of the side façade and rear of the existing main building.
- c) The height of the roof ridge in new additions shall not exceed the height of the ridge of the original building.
- d) Additions shall be limited in size and scale in order to complement the existing building and neighbouring properties.



*Example of addition located to the side  
and rear of the main building*



## CONTRIBUTING PROPERTY ADDITIONS

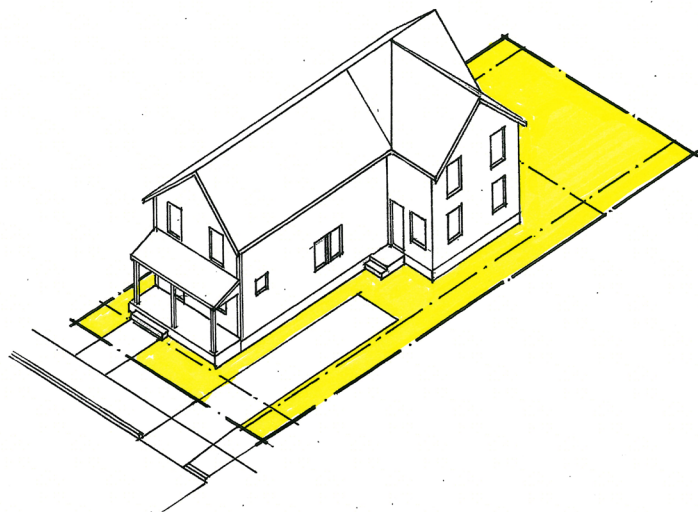
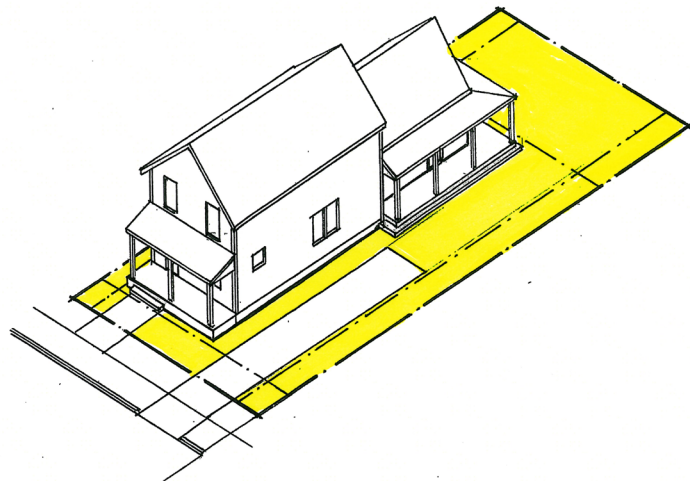
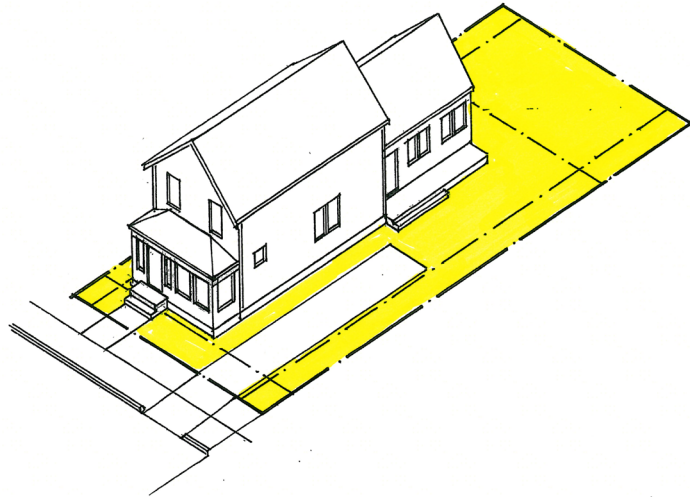
LOCATION, MASSING & HEIGHT

DESIGN & CLADDING

ROOF TYPES

WINDOWS & ENTRANCES

OUTBUILDINGS & ADDITIONAL RESIDENTIAL  
UNITS



*The following illustrations show recommended forms and setbacks for additions that are located to the rear of the building. Potential locations for new garages or ancillary structures are also depicted. A key consideration is that outbuildings are subordinate to the main structure (i.e. 3-car garages would not be an appropriate scale), and that open space is retained on the property.*

## CONTRIBUTING PROPERTY ADDITIONS

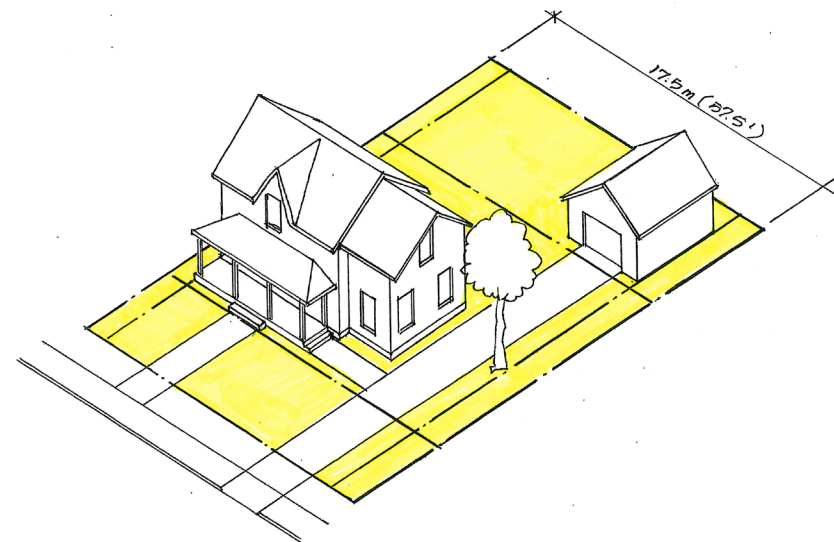
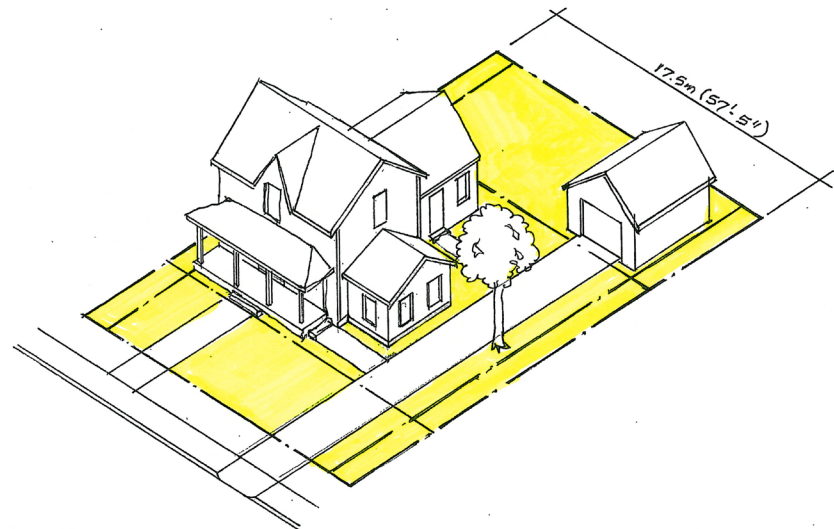
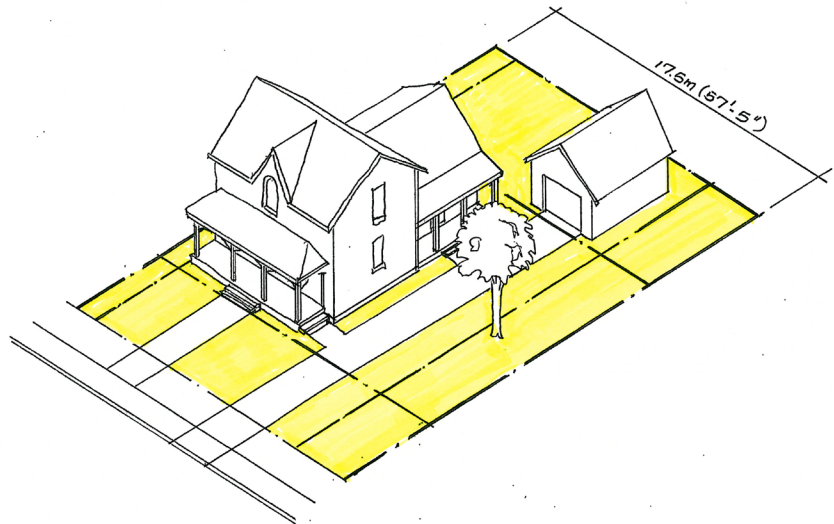
LOCATION, MASSING & HEIGHT

DESIGN & CLADDING

ROOF TYPES

WINDOWS & ENTRANCES

OUTBUILDINGS & ADDITIONAL RESIDENTIAL  
UNITS



*The following illustrations show recommended forms and setbacks for additions that are located to the rear of the building. Potential locations for new garages or ancillary structures are also depicted. A key consideration is that outbuildings are subordinate to the main structure (i.e. 3-car garages would not be an appropriate scale), and that open space is retained on the property.*

## CONTRIBUTING PROPERTY ADDITIONS

LOCATION, MASSING & HEIGHT

### DESIGN & CLADDING

ROOF TYPES

WINDOWS & ENTRANCES

OUTBUILDINGS & ADDITIONAL RESIDENTIAL  
UNITS

## 6.2 Design and Cladding

### Policies

- a) New additions shall be designed in a manner which distinguishes between old and new, and that is compatible with the architectural style of the existing building.
- b) Design of additions or those additions that reference design motifs of the existing building is to be encouraged. Compatible additions are complementary in terms of scale, mass, materials, form and colour.
- c) Exterior cladding on additions to residential buildings shall be compatible with the cladding material of the original structure, but should be a different and distinct material from the original building in order to be distinguishable as a later addition. Additions replicating the original cladding material are discouraged.

### Guidelines

- d) The application of new cladding, surfaces or coatings, including synthetic materials such as vinyl or aluminum siding, acrylic stucco, and Exterior Insulation and Finish Systems (EIFS) are discouraged on building facades facing the public realm. These materials and others, such as fibre cement board, metal panels, synthetic wood products, and other modern materials will be considered on a case by case basis.



## CONTRIBUTING PROPERTY ADDITIONS

LOCATION, MASSING & HEIGHT

DESIGN & CLADDING

### ROOF TYPES

WINDOWS & ENTRANCES

OUTBUILDINGS & ADDITIONAL RESIDENTIAL  
UNITS

## 6.3 Roof Types

### Policies

- a) Roof types encouraged in new construction are front, side, and cross gabled. Roof types should be compatible with or sympathetic to the roof type of the main structure. In some cases, alternative roof types may be explored in order to be compatible with the existing building (e.g. gambrel roof found on Dutch colonial dwellings).
- b) The original roof configuration at the front of the building shall be maintained and not obscured by any addition. Similarly, roofing materials and associated features, such as fascia, trim, and brackets shall be retained and not obstructed.
- c) Ensure that vents, skylights and other new roof elements are sympathetic in type and material and that they are discretely placed out of general view from the street and public rights-of-way.
- d) Roof drainage shall be maintained and directed away from building foundations.

### Guidelines

- e) Decorative roof features and original roofing materials such as slate, wood shingles, and copper on sloped roofs should be retained and conserved wherever possible.

## CONTRIBUTING PROPERTY ADDITIONS

LOCATION, MASSING & HEIGHT

DESIGN & CLADDING

ROOF TYPES

## WINDOWS & ENTRANCES

OUTBUILDINGS & ADDITIONAL RESIDENTIAL  
UNITS

## 6.4 Windows and Entrances

### Policies

- a) Additions to residential buildings shall protect and maintain original and/or historic window openings as well as distinguishing features such as materials, surrounds, frames, shutters, sash and glazing on principal façades.
- b) Additions to residential buildings shall avoid removing or blocking up window openings that are important to the architectural character and symmetry of the building.
- c) Ramps may be permitted for barrier-free access in accordance with applicable legislation, but shall not be physically attached to avoid damage to the heritage building fabric.

### Guidelines

- d) New windows on additions visible from the public realm should be compatible with the windows of the original structure in terms of proportions (such as ratio of horizontal to vertical dimensions), rhythm and scale (such as number of openings per building façade). However, it is not necessary to replicate original windows in terms of their historical details.
- e) Additions to residential buildings should protect and maintain entrances on principal elevations that are key elements in defining the character of a building. Conserve important features such as doors, glazing, lighting, steps and door surrounds.
- f) Where new entrances or exterior staircases are required, they should be installed on secondary elevations and/or set back from the existing front building elevation.

## CONTRIBUTING PROPERTY ADDITIONS

LOCATION, MASSING & HEIGHT

DESIGN & CLADDING

ROOF TYPES

WINDOWS & ENTRANCES

OUTBUILDINGS & ADDITIONAL RESIDENTIAL UNITS

## 6.5 Outbuildings and Additional Residential Units

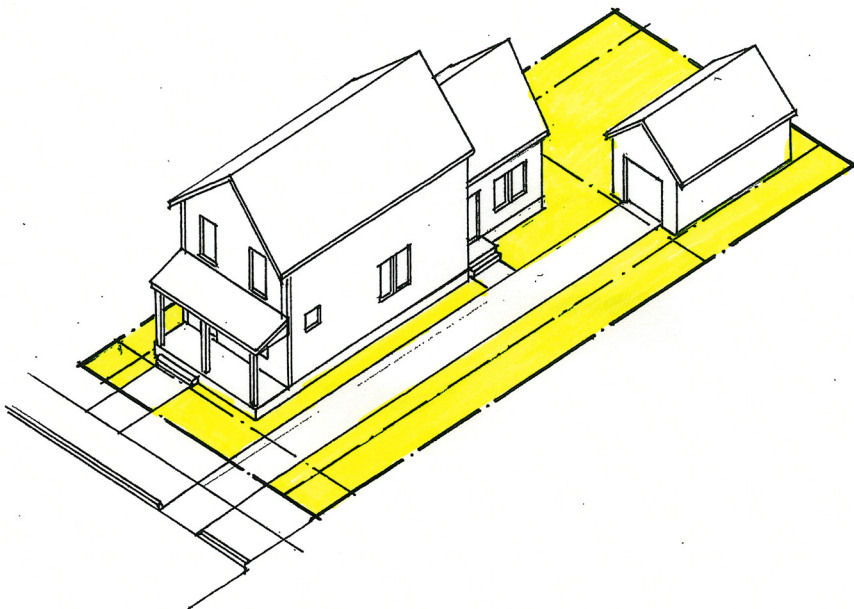
### Policies

- a) Outbuildings on residential property may be permitted but shall be located behind the wall plane of the front façade of the residential building.
- b) The construction of small-scale outbuildings in the rear yard (garden sheds, green houses, etc.) shall be permitted.
- c) The construction of additional dwelling units shall be permitted, in accordance with Town and Provincial policies and regulations.
- d) Outbuildings shall not be taller than the existing residential structure on the property.

### Guidelines

- e) New outbuildings should be distinct from heritage buildings with regard to materials and detailing. Replicas of historic outbuildings are not required.

*Examples of outbuildings and additional residential units located behind the front building facade*





## 7.0 OTHER PROPERTIES

This section outlines policies and guidelines related to change on 'other' properties (identified as non-contributing in the HCD Study) within the HCD. It is important for 'other' properties to follow the applicable guidance, so that changes remain compatible with the District. The following applies to 'other' properties:

### Policies

- a) When additions to buildings on 'other' properties are proposed, the design will respect the District's general historical character but integrate with the existing building.
- b) In designing additions, property owners will also have regard for any impact the addition may have on adjacent properties in terms of scale, massing, height and setback.

### Guidelines

- c) Exterior additions are encouraged to be located at the rear or on an inconspicuous side of the building, limited in size and scale to complement the existing building and neighbouring properties.
- d) New additions should be no higher than the existing building height. Where additions are proposed that exceed the existing building height, a Heritage Impact Assessment may be required, in order to demonstrate that the additional height does not negatively impact the overall character of the District.
- e) New additions should be designed in a building mass that extends rearward in depth on the lot rather than along the horizontal width.
- f) In streetscapes of similar building setbacks, new construction should match existing setbacks so that the overall character remains.
- g) Roof types encouraged in new construction are front-gabled and side-gabled.
- h) Materials such as brick, and siding (wood, aluminum or vinyl) are widely utilized within the District, and are encouraged. Materials such as concrete fibre board, concrete panels and synthetic wood products will be considered on a case-by-case basis.
- i) The installation of Exterior Insulation and Finish Systems (EIFS) on buildings on other properties is discouraged within the District.

## 8.0 INFILL DEVELOPMENT

There may be locations within the District where infill development may occur over time, if buildings that do not contribute to the historic or architectural character are demolished or other circumstances arise to allow infill construction. New construction is permitted, provided it is compatible with the heritage character and conforms to the policies in this section. New infill shall follow other applicable Town of Amherstburg guidance regarding site design and urban design.

### Policies

- a) All new freestanding commercial construction shall require the submission of a Heritage Impact Assessment that demonstrates conformity of the new building with this HCD Plan.
- b) New freestanding construction will be required to be compatible with the heritage character and attributes of adjacent heritage properties and the cultural heritage value of the District. This means adhering to the character of the surrounding neighbourhood of the District with regards to lot patterns, heights, massing, setback, building scale, roof pitches and exterior materials.
- c) New design may be a modern interpretation of historic forms and styles, but replicas of historic buildings are discouraged.
- d) Maintaining the height and rhythm of the existing streetscape will unify the District. Blank façades that face the street or are easily visible from the street are not permitted.
- e) The District contains a variety of roof forms, including front gable, side gable, and cross gable. Any of these roof forms in a low to moderate pitch are appropriate for new infill. Where a dominant or consistent pattern exists within the streetscape, this shall be followed.
- f) Windows and entrance doors on the primary elevations of new buildings shall be compatible with the character of the neighbourhood, reflecting typical shapes, orientation and composition found within the District.
- g) Parking is not required to be located at the front of commercial infill buildings.
- h) For residential infill, garages shall be set behind the front of the house or located in such a way that the garage door does not face the street.

### Guidelines

- i) For commercial and mixed-use buildings, the main entrance should be located at the front of the building facing the street.
- j) For commercial and mixed-use buildings, a high percentage of glazing should be utilized in order to animate ground floor spaces.
- k) For heights above three storeys, architectural setbacks should be incorporated in order to help retain a pedestrian scale to the streetscape.



*Examples of suitable new construction which fits into the neighbourhood scale and form, but which is also distinct from historic homes.*

## 9.0 GENERAL GUIDANCE APPLICABLE TO ALL PROPERTIES

### 9.1 Part IV Designations within the HCD

It should be noted that this Plan is also relevant to owners/stewards of both public and private property which is designated under Part IV of the Ontario Heritage Act and included within the boundary of the Amherstburg HCD. As noted earlier in this report, the Ontario Heritage Act provides that existing Part IV designations may be included in a subsequent HCD, and that future Part IV designations within the HCD may be considered by the Town. As such, this section addresses Part IV designation.

#### Policies

- a) Properties which are designated under Part IV and Part V of the Ontario Heritage Act as part of the Amherstburg HCD are subject to the Amherstburg HCD Plan as it relates to alterations, demolition or removal. However, there may be exemptions, including situations where the interior of a building designated under Part IV includes (but is not limited to) designated heritage attributes at the interior of the building.
- b) In cases where a Permit is submitted to the Town for alterations, demolitions, or removal, it will be processed by Town staff under Part V of the Ontario Heritage Act. In other cases, such as the alteration of designated interior attributes which are identified in the list of heritage attributes in the Part IV Designation By-law, a Heritage Permit Application would be processed under Part IV of the Ontario Heritage Act. Therefore, alterations to properties on Part IV properties must conserve the property's identified heritage attributes as identified in the Part IV Designation By-law.
- c) Any alterations to properties which are designated under Part IV of the Ontario Heritage Act and are located within the boundary of the Amherstburg HCD shall prioritize the conservation of the individual property's cultural heritage values while making every effort to come into conformity with the policies and guidelines of this HCD Plan.



*For buildings within the HCD, guaranteed replacement cost insurance is not a requirement. In the event of a loss, there is no requirement to reconstruct to heritage specifications*

## 9.2 Demolition and Removal of Buildings and Structures

Building demolition is not prohibited by the Ontario Heritage Act, but it will be actively discouraged within the Amherstburg Heritage Conservation District. Property owners are encouraged to work with existing heritage buildings, altering and adding to them in a sympathetic manner, rather than demolishing and building anew.

### Policies

- a) The demolition of buildings and structures on non-contributing properties may be permitted, subject to approval of an applicable Heritage Permit. The Heritage Permit shall address the removal of the building or structure, as well as include plans for a new building or structure on the property.
- b) The demolition of buildings and structures on contributing properties (as classified in 4.1) shall not be permitted. Exceptions may only be considered:
  - In extenuating circumstances such as natural disasters (e.g. fire, flood, tornado, and earthquake),
  - Where there is a greater public interest served (e.g. health and safety concern), as determined by Council, through the demolition of the building or structure, or
  - Where it is determined through a Heritage Impact Assessment that the building is not a contributing structure to the heritage character of the District.
- c) Further to 8.1.a.i), other extenuating circumstances shall generally constitute those situations where public health and safety is considered to be compromised and the Town of Amherstburg's Chief Building Official has received structural assessment advising that a building or structure is beyond repair and has been determined to be unsafe. The structural assessment must be prepared by a professional engineer with expertise and experience in heritage buildings and structures.
- d) The property owner shall demonstrate that all other options have been investigated including: preservation; rehabilitation; restoration; retro-fitting; re-use; mothballing; etc. and that they are not viable options.
- e) Where Council considers an application for demolition under 8.1.a.ii), financial impact shall not be the sole reason in determining that demolition is a greater public interest.

## ALL PROPERTIES

### PART IV DESIGNATIONS

#### DEMOLITION & REMOVAL OF BUILDINGS & STRUCTURES

##### ACCESSIBILITY

##### ENERGY CONSERVATION & SUSTAINABILITY

##### LOT CREATION & CONSOLIDATION

##### LANDS ADJACENT TO HCDs

- f) In those circumstances where a building is demolished, and a new building is being contemplated, the proposed new building shall not be designed as an attempt to re-create the building which was removed/demolished. Any new design should follow the guidance of this HCD Plan.
- Should a heritage permit for demolition of a building that contributes to the heritage character or heritage attributes of the District be submitted to the Town, the following conditions shall be met:
  - The property owner shall retain an appropriately qualified heritage professional to evaluate the impacts of the loss of the heritage resource. The submission of a Heritage Impact Assessment in support of the demolition request, may be required, at the discretion of Town staff.
  - It shall be required that the property owner provide plans and elevations for any new building/site landscaping with the Heritage Permit Application for demolition.
  - For contributing buildings, the property owner shall demonstrate that all other options have been investigated including: preservation; rehabilitation; restoration; retro-fitting; re-use; mothballing; etc. and that these options are not feasible.
  - In circumstances where demolition has been required as a result of natural disaster or public safety concerns, once a building has been demolished and the property is considered to be in a stable and safe condition, the property owner may submit the required heritage permit application for a new building and/or site landscaping within a time frame as determined by the Town.
  - A record of the building (or the remains of the building in the event of a natural disaster, fire, or similar situation) through photography and/or measured drawings may be required as a condition of demolition approval, at the discretion of Town Planning Staff and/or the Heritage Committee.
  - Within two years of that submission, or as mutually agreed upon by the property owner and the Town (but in no case greater than 5 years), if new construction has not been completed, the provisions of the Ontario Heritage Act regarding enforcement shall apply with respect to contraventions of the Act (see Section 69).

## ALL PROPERTIES

### PART IV DESIGNATIONS

#### DEMOLITION & REMOVAL OF BUILDINGS & STRUCTURES

##### ACCESSIBILITY

##### ENERGY CONSERVATION & SUSTAINABILITY

##### LOT CREATION & CONSOLIDATION

##### LANDS ADJACENT TO HCDs

Contributing properties and buildings, including their unique heritage building fabric and features are fundamental to the character of the Amherstburg Heritage Conservation District. Generally, there shall be a presumption against the removal and/or relocation of heritage fabric.

### Policies

- g) The removal and/or relocation of heritage fabric, including contributing buildings and structures shall generally not be permitted. Exceptions may only be considered in certain extraordinary and/or temporary situations.
- h) The removal and/or re-location of contributing buildings and structures shall require the submission of a Heritage Permit, and must be accompanied by Heritage Impact Assessment and any other information as the Town may require. The Heritage Impact Assessment must provide an analysis of impacts as a result of the proposed development and conclude that the removal and/or relocation is supported.
- i) Situations where buildings are removed and/or re-located on-site shall be considered favorable to those situations where buildings are permanently re-located off-site.
- j) Where buildings are re-located on-site, they shall maintain their original orientation to the street.
- k) Where original materials and features are removed from contributing buildings, these may be required to be kept on-site and documented such that the alteration or removal can be made reversible.
- l) Should any development be approved which includes removal and/or relocation, other work may be required as a condition of Approval of a Heritage Permit Application, including (but not limited to) documentation, salvage, commemoration, conservation, and letters of credit, as required by the Town.



## 9.3 Accessibility

The Accessibility for Ontarians with Disabilities Act became law on June 13, 2005. The Act's overall intent is to make the province accessible by 2025 through establishing a variety of accessibility standards (i.e. mandatory rules) for customer service, transportation, information and communication, employment and the built environment. It is intended that accessibility standards will be phased in over time and are to be developed by people from the business and disability communities. The goal of the Accessibility Standards for the Built Environment is to remove barriers in public spaces and buildings. The standards for public spaces apply to new construction and planned redevelopment. It is anticipated that enhancements to accessibility in buildings will happen at a later date through The Ontario Building Code, which governs new construction and renovations in buildings.

The issue of compliance for heritage properties, specifically those designated under the Ontario Heritage Act have yet to be fully addressed in legislation. Past practice suggests that greater accessibility must be met, but with a modified standard for designated heritage properties. This is intended to take into account the value of heritage building fabric, historical spaces and architectural features. The Amherstburg HCD Plan encourages accessibility to heritage properties, but attempts to ensure that, as with other alterations, there is minimal or no intrusion into the heritage building fabric or impacts on the heritage attributes.

Some clarification has been provided through regulation (O.Reg. 191/11) related to outdoor walkways or sidewalks, and it is noted that exceptions from complying with the AODA are permitted in several situations, as outlined below:

1. *The requirements, or some of them, would likely affect the cultural heritage value or interest of a property identified, designated or otherwise protected under the Ontario Heritage Act as being of cultural heritage value or interest.*
2. *The requirements, or some of them, would affect the preservation of places set apart as National Historic Sites of Canada by the Minister of the Environment for Canada under the Canada National Parks Act (Canada).*
3. *The requirements, or some of them, would affect the national historic interest or significance of historic places marked or commemorated under the Historic Sites and Monuments Act (Canada).*

## ALL PROPERTIES

### PART IV DESIGNATIONS

#### DEMOLITION & REMOVAL OF BUILDINGS & STRUCTURES

## ACCESSIBILITY

### ENERGY CONSERVATION & SUSTAINABILITY

### LOT CREATION & CONSOLIDATION

### LANDS ADJACENT TO HCDs

4. *The requirements, or some of them, might damage, directly or indirectly, the cultural heritage or natural heritage on a property included in the United Nations Educational, Scientific and Cultural Organisation's World Heritage List of sites under the Convention Concerning the Protection of the World Cultural and Natural Heritage.*
5. *There is a significant risk that the requirements, or some of them, would adversely affect water, fish, wildlife, plants, invertebrates, species at risk, ecological integrity or natural heritage values, whether the adverse effects are direct or indirect.*
6. *It is not practicable to comply with the requirements, or some of them, because existing physical or site constraints prohibit modification or addition of elements, spaces or features, such as where increasing the width of the exterior path would narrow the width of the adjacent highway or locating an accessible pedestrian signal pole within 1,500 mm of the curb edge is not feasible because of existing underground utilities.*

Exceptions #1 and #6 are applicable to the Heritage Conservation District, in that complying with accessibility standards would affect, or could likely affect, the cultural heritage value of a property designated under the Ontario Heritage Act, and the existing building, street and sidewalk layout present physical limitations that prevent compliance with accessibility standards.

## ALL PROPERTIES

### PART IV DESIGNATIONS

#### DEMOLITION & REMOVAL OF BUILDINGS & STRUCTURES

## ACCESSIBILITY

### ENERGY CONSERVATION & SUSTAINABILITY

### LOT CREATION & CONSOLIDATION

### LANDS ADJACENT TO HCDs

The following guidelines provide some specific guidance related to a variety of accessibility-related matters:

#### Guidelines

- a) Modifications to buildings and public spaces are permitted and encouraged in order to improve accessibility. Depending on the scope of work, a heritage permit may be required.
- b) As outlined in the regulations associated with the Accessibility for Ontarians with Disabilities Act, the Town is permitted to vary some of the standards associated with public walkways. Additional exceptions may be added in the future. It is important that any exceptions to compliance with standard accessibility requirements are implemented in such a manner as to not put people at risk.
- c) Entrance ramps may be permitted for barrier-free access in accordance with applicable legislation, but should not be physically attached in order to avoid damage to the heritage building fabric. In some circumstances, attachments may be permitted where they cause the least amount of damage to heritage building fabric. Care should be taken in these circumstances.
- d) Accessibility should be considered in the selection of materials and installation (refer to the Accessibility for Ontarians with Disabilities Act guidelines).
- e) It is important that any alterations or additions to the streetscape ensure that there is accommodation and safety for pedestrians, as well as for a wide variety of other users and in particular cyclists, public transit, and people with mobility limitations and partial vision.
- f) The underlying principle for additions and alterations to sidewalks is that they should sustain accessibility and barrier free travel for pedestrians with a variety of challenges. Intersections may be altered with the addition of low contrast surface textures.
- g) There is a balance to be made between the smooth surface required by mobility devices and the identification of landings at intersections for those with partial vision. It is important that the choice of materials for alterations or additions complements the traditional streetscape now found within the District. Concrete continues to be well suited for the continuation for sidewalks, curbs, landings and other features in the streetscape.



## 9.4 Energy Conservation and Sustainability

Energy conservation and sustainability are often linked to each other. Energy conservation typically involves making buildings more efficient, and may also include installations of green energy projects. Energy conservation can also be thought of in the sense of sustainability, as retaining existing building fabric, including entire buildings as well as the features thereof (e.g. windows and doors) saves the energy required to fabricate new materials. Space is also saved in landfill sites in relation to construction debris if existing materials are retained. It is often said that the most energy efficient building is the one that already exists. The Amherstburg HCD Plan permits the consideration of green energy and alternative energy projects. The following is provided in order to manage these projects and initiatives:

### Guidelines

- a) The addition of personal wind turbines, solar panels or solar hot water heaters may be permitted on roofs, but should not damage or remove heritage fabric. The installation of this type of equipment should be in the same plane as the roof (e.g., at the rear slope of a roof or on a flat or low pitched roof), and not visible from the street.
- b) The removal of authentic heritage fabric shall be minimized, wherever possible. Further, these alterations should be reversible as to not permanently impact heritage features.
- c) The installation of solar panels are encouraged to be located in places that are generally out of view from the street, wherever feasible.
- d) It is anticipated that technology related to renewable energy production will continue to evolve. The evaluation of future projects not specifically covered by these guidelines will be based on the protection and conservation of the cultural heritage value and attributes of the District

## ALL PROPERTIES

### PART IV DESIGNATIONS

#### DEMOLITION & REMOVAL OF BUILDINGS & STRUCTURES

#### ACCESSIBILITY

#### ENERGY CONSERVATION & SUSTAINABILITY

## LOT CREATION & CONSOLIDATION

### LANDS ADJACENT TO HCDs

## 9.5 Lot Creation and Consolidation

Lot creation and consolidation is governed by the policies of the Town of Amherstburg Official Plan and Zoning By-law. However, severances and consolidated lots should not be permitted where it would result in adverse impacts to cultural heritage resources and the identified character of the area.

### Policies

- a) Lot severances shall consider the context of the area, as described in this HCD Plan;
- b) Any lot creation, severance, or consolidation shall be subject to a Heritage Impact Assessment, at the discretion of Town staff, in order to identify potential adverse impacts, alternative development options, and mitigation recommendations. The lot creation, severance, or consolidation must be demonstrated to be in conformity with the goals and objectives of this HCD Plan.

## 9.6 Lands Adjacent to Heritage Conservation Districts

Lands adjacent to a heritage conservation district are not subject to the policies and guidelines contained within a heritage conservation district plan. This section outlines the requirements related to development adjacent to heritage properties, as well as how this topic is assessed in the Town of Amherstburg.

The goal is to design any future adjacent development without negatively impacting the heritage attributes of the District, as listed in Section 3.

### 9.6.1 Existing Policy Context Summary

The Provincial Policy Statement (PPS) provides direction for the development of properties adjacent to a protected heritage property. As noted earlier in this report, Section 2.6.3 of the PPS states that development and site alteration is not permitted on adjacent lands to protected heritage property except where it has been demonstrated that the heritage attributes of the property will be conserved.

For reference, the PPS defines adjacent as it relates to cultural heritage resources as follows:

*“those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan”*

## ALL PROPERTIES

### PART IV DESIGNATIONS

#### DEMOLITION & REMOVAL OF BUILDINGS & STRUCTURES

#### ACCESSIBILITY

#### ENERGY CONSERVATION & SUSTAINABILITY

#### LOT CREATION & CONSOLIDATION

## LANDS ADJACENT TO HCDs

The existing Town Official Plan does not contain a definition of adjacent. Therefore the Town would utilize the PPS definition of adjacent.

In determining the negative impacts that may result from a proposed development on adjacent lands, the Town will use the guidance of the Ontario Heritage Toolkit. Examples of possible negative impacts provided in the Ontario Heritage Toolkit include, but are not limited to, the following:

- Shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings;
- Isolation of a heritage attribute from its surrounding environment, context or a significant relationship;
- Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features.

### 9.6.2 Requirements for Adjacent Properties

The Provincial Policy Statement sets the framework for addressing the potential impacts associated with development on lands adjacent to protected heritage properties. The designation of the Amherstburg HCD means that properties within the boundaries of the District are protected heritage properties.

Therefore, if development or site alteration is proposed on lands adjacent (meaning contiguous) to the heritage conservation district (see Figure 1), the proponent of such development shall be required to undertake the preparation of a Heritage Impact Assessment, as outlined in the Town of Amherstburg Official Plan and the Province of Ontario in the Ontario Heritage Toolkit. Town staff have the ability to scope or waive such studies accordingly, depending on the specifics of the development proposed. Where required, the report shall demonstrate how the proposed development is compatible with the heritage attributes and objectives of the Amherstburg HCD.



## 10.0 PUBLIC REALM

### 10.1 Parks and Public Squares

#### Policies

- a) The parks and public open spaces within the District provide residents and visitors with opportunities to rest and enjoy the area. These areas shall be maintained and made available for future enjoyment.
- b) Kings Navy Yard provides a terminus of views towards the waterfront and provides areas of respite and seating. The openness of the views towards the Detroit River shall be maintained, and vegetation maintained and renewed as required.
- c) Additional features can be considered by Town staff in order to enhance the area and usage.

### 10.2 Streets

#### Sidewalks Guidelines

- a) The underlying principle for additions and alterations to sidewalks is that they should sustain accessibility and barrier-free travel for pedestrians with a variety of mobility needs. Intersections may be altered with the addition of low-contrast surface textures.
- b) There is a balance to be made between the smooth surface required by wheelchairs and the identification of landings at intersections for those with visual challenges. It is important that the choice of materials for alterations or additions complements the traditional streetscape now found within the District. Concrete continues to be well-suited for the continuation for sidewalks, curbs, landings and other features in the streetscape accented with decorative pavers.

## PUBLIC REALM

PARKS & PUBLIC SQUARES

## STREETS

VIEWS

PARKING & UTILITIES

SIGNS

### Street Furniture Guidelines

- c) In addition to public street furniture, there are other private additions that may be present, such as mailboxes, newspaper boxes and movable furniture. These will be permitted, subject to ensuring that there is minimal obstruction to pedestrian flow, and that visual clutter is not increased.
- d) As part of the ongoing management of the streetscape and in the absence of a streetscape management plan, alterations and additions of contemporary street furniture should aim at creating a cohesive pedestrian environment using similar materials and colours in the choice of street furniture.
- e) The placement of street furniture should not impede pedestrian movement or block the entrances of the adjacent buildings

### Street Trees and Boulevards Guidelines

- f) Street trees should be monitored to ensure that they remain in healthy condition and when trees enter into a hazardous condition (e.g. trees that are dead/dying, or structurally compromised), they should be removed and replaced.
- g) It is important that dead trees be removed and replanted in prompt succession. This is to ensure that the vitality of the streetscape is maintained.
- h) All other applicable Town standards for tree planting and maintenance will be followed.
- i) Where they exist, grassed boulevards shall be retained and monitored to ensure that they remain in healthy condition.
- j) Where they exist, grass boulevards should be regularly inspected and maintained with any dead areas of grass removed and re-seeded or re-sodded promptly.

### Street Lighting Guidelines

- k) Pedestrian and street lighting within the District is encouraged.
- l) The replacement of street lighting shall be permitted.
- m) Replacement street lighting is not required to replicate historic light standards, but should be complementary to the HCD.

## 10.3 Views

This Heritage Conservation District acknowledges the following views, which are located with the Waterfront Character Area, and considered attributes of the Amherstburg HCD:

- View 1: View from the intersection of Richmond Street and Ramsay Street towards the King's Navy Park
- View 2: View from the intersection of Murray Street and Ramsay Street towards the King's Navy Park
- View 3: View from King's Navy Yard Park waterfront towards the Detroit River

### Policies

- a) This HCD Plan acknowledges identified views which are considered heritage attributes of the District.
- b) Vantage points which provide these identified views shall be maintained and remain publicly accessible.
- c) Development proposed adjacent to the streetscapes which frame the identified views shall maintain a consistent setback as compared to existing buildings.
- d) Street trees planted along the street edge frame the views along the streetscape. Replacement planting of street trees should follow the existing pattern, where the trees are located closer to the sidewalk than the street in order to minimize obstruction of views.

## 10.4 Parking and Utilities

### Policies

- a) New stand-alone parking areas may be added in the future, but shall require approval of a Heritage Permit application.

### Guidelines

- b) Should additional parking areas be added in the future, edges of parking lots should be clearly defined with hedges or low walls.
- c) Bicycle parking may be accommodated in the future, in locations where they are not intrusive to the pedestrian environment. If bicycle shelters are proposed, they would be better-suited to side streets or parking lots, due to their space requirements.

## 10.5 Signs

### Guidelines

- a) Regulatory signs such as traffic control signs will be permitted within the District.
- b) Additional signs that distinguish the area as a Heritage Conservation District are encouraged.
- c) Backlit box signs, neon, and directly lit LED lighting is discouraged. Instead, indirect lighting for signs is encouraged.
- d) Fascia signs and sign blades are encouraged.
- e) Ground signs should be low to the ground.
- f) In addition to these guidelines, the Town Sign By-law shall also be followed, including those specific to the HCD.





# PART III

## EXEMPT ALTERATIONS AND CLASSES OF ALTERATIONS

## 11.0 EXEMPT ALTERATIONS

The Ontario Heritage Act allows a heritage conservation district plan to exempt some forms of alterations from the requirement for a heritage permit by providing that a heritage conservation district plan shall include:

*“(e) a description of the alterations or classes of alterations that are minor in nature and that the owner of property in the heritage conservation district may carry out or permit to be carried out on any part of the property, other than the interior of any structure or building on the property, without obtaining a permit under section 42.2005, c.6,s.31.”*

As such, this section includes a list of alterations that are considered to be “minor in nature” and that may be carried out without first obtaining a heritage permit. The various alterations have the same status as ‘policies’ found elsewhere in this document, in that they are required to be followed. These minor alterations have been guided generally by the principles of either being undertaken within a small area, confined to areas that are generally out of sight from public view, constitute routine maintenance, or are easily reversible. It should be noted that some of the exemptions listed in this section may not apply to properties designated under Part IV of the Ontario Heritage Act, where features listed within this section are included as heritage attributes of the property.

Consultation with Town of Amherstburg heritage planning staff is recommended before commencing any minor alterations to property, in order to confirm that a heritage permit is not required. In addition, consultation with Building Department staff is recommended to determine if a building permit is required.

## 11.1 Exemptions for Contributing and Non-Contributing Properties

Alterations that may be carried out without obtaining a heritage permit under Section 42 of the Ontario Heritage Act are:

***Interior modifications:*** The interiors of buildings or structures are not subject to regulation within the Heritage Conservation District.

Exceptions: Structural interventions, as well as those interior features designated under Part IV of the Ontario Heritage Act or interior features that have an exterior presence, such as windows and doors in building façades require a heritage permit.

***Roof materials:*** Replacement of existing roof materials in kind does not require a heritage permit.

Exceptions: Replacing or removing original roofing materials including metal, slates, tiles or wood shingles with other materials requires a heritage permit.

***Eavestrough and downspouts:*** The removal and/or installation of new eavestroughs and downspouts in the same material as the previously existing does not require a heritage permit.

***Solar panels:*** The installation of solar panels located in the same plane as the roof and not visible from the public realm (e.g. at the rear slope of a roof or on a flat or low pitched roof) would not require a heritage permit.

Exceptions: Freestanding panels on poles or those requiring a structural frame for support, located within view of the public realm, require a heritage permit.

***Security lighting and alarm systems:*** The installation of security lighting and/or alarm systems does not require a heritage permit.

***Amenity lighting:*** The installation of porch lighting or other amenity or seasonal lighting does not require a heritage permit.

***Landscaping, soft:*** The removal and/or installation of vegetative landscaping, such as planting beds, shrubbery and small ornamental trees and the pruning and maintenance of trees or the removal of dead branches or limbs does not require a heritage permit.

**Landscaping, hard:** The removal and installation of hard landscaping, such as driveways, entranceways, paths and parking areas in the same area and dimensions as existing does not require a heritage permit.

**Fencing:** The removal and/or installation of fencing in the rear yard of a property and behind the mid-point of the side façade of a building does not require a heritage permit.

Exception: The removal and/or installation of fencing in the front yard or a property requires a heritage permit. The removal and/or installation of fencing in the side yard but not beyond the mid-point of the side façade towards the front of a building requires a heritage permit.

**Porches, verandahs and decks:** The installation and/or removal of single-storey porches, verandahs and decks located within the rear yard and away from views from the street or, in the case of corner lots, the frontage of the property, do not require a permit.

Exceptions: The removal and/or installation of porches, verandahs and decks in the front yard or side yard that abuts a street require a heritage permit.

**Storm windows and doors:** The seasonal installation and/or removal of storm windows and screen doors does not require a heritage permit.

**Stairs and steps:** The removal of stairs or steps and replacement in kind (same dimensions and materials) does not require a heritage permit.

**Signage:** The installation of street number signs on building façades or on free-standing supports does not require a heritage permit.

**Maintenance:** Ongoing maintenance or small repairs to buildings, structures or small areas of paving that do not significantly affect the appearance of the outside of the property and do not involve the permanent removal or loss of heritage attributes do not require a heritage permit.

Exceptions: The removal and/or installation of any cladding material on façades visible from the public realm requires a heritage permit.

The cleaning of any building façade surface (using any method of cleaning such as sandblasting, chemical cleaning, and pressurized water) requires a heritage permit.



Carrying out test patches in any location for any cleaning method requires a heritage permit. The removal of any paintwork from a masonry building façade surface requires a heritage permit.

***Painting:*** The painting of doors, window frames, muntins and mullions, trim, eavestroughs, downspouts, siding and minor architectural detailing do not require a heritage permit.

Exceptions: The painting of any masonry materials requires a heritage permit.

## 11.2 Exemptions for Public Realm Properties

Alterations that may be carried out without obtaining a heritage permit under Section 42 of the Ontario Heritage Act are:

***Maintenance or minor repairs:*** Ongoing maintenance or minor repairs to road or sidewalks surfaces and areas of paving that do not significantly affect the appearance of the surface or change the surface material and that are exempt from review or pre-approval under the Municipal Class Environmental Assessment do not require a heritage permit.

Exception: The installation of any streetscape device (not including traffic related signs), new road or sidewalk surfaces that increase the width, new crosswalk surfaces or motifs and new boulevards require a heritage permit.

***Installation and/or repair of underground utilities or services:*** Subsurface excavation for the installation and/or repair of utilities (water, sewage, gas, or communications) do not require a heritage permit.

***Installation and/or repair of aboveground utilities or services:*** Work undertaken for the installation and/or repair of above-ground utilities (hydro, communications and lighting), including conduits, poles, associated boxes or covers, fire hydrants or meters, in accordance with this Plan do not require a heritage permit.

***Installation and/or repair of street furniture:*** Work undertaken for the installation and/or repair of non-permanent street furniture including but not restricted to seating, planters, tree grates, banners, hanging baskets, garbage receptacles and bike racks in accordance with this Plan.

***Landscaping, soft:*** The installation and removal of any soft or vegetative landscaping confined to boulevard installation and/or planting beds.

***Landscaping, hard:*** The removal and installation of hard landscaping, such as driveways, entranceways, paths and parking areas of the same area and dimensions as existing.

***Trails and bicycle lanes:*** The addition of bicycle lanes within the existing road right-of-way does not require a heritage permit. The installation of trails on existing public open space.

### 11.3 Emergency Work

In some extraordinary instances, emergency work may have to be carried out to public or private property without the benefit of a Heritage Permit or ascertaining whether such work is exempt from regulation. These extraordinary circumstances are as follows:

- Natural disasters (e.g. fire, flood, tornado, earthquake, etc.)
- Emergency health and safety circumstances where the time of repairs makes it impossible to consult with municipal staff.

Required emergency work may be permitted where the timing of repairs makes it impossible to consult with municipal staff regarding a Heritage Permit. Notwithstanding this provision, all work should be undertaken in a manner that does not destroy valued heritage building fabric. Photographs of 'before and after' should be taken to confirm the condition of the building or property and the nature of the finished repairs, and supplied to Town staff as a record of the work.

# PART IV

## IMPLEMENTATION



## 12.0 IMPLEMENTATION DIRECTION

Successful implementation of a heritage conservation district(s) and the management of change within a district(s) is typically achieved through the review and approval of heritage permit applications under Section 42 of the Ontario Heritage Act. There are other mechanisms, tools and actions both under the Ontario Heritage Act as well as other Ontario statutes, such as the Planning Act, that also can help complement municipal heritage initiatives.

The successful implementation of the Amherstburg HCD will also rely on other initiatives and planning policies that directly support or provide a framework for focusing and implementing district conservation efforts. A number of initiatives are proposed in the following sections, to assist Town staff, Council and the community in implementing the recommendations contained within the Amherstburg HCD Plan.

### 12.1 Heritage Permit Applications

The efficient administration of a heritage conservation district relies on both clear guidelines as well as a complementary system of processing heritage permit applications for alterations to property, the erection of buildings and structures and the demolition or removals of buildings and structures. Section 42 (1) of the Ontario Heritage Act requires that none of the foregoing may be undertaken “unless the owner obtains a permit from the municipality to do so”.

Section 42(3) also requires that where Council receives such an application a notice of receipt shall be served on the applicant. Notice of receipt essentially starts the formal maximum 90 day review process during which a decision must be made by Council. Only with the adoption of a heritage permit application form can a permit be appropriately tracked and processed from submission to decision.

The following lists provide direction on which activities undertaken with the HCD Boundary require a Heritage Permit from the Town and which activities are exempt from obtaining permission.

Activities that do not require a permit include:

- Interior works;
- Works in conformity with the HCD Plan;
- Works listed in the ‘exemption’ table.



Where a heritage permit is required, the process shall follow the typical process undertaken by municipalities across Ontario. This involves an applicant submitting a heritage permit application, Town staff review of the application materials, consultation with the Municipal Heritage Committee as appropriate, and Council consultation where necessary. MHBC can provide assistance to Town staff as the program is set up and refined in order to accommodate the HCD designation.

## 12.2 Municipal Policy Framework

As part of the preparation of the Amherstburg Heritage Conservation District Study and Plan, a review was undertaken of municipal policies and regulations, in order to identify any significant conflicts or inconsistencies between the conservation initiatives anticipated in the HCD Plan and those broader municipal objectives and strategies. The following summarizes the results of this analysis.

### Official Plan Policies

The current Town of Amherstburg Official Plan was adopted by Town Council and later approved by the County of Essex in 2009. The Town is currently undertaking an Official Plan Review to update the policies in order to comply with recent broader planning policies and direction.

The Official Plan generally provides for growth and development within the Study Area, particularly within the Central Business Area where intensification is encouraged. The Official Plan furthermore recognizes that select areas within the Town may have heritage value and a distinctive character worthy of conservation, including that of the Central Business Area. While there are development pressures within the Study Area, the Official Plan provides general direction for compatible development and conservation of heritage features.

Based on the review undertaken, the following recommendations are made with respect to potential changes to the Official Plan:

- The Town consider extending the 'Heritage Residential' designation so that it coincides with the recommended HCD boundary.
- The Town consider updating the policy framework related to the 'Heritage Residential' designation, so that it references the adopted HCD Plan as a source of guidance for potential change to properties within the area.
- The Town consider updating the policy references to be consistent with current Provincial policy and best practices. MHBC can provide further assistance as applicable with these updates.
- The Town consider adding a definitions section to the Official Plan, which would provide a link between overarching policies and direction, and the Official Plan policies.

### **Zoning By-law Regulations**

The The By-law has been updated over the years as new amendments are approved, with the most recent consolidation being dated November 30th, 2021. The Zoning By-law provides specific land use regulations for various uses, and includes matters such as building height, lot size and setbacks.

The area proposed for designation as a heritage conservation district is comprised of a variety of zones, as would be expected for a small-town location that includes the historic commercial core and surrounding residential areas.

As a result of the review undertaken during the HCD Study process and further through the HCD Plan preparation, no significant concerns were identified through the review of the existing zoning within the HCD Study Area. The zones generally provide for a range of appropriate regulations related to building location and orientation within the proposed districts, and the proposed HCD Plans provide additional direction regarding development.

### **Planning and Development Applications**

In some instances, building or heritage permits within the Heritage Conservation District may be preceded by applications for a planning approval pursuant to the Planning Act, e.g., plans of subdivisions, severances, minor variances, etc. These planning applications may involve development that has the potential to affect the character of the districts. It is important that appropriate heritage planning input be gained at the earliest opportunity, prior to any approvals that may compromise consideration of a heritage permit application, later in the approvals process.

Accordingly, it is recommended that where any application or proposal for one of the following is located within or partially within the designated district:

- a variance or a consent;
- a plan of subdivision;
- zoning amendment;
- road closure/widening; or
- any public works and improvements by a municipal authority or local utility,

that the municipal heritage committee/Planning staff will be consulted and provide advice regarding the application given the intent of the HCD Plan.

## 12.3 Financial Incentives

### Introduction

In many jurisdictions where heritage conservation activities are pursued to appropriately manage cultural heritage resources, it is not unusual to find two key components that assist in successful implementation: firstly, a system for regulating change to the cultural heritage resource usually through a formal process of designation and subsequent permit approval and secondly, a complementary program of financial assistance to assist in conserving valued heritage resource building fabric, features and materials. Financial incentives vary across municipalities, often dependent on municipal or provincial budget commitments that may change from year to year.

Accordingly, the Town currently has in place a Heritage Rebate Program, which allows owners of properties that are designated under Part IV of the OHA to apply for a rebate of 40% on property taxes provided an easement agreement is registered on the property or a preservation and maintenance agreement with the Town. This rebate may only be granted once every three years for qualified properties.

### Types of Financial Incentives

Financial incentives typically come in three forms: grants, loans and tax incentives. Heritage grants are often the most manageable of all financial incentives. Capital budget allocations are typically made in a municipality's budgeting process, and can be focused either on particular building types (residential, commercial industrial and so on), building features (roofs, foundations, or windows) or specific areas. Ideally a program commitment of at least three to five years is beneficial so that the local community and property owners can plan within a known framework. Grants may be organized on a first come-first served basis or by way of an annual or semi-annual competition ideally synchronized with the relevant construction season.

Heritage loans may be organized and administered in a similar manner and under the same circumstances as grants. The fundamental difference is determining an appropriate interest rate (from interest free to a rate below that of current commercial interest rates) and establishing administration fees. The most notable disadvantage of a loans program is the internal administration costs of managing such a municipal initiative, often involving staff time of the legal and financial departments.

Property tax relief is a measure available as an option to municipalities, however if established, the tax relief (which can be either in the form of a property tax reduction or refund) must be between 10 and 40 percent of the taxes levied on the property. The Province funds the education

portion of the tax relief. Added costs in administering a heritage tax rebate program include negotiating individual heritage conservation easement agreements on a property-by-property basis, registering these on title, establishing a base year of building condition (usually by photographic and documentary recording) and subsequent yearly monitoring of conditions to ensure compliance with the easement agreement and consequent release of funds.

### **Review of Incentive Options**

In comparing the benefits of the three types of tax incentives, it is believed that heritage grants or loan programs that target specific conservation efforts can be more effective at achieving the goal of protecting and conserving heritage properties. Financial incentive programs provided in the form of a grant gives the municipality control in what type of work is “eligible” and that the actual work is completed (to the municipality’s approval) and fully paid. Requiring the property owner to match (or be responsible for a percentage of the costs) also ensures the property owner’s commitment. A grant program could also be targeted at a specific type of property or renovation that the municipality desires to be targeted.

Typically, most programs rely on capital budget allocations being made in a municipality’s budgeting process with a program commitment of at least three to five years in order that the local community and property owners can plan within a known framework of time. Projects and work schedules can then be carefully planned by private property owners.

In addition to an active grants program, the Town may wish to expand and provide a property tax incentive program to residents. Although there are additional upfront efforts to establish the tax incentive program, once established the efforts to maintain the program are minimal.

Heritage grants or loans specifically target restoration and conservation efforts and are not intended to provide financial assistance for routine maintenance of these properties or for costs incurred that are not directly tied to the heritage features. It should not be the intent of the municipality to provide financial assistance to property owners for generally maintaining their property – as all properties, heritage or not, should be maintained in accordance with property standards.

### **Recommendation**

It is recommended that the Town of Amherstburg establish a grants program for the Heritage Conservation District with a program schedule, levels of funding and eligibility criteria to be determined by Council in the context of prevailing municipal budget commitments. If a grants program is initiated with appropriate levels of funding that



Council has determined can be supported, it is usual to establish in program guidelines clear descriptions respecting what constitutes eligible conservation work. Any work that conserves or enhances the heritage attributes of the District or identified in Part IV designating by-laws should be capable of being grant assisted.

In combination with a grants program that potentially targets specific work on properties, the Town should also investigate an expanded financial incentive program that includes property tax incentives. This could complement a grants program in order to provide a comprehensive set of financial incentives available to property owners.

## **12.4 Periodic Review of this Plan**

It is recommended that the Town of Amherstburg revisit the HCD Plan every 5-7 years, in order to assess the success of the implementation and respond to any new/emerging issues. In addition, the Town should plan on comprehensively updating the HCD Plan a minimum every 20 years in order to align with existing planning objectives and policy framework.

A black and white photograph of a park area. In the foreground, a large cannon is mounted on a wooden carriage. To the right, there is a stone wall with a plaque. In the background, there are large trees and a body of water. A person is sitting on a bench in the distance. The sky is overcast.

# APPENDIX A

LISTING OF  
'CONTRIBUTING' AND  
'OTHER' PROPERTIES

<i><b>Address</b></i>	<i><b>Contributing Status</b></i>
245 Bathurst St	Contributing
255-257 Bathurst St	Contributing
256 Bathurst St	Non-contributing
260 Bathurst St	Non-contributing
261 Bathurst St	Contributing
265 Bathurst St	Contributing
266 Bathurst St	Contributing
269 Bathurst St	Contributing
270 Bathurst St	Contributing
273 Bathurst St	Contributing
274 Bathurst St	Contributing
275 - 277 Bathurst St	Contributing
278 Bathurst St	Contributing
281 Bathurst St	Contributing
282 Bathurst St	Non-contributing
287 Bathurst St	Contributing
291 Bathurst St	Contributing
295 - 297 Bathurst St	Contributing
298 Bathurst St	Non-contributing
299 Bathurst St	Contributing
303 Bathurst St	Non-contributing
304 Bathurst St	Contributing
307 Bathurst St	Contributing
310 Bathurst St	Non-contributing
316 Bathurst St	Contributing
320 Bathurst St	Contributing
325 - 329 Bathurst St	Contributing
326 Bathurst St	Contributing
330 Bathurst St	Contributing
331 Bathurst St	Contributing
337 Bathurst St	Non-contributing

<i><b>Address</b></i>	<i><b>Contributing Status</b></i>
194 Brock St	Non-contributing
198 Brock St	Contributing
200 Brock St	Contributing
204 Brock St	Non-contributing
207 Brock St	Non-contributing
208 Brock St	Contributing
216 Brock St	Non-contributing
219 Brock St	Non-contributing
220 Brock St	Contributing
224 Brock St	Contributing
225 Brock St	Contributing
228 Brock St	Contributing
230 Brock St	Contributing
234 Brock St	Contributing
240 Brock St	Contributing
247 Brock St	Contributing
252 Brock St	Contributing
255 Brock St	Contributing
258 Brock St	Contributing
259 Brock St	Contributing
262 Brock St	Contributing
263 Brock St	Contributing
266 Brock St	Contributing
269 Brock St	Contributing
270 Brock St	Non-contributing
276 Brock St	Contributing
284 Brock St	Non-contributing
288 Brock St	Non-contributing
294 Brock St	Contributing
298 Brock St	Contributing
187 Dalhousie St	Contributing



<i><b>Address</b></i>	<i><b>Contributing Status</b></i>
191 Dalhousie St	Contributing
198 Dalhousie St	Contributing
199 Dalhousie St	Contributing
201 Dalhousie St	Contributing
202 Dalhousie St	Contributing
206 Dalhousie St	Contributing
210 Dalhousie St	Contributing
214 Dalhousie St	Contributing
219 Dalhousie St	Contributing
223 Dalhousie St	Contributing
224 Dalhousie St	Contributing
229 Dalhousie St	Contributing
233 Dalhousie St	Contributing
235 - 237 Dalhousie St	Non-contributing
238 Dalhousie St	Contributing
239 Dalhousie St	Contributing
242 Dalhousie St	Contributing
243 - 245 Dalhousie St	Non-contributing
247 Dalhousie St	Contributing
249 - 251 Dalhousie St	Contributing
252 Dalhousie St	Contributing
253 Dalhousie St	Non-contributing
256 Dalhousie St	Contributing
257 265 Dalhousie St	Contributing
258 - 264 Dalhousie St	Contributing
266 Dalhousie St	Contributing
267 - 269 Dalhousie St	Contributing
273 Dalhousie St	Contributing
274 Dalhousie St	Non-contributing
281 Dalhousie St	Contributing
287 Dalhousie St	Contributing

<i><b>Address</b></i>	<i><b>Contributing Status</b></i>
290 Dalhousie St	Non-contributing
296 Dalhousie St	Non-contributing
305 Dalhousie St	Non-contributing
306 Dalhousie St	Non-contributing
319 Dalhousie St	Non-contributing
320 Dalhousie St	Non-contributing
327 Dalhousie St	Non-contributing
340 - 364 Dalhousie St	Non-contributing
348 Dalhousie St	Non-contributing
349 Dalhousie St	Contributing
355 Dalhousie St	Contributing
356 Dalhousie St	Contributing
359 Dalhousie St	Non-contributing
361 Dalhousie St	Contributing
0 Dalhousie St	Non-contributing
0 Dalhousie St	Contributing
0 Dalhousie St	Non-contributing
0 Dalhousie St	Non-contributing
0 Dalhousie St	Contributing
207 George St	Contributing
208 George St	Contributing
212 George St	Contributing
213 George St	Contributing
221 George St	Non-contributing
225 George St	Non-contributing
228 George St	Contributing
229 George St	Contributing
232 George St	Contributing
233 George St	Non-contributing
235 George St	Contributing
236 George St	Contributing

<i><b>Address</b></i>	<i><b>Contributing Status</b></i>
239 George St	Contributing
240 George St	Contributing
244 George St	Contributing
245 George St	Non-contributing
249 George St	Contributing
259 George St	Contributing
262 George St	Non-contributing
263 George St	Contributing
266 George St	Contributing
269 George St	Contributing
270 George St	Contributing
273 George St	Contributing
274 George St	Contributing
279 George St	Non-contributing
283 George St	Contributing
284 George St	Contributing
287 George St	Non-contributing
290 George St	Contributing
294 George St	Non-contributing
295 George St	Non-contributing
298 George St	Contributing
301 George St	Non-contributing
302 George St	Contributing
308 George St	Non-contributing
0 George St	Non-contributing
0 George St	Non-contributing
68 Gore St	Contributing
74 Gore St	Contributing
77 Gore St	Contributing
78 Gore St	Contributing
94 Gore St	Contributing

<i><b>Address</b></i>	<i><b>Contributing Status</b></i>
95 Gore St	Non-contributing
98 Gore St	Contributing
100 - 104 Gore St	Contributing
101 Gore St	Non-contributing
106 Gore St	Non-contributing
107 - 109 Gore St	Contributing
123 Gore St	Contributing
131 Gore St	Non-contributing
147 Gore St	Non-contributing
151 Gore St	Non-contributing
153 Gore St	Non-contributing
159 Gore St	Contributing
166 Gore St	Contributing
170 Gore St	Non-contributing
174 Gore St	Contributing
176 Gore St	Contributing
193 Gore St	Contributing
196 Gore St	Contributing
197 Gore St	Contributing
198 Gore St	Contributing
200 Gore St	Contributing
201 Gore St	Contributing
203 Gore St	Contributing
206 - 208 Gore St	Contributing
207 Gore St	Contributing
217 Gore St	Contributing
220 Gore St	Contributing
224 Gore St	Non-contributing
227 Gore St	Non-contributing
231 Gore St	Contributing
209 King St	Contributing



<i><b>Address</b></i>	<i><b>Contributing Status</b></i>
214 King St	Contributing
215 King St	Contributing
218 King St	Contributing
221 King St	Contributing
222 King St	Contributing
231 King St	Contributing
235 King St	Contributing
239 King St	Non-contributing
242 King St	Contributing
243 King St	Non-contributing
246 King St	Contributing
247 King St	Non-contributing
250 King St	Contributing
251 King St	Non-contributing
254 King St	Non-contributing
257 King St	Non-contributing
258 King St	Contributing
266 King St	Contributing
267 King St	Contributing
270 King St	Contributing
271 - 273 King St	Contributing
274 King St	Contributing
277 King St	Contributing
278 King St	Contributing
281 King St	Contributing
282 King St	Non-contributing
284 King St	Contributing
288 King St	Non-contributing
289 King St	Contributing
292 King St	Contributing
293 King St	Contributing

<i><b>Address</b></i>	<i><b>Contributing Status</b></i>
296 King St	Contributing
297 King St	Non-contributing
300 King St	Non-contributing
303 King St	Contributing
306 King St	Contributing
307 King St	Contributing
0 King St	Non-contributing
57 Murray St	Contributing
60 - 64 Murray St	Contributing
61 - 73 Murray St	Contributing
66 - 68 Murray St	Non-contributing
70 - 74 Murray St	Contributing
79 - 81 Murray St	Contributing
87 - 89 Murray St	Non-contributing
90 Murray St	Non-contributing
102 - 106 Murray St	Non-contributing
108 Murray St	Contributing
110 Murray St	Non-contributing
114 Murray St	Contributing
116 Murray St	Contributing
138 Murray St	Non-contributing
141 Murray St	Contributing
144 Murray St	Contributing
145 Murray St	Contributing
148 Murray St	Contributing
149 Murray St	Non-contributing
159 Murray St	Contributing
165 Murray St	Contributing
167 - 171 Murray St	Non-contributing
170 Murray St	Non-contributing
182 Murray St	Contributing

<i><b>Address</b></i>	<i><b>Contributing Status</b></i>
187 Murray St	Non-contributing
190 Murray St	Contributing
191 Murray St	Non-contributing
196 Murray St	Contributing
197 Murray St	Contributing
204 Murray St	Contributing
210 Murray St	Contributing
211 Murray St	Contributing
260 Murray St	Non-contributing
0 Murray St	Contributing
0 Murray St	Contributing
39 North St	Contributing
45 North St	Contributing
51 North St	Contributing
57 North St	Contributing
65 North St	Contributing
69 North St	Contributing
71 North St	Non-contributing
73 North St	Contributing
79 North St	Contributing
83 North St	Contributing
87 North St	Contributing
93 North St	Contributing
97 North St	Non-contributing
80 Park St	Non-contributing
87 Park St	Non-contributing
90 Park St	Non-contributing
93 Park St	Contributing
96 Park St	Contributing
101 Park St	Contributing
108 Park St	Non-contributing

<i><b>Address</b></i>	<i><b>Contributing Status</b></i>
109 Park St	Contributing
112 Park St	Non-contributing
113 Park St	Contributing
115 Park St	Contributing
116 Park St	Contributing
117 Park St	Non-contributing
119 Park St	Non-contributing
120 Park St	Contributing
125 Park St	Non-contributing
127 Park St	Non-contributing
131 - 133 Park St	Non-contributing
132 Park St	Non-contributing
137 Park St	Contributing
138 Park St	Contributing
141 Park St	Contributing
142 Park St	Non-contributing
247 - 249 Ramsay St	Non-contributing
251 Ramsay St	Non-contributing
254 Ramsay St	Non-contributing
269 Ramsay St	Non-contributing
270 Ramsay St	Non-contributing
273 Ramsay St	Contributing
274 Ramsay St	Non-contributing
276 Ramsay St	Contributing
277 Ramsay St	Non-contributing
280 Ramsay St	Contributing
283 Ramsay St	Contributing
284 Ramsay St	Contributing
291 Ramsay St	Contributing
296 Ramsay St	Contributing
298 Ramsay St	Contributing



<i><b>Address</b></i>	<i><b>Contributing Status</b></i>
301 Ramsay St	Contributing
302 Ramsay St	Contributing
305 Ramsay St	Non-contributing
308 Ramsay St	Contributing
309 Ramsay St	Non-contributing
311 - 313 Ramsay St	Contributing
312 Ramsay St	Contributing
317 Ramsay St	Contributing
320 Ramsay St	Non-contributing
322 Ramsay St	Non-contributing
324 Ramsay St	Contributing
327 Ramsay St	Non-contributing
328 Ramsay St	Contributing
330 Ramsay St	Contributing
331 Ramsay St	Non-contributing
334 Ramsay St	Non-contributing
337 Ramsay St	Non-contributing
0 Ramsay St	Non-contributing
42 Rankin Ave	Contributing
46 Rankin Ave	Contributing
51 Rankin Ave	Contributing
52 Rankin Ave	Contributing
56 Rankin Ave	Contributing
57 Rankin Ave	Contributing
60 Rankin Ave	Contributing
61 Rankin Ave	Contributing
64 Rankin Ave	Contributing
65 Rankin Ave	Contributing
68 Rankin Ave	Contributing
69 Rankin Ave	Contributing
73 Rankin Ave	Contributing

<i><b>Address</b></i>	<i><b>Contributing Status</b></i>
74 Rankin Ave	Contributing
78 Rankin Ave	Non-contributing
79 Rankin Ave	Contributing
82 Rankin Ave	Contributing
88 Rankin Ave	Contributing
89 Rankin Ave	Non-contributing
92 Rankin Ave	Non-contributing
96 Rankin Ave	Contributing
100 Rankin Ave	Non-contributing
30 Richmond St	Contributing
48 Richmond St	Contributing
52 Richmond St	Contributing
53 Richmond St	Non-contributing
55 Richmond St	Non-contributing
56 Richmond St	Non-contributing
57 Richmond St	Non-contributing
58 Richmond St	Non-contributing
59 Richmond St	Non-contributing
61 Richmond St	Contributing
63 Richmond St	Non-contributing
65 - 67 Richmond St	Contributing
66 Richmond St	Contributing
75 - 77 Richmond St	Non-contributing
79 Richmond St	Contributing
80 Richmond St	Non-contributing
84 Richmond St	Non-contributing
89 Richmond St	Non-contributing
99 Richmond St	Non-contributing
105 Richmond St	Non-contributing
110 Richmond St	Non-contributing
131 Richmond St	Non-contributing

<i><b>Address</b></i>	<i><b>Contributing Status</b></i>
134 Richmond St	Contributing
140 Richmond St	Contributing
149 Richmond St	Contributing
159 Richmond St	Non-contributing
179 Richmond St	Contributing
183 Richmond St	Non-contributing
189 Richmond St	Non-contributing
203 - 205 Richmond St	Non-contributing
259 Richmond St	Contributing
0 Richmond St	Contributing
0 Richmond St	Non-contributing
0 Richmond St	Non-contributing
174 Sandwich St S	Non-contributing
178 - 180 Sandwich St S	Non-contributing
186 Sandwich St S	Non-contributing
216 Sandwich St S	Non-contributing
221 Sandwich St S	Contributing
227 - 229 Sandwich St S	Non-contributing
231 - 233 Sandwich St S	Non-contributing
232 Sandwich St S	Contributing
235 - 237 Sandwich St S	Non-contributing
236 - 238 Sandwich St S	Non-contributing
239 Sandwich St S	Non-contributing
241 Sandwich St S	Non-contributing
247 Sandwich St S	Non-contributing
250 Sandwich St S	Non-contributing
258 Sandwich St S	Non-contributing
262 Sandwich St S	Contributing
266 Sandwich St S	Contributing
268 Sandwich St S	Non-contributing
271 Sandwich St S	Contributing

<i><b>Address</b></i>	<i><b>Contributing Status</b></i>
272 Sandwich St S	Contributing
277 - 279 Sandwich St S	Contributing
280 - 286 Sandwich St S	Non-contributing
285 Sandwich St S	Non-contributing
290 Sandwich St S	Non-contributing
291 Sandwich St S	Contributing
293 Sandwich St S	Contributing
296 Sandwich St S	Non-contributing
297 Sandwich St S	Contributing
299 - 301 Sandwich St S	Contributing
303 Sandwich St S	Non-contributing
307 Sandwich St S	Non-contributing
311 Sandwich St S	Non-contributing
322 Sandwich St S	Non-contributing
220 Seymour St	Non-contributing
221 Seymour St	Contributing
224 Seymour St	Contributing
225 Seymour St	Contributing
229 Seymour St	Contributing
233 Seymour St	Contributing
239 Seymour St	Contributing
243 Seymour St	Contributing
245 Seymour St	Contributing
249 Seymour St	Contributing
250 Seymour St	Non-contributing
253 Seymour St	Contributing
256 Seymour St	Non-contributing
257 Seymour St	Contributing
260 - 262 Seymour St	Contributing
261 - 263 Seymour St	Contributing
266 Seymour St	Contributing



<i><b>Address</b></i>	<i><b>Contributing Status</b></i>
271 Seymour St	Non-contributing
274 Seymour St	Contributing
277 Seymour St	Contributing
278 Seymour St	Contributing
280 - 282 Seymour St	Contributing
281 Seymour St	Contributing
285 Seymour St	Contributing
286 Seymour St	Contributing
287 Seymour St	Non-contributing
290 Seymour St	Non-contributing
291 Seymour St	Contributing
292 Seymour St	Non-contributing
294 Seymour St	Contributing
295 Seymour St	Non-contributing
296 - 298 Seymour St	Contributing
299 Seymour St	Non-contributing
300 Seymour St	Contributing
303 Seymour St	Non-contributing
306 Seymour St	Contributing
128 Simcoe St	Non-contributing
129 Simcoe St	Contributing
135 - 139 Simcoe St	Non-contributing
140 Simcoe St	Non-contributing
162 Simcoe St	Contributing
166 Simcoe St	Contributing
188 Simcoe St	Non-contributing
194 Simcoe St	Non-contributing
214 Simcoe St	Contributing
218 Simcoe St	Contributing
236 Simcoe St	Non-contributing
240 Simcoe St	Contributing

<i>Address</i>	<i>Contributing Status</i>
244 - 246 Simcoe St	Non-contributing

A black and white photograph of a park. In the foreground, a large cannon is mounted on a wooden carriage. To the right, there is a stone monument with a plaque and a flagpole with a flag. In the background, there are large trees and a body of water.

# APPENDIX B

## GLOSSARY

## Glossary

The following comprises a list of some of the more commonly used terms and definitions in this District Plan. Where applicable, sources are indicated to show where the term has been derived.

***Alter:*** To change in any manner and includes to restore, renovate, repair or disturb and "***alteration***" has a corresponding meaning (Source: *Ontario Heritage Act*).

***Built heritage resource:*** A building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. (Source: 2024 Provincial Planning Statement)

***Buffering:*** Allowing filtered views through material such as a deciduous shrub border or a partially enclosed fence (e.g. picket fencing). "Buffer" has a corresponding meaning.

***Character:*** The collective physical qualities and visual attributes that distinguish a particular area or neighbourhood.

***Compatible:*** When used together with any building, use, alteration or any other form of change means consistent with the heritage attributes and cultural heritage value of a property, and which has little or no adverse effect on its appearance, heritage attributes, and integrity. "***Compatibility***" has a corresponding meaning.

***Conservation:*** All actions or processes that are aimed at safeguarding the character-defining elements of a cultural resource so as to retain its heritage value and extend its physical life. This may involve "Preservation," "Rehabilitation," "Restoration," or a combination of these actions or processes. (Source: Standards and Guidelines for the Conservation of Historic Places in Canada)

***Conserved:*** The identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments. (Source: 2024 Provincial Planning Statement)

***Cultural heritage landscape:*** A defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued



together for their interrelationship, meaning or association. (Source: 2024 Provincial Planning Statement)

***Effects, adverse:*** Include those conditions resulting in the attrition of protected heritage properties and include: the destruction, loss, removal or incompatible alteration of all or part of a protected heritage property; the isolation of a protected heritage property from its surrounding streetscape or setting; or the introduction of physical, visual, audible or atmospheric elements that are not in character with a heritage property and/or its setting. "Adversely affected" and "adversely affects" have a corresponding meaning.

***Effects, beneficial:*** Include those conditions resulting in: the protection of heritage properties from demolition or removal; the retention of a protected heritage property in situ in a structurally stable and sound condition or state of repair; accurate restoration of a protected heritage property; the sympathetic alteration or repair of a protected heritage property to permit an existing or new use; enhancement of a protected heritage property by accommodating compatible new development; or maintenance of a protected heritage property through the repair and replacement of worn-out components and using compatible materials and techniques.

***Fenestration:*** The placement, size, and type of windows within a building.

***Heritage attributes:*** In relation to real property and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest (Source: *Ontario Heritage Act*).

***Heritage building fabric:*** The physical components relating to the layout, materials and details of built and landscape heritage resources.

***Heritage value:*** The aesthetic, historic, scientific, cultural, social or spiritual importance or significance for past, present or future generations. The heritage value of an historic place is embodied in its character-defining materials, forms, location, spatial configurations, uses and cultural associations or meanings. (Source: Standards and Guidelines for the Conservation of Historic Places in Canada)

***Infill development:*** The construction of new buildings on vacant lands located within previously built-up areas of urban settlements. Infill often occurs within residential neighbourhoods or historic commercial areas.

***Preservation:*** The action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of a historic place or of an individual component, while protecting its heritage value. (Source: Standards and Guidelines for the Conservation of Historic Places in Canada)

***Principal Façade:*** The building elevation (or elevations) that are visible from the public street or right-of-way.

***Property:*** Real property and includes all buildings and structures thereon (Source: *Ontario Heritage Act*).

***Property, contributing:*** A property which expresses a particular architectural style, contributes to a theme identified as significant to the Heritage Conservation District, is listed or designated under Part IV of the Ontario Heritage Act, is a landmark, or supports the character of the area.

***Property, non-contributing:*** A property which does not meet the classification criteria for a 'contributing' property. The term 'property, other' is used interchangeably.

***Protected heritage property:*** Property designated under Part IV or VI of the *Ontario Heritage Act*; property included in an area designated as a heritage conservation district under Part V of the *Ontario Heritage Act*; property subject to a heritage conservation easement or covenant under Part II or IV of the *Ontario Heritage Act*; property identified by a provincial ministry or a prescribed public body as a property having cultural heritage value or interest under the Standards and Guidelines for the Conservation of Provincial Heritage Properties; property protected under federal heritage legislation; and UNESCO World Heritage Sites. (Source: 2024 Provincial Planning Statement)

***Rehabilitation:*** The action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, while protecting its heritage value. (Source: Standards and Guidelines for the Conservation of Historic Places in Canada)

***Restoration:*** The action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value. (Source: Standards and Guidelines for the Conservation of Historic Places in Canada)

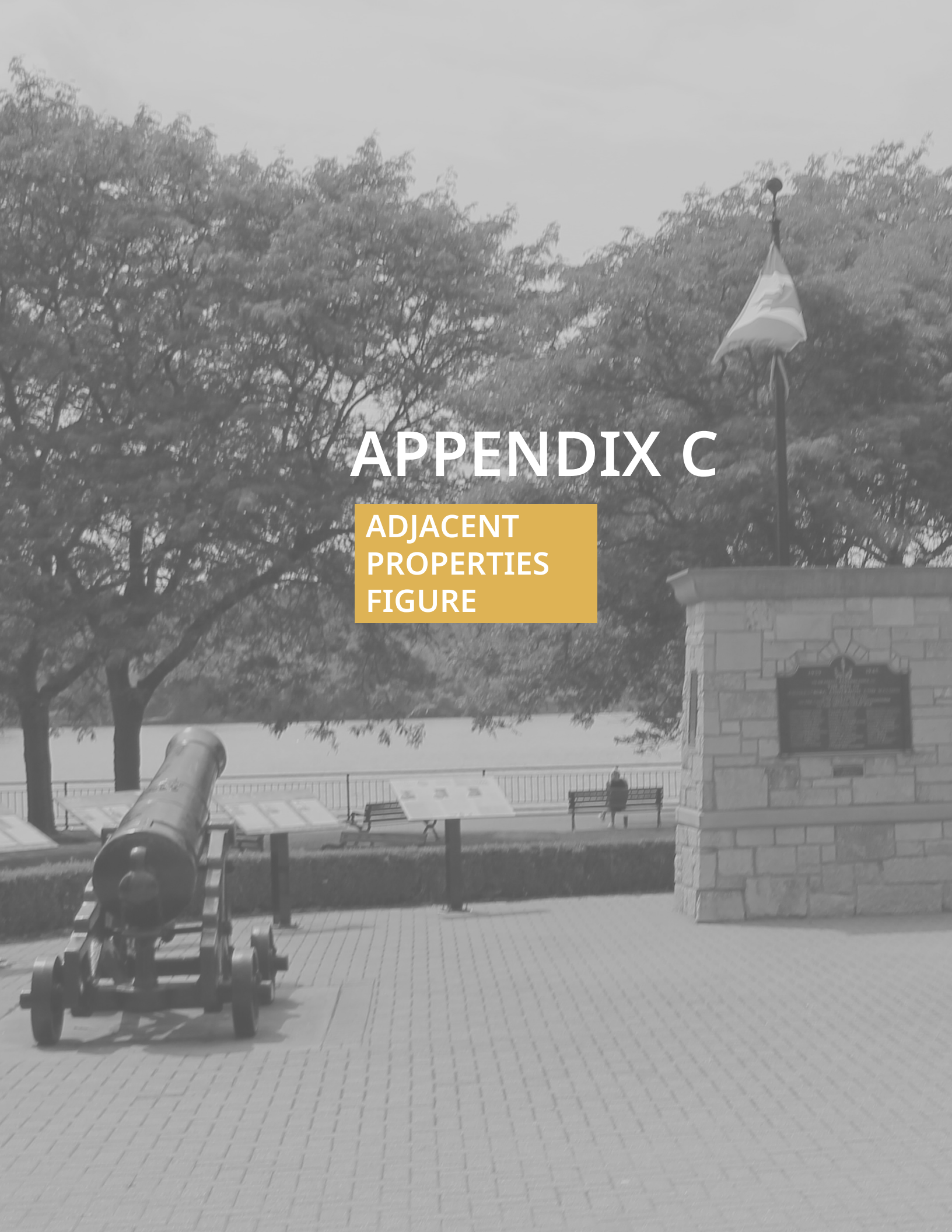
***Screening:*** The blocking of views through the use of solid fencing or evergreen material.

***Significant:*** In regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act. (Source: 2024 Provincial Planning Statement)

***Subordinate:*** Designed in such a way that there is no distraction from original building features. Typically used in describing design direction for building additions.

# APPENDIX C



## ADJACENT PROPERTIES FIGURE







**Legend**

-  Heritage Conservation District (HCD)
-  Property Bordering HCD







**AMHERSTBURG**