HERITAGE IMPACT STATEMENT
REVISED & UPDATED



Crooks / Norton Farm House
South & West Elevations
September 2014



Burlington Maps,
2013



Crooks / Norton Farm House
South & West Elevations
April, 2007

CROOKS / NORTON FARM
5421 DUNDAS STREET WEST
CITY OF BURLINGTON, ONTARIO

July 2015

Prepared for:

Evergreen Community (Burlington) Limited

Prepared by:

Wayne Morgan
Heritage Planner

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Prepared by:
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EXECUTIVE SUMMARY

The owner of the property at 5421 Dundas Street West (Lot 2, Concession 1 NDS in the former Township of Nelson) in the City of Burlington is proposing to develop the property and the adjacent Lot 1 for a mix of residential, park/open space and employment uses. The property is included in the municipality's Register of Heritage Properties, established under the *Ontario Heritage Act*, as a listed property.

Wayne Morgan, Heritage Planner was retained in 2007 by the owner to provide a heritage impact statement. A report dated January 2008 was prepared and submitted to the municipality. Wayne Morgan was retained in September 2014 to update the 2008 report taking into consideration changes in the following: the condition of the property, provincial and municipal heritage policies, and the proposed development. This report incorporates and updates information and findings of the 2008 report.

The property, identified as the Crooks / Norton Farm, contains a 1 ½ storey, single detached, frame structure clad in wood siding resting on a stone rubble and concrete block foundation. This 'U' planned residence has three sections with the first constructed in the 1840s and the last in the 1920s. The House has a gable roof and a variety of interior wood trim and surfaces reflecting the three construction periods of the House. The structure has a high level of heritage integrity although it has some condition problems which can be readily rectified. The two earliest sections of the House are representative examples of a vernacular interpretation of 'Gothic Revival' architectural styling. The property also contains a gable roofed shed probably used for small animals. All other structures on the property have been demolished. In addition, the property contains the landscape remnants of its farming origin.

The Crooks family, initially land speculators from the Niagara area, first settled the property in the 1840s. In 1911, the Norton family acquired the farm and added to the House. This latter family developed a successful regional transportation business and, in recognition of their contribution to local education, has had a school named after Cecil H. Norton.

The proposed development plan shows retention in situ of the House, although the future use of the House has not been determined.

An evaluation of the subject lands for cultural heritage value using criteria established by regulation under the *Act* determined that the House merits conservation under the *Act*.

To conserve the House and address adverse heritage impacts, this report recommends:

1. protecting the House through designation under Part IV of the *Act* and securing a heritage easement agreement on the House and its site;
2. the owner and the municipality work together to determine an appropriate use for the House; and
3. as a condition of development approval, the municipality secure for the House and its site: a Conservation Plan, a Landscape Plan, a Protection Plan, commemoration of the heritage values of the site and financial security to implement the above.

PROJECT PERSONNEL

Wayne Morgan
Heritage Planner

Member, Canadian Association of Heritage Professionals
Member, Canadian Institute of Planners
Member, Ontario Professional Planners Institute
Director and Vice President, Community Heritage Ontario

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1.0 INTRODUCTION

The Crooks/Norton Farm at 5421 Dundas Street West (Lot 2, Concession 1 NDS in the former Township of Nelson) is located on the north side of Dundas Street West, west of Tremaine Road in the City of Burlington. The property is included in the municipality's Register of Heritage Properties, established under the Ontario Heritage Act, as a listed property.

In 2007, Wayne Morgan, Heritage Planner, was retained by Young Project Management on behalf of the owner, Evergreen Community (Burlington) Limited to provide a Heritage Impact Statement (HIS) of the proposal to develop the property containing the Crooks/Norton Farm House for urban purposes. The HIS, dated January 2008, was prepared and submitted to the municipality.

The owner has updated the development proposal for the property and the adjacent lands in the form of a revised draft plan of subdivision under the *Planning Act* and a resubmission of an application to amend the Official Plan and the Zoning By-law.

In September 2014 Wayne Morgan was retained by the owner to revise and update the January 2008 HIS. This revision and update takes into consideration policy changes since 2008, the availability of more information on the history of the property and any physical changes to the heritage resources of the property since then.

A HIS is intended to identify the heritage values of a property based on an examination of its historical development and the architectural features, both built and landscape, and to identify any impacts by the proposed development on the heritage resources and to make recommendations both to mitigate any adverse heritage impacts and to conserve those heritage resources. This HIS addresses the requirements of Part II policy 8.4.1 b) of the City of Burlington's Official Plan and policy 2.6.1 of the Provincial Policy Statement issued under the *Planning Act*.

Wayne Morgan has extensive experience in the identification and management of heritage resources in Ontario. A one page curriculum vitae of his experience and qualifications is included in ***Appendix N*** of this report

2.0 DESCRIPTION OF THE PROPERTY AND ITS CONTEXT

2.1 Location

The Evergreen development site is located in the City of Burlington (formerly Township of Nelson) in the Regional Municipality (formerly County) of Halton in Lots 1 and 2 in the First Concession north of Dundas Street (NDS) north-west of the intersection of Dundas Street West and Tremaine Road and east of the hamlet of Tansley ***(Figures 2.1 and 2.2)***. The development site is bounded on the north by Highway 407, on the east by the right-of-way for Tremaine Road, on the south by the right-of-way for Dundas Street West and on the west by the Bronte Creek Valley. The subject property, 5421 Dundas Street West, is the west part (Lot 2) of the development site.

Evergreen Development Site *(approximate)*

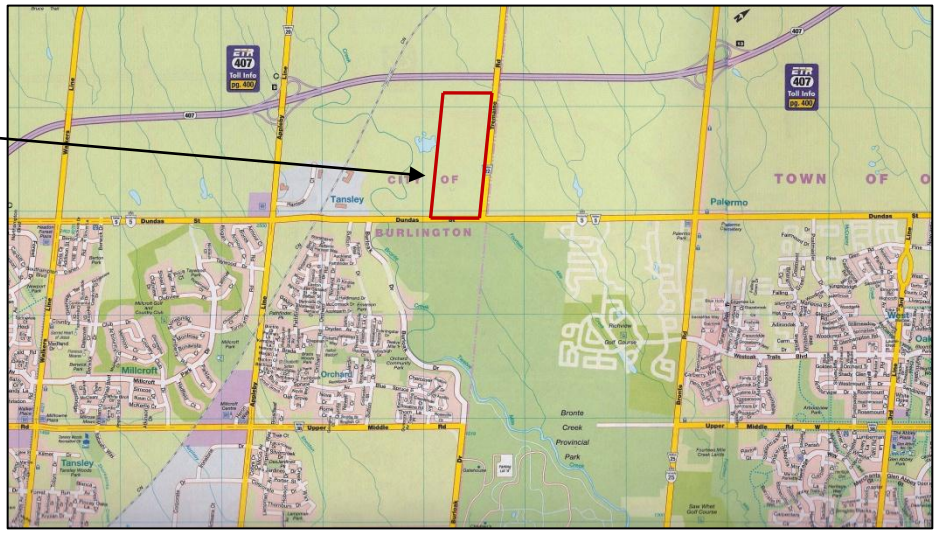


Figure No. 2.1
General Location Map
[Source: MapArt Publishing 2005]

Evergreen Development Site *(approximate)*



Figure No. 2.2
Development Site and its Context
[Google Earth, 2014, image 2009].

2.2 Ownership and Legal Description

The development site is owned by:

> Evergreen Community (Burlington) Limited
> c/o Argo Developments (Tremaine) Ltd.
> 2173 Turnberry Road
> Burlington, Ontario L7M 4P8

The short legal description of the development site as shown on the legal survey is:

> Part of Lots 1 and 2 in Concession 1 North of Dundas Street, in the geographic Township of Nelson, now in the City of Burlington, Regional Municipality of Halton.

A legal survey of the development site, which includes the subject property (5421 Dundas Street West), is contained in Appendix A. The municipal addresses of the development site are 5421 to 5463 Dundas Street West and 3232 Tremaine Road. The Crooks/Norton Farm House is 5421 Dundas Street West. For the purposes of this study only those lands in Lot 2 that are part of the development site, which is shown on the survey and accompanying aerial photograph, were examined.

2.3 Area Character and Physiography

As shown on the topographic map (***Appendix C***), the subject lands (Lot 2) have a generally flat topography that gently slopes to the south-east to Lake Ontario. Bronte Creek, which is west of the subject property, has cut a deeply incised valley into this relatively flat landscape. The Creek flows to Lake Ontario. Forest cover, as shown on the topographic map, is limited to a woodlot towards the north end of the property and on the west boundary of the property. The map, which is based on the 1934 aerial photograph, shows an orchard in the south-west corner of the property. Excluding those forested areas, the subject property is shown as cleared for cultivation. The map shows a railway line, west of the property, running from the south-west to the north-east, while north of the property there is a high voltage electric transmission line. The topographic map shows the Crooks/Norton Farm House and a barn to the rear of the House. Although not shown on the extract of the topographic map in Appendix C, the larger map shows that, beyond the subject property, the area was intensively used for agriculture, with numerous barns and farm houses along the concession roads, but few along the roads perpendicular to the concession roads. A cluster of residences at Tansley, to the west, and Palermo, to the east is also shown on the map.

The area character identified in the topographic map is also illustrated in a 1965 aerial photograph (Figure 2.3) which shows that the subject property is located in an extensive rural area with Bronte Creek cutting a distinct valley in the landscape. The hamlet of Tansley appears in the bottom of the photograph

Since 1974, there has been some change in the land uses of the area when Figure 2.3 is compared to Figure 2.2. Highway 407 has been extended through the area. The industrial

area on either side of the railway tracks north of Tansley has intensified, while residential development has occurred on the south side of Dundas Street, west of the Bronte Creek. However, the lands adjacent to the subject property remain rural.



Figure No. 2.3
The Area in 1965
[Source: National Airphoto Library, Roll No. A19345, Photo 26].

Detailed aerial photographs of the subject site in 1934, 1965and 2009 are found in ***Appendix D.***

The property is located in the South Slope physiographic region[1] which is described as:

> *The South Slope is the southern slope of the interlobate moraine [Oak Ridges Moraine] but it includes the strip south of the Peel plain. It rises to the line of contact with the moraine at 800 to 1,000 feet above sea level. ... Extending from the Niagara escarpment to the Trent River it covers approximately 940 square miles. ... West of the Credit River the Trafalgar moraine provides subdued morainic topography, while a narrow belt above the Iroquois shorecliff is planed and fluted. ... All the rivers in this area have cut through the boulder clay and into the shale, the valley walls in the shale often being almost perpendicular. .. . The South Slope contains a variety of soils, some of which have proved to be excellent through more than a century of agricultural use.*

Chapman and Putnam have described the settlement and land use of the South Slope up to the 1960s.

> *Lying behind the lakeshore areas of first settlement in Upper Canada, the South Slope was colonized by the 'second wave', composed largely of British immigrants after the close of the Napoleonic wars. ... but the interior of Peel and Halton counties was not laid out for settlement until 1819. ... A mixed, subsistence agriculture was undoubtedly the rule in the early settlements but grain soon began to be exported from the little lake ports. This was increased by the repeal of the Corn Laws in Britain and by reciprocity with the United States; several of the main haulage roads were improved, and some were made into plank roads. In the mid-[eighteen] fifties the railways appeared. The period of grain growing was a period of prosperity....Wheat growing declined to be replaced by commercial mixed farming in which beef cattle, hogs and dairy butter were the chief sources of income. ... The expansion of the Toronto milk shed displaced the beef cattle and hogs over a large part of the region.*[2]

2.4 Context - General Character

The subject property is within an immediate area that remains rural in character although lands to the south-west and south-east have undergone conversion from rural to suburban use (Figures 2.2 and 2.3). The lands on the south side of Dundas Street across the street from the subject property remain rural as they are part of the Bronte Creek Provincial Park.

As shown by the photographs in ***Appendix B***, the properties immediately to the south, east and west of the subject property remain rural except for the bus depot adjacent to the west side of the property.

[1] Chapman and Putnam, pp287 – 292..
[2] Ibid, pp 290 – 291.

Dundas Street is a heavily traveled four lane arterial road with a rural character – drainage ditches and no sidewalks. There is a signalized intersection at Dundas Street and Tremaine Road.

2.5 Context - Adjacent and Nearby Heritage Properties

A total of six properties with potential heritage resources are examined in this assessment. One abuts or is adjacent to the subject property and five are nearby (***Appendix J***). These are:

- *5418 Dundas Street West* – south side of Dundas Street – 1920s house

  Little is known of this house other than it is a 1 ½ storey structure with a hip roof and a central dormer. In 2009 when Google Streetview photographed the area, the house had been abandoned for many years and was shrouded from public view by overgrown vegetation.

  The building is 236 metres from the south-east limit of the subject property.

- *5226 Dundas Street West* – south side of Dundas Street – c 1865 – George McKinley house

  This is a 1 ½ storey vernacular 'Gothic Revival' styled residence with a one storey hip roofed front veranda that has been almost fully enclosed. This appears to be the house pictured in 1924 in Figure 4.2 and was once the Tansley Post Office. The building may have been relocated and has been altered with the enclosure of the front veranda, new siding and the loss of chimneys in the peak of the gable ends of the roof.

  The house is 654 metres from the south-west limit of the subject property.

- *5218 Dundas Street West* – south side of Dundas Street – c 1870

  This is a 1 ½ storey vernacular 'Gothic Revival' styled residence with an open one storey front veranda. The medium pitched gable roof has a centre gable with an arched window. The building may have been relocated and has been altered with new siding, a new veranda and the loss of chimneys in the peak of the gable ends of the roof.

  The house is 820 metres from the south-west limit of the subject property.

- *5210 Dundas Street West* – south side of Dundas Street – vacant

  This property which is listed in the inventory of Burlington heritage properties, is vacant.

The property is 841 metres from the south-west limit of the subject property.

- *3488 Tremaine Road* – west side of Tremaine Road, north of Highway 407 – c 1860 – Solomon Winter house

  This is a 1 ½ storey vernacular styled residence with a rear tail wing and a gable roof and a three bay façade with a centre door. The building's alterations include modern siding, replacement windows and the loss of chimneys in the peak of the gable ends of the roof.

  There is also a frame barn to the rear of the house.

  The house and barn are 912 metres from the north-east limit of the subject property.

The house at 5463 Dundas Street West was identified as an adjacent heritage resource in the 2008 report but has since been demolished.

No other potential heritage properties were identified adjacent to or near the subject site.

3.0 Heritage Policies

3.1 The Planning Act and Provincial Policy Statement (2014)

Section 2 of the *Planning Act* identifies, *"matters of provincial interest, which includes the conservation of significant features of architectural, cultural, historical, archaeological or scientific interest."*[3]

Section 3 of the *Planning Act* enables the Province to issue Policy Statements on matters of Provincial Interest. The Provincial Policy Statement (2014) (PPS) issued under the *Planning Act* applies to this Study Area[4]. PPS Section 2.6 addresses Cultural Heritage. PPS Policy 2.6.1 states:

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

The PPS provides the following definitions to the italicized terms.

> *Significant:* means in regard to cultural heritage and archaeology, "resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.
>
> *Built heritage resources:* means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the *Ontario Heritage Act*, or included on local, provincial and/or federal registers.
>
> *Cultural heritage landscape:* means 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 Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

[3] Ontario Ministry of Culture. Heritage Resources in the Land Use Planning Process, p 1.

[4] The Study Area is the portion of Lot 2 Concession 1 NDS that is within the development property (see Appendix A).

> *Conserved:* means 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 under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Policy 2.6.3 of the PPS deals with development adjacent to a protected heritage property:

> 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.*

Each of the italicized terms has the following definition in the PPS:

> *Development*: means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act.*
>
> *Site alteration*: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.
>
> *Adjacent lands*: means d) for the purposes of policy 2.6.3, those lands contiguous to a *protected heritage property* or as otherwise defined in the municipal official plan.
>
> *Protected heritage property*: means property designated under Part IV, V or VI of the *Ontario Heritage Act;* property subject to a heritage conservation easement under Parts II or IV of the *Ontario Heritage Act;* property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.
>
> *Heritage attributes*: means the principal features or elements that contribute to a *protected heritage property's* cultural heritage value or interest, and many include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a *protected heritage property*).
>
> *Conserved* is defined above.

3.2 Ontario Heritage Act (OHA)

Part IV of the *Ontario Heritage Act* enables a municipality to list and designate properties of cultural heritage value or interest after consultation with its heritage advisory committee, if one is appointed. Section 27 of the *Act* requires the municipal clerk to keep a register of properties of cultural heritage value or interest. Subsection 27.2 of the *Act* allows municipal councils to include properties of cultural heritage value that have not been designated (listed properties) on the register, after the council has consulted with its heritage advisory committee.

The Provincial Government has established criteria for determining the cultural heritage value or interest of properties through Regulation 9/06 (***Appendix H***).

Once a property is designated, demolition or alterations that may affect the heritage attributes may not occur without municipal council approval. An owner may appeal Council's decision on an application to alter or demolish to the Ontario Municipal Board. Once a property is listed in the municipal register under the *Act*, any application to demolish a building on a listed property is delayed for 60 days from the date when Council is notified of the intent to demolish, during which Council may wish to pursue designation of the property.

The *Act* also enables municipalities to enter into easement agreements for the conservation of property of cultural heritage value or interest (section 37). Such easements run with the title to the property and municipalities may enforce such easements.

3.3 Places to Grow – Growth Plan for the Greater Golden Horseshoe

In 2006, the Provincial Government approved, and has subsequently amended, the Growth Plan for the Greater Golden Horseshoe. The Growth Plan is the Government's framework for development and the management of growth in the area. The subject site is shown as 'Designated Greenfield Area – Conceptual' on Schedule 2, Places to Grow Concept. Policies 2.2.7 of the Growth Plan set out policies for guiding urban growth in such Greenfield areas.

The Growth Plan requires that municipalities develop and implement official plan policies and other strategies in support of cultural heritage conservation (Section 4.2.4, policy 1. e).

3.4 Greenbelt Plan

In February 2005, the Provincial Government approved the Greenbelt Plan which, for the Greater Golden Horseshoe, "identifies where urbanization should not occur in order to provide permanent protections to the agricultural land base and the ecological features and functions occurring on this landscape". The plan defines a 'Protected Countryside" area for lands not included in the Niagara Escarpment or Oak Ridges Moraine Plans. Within the

protected Countryside Area, the Greenbelt Plan identifies 'Town and Village' areas and the 'Natural Heritage System'.

The Greenbelt Plan identifies lands in the area as part of the natural heritage system. The policies of the Plan provide for the permanent protection of such areas by prohibiting uses that would impair the natural heritage system. Municipal plans must conform to the policies of the Greenbelt Plan.

The Greenbelt Plan applies to the Bronte Creek Valley but not the balance of the lands in Lot 2, Concession 1 NDS. There are no policies in the Greenbelt Plan that deal with cultural heritage resources.

3.5 Halton Region Official Plan

Part IV of the 2009 Halton Region Official Plan (ROP), Office Consolidation, October 21, 2013, including the Ontario Municipal Board Order dated February 4, 2014, contains the following cultural heritage resource goals and objective relevant to the subject site:

> ***165.*** *The goal for Cultural Heritage Resources is to protect the material, cultural and built heritage of Halton for present and future generations.*
>
> ***166.*** *The objectives of the Region are:*
>
> *166(2) To promote and facilitate public and private stewardship of Halton's heritage.*

The following policy of the ROP is applicable to the subject site:

> ***167.*** *It is the policy of the Region to:*
>
> *167(3) Require that development proposals on adjacent lands to protected Cultural Heritage Resources:*
>
> *a) study and consider the preservation, relocation and/or adaptive re-use of historic buildings and structures based on both social and economic costs and benefits;*
>
> *b) incorporate in any reconstruction or alterations, design features that are in harmony with the area's character and existing buildings in mass, height, setback and architectural details; and*
>
> *c) express the Cultural Heritage Resources in some way, including: display of building fragments, marking the traces of former locations, exhibiting descriptions of*

> *former uses, and reflecting the former architecture and uses.*

In the ROP, the following are defined terms:

> *CULTURAL HERITAGE RESOURES means elements of the Regional landscape which, by themselves, or together with the associated environment, are unique or representative of past human activities or events. Such elements may include built heritage resources, cultural heritage landscapes, and archaeological resources.*
>
> *BUILT HERITAGE RESOURCES means one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the Ontario Heritage Act, or listed by local, provincial or federal jurisdictions.*

On Map 1 of the ROP, The Regional Structure (***Appendix L***), the subject property is designated 'Urban Area' and 'Natural Heritage System'. The latter designation is currently under appeal.

3.6 Burlington Official Plan and Zoning By-law

The office consolidation of the Official Plan (OP) for the City of Burlington dated December 2013 is referenced in this report. Cultural heritage resources principles, objectives and policies are contained in Section 8.0 of Part II – Functional Policies of the OP. Although the City has adopted these policies and they were approved, with modifications, by the Region, the explanatory notes in Table A to the OP indicate that Sections 8.0, 8.2, 8.3 and 8.4 of Part II, and some of the Section VIII definitions have been deferred (Deferral No. D53). The heritage policies of the new OP build upon the policies of parts of the old OP, which was approved by the City in 1994 and by the Region in 1997, which remain in-force pending decisions on the deferrals. For completeness, the policies of the new OP are referenced in this Statement.

The relevant cultural heritage resource principles as stated in section 8.1 of the Burlington OP are:

a) Cultural heritage resources of significant cultural heritage value shall be identified, and conserved

b) Sound heritage conservation practice requires early identification of cultural heritage resources, ongoing maintenance and protection from inappropriate use, alteration and demolition.

d) Cultural heritage resources shall be valued not only for their physical or material elements, but also for their historical associations.

Relevant cultural heritage resource objectives as stated in section 8.2 of the Burlington OP are:

a) To control the demolition, destruction, deterioration, and inappropriate alteration and/or use of cultural heritage resources in accordance with legislative authority.

b) To identify cultural heritage conservation issues early in the land use planning process, and make reference to cultural heritage conservation issues throughout the planning decision-making process.

c) To ensure that re-development and/or new development in an historic area does not detract from the overall heritage character of the area.

d) To identify areas of cultural heritage landscape in the City containing heritage buildings, structures, streets, vegetation, and open spaces of architectural or historic significance, whose arrangement represents one or more distinctive cultural processes in the historical use of land.

Relevant general cultural heritage resource policies as stated in section 8.3 of the Burlington OP are:

8.3.1 Use and Treatment of Cultural Heritage Resources

a) The City shall protect, improve and manage its cultural heritage resources in a manner that furthers the heritage objectives of this Plan and sets an example of leadership for the community in the conservation of cultural heritage resources. Cultural heritage conservation planning shall be an integral part of the land use planning process in the City of Burlington.

c) Cultural heritage landscapes, historic cemeteries and significant views associated with a cultural heritage resource shall be inventoried and conserved.

8.3.3 Implementation

a) An inventory of buildings, structures and cultural heritage landscapes designated under The Ontario Heritage Act *or worthy of designation, and buildings, structures and cultural heritage landscapes of architectural, historical and contextual interest shall be maintained in consultation with the municipal heritage committee (Heritage Burlington).*

c) Pursuant to The Ontario Heritage Act, The Planning Act, The Building Code Act, *or any other relevant legislation, the City may pass by-laws or adopt other measures for cultural heritage resource conservation and management.*

d) The City shall encourage, where appropriate, the adaptive re-use of a built heritage resource in a manner that is not destructive to the character-defining elements of the resource.

e) Pursuant to the provisions of The Ontario Heritage Act, *the City may enter into heritage conservation easement agreements with private property owners to ensure the long-term maintenance and conservation of cultural heritage resources.*

f) The City may develop provisions within the City's comprehensive zoning by-law to ensure that the development of cultural heritage resources, and the development of properties adjacent to cultural heritage resources is compatible with the existing heritage character streetscape of the area with regard to height and lot line setbacks.

8.3.4 Heritage Conservation Designation

a) The designation of individual cultural heritage properties and cultural heritage landscapes under the provisions of The Ontario Heritage Act *shall be pursued to implement the cultural heritage conservation objectives and policies of this Plan.*

c) Cultural Heritage landscapes may be conserved through designation as Heritage Conservation Districts under The Ontario Heritage Act *where some or all of the following features have been identified*

(iii) the District contains other important physical, environmental or aesthetic features that, are not sufficient for designation, but lend support in evaluating the criteria for designation;

8.4 Development/Re-development Policies

8.4.1 Use and Treatment

a) All development shall consider cultural heritage resources and wherever feasible, incorporate these resources into any development plans in a way that conserves the character-defining elements of the cultural heritage resource.

b) Completion of a heritage impact statement shall be required prior to any approvals for proposed development where the City foresees potential adverse impacts on the cultural heritage attributes (including important vistas and streetscape) of a property designated pursuant to The Ontario Heritage Act, *or on a property worthy of designation. Completion of a heritage impact statement may be required prior to any approvals for proposed development where the City foresees potential adverse impacts on the cultural heritage attributes of any other property identified on the City's Inventory of Cultural Heritage Resources. The content of a heritage impact statement may include, but is not limited to, the following:*

(i) an assessment of the cultural heritage value of the resource;
(ii) a description of the proposal, including a location map showing proposed buildings, existing land uses and buildings, and existing cultural heritage landscape features;

(iii) the physical condition of the resource (including that of any adjacent resource that may be directly or indirectly affected by the proposal);
(iv) a description of the impacts that may be reasonably caused to the cultural heritage resource;
(v) identification of several conservation options taking into consideration the significance of the cultural heritage resource itself, the context of the resource and all applicable municipal, provincial or federal heritage conservation principles. The advantages and disadvantages of each option will be identified, as will a preferred option;
(vi) a description of the actions necessary to prevent, change, mitigate or remedy any expected impacts upon the cultural heritage resource.

c) Approval of development on lands with significant cultural heritage resources may be subject to conservation of the cultural heritage resources. Should Council, in consultation with its municipal heritage committee (Heritage Burlington), determine that the proposal to alter, demolish or erect a structure that would detract from, or indirectly impair the character, quality, heritage attributes or stability of a cultural heritage resource, the proposal shall be subject to the recommendations of a heritage impact statement.

d) Cultural heritage resources that are to be significantly altered, removed or demolished shall be recorded for archival purposes with a history, photographic record and measured drawings before alteration, removal or demolition.

The relevant underlined terms in the Burlington OP cited above have the following definitions:

***Built Heritage Resources** – One or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under* The Ontario Heritage Act, *or listed by local, provincial or federal jurisdictions.*

***Compatible** – Development or re-development that is capable of co-existing in harmony with, and that will not have an undue physical (including form) or functional adverse impact on, existing or proposed development in the area or pose an unacceptable risk to environmental and/or human health. Compatibility should be evaluated in accordance with measurable/objective standards where they exist, based on criteria such as aesthetics, noise, vibration, dust, odours, traffic, safety and sun-shadowing, and the potential for serious adverse health impacts on humans or animals.*

***Cultural Heritage Landscape** – A defined geographical area of heritage significance, which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage*

conservation districts designated under The Ontario Heritage Act*, and villages, parks, gardens, battlefields, main streets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.*

Cultural Heritage Resource *– A building, structure, monument, natural feature (including those that have been modified by humans, such as parks, gardens, rows of trees, etc.), an archaeological and historical site, or remains, either individually or in groups, which is considered to be of architectural and/or historical significance.*

Development *– (1) The creation of a new lot; (2) the making of an addition or alteration to a building or structure; (3) the construction, erection or placing of a building or structure; or (4) the change in use or intensity of use of any building, structure or premises, requiring approval under* The Planning Act*, but does not include: (1) activities that create or maintain infrastructure authorized under an environmental assessment process; (2) works subject to* The Drainage Act*; or (3) for the purposes of Section 41 of* The Planning Act*, the placement of a portable classroom on a school site of a district school board if the school site was in existence on January 1, 2007.*

May *– There is some discretion in interpretation of, and/or flexibility in the application of this Official Plan policy.*

Should *– A convincing reason is required in order not to fully comply with an Official Plan policy.*

Shall *– It is mandatory or required to comply with an Official Plan policy.*

In the City's OP, Schedule A – Settlement Pattern (***Appendix L***), the subject property is shown as 'Employment Lands' although this has been appealed to the Ontario Municipal Board by Evergreen Community (Burlington) Limited. On Schedule B – Comprehensive Land Use Plan – Urban Area, the subject property is designated 'Land Use Designation to be Determined'. No additional policies are contained in the land use section of the OP that address the conservation of heritage resources. The owner is seeking a land use designation in the OP which would permit the proposed development of the area for mixed use purposes.

In the City's Zoning By-law (***Appendix L***), the subject property is zoned 'D' or Development permitting essentially existing uses and a detached dwelling unit until the new uses of the property are approved. There are no additional requirements in this zone which address heritage resources. The owner is seeking an amendment to the Zoning By-law to permit the proposed urban uses.

3.7 Standards and Guidelines for the Conservation of Historic Places in Canada

In 2005, Parks Canada produced a set of standards and guidelines for the conservation of historic places in Canada. These standards and guidelines are intended to identify best practices in the management of heritage resources which include buildings, landscapes and

archaeological sites. The approach taken in developing the standards and guidelines has been informed by international charters for the conservation of heritage resources developed under the auspices of ICOMOS, the international council on historic sites and monuments, a body of heritage professionals which advises the United Nations Educational and Scientific Committee. Some municipalities in Canada have adopted Parks Canada's Standards and Guidelines in the management of their heritage resources.

In 2010, Parks Canada updated and expanded the Standards and Guidelines in a second edition of the document.

In general the Standard and Guidelines seek to:

- preserve the heritage attributes of the historic places;
- ensure that restoration work is consistent with documentary evidence;
- ensure that alterations are reversible and do not create a false sense of history; and
- ensure that additions to a heritage place are distinguishable from the heritage character of the place, yet sympathetic to that character.

Although the Standards and Guidelines have not been adopted as policy by the City of Burlington, other municipalities and heritage professionals use the Standards and Guidelines as 'best' practice in the conservation of heritage resources.

3.8 Municipal Heritage Status of the Subject and Adjacent/Nearby Heritage Properties

The Crooks / Norton property at 5421 Dundas Street West is listed in the City of Burlington's Heritage Register approved by City Council as per the *Ontario Heritage Act* (OHA) but is not designated under Part IV or V of the *Act*.

In terms of adjacent or nearby heritage properties, 5210, 5218, 5226 and 5418 Dundas Street West and 3488 Tremaine Road are included in an informal inventory of heritage properties, but are not listed in the Register nor designated under the *Act*.

4.0 HISTORICAL SUMMARY

By Upper Canada Treaty No. 14, signed on September 5, 1806, the chiefs of the Mississauga Indians agreed to sell the British government a tract of land consisting of 85,000 acres stretching from the Etobicoke Creek west to Captain Brant`s lands towards the west end of Lake Ontario, save and except lands at the mouths of the Credit River and Sixteen and Twelve Mile Creeks (Figure 4.1). Lands forming Nelson Township (now part of the City of Burlington) were part of this acquisition. The Crooks / Norton Farm is within the lands purchased by Treaty No. 14.

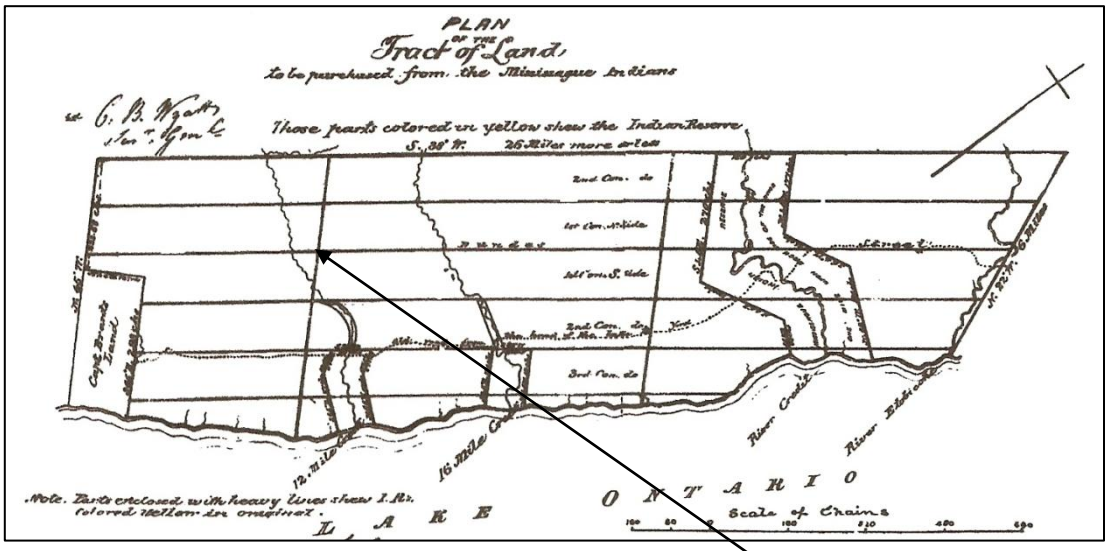


Figure No. 4.1
Upper Canada Treaty No. 1
[Source: Canada, Indian and Northern Affairs, Ontario Regional Office]

Nelson Township, which was named after Admiral Nelson, was established as a municipal unit within the Gore District. In 1851, the Gore District was divided into Wentworth and Halton counties with parts of the Gore District also going to Waterloo and Brant Counties.[5] In 1958, the subject lands, which where were within Nelson Township, were annexed by the Town of Burlington. Further annexations of lands in Nelson Township by the Town of Burlington took place in 1962. In 1974 the Regional Municipality of Halton was created from the then County of Halton and, within the Region, the City of Burlington was created from the Town of Burlington, the remains of and the Township of Nelson and parts of East Flamborough Township in Wentworth County. The City of Burlington is bounded by the Town of Oakville on the east, the Town of Milton on the east and north, the City of Hamilton on the west and Lake Ontario and Burlington Bay on the south.

[5] Dean, plate 98.

In 1793, the Governor of Upper Canada, John Simcoe, ordered the survey of Dundas Road, a military facility, by Augustus Jones. Dundas Road was further surveyed, in part, by Wilmot in 1801 and 1806, who also surveyed the south part of Nelson Township in 1806[6]. The southern part of Nelson was laid out in a single front system.

> *Two systems emerge as the basic methods of land survey from 1783 to 1829, the Single Front and Double Front systems. In the former system, the township was to be six miles square, seven concession deep and 25 lots wide. The size of the lots varied, with 120 and 200 acres the common sizes. The shape was long and narrow … 19 x 105 chains. The system resulted in a settlement pattern consisting of single rows of farmsteads along the concession line roads. Intensity of land use decreased to the back of the concessions where woodlands persisted.*[7]

The initial survey imposed a settlement grid system on the land that persists to this day. Concessions were laid out in reference to their position north or south of Dundas Street.

The resulting 200 acre Township lots were rectangular in shape and were frequently divided in half into 100 acre parcels often referenced as the south (or front) and north (or rear) halves of the lot.

The subject property is identified relative to this grid system as the south part of Lot 2, Concession 1 NDS (North Dundas Street). Selected listings from the Abstract Index to Deeds and Mortgages for the property are contained in ***Appendix I.***

4.1 Development of the Area

The Larger Geographic Area and Nelson Township

In order to understand the development of the subject property, it is essential to place it within the context of development of the larger area.

Although the subject lands are within the South Slope physiographic region immediately south of the Peel Plain, the following description is appropriate to this site.

> *The Peel Plain is a remarkably flat landscape … The soils of this area are classified as Class1, among the best in the Province, and the farms of those who settled here prospered and expanded. … While land clearing was a struggle, the soils were stable … able to support a variety of crop types. It was initially wheat farming that brought prosperity … Wheat prices skyrocketed in the mid 19th century … It was with the wealth generated in this period that many of the area farmers built their 'second' homes, most often choosing the combination of red*

[6] Gentilcore, 97, 68.
[7] Gentilcore, 8

> *brick with buff brick detailing which is now considered a characteristic of the architecture of the area. While some residents built all new in brick, others bricked over existing frame and log structures.*
>
> *Beginning in this same period, the signing of the Reciprocity Treaty with the U.S.A. (1854-1865) and the arrival of the railway encouraged farmers to diversify, including an increase in livestock. This diversification in turn changed agricultural outbuilding requirements. The modest English two bay hay barn was no longer adequate in itself, leading to the construction either of a second barn or the raising of the existing barn on a stone foundation with livestock at that ground storey and hay in the loft above. Thus it was in this period that the barn became the dominant feature of the Peel Plain landscape.*
>
> *The flatness of the Peel Plain means that it was almost solely the survey grid which established the form of settlement, a tapestry of fields with the occasional woodlot, wetland and/or creek. … the dominant features on the skyline are the barn and the silo along with windrow trees and/or mature front yard shade trees. Many of the properties now have a modern bungalow adjacent to the brick farmhouse … Working farms have had to adopt modern practices … with an accompanying affect on the historic landscape.*
>
> *More seriously, the ease of construction afforded by this flat, cleared land and its proximity to already-established suburban and commercial/industrial enterprises to the south continues to present a strong lure to development.*[8]

The only feature of the subject area that differed from the Peel Plain is the proximity to Lake Ontario. This proximity and its impact on the area climate resulted in fruit growing to be much more common than on the Peel Plain.

European settlement of this portion of Nelson Township was stimulated by the survey of land in the Township, the filling-up of lands to the south, close to Lake Ontario and the development of transportation access through the opening of Dundas Street.

As with settlement during this period, some free land was given to settlers provided they met certain settlement conditions which included constructing a dwelling, usually log, clearing a small portion of the land for cultivation and clearing and maintaining the road right-of-way in front of the property.

In 1846, William Smith, in the Canada Gazateer, described Nelson Township as:

> *A Township in the Gore District; is bounded on the north-east by the township of Trafalgar; on the north-west by Nassagaweya; on the south-west by Flamborough, and on the south-east by Lake Ontario. In Nelson 43,433 acres are*

[8] Scheinman, p. 6.

> *taken up, 18,354 of which are under cultivation. This is an old and well settled township containing food land, excellent farms, and fine flourishing orchards. It is well watered by Twelve Mile Creek, and numerous small streams running through it. Most of the land is rolling. Timber, hardwood intermixed with pine. The village of Nelson is situated in the township, on Dundas Street and there are two grist and seventeen saw mills in the township.*
> *Population in 1841, 3059.*[9]

Although a consdierable portion of the Township was cultivated, the presence of the Niagara escapment inhibited the cultivation of a more Township land. Conversely, the streams descending from the escarpment afforded the opportunity for the construction of numerous water-powered mills where small settlements frequently developed.

The cultivation of land led to many commercial farm operations in the Township. Wheat was the principal crop prior to 1870 occupying about one quarter to one third of the cultivated land. Fall wheat planting predominated until the 1860s when spring wheat became more important. From the 1850s to the 1890s, there was a consistent increase in the acreage of Township land under cultivation. Starting in the 1870s, Ontario farmers turned to higher cost cash crops and animal husbandry. By the late nineteenth century agriculture in the Township consisted of mixed crops, livestock and dairy farming.

The climate and soils of the area also promoted the growth of orchards in the Township as illustrated on the 1877 County Atlas map (***Appendix C***).

In the south part of the Township, the community of Burlington developed as an urban area with access to shipping on Lake Ontario and the development of railways originating in Hamilton and Toronto.

In 1872 a charter was granted for the building of the Hamilton and North Western Railway as Hamilton busienesses sought to extend their reach into the hinterland and beyond. Construction of the railway commenced in 1877 with the link established between Hamilton and Barrie and, two years later, to Collingwood. The line of this raillway passed to the west of the subject property with the crossing at Dundas Street, west of Bronte Creek. In 1879, this railway merged with the Northern Railway and then in 1888 became part of the Grand Trunk Railway. In 1923, it became part of the Canadian National Railway.

Throughout the early part of the twentieth century, Nelson Township remained largely rural except for the growth of the Burlington urban area. Since the mid twentieth century, urban development along the Lake Ontario frontage of the Township has extended further north and now extends to Dundas Street on the Oakville side and north of Dundas Street on the Burlington side, west of the subject site.

There are two small settlements that, historically developed along Dundas Street near the subject site – Tansley and Palermo.

[9] Smith, p. 63.

Hamlet of Tansley

With the construction of Dundas Street West and the water power afforded by Bronte Creek (originally named Twelve Miles Creek), the hamlet of St Ann;s developed immediately west of the subject site.

> *Tansley was originally known as St. Anne's. In 1884 Joseph Tansley took over as postmaster and the post office, as well as the village adopted his name. Joseph's grandfather, John Tansley settled in this area in the late 1820s. Tansley was a busy community by 1876. It boasted a grist mill, saw mill, hotel, post office and school. The village vanished in the 1960s.*[10]

The coming of the Hamilton and North Western Railway on the west limit of the village provided some accessibility to the area through the Bronte station on the Railway.

In the mid twentieth century, a large clay products operation was established in the village.



Figure No. 4.2
Tansley Post Office, 1924
5210 Dundas Street West
[Source: Halton Images]

[10] www.eureka4you.com/burlington/Tansley.htm - Bulringston's Pioneer Villages - Tansley

Village of Palermo

To the east of the subject site is the larger settlement of Palermo, originally named Hagerstown, located on Dundas Street West in the adjoining Township of Trafalgar.

"Palermo was once a thriving settlement. The Lawrence Foundry and Agricultural Works was established here in 1842."[11]

In 1846 the community was described as:

> *A Village in the township of Trafalgar, situated on Dundas street, thirty miles from Toronto, and eighteen from Hamilton. There is an Episcopal church in the village.*
> *Population about 200.*
> *Post Office, post every day.*
> *Professions and Trades.—Three stores, one foundry, two taverns, two wagon makers, three blacksmiths, two tailors, two shoemakers.*[12]

The community developed further and was described in the 1870s as:

> *An important supplier of charcoal to factories and blacksmiths in Hamilton. It also had a wagon shop, blacksmith shop, harness shop, hotel, brick schoolhouse, several churches, telegraph company office and large drill-shed. … At its peak around 1920, Palermo boasted as many as 30 houses, a community hall, a school, an implements factory, a sawmill, two churches, two general stores, a park and an implements store.*[13]

However, the community declined starting in the 1950s with the widening of the two provincial highways that passed through the village and the burning of the foundry.



Figure No. 4.3
Palermo, looking north at Dundas Street, c. 1900
[Source: Trafalgar Township Historical Society]

[11] Town of Oakville, Heritage Planning Division, p. 15.
[12] Smith, p. 142.
[13] Town of Oakville, Heritage Planning Division, pp 15 & 7.

4.2 Development of Lot 2 Concession 1 NDS

4.2.1 Pre-1833 Developments

Two years after the survey of Nelson Township, Lot 2, Concession 1 NDS was patented on July 2, 1808 to Abraham Markle[14], a land speculator, resident of Ancaster and, during the War of 1812, a deserter to the United States. His name appears on the Crown deed map (***Appendix C***).

> ***MARKLE (Marakle, Marcle), ABRAHAM****, businessman, politician, and army officer; b. 26 Oct. 1770 in Ulster County, N.Y.; m. Mrs Vrooman, a widow, and they had at least one son; m. secondly Catharine —, and they had seven sons and two daughters; d. 26 March 1826 at his residence near Terre Haute, Ind.*
>
> *Abraham Markle was of Dutch ancestry. By his own account he had four older brothers who served with John Butler's rangers and settled in the Niagara peninsula after the American revolution. That tie may explain Markle's brief residence in Newark (Niagara-on-the-Lake) in 1794; if so, it was not sufficiently strong to keep him there, and through the remainder of the decade and into the next he lived at various places in New York State. In 1801 he ran a hotel in Niagara (Niagara-on-the-Lake) … By 1806 he was established in Ancaster as a distiller. In the first quarter of that year his distillery had the largest production in the Niagara District…*
>
> *Markle possessed a considerable measure of entrepreneurial flair, particularly for making deals. He headed the 15 shareholders of the Union Mill Company, which in 1809 purchased the milling complex of John Baptist Rousseaux St John … In **1808 he patented, and then sold, 200 acres in nearby Nelson Township**; the following year he purchased 200 acres in Aldborough Township. By 1810 he had acquired 700 acres in Ancaster Township, 200 acres in Markham Township, and 400 acres in Nelson which he leased from the crown. His portfolio was completed by the acquisition of a tavern licence in January 1813. As a businessman, if the records of the civil court are an indication, he managed to avoid the pitfalls which ruined Benajah Mallory who, like Markle, would desert to the United States during the War of 1812. The court records reveal only one large judgement against Markle (for £200 in November 1806); his name does not appear again until February 1812 and then for a much smaller amount.*[15]

Markle never lived on the subject lands and it is not known whether he rented the lands to others to farm.

[14] Land Records, Halton Region, Lot 2, Concession 1 NDS, Nelson Township, Instrument - Patent.
[15] Dictionary of Canadian Biography, Volume VI.

In less than a year, Markle sold Lot 2 to Isaac Walker[16]. Little is known about Walker other than he was born in 1776 and died on November 11, 1812 in Grimsby. He was a member of the 4th Regiment of the Lincoln Militia. It is doubtful that Walker ever resided on Lot 2, and like Markle, he was a land speculator.

Walker's lands, probably through his estate, appear to have been controlled by Philip Beaman (sp?) and others who sold all 200 acres to William Crooks Senior on November 13, 1833[17]. There is no information on whether the lands were rented to others to farm during Walker's tenure.

4.2.2 The Crooks Family – 1833 – 1870

William Crooks:

> *was born in Kilmarnock, Scotland on August 1776 … About 1792 William emigrated to the Fort Niagara N. Y. area to join Crooks and Company, a company established by his half-brother Francis and his older brother James. With the expropriation of the Crooks and Company premises for the improvement of defensive works at Fort Niagara, the brothers moved across the river to Newark (Niagara-on-the-Lake) in Upper Canada. After Francis died in the West Indies in 1797, the brothers formed W. and J. Crooks, which became competitively engaged in numerous enterprises, particularly military provisioning, the shipment of grain and flour to Lower Canada, brewing and distilling and the production of potash.*
>
> *On December 1, 1808, William married Mary Butler, and in the same year moved to live at the Forty (Grimsby). He appears to have remained there for the rest of his life despite the acquisition of land over the years in York.*
>
> *Over the next 20 years [13] children were born to William and Mary in Grimsby [including Walter (1815 - ?), George Garden (1818 – 1898), Andrew (1824 - ?), and Allen McCauley (1826 - ?)].*
>
> *William appears to have prospered, although not achieving the prominence of two of his brothers [James and Ramsay].*
>
> *William purchased John Green's gristmill on Forty Mile Creek and entered into Grimsby life taking an active part in business, military, religious and Masonic activities. He became Grimsby's first postmaster in 1816, the post office being either in or near his home. The Lincoln Militia Return for 1818 lists him as Captain of the 4th Regiment.*

[16] Land Records, Halton Region, Lot 2, Concession 1 NDS, Nelson Township, Instrument No. 1931.
[17] Ibid, Instrument No. 16.

> *William died in 1836 leaving more than 7,000 acres of land in 20 townships. His wife and family moved after his death to the village of St. Ann [Tansley] in Nelson Township, Halton County. He and Mary are buried together in St. Andrew's churchyard, Grimsby, along with their children William, Johnson, James Ramsay, Thomas Butler, Ann and Mary Elizabeth.*[18]

Although William Crooks retained ownership of all 200 acres of Lot 2 NDS during his lifetime, it is unlikely that he lived on the property, although following his death, his family moved to the area and possibly the property.

The Census of 1851 shows Mary Crooks living with two of her sons in Nelson Township. They resided in a frame, one storey, one family, dwelling, possibly part of the building complex that is now known as the Crooks / Norton Farm House. Unfortunately the 1851 Census of Agriculture has not survived, so it cannot be confirmed whether they were living on the subject property or another parcel of land owned by the William Crooks estate.

Table 4.1 1851 Census of Canada (Nominal), Nelson Township [19]

	Name	*Profession*	*Religion*	*Age next birthday*	*House*	*Storeys*	*Families*
44	Walter Crooks	Farmer	C England	37	Frame	1	1
45	Mary Crooks		"	60			
46	Andrew Crooks		"	25			

The 1851 census suggests that ***the House or a portion thereof, may have existed in 1851***. The centre gable may have been added later as houses at one time were assessed based on the number of storeys viewed from the front of the dwelling.(Ondaatje) Centre gables were later added to light the upper half storey when this assessment rule was discontinued.

Following the death of William Crooks, his executors began selling his lands. In 1853, they sold portions of the original 200 acres of Lot 2 Concession 1 NDS first to W. C. King, who acquired 20 acres in the south-west[20], and then to Solomon Winters, who acquired 86 acres in the north of the Lot[21]. King, who owned land to the west in Lot 3 NDS, appears to have operated a saw mill on Bronte Creek. In 1852, the executors of the estate conveyed the remainder of the original 200 acres to Mary Crooks, widow[22] who in turn sold it to her son Allan (aka Allen) Crooks in 1853 [23].

[18] Press, Marion. Rootsweb - http://wc.rootsweb.ancestry.com/cgi-in/igm.cgi?op=GET&db=roncox&id=I46968
[19] 1851 Census of Canada (Nominal), Township of Nelson, Enumeration Area No. 1, p. 44.
[20] Land Records, Halton Region, Lot 2, Concession 1 NDS, Nelson Township, Instrument No. 45.
[21] Ibid, Instrument No. 46.
[22] Ibid, Instrument No. 277.
[23] Ibid, Instrument No. 278.

Tremaine's 1858 map (***Appendix C***) shows Allan M Crooks owning the property in 1858. No house is shown on the Crooks property, although Tremaine was not consistent in his illustration of houses on his maps. Tremaine's map shows that other relatives owned adjacent lands (George Crooks, Lot 1 Con. 1 NDS and the Crooks Estate, Lot 2 Con. 2 SDS).

The property was mortgaged by Allan in 1858[24] for $400 and by Andrew in 1862[25] . The mortgage in 1858 was not related to the sale of the land, while the mortgage by Andrew was sale related. Therefore, it is possible that the 1858 mortgage was used for property improvements, possibly on the House.

In the 1861 Census, Allen Crooks is confirmed as living on Lot 2, Concession 1 NDS. As shown in Table 4.2, Allen Crooks was living in a 1 ½ storey frame dwelling with his wife, four children and a farm labourer. This ***confirms that the House, or a portion of the House existed in 1861***.

Table 4.2 1861 Census of Canada (Nominal), Nelson Township, Lot 2 Con 1 NDS[26]

	Name	*Profession*	*Religion*	*Age next birthday*	*House*	*Storeys*	*Families*
41	Allen M. Crooks	Farmer	C of E	35	Frame	1 ½	1
42	Jane "		C of E	31			
43	Johnson A. "		C of E	8			
44	Agnes E. "		C of E	6			
45	Margaret A. "		C of E	4			
46	Hellena Crooks		C of E	2			
47	Walter Brethour	Labourer	C of E	63			

In the 1861 Census of Agriculture, Allen Crooks' farm consisted of 133 acres of which 78 acres were cultivated with 38 under crops, 36 under pasture, 4 in gardens or orchards and 55 acres wooded. The farm was estimated to have a cash value of $4000, farm implements $100, horses $180, and livestock $215. Livestock consisted of 2 bulls, 2 steers, 3 milch cows, 2 horses, 13 sheep and 1 hog. Crops on the Crooks farm consisted of 12 acres of wheat, 1 of barley, 5 of peas, 5 of oats, 1of buckwheat, ½ acre of corn and ½ of potatoes. Crooks was operating a modest commercial mixed farming operation.

[24] Ibid, Instrument No. 939.
[25] Ibid, Instrument No. 418.
[26] 1861 Census of Canada (Nominal), Township of Nelson, Enumeration Area No. 1, p. 3.

In 1862, Allan M. Crooks and his wife sold the property to Andrew M. Crooks who retained ownership of the property until 1870 when it passed out of the Crooks family.

No historic assessment rolls could be located for Nelson Township which might assist in dating the construction of the House.

4.2.3 Page – 1870 – 1911

On March 10, 1870, Andrew M. Crooks and his wife sold the farm in Lot 2, Concession 1 NDS to Thomas Page[27]. The Page family owned the property until 1911. During his ownership, Thomas Page mortgaged the property several times in 1877 and discharged the mortgages shortly after.

The 1877 Halton County Atlas (***Appendix C***) confirms Thomas Page's ownership of the property, which consisted of most of the south half of Lot 2 and a small amount of land in the north half of the Lot. The map shows a house roughly in the location of the existing Crooks / Norton House and an orchard to the rear or north of the House.

In 1882, Thomas sold the property to Jacob Page[28].

The 1891 Census (Table 4.3) shows Jacob Page living in Nelson Township in the enumeration area that includes the subject property. Unfortunately the Census does not record the location of the persons enumerated and the Census of Agriculture, which would have shown the location of farmers, has not survived. However, it is likely that Jacob was living on the subject property with his wife, a niece, nephew and farm hand in a wood 1 ½ storey, twelve room house, most likely the Crooks / Norton House.

Table 4.3 1891 Census of Canada (Nominal), Nelson Township[29]

No.	*Houses*		*Name*	*Age*	*Relation to Head of family*	*Profession*	*Religion*	*Employer*
	Vacant	*Occupied*						
1		W 1½ /12	Page, Jacob	42		Farmer	Methodist	1
2			" , Martha E	32	Wife		"	
3			Wood, Mary G	13	Niece		"	
4			Babcock, George	21	Dom	Farm Labourer	"	
5			Page, George Roy	5	Nephew		"	

[27] Land Records, Halton Region, Lot 2, Concession 1 NDS, Nelson Township, Instrument No. 421.
[28] Ibid, Instrument No. 3130
[29] 1891 Census of Canada (nominal), Nelson Township, Schedule 1, Division 2, p 7.

4.2.4 Norton – 1911 +

On October 2, 1911, Hiram George Andrew Norton purchased the farm in Lot 2, Concession 1 NDS from Jacob Page and his wife. Hiram G. Norton, his wife, two children and parents are pictured in Figure 4.4.

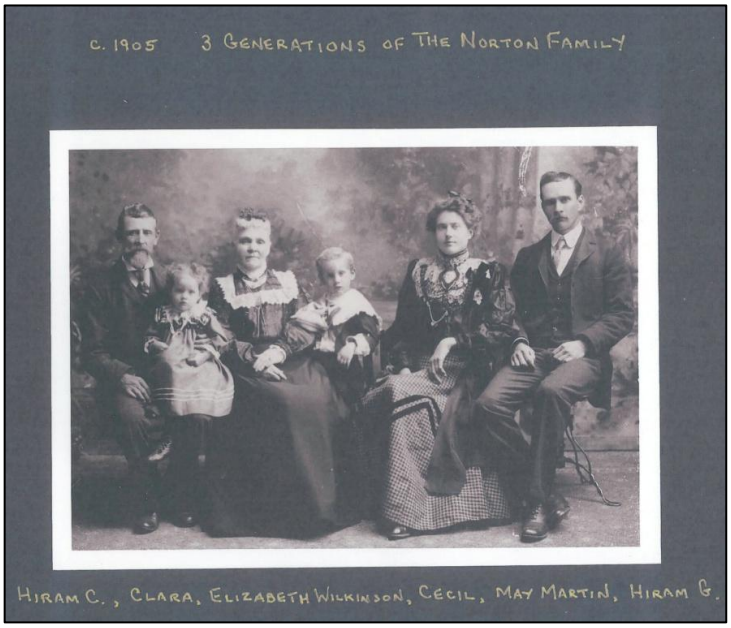


Figure No. 4.4
Norton Family c. 1905
[Source: Burlington Historical Society]

The 1921 Census (Table 4.4) shows Hiram George Andrew Norton, farmer, living in Nelson, likely on Lot 2, Concession 1 NDS, with his wife and children. Norton owned the farm. The house in which they resided was a single detached, twelve room, wood dwelling, undoubtedly the Crooks / Norton House. The only location information collected in this Census was that Norton lived in Nelson Township.

Table 4.4 1921 Census of Canada (Form 1), Nelson Township[30]

No.	*Name*	*Relationship to household head*	*Profession*	*Age last birthday*	*Class of Home*		*Tenure*	*Number of Rooms*
					Class	*Material*		
25	Norton, Hiram Geo Andrew	Head	Farmer	44	S	wood	O	12?
26	" , May	Mother	None	41				
27	" , Cecil	son	Farmer's son	20				
28	" , Clara	duaghter	None	18				

[30] 1921 Census of Canada , Nelson, Form 1, Enumeration Area No. 11, p 8.

The south part of the farm as operated by Hiram Norton is shown in a 1934 aerial photograph (***Appendix D***). In the photograph, the property is intensively farmed except for forested farm lands within the Bronte Creek valley. Hedgerows or fence rows divide the regularly shaped fields and most of the Dundas Street frontage is lined with trees. A farm lane runs perpendicular to Dundas Street north to the farmstead; much of the lane is tree lined. There is an orchard east and south-east of the farmstead. The farmstead consists of a barn with two south wings and the House with wing that form a 'U' shaped structure. The section of the House which is identified later in the report as resting on a concrete block foundation had been constructed by 1934. It is difficult to tell from the photograph if there are out-buildings in this farmstead. There is a clear set of trees dividing the House from the rest of the farmstead. To the west of the House and farm lane and south of the barn there is a large garden area. The farmstead is set back from Dundas Street.

In 1940 Hiram G. Norton sold the farm to his son Cecil H. Norton[31] who continued to own the farm into the 1980s. During his residence, several generations of Nortons appeared to be living on the farm, which may have been the reason for an addition to the east side of the House.

Cecil H. Norton gained prominence through the creation and expansion of a school bus line:

> *In 1936, the Cecil Norton Family lived on Dundas Street, one-and-a-quarter miles west of Palermo. In September of the year, their son, Grant, was ready to attend Burlington Central High School. However, it was much too far to walk and there was no public transportation. Cecil bought a seven passenger Pierce-Arrow limousine in which he planned to drive Grant and some of his neighbourhood friends to school.*
>
> *Before long, what had begun as a casual service had turned into a business. In 1946, Cecil Norton bought an old army chassis and fitted it with a bus body so that more students could be picked up and taken to school. The following year, the school board began to pay for the bus service, so the Norton's purchased their first real bus – a Reo*[32].

Over the next few decades, the bus company grew into a fleet of 500 buses transporting more than 15,000 students.

An aerial view of the farm in 1965 shows that Cecil had established a bus depot on the property south-west of the House. The aerial photo also shows the regular field pattern of the farm and a large pond or wetland area in the middle of the farm beside the Bronte Creek Valley. Only remnants of the orchard that was prominent in the 1934 aerial photograph remained in 1965.

[31] Land Records, Halton Region, Lot 2, Concession 1 NDS, Nelson Township, Instrument No. 17427.
[32] Turcotte, pp. 139 – 142.



Figure 4.5
Grant, Alan and Cecil H. Norton, c. 1970
Source: Nelson Tweedsmuir History.



Figure 4.6
Cecil H. Norton Public School
Source: Halton District School Board

A 1970 newspaper article describes the operation of the C. H. Norton Bus Line Limited company. Cecil was assisted by his son Grant, who operated a farm a mile to the west and by his grandson Alan (Figure 4.5). As a result of Cecil's importance in the community and to education, the Board named the school at 2120 Cleaver Avenue in Burlington after him.

The farm is shown in 2005 aerial photographs (***Appendix D***). Changes in the farm that occurred between 1965 and 2005 include:

- the removal of the barn;
- the removal of all remnants of the orchard;
- the enlargement of the bus depot; and
- the enlargement of the forested areas, particularly to the rear of the bus depot and in the front yard of the House.

Between 2005 and 2013 (aerial photograph, ***Appendix D***), the subject property remained largely unchanged. As of September 2014, the House continued to be occupied.

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5.0 DESCRIPTION OF THE BUILT AND LANDSCAPE RESOURCES

In April and September 2007, on-site surveys were conducted to identify the heritage value of any built resources or cultural heritage landscapes on the subject site. This site inspection included interior access to the House. In September 2014 another on-site inspection was conducted although this inspection was limited to the exterior of the buildings. Where possible, 2014 exterior photographs are included in this report.

Floor plan sketches of the Crooks / Norton Farm House as it existed in 2007 are contained in ***Appendix F***. No historical photograph of the House could be found.

5.1 Crooks / Norton Farm House

5.1.1 Exterior Architectural Character

The House, as shown in ***Appendix F*** is 'U' shaped in plan with a shed attached as a rear wing.

The building is a one and one half storey frame structure composed of four distinct sections resting on a stone rubble and concrete block foundation. The style of the House, as shown in Figures 5.1 to 5.21, is referred to as 'Gothic Revival'. Characteristics of this style as it applies to Ontario, some of which are displayed in this building, have been described as follows:

> *In Ontario, where the Gothic Revival had more influence than anywhere else in Canada, the 1830s witnessed the appearance of Neo-Gothic features in another version of the Neo-Classical house that was primarily built in small towns. This was dubbed the Ontario Cottage ... It was usually a house with one-and-a-half stories, a square plan, three bays on the main façade and a pavilion roof. The influence of the Gothic Revival is seen in the appearance of a small central gable with a fretted fascia board highlighting a Gothic window; sometimes the shape of the other windows and the door is also modified.*[33]
>
> *The most common and often singular feature shared by many houses across the Province is the simple lancet or pointed window, located in the centre gable above the main door. Another common detail is the verge board or bargeboard, a roof trim ideally decorated with curvilinear patterns. Hood-moulds with carved label stops, numerous dormers and gables, finials, pinnacles and crockets are other features highlighting a formal brick villa or modest frame dwelling. Bay windows, verandas and a steep roof pierced by tall decorated chimney stacks also add to the ideal picturesque quality of the building.*[34]

[33] Brosseau, p. 11.
[34] Blumenson, p. 37.

***South or Principal Elevation**:*

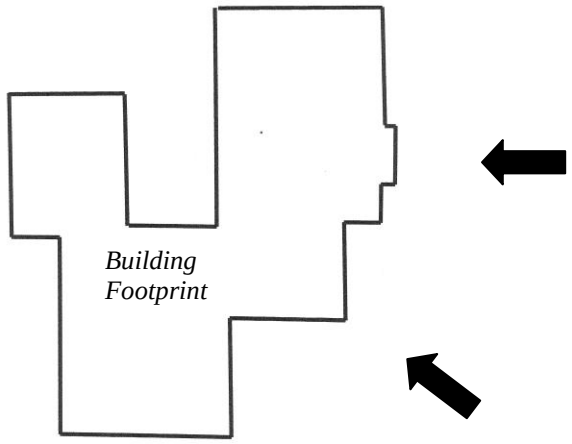




Figure 5.1
***South Elevation, east end,** April 2007*



Figure 5.2 ***South and West Elevations, west end,** April 2007*

Figure 5.3 ***South and West Elevations, west end,** September 2014*



The South Elevation, which faces Dundas Street West, is asymmetrical with three distinct components – an addition on the east end resting on a rusticated concrete block foundation; a central section that appears to be the gable end of a separate structure on a barely visible stone rubble foundation and then on the west end a section that appears to be a second structure with a gable dormer (Figures 5.1 to 5.3). The east and central sections are clad in wood shiplap siding (Figure 5.4) while the west end is clad in wood clapboard siding (Figure 5.5). The east end has a rectangular one storey bay window and a shed dormer with a double window with a double pair of windows. The central section has one window with a slightly peaked header on each of the first and second floors centred on the gable. The west section of the south elevation has a gable with decorative vergeboard and a round headed window opening (Figure 5.6). Below the gable there is a slightly projecting bay window.





Figures 5.4 & 5.5
South Elevation siding – shiplap (left) & clapboard (right)
April 2007

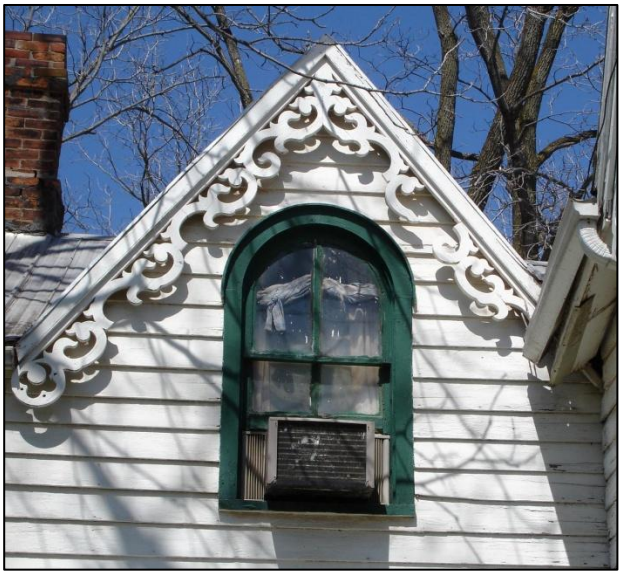


Figure 5.6
South Elevation, west end gable
April 2007



Figure 5.7
South Elevation, west end Chimney detail, *April 2007*

The metal clad gable roofs have chimneys in the gable ridges, two off centre and one at the gable end. The chimney on the west end (Figure 5.7) has a pronounced base and a double course drip below the cap. The eves project slightly from the walls of the building. A variety of window types are found on the south elevation, although all are double sashes. Three of the windows have sashes with two lites, the upper sashes in the west bay window and the east addition have six lites over one and the western most window has four over four.

West Elevation:

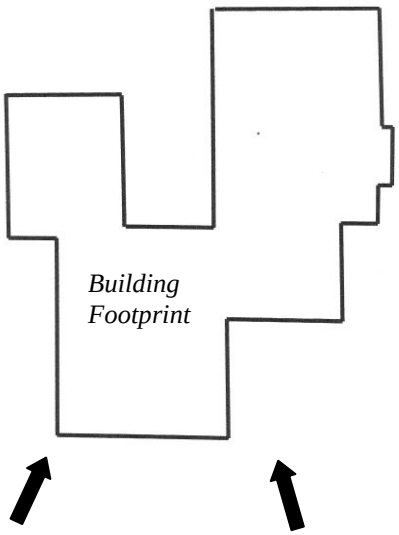




Figure 5.8
West Elevation, North Central Section
April 2007



Figure 5.9
West Elevation, North Central and North Sections
April 2007



Figure 5.10
West Elevation, South Central Section
April 2007



Figure 5.11
West Elevation, South Central Section - Gable Detail, *April 2007*



Figure 5.12 ***West Elevation, Central Sections, September*** *2014*

The West Elevation consists of four distinct sections with the north-central section, taking the form of a 'salt box' structure (Figures 5.8, 5.9 and 5.12). The north portion of the roof of the central section has a long slope dropping to one storey at the north end. The central section has a small, off-centre, 2x2 window in the gable end and three 4x4 windows, two of which are paired, in the first floor. On the south-central section of the west elevation (Figures 5.10,

5.11 and 5.12), all openings have pointed headers. The two windows, placed centrally under the gable are large paned 2x2 with the upper window having a rounded head. The gable has decorative bargeboard. The door in this section, has glazed panels and a narrow flat transom above. The extreme south section of the west elevation, which is the section on the concrete block foundation, has a paneled door with glazing in the upper portion (Figures 5.2 and 5.3). The extreme north end of the west elevation (Figure 5.9) is a one storey structure clad in shiplap siding with a steep gable roof. This section has a square window with 4 panes of glazing on the west elevation and a centrally located chimney in the gable ridge.

The North Elevation:

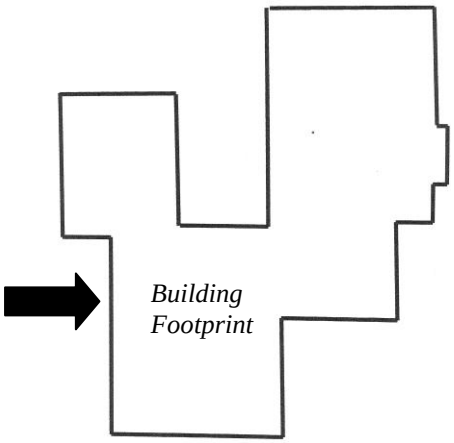




Figure 5.13
North Elevation, west section
April 2007



Figure 5.14
North Elevation *April 2007*



Figure 5.15
***North Elevation** September 2014*

The north elevation consists of two sections, the rear of the saltbox structure and the shed, the former clad in clapboard and the latter in shiplap siding (Figures 5.14 and 5.15). The rear of the saltbox structure (Figure 5.13) contains three multi-paned windows and a modern door. The rear of the shed contains a large sliding door and a vertical plank door. Two single stack chimneys are located in the roof ridge, in the centre on the shed and off centre on the saltbox structure.

***East Elevation**:*

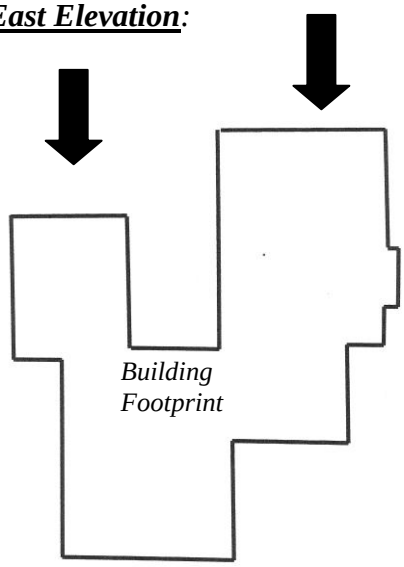




Figure 5.16
***East Elevation – south end,** April 2007*



Figure 5.17 ***East Elevation,*** *April 2007*



Figure 5.18 ***East Elevation,*** *September 2014*

The east elevation consists of three sections – the steep sloped roof shed clad in shiplap siding (north end), the saltbox shaped structure clad in clapboard in the centre and the structure clad in shiplap siding that rests on a concrete block foundation (south end). The south section (Figure 5.16) has four openings – a door on the south end and a small window on the north end and two small windows in the second storey; all windows contain 2 x 2 sashes. The shed has a small attic window. The central section (Figure 5.19) rests on a stone rubble foundation and contains four windows with 2 x 2 sashes, two on the ground floor and two on the second floor. One of the ground floor windows is large, while the other three are small openings. The original slope of the roof of the saltbox structure is visible, with the later roof additions clad in shiplap siding visible above.



Figure 5.19
East Elevation – central section
September 2007

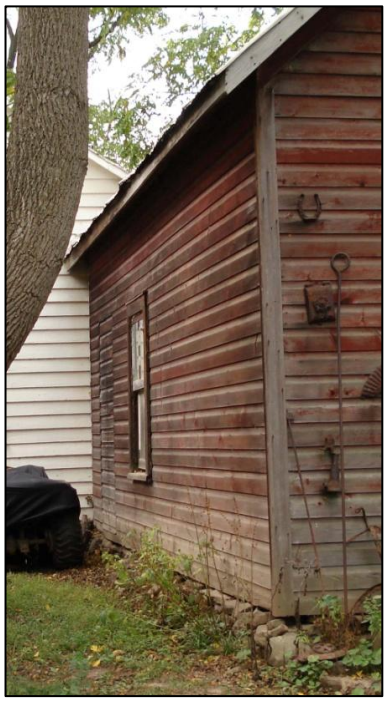


Figure 5.20
Courtyard Elevation – south wall of shed,
September 2007

***Courtyard Elevation**:*

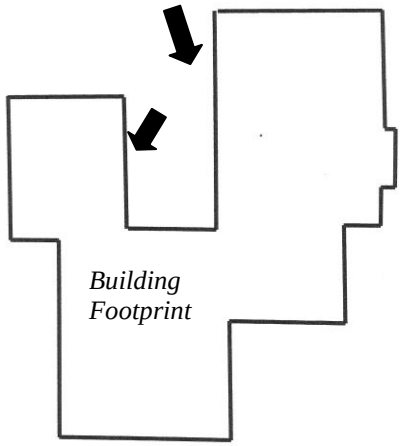




Figure 5.21
Courtyard Elevation – north wall, south wing
September 2007

The construction of wings to the building forming a 'U' shaped structure has resulted in a form of courtyard area. The shed elevation (Figure 5.19) contains a 2 x 2 window and a blocked in door opening. The north elevation of the wing with the block foundation (Figure 5.21) contains a shed dormer with paired windows, another paired window opening on the ground floor, two other window openings and a door to basement stairs. The foundation at the far west end of this elevation contains a blocked in basement entrance.

In summary, the exterior of the Crooks/Norton Farm House tells the story of the evolution of a farm house. The saltbox structure appears to be the original structure. To it was added a structure at 90 degrees and then two wings were added to the east side of the building. The saltbox structure was further modified with the addition of a shallow bay window on the south elevation; possibly having replaced a centre door.

5.1.2 Interior Architectural Character

The interior of the Crooks/Norton Farm House has been altered over the years as additions were added as shown in the following documentation. Generally the House retains characteristics from three significant periods in its history – the circa 1920 period when the south-east wing appears to have been added; the circa 1890 period when the south-west wing was added and the circa 1840 period when the north-west section of the House appears to have been constructed. Larger versions of the floor plan sketches (not to scale) used in the following discussion are contained in ***Appendix F***.

Room 1 (kitchen):

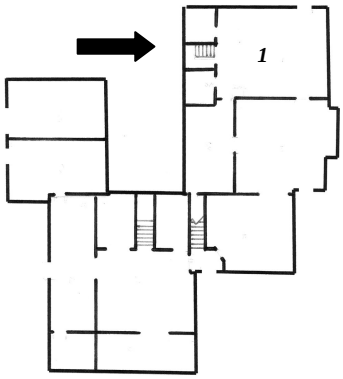


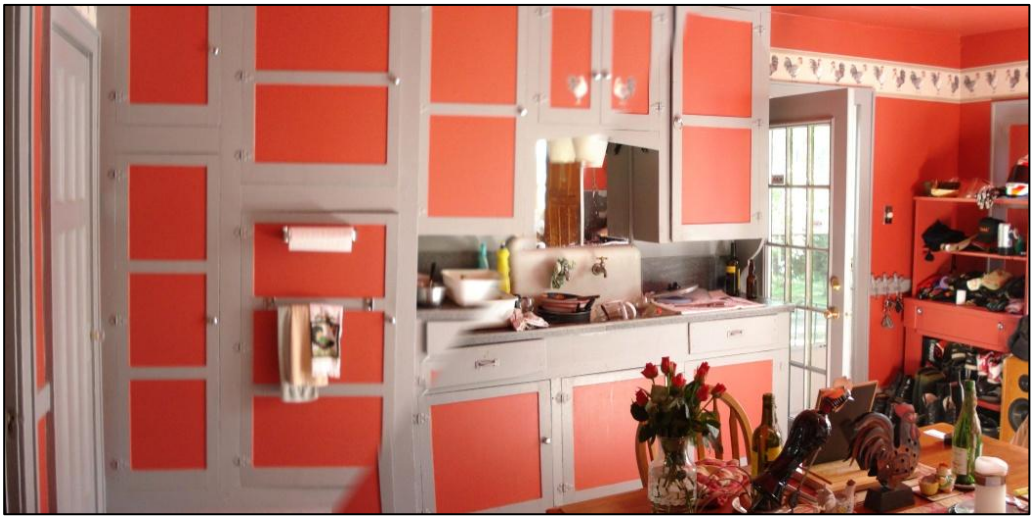


Figure 5.22
Room 1 – north wall and parts of west and east walls
September 2007



Figure 5.23
***Room 1 –south wall**, September 2007*

Figure 5.24
***Room 1 – east wall**, September 2007*



Room 1, which is a kitchen, appears to have been constructed in the 1920s judging by the plain moldings around the doors and windows and the style of sink. This may have been the period when this section of the House was constructed. The six paneled doors, three small panels above three large panels, are characteristic of this section of the House. Behind one door on the north wall, there is a narrow dog-leg stair to the second floor; behind another, a washroom and behind the third, a storage area and basement access. The east wall has an extensive set of built-in kitchen cupboards.

Room 2:

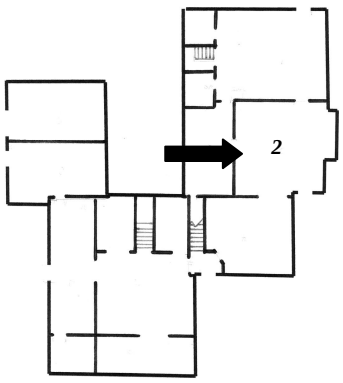




Figure 5.25
Room 2 – Floor and baseboard detail
September 2007



Figure 5.26
Room 2 – North wall, *September 2007*

This room continues the 1920s trim and detailing found in the kitchen, although the wood has been varnished, rather than painted and a picture rail has been added that matches the height of the door trim. A corner fireplace with dark red brick and a molded wooden mantel cap typical of this period is found in this room. Above the fireplace are electric wall sconces imitative of candles (Figure 5.26). The hardwood flooring contains three quarter star detailing along with narrow dark wood banding (Figure 5.25).

***Room 3 (Dining Room)**:*

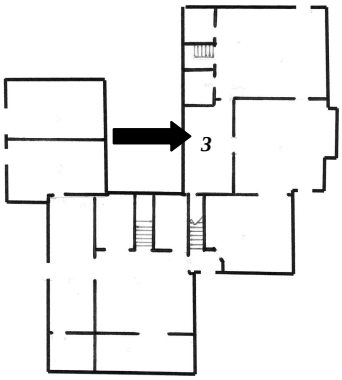




Figure 5.27
***Room 3 – Floor detail,** September 2007*

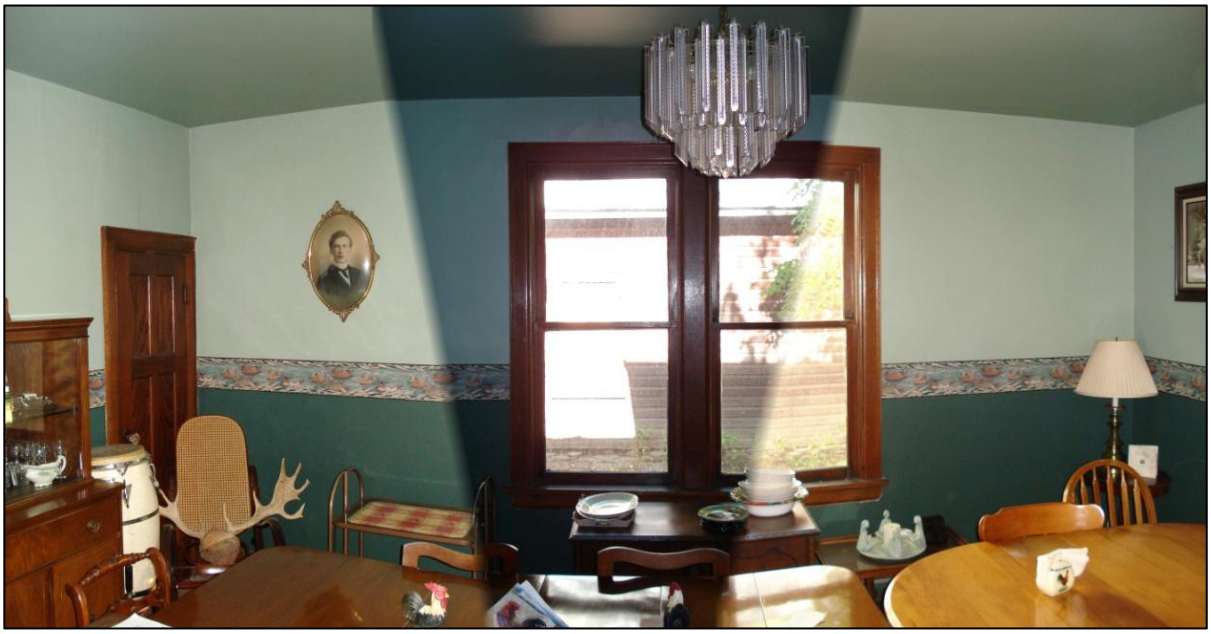


Figure 5.28
***Room 3 – North wall,** September 2007*

Room 3, the dining room, continues the same detailing found in room 2 – the same window and door surrounds and baseboards. In addition, the hardwood flooring contains the similar detailing, although squares have been used in place of stars.

Room 4 (dining room):

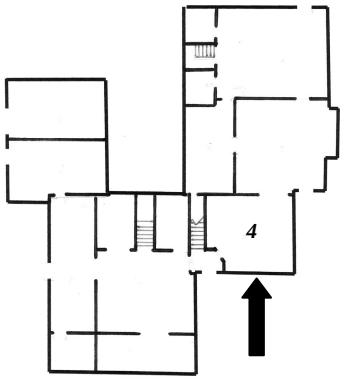




Figure 5.29
Room 4 - Floor detailing
September 2007



Figure 5.30
Room 4 - door
September 2007





Figure 5.31
Room 4 - baseboard detail
September 2007

Figure 5.32
Room 4 - door and door trim detail
September 2007

Although Room 4 has hardwood flooring with similar, but more elaborate detailing as found in Rooms 2 and 3, there are differences in door and baseboard detail that indicates that this room is older. Although the one door in the room is six paneled, the door moldings and corner blocks are similar to those found in the 1890 - 1900s in York County (Duncan). Furthermore, in contrast to rooms 2 and 3 where the natural grain of the hardwood is evident in the moldings, baseboards and doors, the wood in Room 4 has been grained to imitate a hardwood. The wood is likely pine.

The Ground Floor Hall:

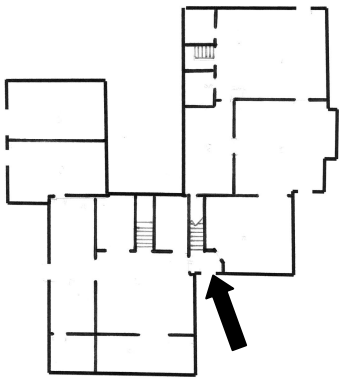




Figure 5.33
Ground Floor Hall –staircase
September 2007



Figure 5.34
Ground Floor Hall – Front Door
September 2007



Figure 5.35
Ground Floor Hall – Door to Room 5
September 2007

The ground floor hall contains a steep, straight stair and three doors, one to room 4 (Figure 5.33), one to the exterior (Figure 5.34) and one to room 5 (Figure 5.35). The latter is a six paneled door (often referred to as 'cross and bible') in which two of the panels are glazed, while the exterior door is four paneled with the larger upper panels glazed. These door types, particularly 5.35, are an earlier style than in rooms one through 4, while the molded door surrounds with corner blocks are identical to the moldings found in room 4. The transom above the front door contains stained glass.

Room 5*:*

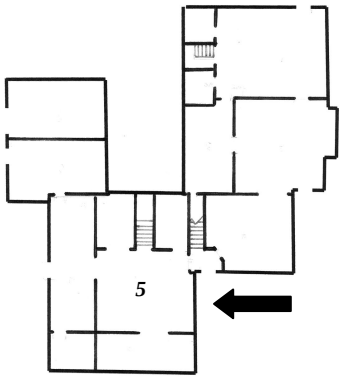




Figure 5.36
Room 5 –Door to Room 7, *April 2007*



Figure 5.37
Room 5 –East Wall
September 2007



Figure 5.38
Room 5 –Stairs through centre door of East Wall
September 2007

Room 5, which is used as a living room, retains its pine wainscoting, six paneled 'cross and bible' doors, and simple surrounds (no corner blocks), although the wood work has been stripped of paints. The ledge above the wainscoting appears to be a later addition. The style of the doors, moldings and wainscoting indicates an earlier date to this section of the House than in rooms one through four. The plaster on the walls of this room appears to be a later alteration.

Room 6:

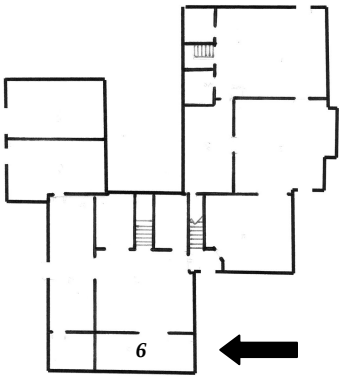


Figure 5.39
Room 6 –South Window Detail
September 2007



Figure 5.40
Room 6 –South and West Walls,
September 2007



Room 7 (kitchen):

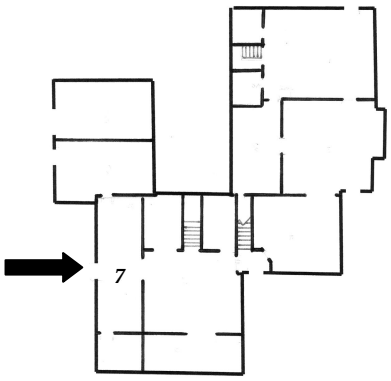




Figure 5.41
Room 7 –North and West Walls, *September 2007*



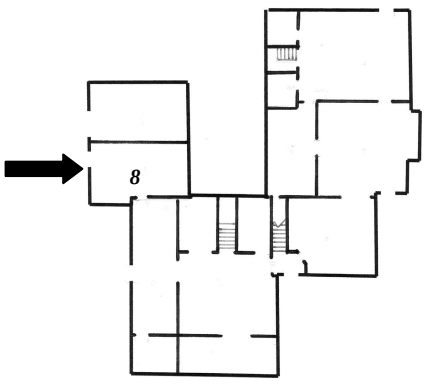


Figure 5.42
Room 7 –Pantry Window Detail
September 2007

Figure 5.43
Room 7 –Pantry Window, *September 2007*

Room 7, which has been adapted as a kitchen for the second residence in the House, contains a pantry on the west end. The window in this pantry, with its four x four sashes, contains 1840s to 1860s moldings (Duncan).

Room 8*:*



Room 8, which is in the shed addition to the House, may have been used as a pantry or kitchen. The exterior plank door has a plain wooden door surround.



Figure 5.44
Room 8 –North and East Walls, *September 2007*

Room 9*:*

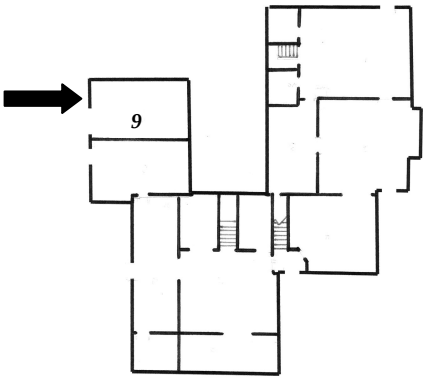


Figure 5.45
Room 9 – Chimney,
September 2007

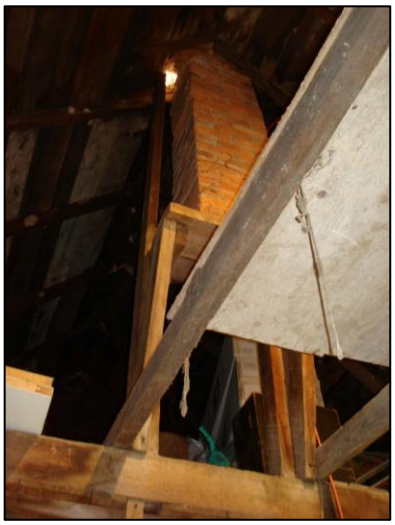
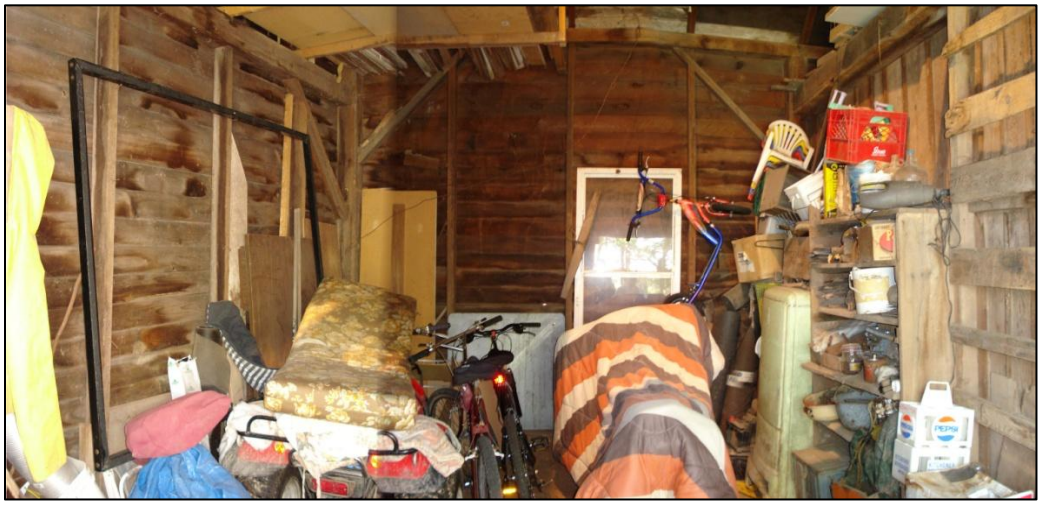
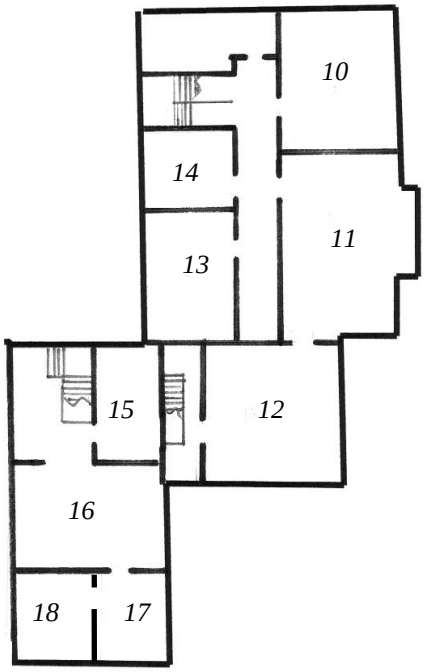


Figure 5.46
Room 9 –East and South Walls , *September 2007*



Room 9 is an open frame structure containing a chimney that would have been used for stoves.

***2nd Floor**:*



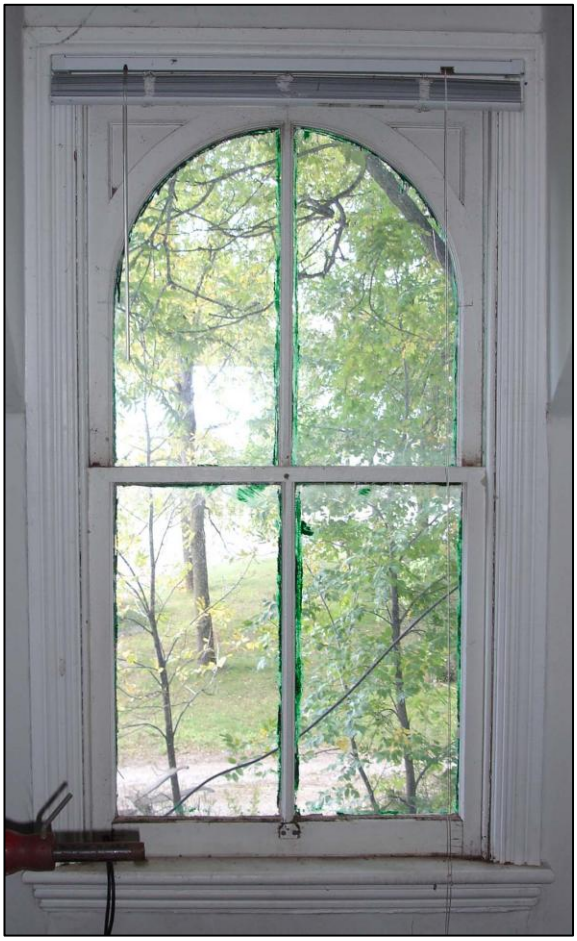


Figure 5.47
Room 12 – South Facing Window
September 2007



Figure 5.48
Room 12 – South Facing Window detail
September 2007

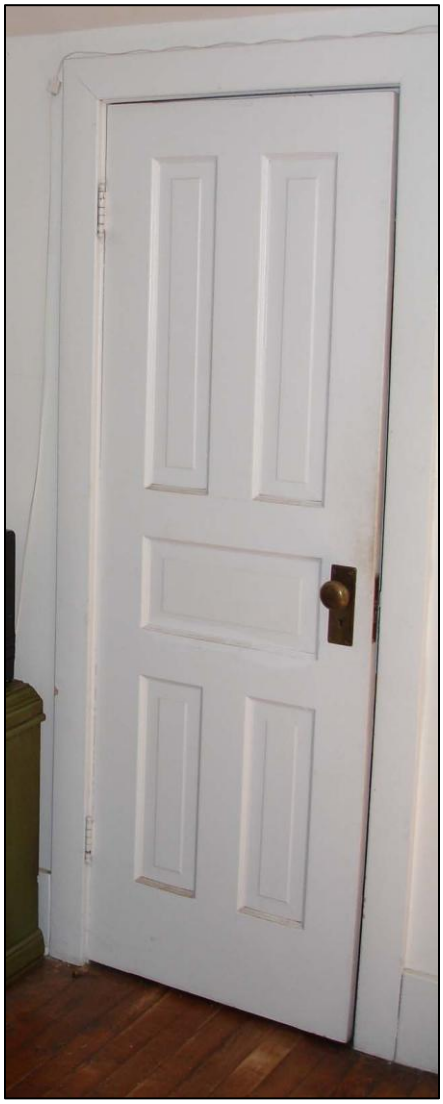




Figure 5.49
Room 10 – Paired Windows
September 2007

Figure 5.50
Room 10 – Closet Door
September 2007

Selected details of the second floor rooms are shown to illustrate the architectural details of the various phases of the development of the House.

Figures 5.47 and 5.48 show the gable window in room 12 in the circa 1890 section of the building. The window presents a round head on the exterior but a flat head on the interior; the glazing in the upper sash is designed to accommodate the exterior view as a round head. The window casings show a high degree of ornamentation. In contrast, the casings around the closet door in room 10 in the circa 1920 section of the House are plain as are the baseboards. This four paneled door is typical of all second floor doors in the circa 1920 section of the House. The plain casings are also evident in the paired windows in room 10.



Figure 5.51
Central Stair case, Newel Post and spindles, 2nd Floor Hall
April 2007



Figure 5.52
Room 15 – Plank Door
September 2007



Figure 5.53
Window Casing, North Stair
September 2007

Figure 5.51 shows the ornate newel post in the circa 1890 section of the House. This style of newel post and spinals is typical of the period. In contrast, in the earlier section of the House, there is a plain plank door into Room 15 and a plainer window casing (Figure 5.53).

***Attic**:*



Figure 5.54
***Attic looking from the east end of the house, looking west**,*
September 2007

The attic can be accessed only through a cedar lined closest at the head of the stairs in the circa 1920 section of the House. Evidence of alterations and additions to the House could not be determined from this view through the attic space.

***Basement**:*

The floor plan for the basement, which is accessed from either an exterior door in the 1920 section of the House (Figure 5.21) or through a storage room in the north-east corner of that section of the House, is contained in ***Appendix F***. The circa 1840 and 1890 sections of the House rest, in large part, on a stone rubble foundation, while the circa 1920 section of the House rests on a concrete block foundation. The later basement has a concrete floor, while the basement floor of earlier sections of the House is dirt. There is evidence of two earlier entrances to the basement, one of which has been blocked up.



Figure 5.55
Basement, north- west section, looking west, *September 2007*



Figure 5.56
Basement, north- west section, looking east, *September 2007*



Figure 5.57
Basement, South-east section, looking east
September 2007

5.1.3 Physical Condition – Crooks/Norton Farm House

Policy 8.4.1 b) specifies the requirements for heritage impact statements for the City. It requires that statements include information on the resource's physical condition. The Crooks/Norton Farm House remains occupied which is an important factor in maintaining the structure in a sound and reasonable physical condition. However, based on an inspection of the structure, the following issues have been itemized. This visual inspection was cursory, did not expose parts of the structure to identify the extent or source of problems and does not supplant the need for a comprehensive condition assessment as part of a conservation strategy for the House.

- Roof

  - The metal roof appears to be exhibiting signs of failure with some water penetration occurring in several locations in the ceiling of the second floor of the structure as shown in Figure 5.58. I did not determine whether the failure was localized or indicative of the end of life of the metal roof. The problems could be limited to a lack of flashing around the chimneys (Figure 5.7) and ice damming on roof sections that lack sufficient slope.



Figure 5.58
Evidence of Moisture Problems, Room 10
September 2007



Figure 5.59
Evidence of Moisture Problems, Ground Floor Hall
September 2007

  - Ice damming appears to be occurring on the south-west corner of the House (Figure 5.6) with the result that there is some damage to the siding at the intersection of the shiplap and clapboard siding and some interior damage at the front door.

  - Squirrels are gaining access to the attic with the potential for damage.

- Chimneys

  - Some repointing and replacement of mortar is required on the chimneys. An inappropriate mortar (containing Portland cement) appears to have been used on the chimneys and should be replaced.

  - Above the roof line, one chimney on the north section of the building is in a delicate shape through loss of mortar and bricks and spalling of bricks, and needs to be rebuilt (Figure 5.60)

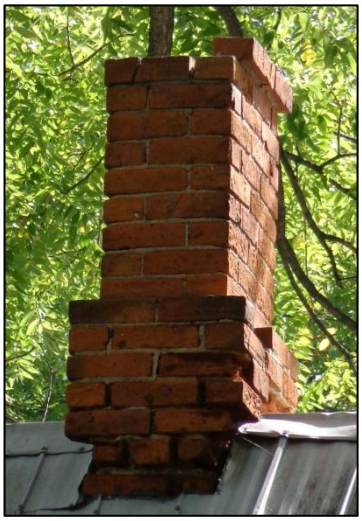


Figure 5.60
Chimney Problems, North section of House
September 2014

- Eavestroughing

  - Eavestroughing and downspouts appear sufficient, although the eavestrough where the ice damming is occurring in the south-west corner may be undersized, contributing to drainage problems.

- Siding and Trim

  - Siding is in good shape except:
    - in the area where ice damming is occurring;
    - at the base of the older sections of the House where temporary solutions have been used to deal with foundation problems; and
    - in the gable of the west elevation of the 'saltbox' section of the House (Figure 5.12 – September 2014)

  - Trim in one gable (Figure 5.11) is missing and needs replacement.

- Foundations

  - Parts of the foundations appear to be impacted by the root systems of trees which may be too close to the House. This is evident in the concrete block foundation on the north side of the 1920s addition near a black walnut tree; there has been movement and cracking of this section of the foundation.

  - A section of the stone rubble foundation has bowed inward. This situation should be monitored – it may be stable or continuing to move.



Figure 4.61
Bowed basement wall,
September 2007



Figure 4.62
Crawl space under Room 6
September 2007

  - There are some openings in the upper parts of the foundation walls for small windows or ventilation screens which are missing. These need replacement to prevent animals from entering the basement.

  - In the crawl space, the foundations, sills and floor joists need to be examined. There appears to be water penetration affecting the joists, possibly from rising damp, the lack of a moisture barrier between the sill and the foundation and from exterior drainage problems. Mortar binding the foundation stones may have leached out necessitating grouting or reconstruction.

  - Foundation work appears to be required under the shed structure (Rooms 8 and 9) as evident in Figure 5.20.

- Framing

  - Except for a portion of the shed structure, the condition of the framing of the structure could not be determined. However, none of the walls had apparent leans or deviations.

- Windows

  - The windows, many of which may be original, appeared in good shape although no storm windows were visible.

- Electrical systems

  - Evidence of an early 'tube and spool' electrical system was visible; it is unknown whether this system, or parts of it, is operational.

- Mechanical systems

  - No examination was made of the heating, water or sewage systems.

5.2 Crooks / Norton Farm Out-buildings

The barn that appears in the 1934 and 1965 aerial photographs has long since been demolished and was not extant when the 2005 aerial photograph was taken (***Appendix D***).

The 2005 aerial photograph (***Appendix D***) shows two out-buildings remaining. In 2007, the one outbuilding closest to the House was in a state of collapse. By 2014 it had collapsed and some of the timbers from it were used as a garden feature.

There is one out-building remaining is a shed north-east of the House (***Appendix F***). It is a frame structure clad in board and batten siding resting on a substantial stone rubble foundation with a metal covered gable roof. Judging by the low opening in the foundation on the east elevation it may have been used for small animal husbandry – sheep or pigs.

5.3 Crooks / Norton Farm Landscape

The Crooks/Norton Farm Landscape is shown in aerial photographs (***Appendix D***) and in photographs (***Appendix G***).

The Crooks / Norton Farm House is located on a slight rise of land in a park-like setting (Appendix G – Photo No. 1). The treed setting exists on the north, south and east sides of the House. On the west side, south of the House, there is a farm lane extending north from Dundas Street. West of the farm lane, there is a school bus depot on the adjacent parcel of land. The farm lane entrance is shared with the bus depot. A branch of the farm lane provides access to the House as it loops around the House. The farm lane, south of the House, has trees lining the east side. The yard in front of the House, once the site of an orchard, is now covered with trees and shrubs.

The current setting for the Farm House has changed considerably since 1934. Not only has the orchard been supplanted by trees and shrubs, but the garden south of the barn and west of the House is now part of the bus depot. In addition, where once there was a distinct line of trees separating the working area of the farm from the residential area, the trees have merged into a larger treed area. The barn and other out-buildings, with the exception of the one shed, have been removed from the property.

To the north of the farmstead, some of the land continues to be cropped. The lane north of the farmstead continues as a distinct feature. The Bronte Creek valley walls and some of the table land above is now covered in a dense forest.

6.0 HERITAGE EVALUATION OF THE RESOURCES

6.1 Introduction

Criteria for determining cultural heritage value or interest of a property are set out under Ontario Regulation 09/06 made under the *Ontario Heritage Act* (***Appendix H***). These criteria were developed to assist municipalities in evaluating properties considered for designation. They are grouped into three broad categories – design or physical value, historical or associative value and contextual value. The City of Burlington has specified that Ontario Regulation 09/06 is to be used to evaluate properties for cultural heritage value.

6.2 Evaluation

The evaluation criteria were applied to the structures and landscape of the subject property and are summarized in Table 5.1. It is only necessary for a property to satisfy one of the criteria to have cultural heritage value or interest sufficient to merit conservation under the *Act*.

6.2.1 Design or Physical Value

Rare, Unique, Representative or early example –

The Buildings:

The Crooks / Norton Farm House is a rare example of a residential structure that incorporates distinct building phases in separate sections beginning in the 1840s and extending into the 1920s. Not only are those sections distinguishable on the exterior, but interior features identify each of the building phases. The central core of the House is representative of the Gothic Revival style of domestic architecture based on 1 ½ storey height, the pavilion roof, the central dormer windows, the fretted fascia of the dormers and the lancet windows. The west section of the House appears to be the earliest, constructed possibly in the 1840s,by the Crooks, the central section constructed by the Pages possibly in the 1870s and the east section by the Nortons in the 1920s. The House retains many of the defining characteristics of this style on three exterior elevations despite some alterations and the addition of each section.

The combination of representative value, early construction and rarity means that the Crooks / North Farm House has design or physical value.

The shed has marginal value as a representative example of a late nineteenth century small animal husbandry shed. The shed does not appear to be a rare or early structure; hence the evaluation of this structure for this criteria as being marginal – not sufficient on its own to merit for conservation under the *Act*.

Table 5.1 **Heritage Evaluation of Built and Landscape Components of the Crooks / Norton Farm**

Criteria[35]	Buildings		Landscape
	Crooks / Norton Farm House	Shed	
Design or Physical Value			
i. Rare, unique, representative or early example of a style, type, expression, material or construction method.	**Yes**	*	**No**
ii. Displays a high degree of craftsmanship or artistic merit.	**Yes**	**No**	**No**
iii. Demonstrates a high technical or scientific achievement	**No**	**No**	**No**
Historical or Associative Value			
i. Has direct associations with a theme, event, belief, person, activity, organization or institution significant to a community	**Yes**	*	**No**
ii. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture	**No**	**No**	**No**
iii. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist significant to a community	**No**	**No**	**No**
Contextual Value			
i. Is important in defining, maintaining, or supporting the area character.	**No**	**No**	**No**
ii. Is physically, functionally, visually or historically linked to its surroundings.	*	*	*
iii. Is a landmark	**No**	**No**	**No**

* Marginal

[35] The criteria identified in this table have been abbreviated to fit in the table. For a full description of the criteria see ***Appendix H***.

The Landscape:

The landscape around the House does not exhibit characteristics of a rare, unique, early or representative example of a farm landscape. One of the distinguishing characteristics of the landscape, the orchard, was removed some time ago. The construction of the bus depot on the west side of the farm lane has diminished the rural character of the setting for this House

Craftsmanship or Artistic Merit –

The Buildings and the Landscape:

Parts of the interior of the Crooks / Norton Farm House exhibit a high degree of craftsmanship particularly in the woodwork such as the door and window casings, stair newel post and balustrade, and flooring.

Neither the shed nor the Farm landscape exhibit a high level of craftsmanship. .

Technical or Scientific Merit –

The Buildings and the Landscape:

The Crooks / Norton Farm House, shed and farm landscape do not display a high degree of technical or scientific merit.

6.2.2 Historical or Associative Value

Direct associations with a theme –

The Buildings and the Landscape:

The construction of the Crooks / Norton Farm House is associated with two prominent families in the history of the development of the area. Although William Crooks was a land speculator, following his death, his family settled in the Tansley area and farmed a number of the properties that he owned. The Crooks family continued to own the property until 1870 and their association with this structure is evident in the west section of the House.

The Norton family, who acquired the property in 1911, became prominent in the community through the development of a large school bus company that operated from the property and the House. Cecil Norton's contribution was so significant that the Board of Education named a public school after him. The Norton addition to the House, the east section, remains a distinguishable component of the building.

For these reasons, the property was evaluated as having significant associative value; a value sufficient to merit conservation of the resources under the *Act*.

Neither the shed nor the landscape has important associative value.

Understanding of a community or culture –

The Buildings and the Landscape:

The structures and landscape are not considered to have the potential to yield information that contributes to an understanding of either the community or culture of the area.

Designer –

The Buildings and the Landscape:

Documentary evidence of the designer and/or builder of the Crooks / Norton Farm House and Barn could not be found.

6.2.3 Contextual Value

Character –

The Buildings and the Landscape:

The Crooks / Norton Farm House is located some distance from Dundas Street West. The House, the shed and the farm landscape elements are not important in maintaining the character of the area. In fact, little of the farm can be viewed from Dundas as the trees and shrubs in the front yard now screen the House, shed and cultivated areas of the farm.

Linkages –

The Buildings and the Landscape:

The House, the shed and the farm landscape are physically, functionally, visually, and historically linked to their rural surroundings as would any older farm residence, barn and farm landscape. Therefore, these resources have been evaluated as having marginal value for this criterion which would not be sufficient to warrant conservation of these resources.

Landmark –

The Buildings and the Landscape:

The House, the shed and the farm landscape are not physical landmarks that stand out and serve as points of reference in the area. They are not a view terminus (e.g., they do not

terminate the view at the end of a street) nor are they physical features, such as a tower, that rise above their surroundings and serve as a point of reference.

6.2.4 Summary of Cultural Heritage Values

It is concluded through the application of the Criteria for Determining Cultural Heritage Value under Ontario Regulation 09/06 that the Crooks / Norton Farm House at 5421 Dundas Street West is of cultural heritage value primarily for its design and associative values, although it also has some marginal contextual value. The shed and landscape do not have significant cultural heritage design, associative or contextual value.

6.3 Condition Assessment

A visual examination of the built and landscape resources in September 2007 and an exterior examination of the condition in September 2014 is contained in section 5.1.3 of this report. It was found that:

Buildings – Crooks / Norton Farm House

> The Crooks / Norton Farm House is in moderately good condition, although numerous deficiencies were noted. Actions should be taken on some of these deficiencies soon before they become bigger problems.
>
> Despite these deficiencies, there were no signs of differential settlement in the exterior walls or foundation, although one foundation wall was bowing. There were minor signs of water damage inside the building. The basement was dry. The roof was reasonably well maintained, although poor flashing around chimneys and the impact of ice damning was noted. The glazing in all windows was in place. There were no visible signs of mould or rot in the structure. A few of the clapboards on the west elevation of the west end of the House are missing. The building continues to be heated and occupied at various times of the year.

Buildings – Shed

> The shed, from the exterior, is in a moderately good state of repair. The siding and roof are intact, although some of the roof sheets are starting to deform at the eaves. The stone rubble foundation appears sound with no visible signs of bowing or cracking. Some of the openings are not closed or boarded providing access by animals to the interior.

6.4 Heritage Integrity

Heritage Integrity refers to the maintenance of original building or landscape fabric and design. It is recognized that, during the life of a building or landscape, repairs are necessary. Replacement of original building or landscape fabric with period appropriate materials does not diminish the heritage integrity of a structure, provided that they duplicate the design of the original.

Buildings – Crooks / Norton Farm House

Overall this building has a moderately high level of heritage integrity on the exterior and interior taking into consideration that two additions have been attached to the 1840s building. Each section of the building appears to retain its original massing and most of its heritage fabric except for the roof cladding which is likely a late 19th or early 20th century alteration. Each section has its original window openings, trim and sash except for the south large window opening on the west section, which appears to be part of the 1920s changes to the building. Even the wood cladding is either original or an appropriate replacement. The architectural style of the three building phases of this section remains readily distinguishable, with the most prominent attributes of each style remaining intact. On the interior, most of the heritage fabric, including floor, wood trim and doors remain in place throughout the House.

Buildings – Shed

The shed has a high level of heritage integrity retaining most of its original exterior building fabric, or having replacement fabric, except for the metal roof and some of the windows, appropriate to the character of the building.

Landscape

Overall, the farm has a medium level of heritage integrity. Although the farm lane to the House remains in place from at least 1934, its character has changed with the development of the bus depot on the west side of the lane. Except for one shed, many features typical of an area farmstead have been removed – the orchard, the garden, the barn and other out-buildings. The distinct line of trees that separated the residential area from the working area of the farm has merged into a park-like setting around the House. The farm lane that services the farm fields remains in place as does much of the fence row vegetation that divides fields.

.

6.5 Statement of Cultural Heritage Value

The Crooks / Norton Farm House has significant cultural value or interest as defined by regulation issued under section 29 (1) under the *Ontario Heritage Act*. The House has:

- design or physical value as a rare, example of a residential structure that has three distinct and distinguishable building periods starting in the 1840s and extending into the 1920s. The first two sections are representative example of a vernacular interpretation of 'Gothic Revival' residential architectural styling. Parts of the interior woodwork display a high level of craftsmanship;

- historical or associative values being associated with the Crooks and Norton families. William Crooks was a land speculator, but, following his death, his family eventually developed the property. The Norton family, in particular, Cecil Norton, developed a large bus operation from the farm and after whom an area public school is named; and

- marginal contextual value, being physically, visually and historically linked to the site.

These values are visually expressed on all elevations of the exterior of the Crooks / Norton Farm House and throughout the interior. Both the exterior and interior of the House satisfy the criteria for cultural heritage value under the *Act.*

The heritage attributes of the House on the three elevations include:

- the 1 ½ storey height of the dwelling;
- the scale, form and massing of the 'U" shaped plan;
- the random coursed stone rubble foundation and the rock-faced concrete block foundation;
- the clapboard and shiplap wood cladding;
- the complex gable roof, including the projecting eaves, dormer windows with its decorative verge board and red brick chimneys;
- the asymmetrical organization of the principal façade and side elevations;
- all window openings including wood window frames, trim, sills and sashes;
- interior wood finishes including door and window casings, doors, flooring, and staircases together with newel posts, balustrades, treads and risers; and
- the treed setting of the House, except where the tree root systems are affecting the House foundations.

Alterations to the structure have not substantially compromised or diminished the heritage value of this House.

The shed and the farm landscape do not have sufficient cultural heritage value as discussed in this evaluation to warrant protection under the *Ontario Heritage Act*.

6.6 Adjacent/Nearby Heritage Properties Cultural Heritage Values

The cultural heritage values of nearby heritage properties were examined. The heritage values of five of the six properties as documented are limited to the residential buildings on each of the properties. There is the possibility that, in the case of 3488 Tremaine Road, the heritage values include the frame barn. I could not identify the heritage value of the one property that is listed in the heritage inventory but is vacant – 5210 Dundas Street West.

7.0 DEVELOPMENT PROPOSAL

7.1 Description of the Development Proposal

The owner is proposing to develop an approximately 67 hectare parcel of land north-west of the Dundas Street West and Tremaine Road intersection and south of Highway 407 for a mix of urban uses as shown in the 'Draft Plan of Subdivision, Parts Of Lots 1 and 2 Concession 1 North Dundas Street' (***Appendix K***). Also included in the Appendix is the land use concept that show building footprints. On the development site, the Draft Plan of Subdivision provides for the following land uses:

- residential uses consisting of single detached and semi-detached houses, townhouses, and mid-rise and high-rise apartment uses;
- employment uses in the north-east corner of the property and at the intersection of Dundas Street West and Tremaine Road;
- potential retail uses at grade along Tremaine Road;
- two natural heritage areas encompassing the existing woodlots, one on the west at Dundas Street and the other towards the north limit of the site; and
- parkettes and other green space uses.

The Development Concept shows three primary vehicle entrances to the development, one from Dundas Street West and the other two from Tremaine Road.

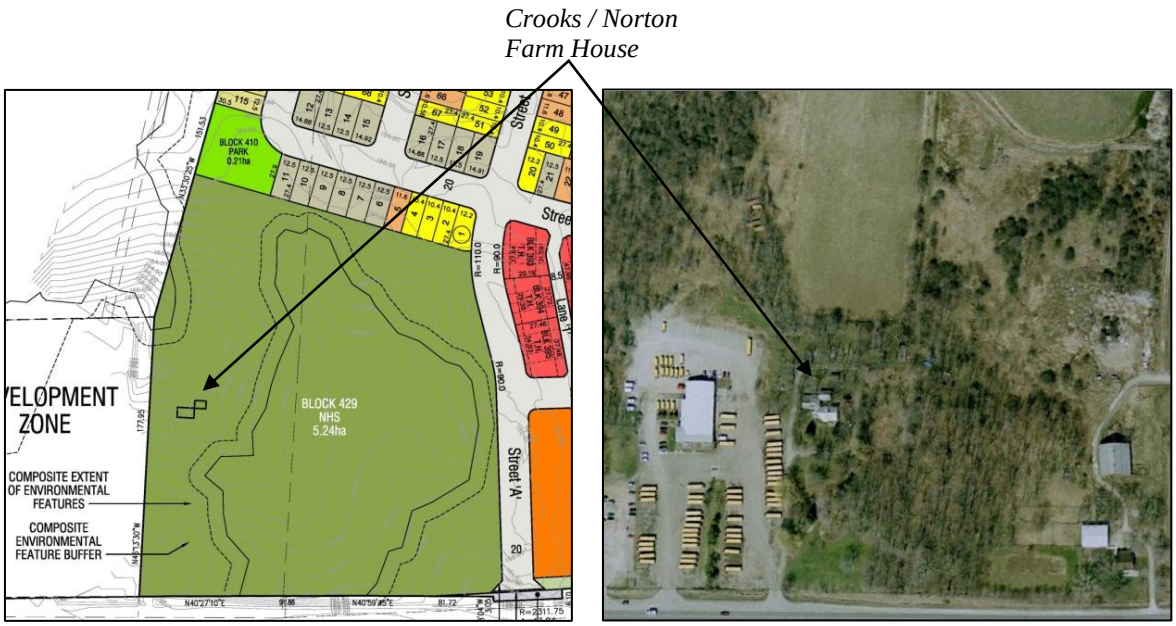


Figure 7.1
Development Proposal and the Crooks / Norton Farm House

8.0 IMPACT OF THE PROPOSED DEVELOPMENT ON THE HERITAGE RESOURCES

8.1 Impact of the Proposed Development on the Crooks / Norton Farm House

In the Draft Plan of Subdivision, the Crooks/ Norton Farm House will be retained in situ and the visual and landscape context for the House will remain unchanged. However, as the House is within an area that will be surrounded by the 'Natural Heritage System', the opportunity to continue to use the House for residential purposes will be constrained. The future use of the House has yet to be determined. The nearby urban uses that are proposed in the Draft Plan of Subdivision will not have an adverse impact on the heritage attributes and values of the Crooks / Norton Farm House because of the height and distance of the proposed buildings and the intervening green space.

8.2 Impact of the Proposed Development on Adjacent/Nearby Heritage Properties

Adjacent/ nearby heritage properties (***Appendix J***) have been examined relative to the potential development of the subject lands. It is unlikely that the heritage attributes of those properties will be adversely affected by the proposed development on the subject lands because of the distance involved and the fact that the heritage attributes are limited to the buildings and a small amount of land around the buildings. The potential heritage resource at 5418 Dundas Street West, the closest of the adjacent/nearby heritage resources, is separated from the proposed development by the road. For the other properties, either the Bronte Creek Valley or Highway 407 separate the proposed development from the potential heritage resources.

9.0 CONSERVATION AND MITIGATION

9.1 Options for Conserving the Heritage Resource

The following broad options for the conservation of cultural heritage resources are usually considered in evaluating a proposed development:

1. *Full/partial retention in situ in its original use;*
2. *Full/partial retention in situ in a new use;*
3. *Relocation to a new location on the property*
4. *Relocation to a new location off the subject property; and*
5. *Demolition of the resource while preserving the memory of it.*

The following is an assessment of the options for managing the Crooks / Norton House as a heritage resource.

Option 1 – Full/partial retention in situ in its original use

This option involves retaining all or a portion of the heritage resources on their current site in the use for which they were originally constructed.

The original use of the Crooks / Norton House was as a farm residence. Although the proposed development involves the full retention of the House in situ, the House will be on lands that are surrounded by the Natural Heritage System (NHS). To retain the House in residential use would require one of the following:

A. an extension of the residential uses south from Street 'C' and changing part of the NHS to residential with the consequent loss of some NHS lands; or

B. creating a residential lot for the House and continuing to permit access to it from Dundas Street West using the existing farm lane; or

C. using the House as a residence for a caretaker for the NHS. This has been done successfully in natural areas owned by the Ontario Naturalists (e.g., Cawthra Mulock Nature Reserve near Newmarket).

Retention of the building in a residential use would likely have the least impact on the heritage attributes of the House compared to re-adapting it to a non-residential use. From a heritage perspective, this is the preferred option.

However each of the above options has challenges. Option A would result in the loss of some of the area containing a relatively mature forest and any residential development would probably be limited to one side of an extended street. Both options B and C are more likely options with both requiring that the lands containing the House be designated a category permitting residential uses. In option C, the lands containing the House would probably be owned by the agency that will ultimately own the NHS lands to ensure that the residents of the House would also be caretakers for the NHS lands.

Option 2 – Full/Partial retention in situ in a new use:

This option involves retaining all or a portion the heritage resources in their existing locations in new uses.

The proposed development involves the full retention of the House in situ as shown on the Draft Plan of Subdivision. However, the future use of the House has not been determined. If it is used for non-residential purposes, the House will have to be properly secured and alarmed to prevent vandalism when it is not in use. In addition, any conversion of the structure to a non-residential use will require great sensitivity as many heritage attributes are on the interior. If the building is proposed for a community use, landscaping around the House, including the provision of parking, will have to be done sensitively. Therefore, full retention of the Crooks / Norton House in situ is an acceptable option provided that it is done with minimal adverse impact on the heritage attributes of the structure and its immediate landscape.

Option 3 – Relocation elsewhere on the property:

This option involves moving the heritage resource to a new location on the subject property. Such an option retains the connection between the heritage resources and the property on which they were originally located.

For the Crooks / Norton House, this option would involve the loss of the setting of the House and its association with the original farm lane. The owner is not proposing this option and it is not recommended that the House be retained on a new site on the property.

Option 4 – Relocation elsewhere off of the subject property:

This option involves moving the heritage resources off of the property to a new location elsewhere within the municipality.

This option would result in the loss of the connection of the Crooks / Norton House to its original farm property. The owner is proposing a better heritage option by

retaining the House in situ. Therefore it is not recommended that the House be retained and relocated elsewhere in the municipality.

Option 5 – Demolition and commemoration:

This option involves permitting the demolition of the heritage resources while preserving their memory through measures such as recording, salvage and commemoration, including plaquing and street naming.

Demolition or removal may be permissible if the resource has minimal heritage value and/or the integrity of the building, from a structural and/or heritage perspective, has been compromised.

The Crooks / Norton House has significant cultural heritage value for the reasons discussed in chapter 6 of this report. While there are some problems with the existing condition of the House, those problems can be resolved. Therefore, the option of permitting the demolition of the Crooks / Norton House is not recommended.

9.2 Mitigation Measures

To mitigate any adverse impacts from the proposed development and to ensure protection and conservation of the House, the following measures should be undertaken.

9.2.1 Enhance the Legislative Protection for the Crooks / Norton Farm House

Currently the House is only protected by listing of the structure under Section 27 of the *Ontario Heritage Act*. The land containing the House and its immediate landscape should be designated under Part IV of the Act taking into consideration the statement of cultural heritage value as set out in section 6.5 of this report. In addition, as a condition of approval of the proposed development the municipality should secure a heritage easement agreement. Such an agreement should reference the heritage attributes on the exterior of the building and specify any permitted alterations.

9.2.2 Conservation Plan

As a condition of any planning approval, the owner should be required to prepare a Conservation Plan for the Crooks / Norton Farm House. The Plan should be prepared in concert with the municipality if it is proposed to use the House for community use. The Plan would be subject to municipal approval. The Plan would provide details of how the building will be conserved and readapted. It would also address any impacts on the

heritage attributes of the House. The Plan should include drawings and specifications and should deal with, among other matters:

a. *Exterior conservation work*, including masonry, foundation and siding repairs and restoration work, storm windows, roofing and how services such as gas, water, sewer and electrical will be provided to the House;
b. *Interior conservation* and rehabilitation work; and
c. *Accessibility*, if the House is to be used for community purposes.

.

9.2.3 Landscape Plan

As a condition of any planning approval, the owner should be required to prepare a Landscape Plan for the area on which the Crooks / Norton Farm House will be located. The landscaping treatment should emphasize plantings appropriate to the history of the House, retention of significant trees, except those that are causing foundation problems, and should include retention of vestiges of the nearby portion of the farm lane. The Landscaping Plan should also address vehicle access, parking and grading. Any changes to the grading on and near the House lot should not adversely impact the House.

9.2.4 Protection Plan

The House is currently occupied. The municipality should require that the owner prepare a Protection Plan for the building when it is vacant and/or the site is under development.

9.2.5 Commemoration

As a condition of any planning approval, the owner should be required to commemorate the heritage values of the property through interpretive measures such as plaquing and street naming. This could include:

a. Plaquing, in a form and location acceptable to the City, which would provide information about the House, its occupants and the farming that once occurred on the lands; and

b. the naming of streets with the development to commemorate the occupants or the farming that once occurred on the land.

9.2.6 Financial Securities

As a condition of any planning approval, the owner should be required to post financial security with the municipality to ensure implementation of the recommendations regarding conservation, landscaping, protection and commemoration.

10.0 CONCLUSIONS AND RECOMMENDATIONS

The owner of an approximately 67.38 hectare parcel of land north-west of the intersection of Tremaine Road and Dundas Street West in the City of Burlington (formerly part of the Township of Nelson) proposes to develop the lands as part of a larger Evergreen Development Community, primarily for residential, employment and parks uses. The proposed development has main vehicle access points to the site from Tremaine Road and Dundas Street West, none of which are on the portion of the development site containing the heritage resource known as the Crooks / Norton Farm House (Lot 2, Concession 1 NDS).

10.1 Conclusions

Following a detailed examination of the history of the property, documentation of its built and landscape resources in 2007 and 2014, and evaluation using criteria established by Regulation under the *Ontario Heritage Act* , it was been determined that the Crooks / Norton Farm House has significant cultural heritage value or interest for the following reasons:

1. design value or physical value because:
    - the House is a rare example of a residential structure that incorporates three distinct and readily distinguishable building periods starting in 1840 and ending in the 1920s;
    - two sections of the House are representative of a vernacular interpretation of 'Gothic Revival' architectural styling; and
    - parts of the interior woodwork display a high degree of craftsmanship.

2. historical or associative values because:
    - the oldest section of the building was built for the Crooks family, early pioneers and prominent regional land speculators;
    - the most recent section of the House was built for the Norton family, a prominent regional business family who contributed to the local education system and after whom a public school is named.

3. Marginal contextual values, because:
    - The structure is physically, visually and historically linked to the site.

10.2 Recommendations

To mitigate the impacts of the proposed development on the heritage resources of the property, the following have been recommended:

Enhance the protection of the cultural heritage resource – This Assessment determined that the Crooks / Norton Farm House merits designation under the *Ontario Heritage Act*. Currently the House is listed in the Burlington Register of Heritage Properties affording it only limited protection against demolition. The municipality should designate the property under Part IV of the *Act* and, as a condition of approval of the proposed development, it should secure a heritage easement agreement to provide permanent protection of the Crooks / Norton Farm House.

Recommendation – Protect the site of the Crooks / Norton Farm House under the Ontario Heritage Act:

1. The Crooks / Norton Farm House and its immediate site should be designated under Part IV of the *Ontario Heritage Act* and, as a condition of the approval of the proposed development, the municipality should secure a heritage easement agreement under the *Act* to provide permanent protection of the heritage resource.

Determine an appropriate use for the heritage resource – Currently, a future use has not been determined for the Crooks / Norton Farm House. As discussed in this report, the use that would best retain the House with minimal adverse impact on its heritage attributes would be as a residence. However, the report also notes that a non-residential use may be acceptable if the impacts of the change in use on the heritage attributes of the House are minimal. The owner and the municipality should work together to determine the best future use for the House with the objectives of keeping the House in situ as shown on the proposed plan and minimizing any adverse impacts on the heritage attributes of the House..

Recommendation – Determine a future use for the House

2. The owner and the municipality should work together to determine the best future use for the House while retaining it in situ and minimizing adverse impacts on the heritage attributes of the House.

Conservation Plan - The House should be conserved in accordance with generally accepted good conservation practice[36] to correct deficiencies in the structure as discussed in this report and as may be found in a more detailed examination of the structure. Such a Conservation Plan should also address the changes that would be necessary to

[36] Parks Canada, Standards and Guidelines.

accommodate the future use of the House and to provide for the long-term retention of the structure.

Landscape Plan - A Landscape Plan should be developed for the immediate site of the House to maintain appropriate existing landscape features and to accommodate the future use of the House, including parking and access.

Protection Plan - The owner should also provide a Protection Plan for the House, which would ensure its protection prior, during and after development. Maintaining occupancy of the House until such time as work needs to be done on it is the best means of protecting the structure against vandalism. Vacant heritage buildings, even when boarded, are frequently vandalized and sometimes destroyed.

Commemoration – The municipality should secure a commitment to commemorate and interpret the heritage values of the property. This could be done through plaquing and through the naming of streets in the development.

Financial security – As a condition of development approval, the municipality should obtain financial securities to ensure development and implementation of the conservation plan, preparation and implementation of the landscape plan, protection of the House and commemoration of the property. .

Recommendation – Prepare Plans to conserve, protect and commemorate the heritage values of the property

3. As a condition of development approval, the municipality should secure obligations from the owner to:
    a. Prepare and implement Conservation, Landscape and Protection Plans for the House and immediate landscape;
    b. To commemorate the heritage values of property; and
    c. Provide financial securities to implement recommendation 3 a. and 3 b.

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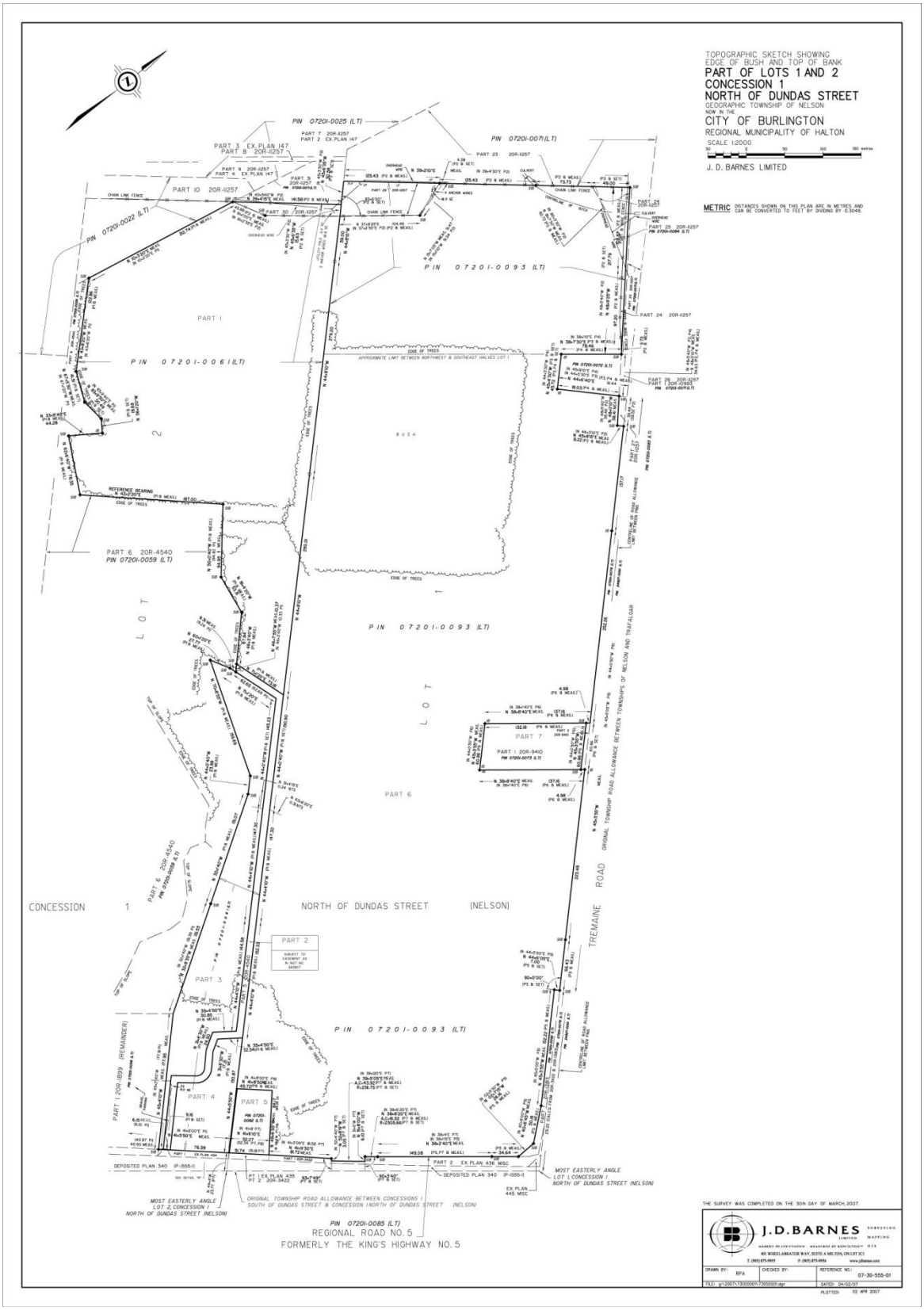
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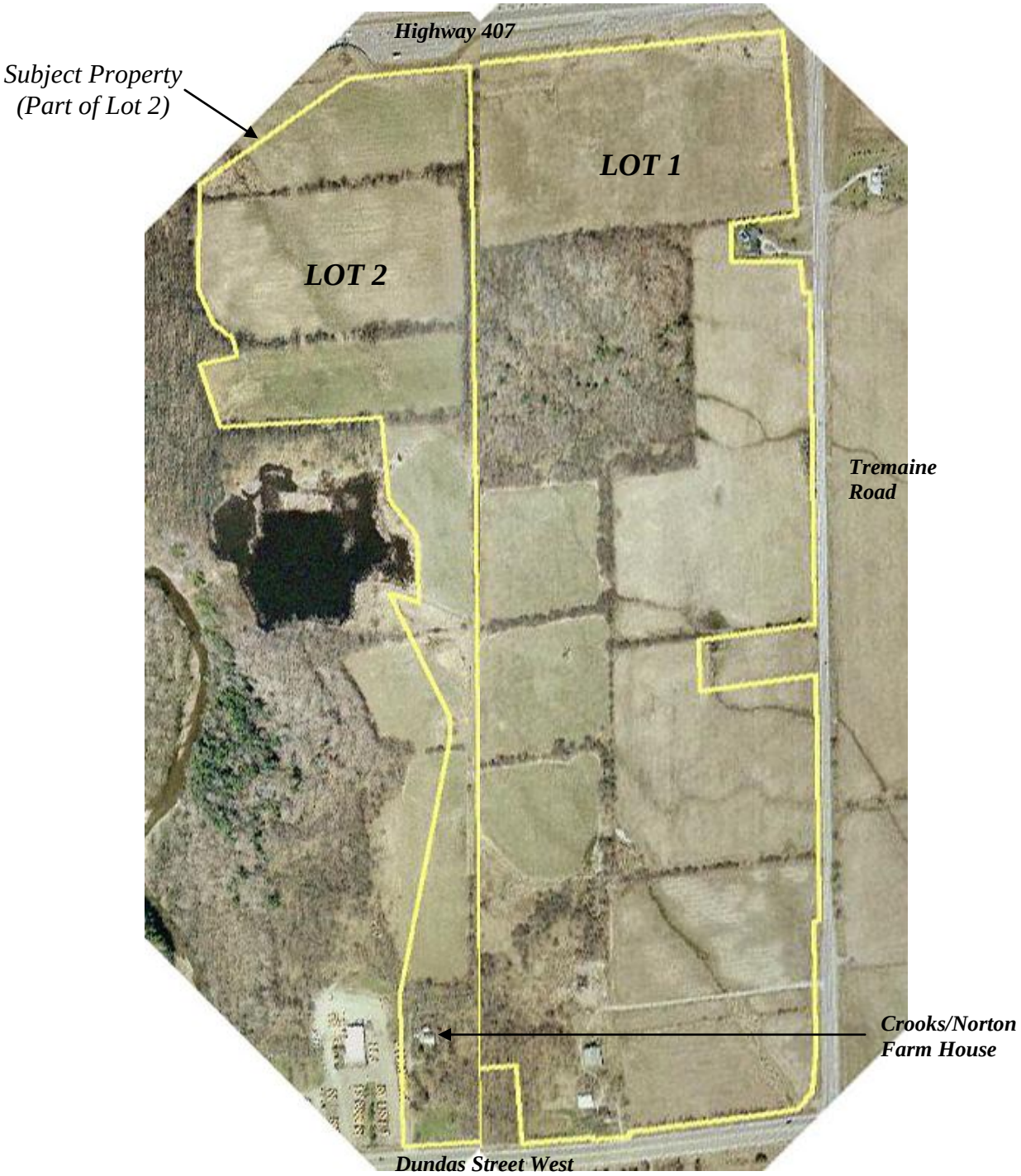
www.eureka4you.com/burlington/Tansley.htm

Halton Images

Appendix A: Property Survey


TOPOGRAPHIC SKETCH SHOWING
EDGE OF BUSH AND TOP OF BANK
PART OF LOTS 1 AND 2
CONCESSION 1
NORTH OF DUNDAS STREET
GEOGRAPHIC TOWNSHIP OF NELSON
NOW IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON
SCALE 1:2000
J. D. BARNES LIMITED
METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
PIN 07201-0025 (LT)
PIN 07201-0071(LT)
PIN 07201-0022 (LT)
PIN 07201-0093 (LT)
PIN 07201-0061(LT)
PIN 07201-0059 (LT)
PART 1
PART 2
PART 3
PART 4
PART 5
PART 6
PART 7
BUSH
LOT 1
LOT 2
CONCESSION 1
NORTH OF DUNDAS STREET (NELSON)
TREMAINE ROAD
ORIGINAL TOWNSHIP ROAD ALLOWANCE BETWEEN TOWNSHIPS OF NELSON AND TRAFALGAR
PIN 07201-0085 (LT)
REGIONAL ROAD NO. 5
FORMERLY THE KING'S HIGHWAY NO. 5
THE SURVEY WAS COMPLETED ON THE 30th DAY OF MARCH, 2007.
J.D.BARNES
07-30-555-01

2002 Aerial Photograph
Crooks/Norton Farms, Lots 1 & 2, Con. 1 NDS, Nelson Township



Appendix B: Photographs –Context



Dundas Street West looking north opposite the lane into 5421 Dundas Street West, September 2007

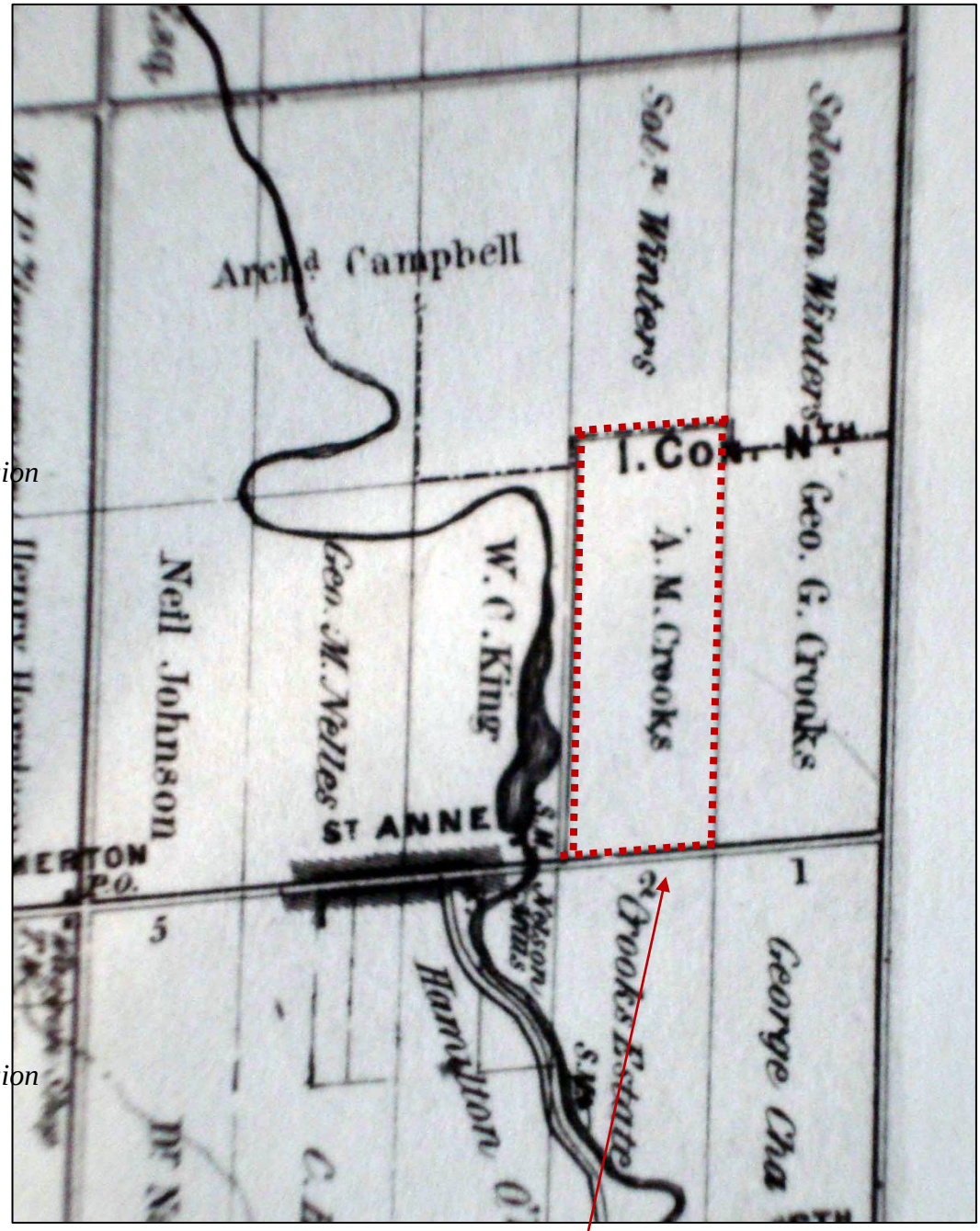
Dundas Street West looking south from the lane into 5421 Dundas Street West, September 2007



Appendix C: Maps

1858 – Tremaine

Concession I NDS



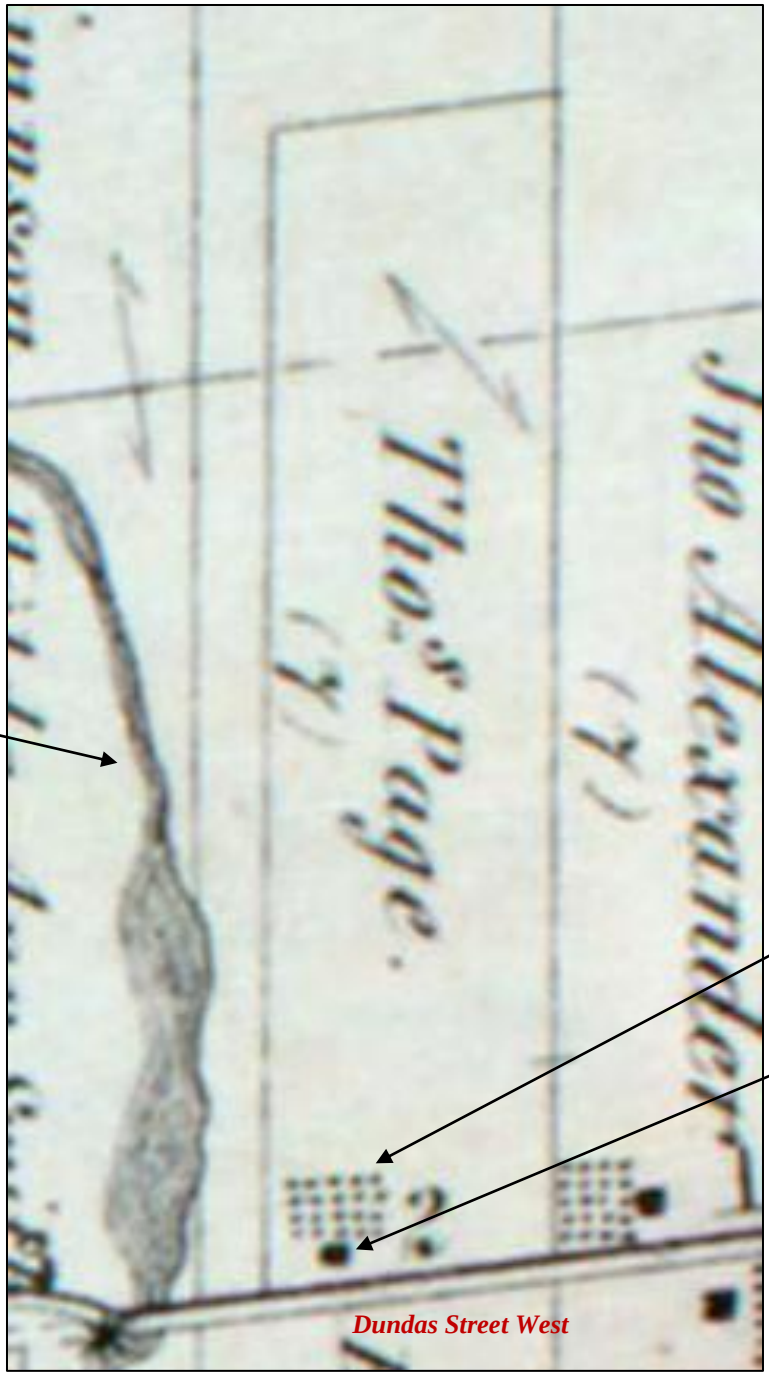
Concession I SDS

Lot 2 – includes Subject Property

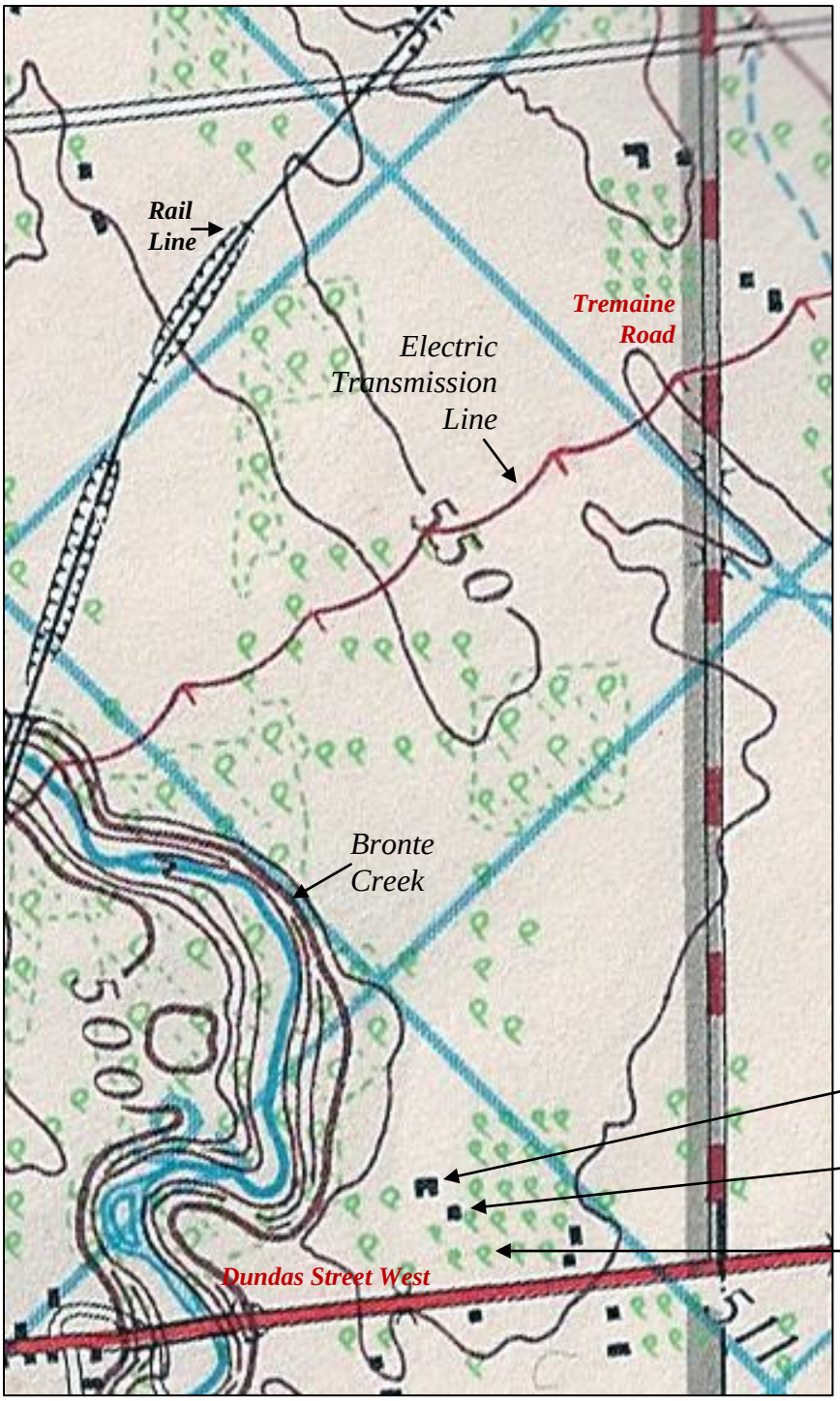
1877 – Halton County Illustrated Historical Atlas
CONTEXT



1877 – Halton County Illustrated Historical Atlas
Original Farm



1935- 1952 - National Topographic Survey
Scale 1:50,000

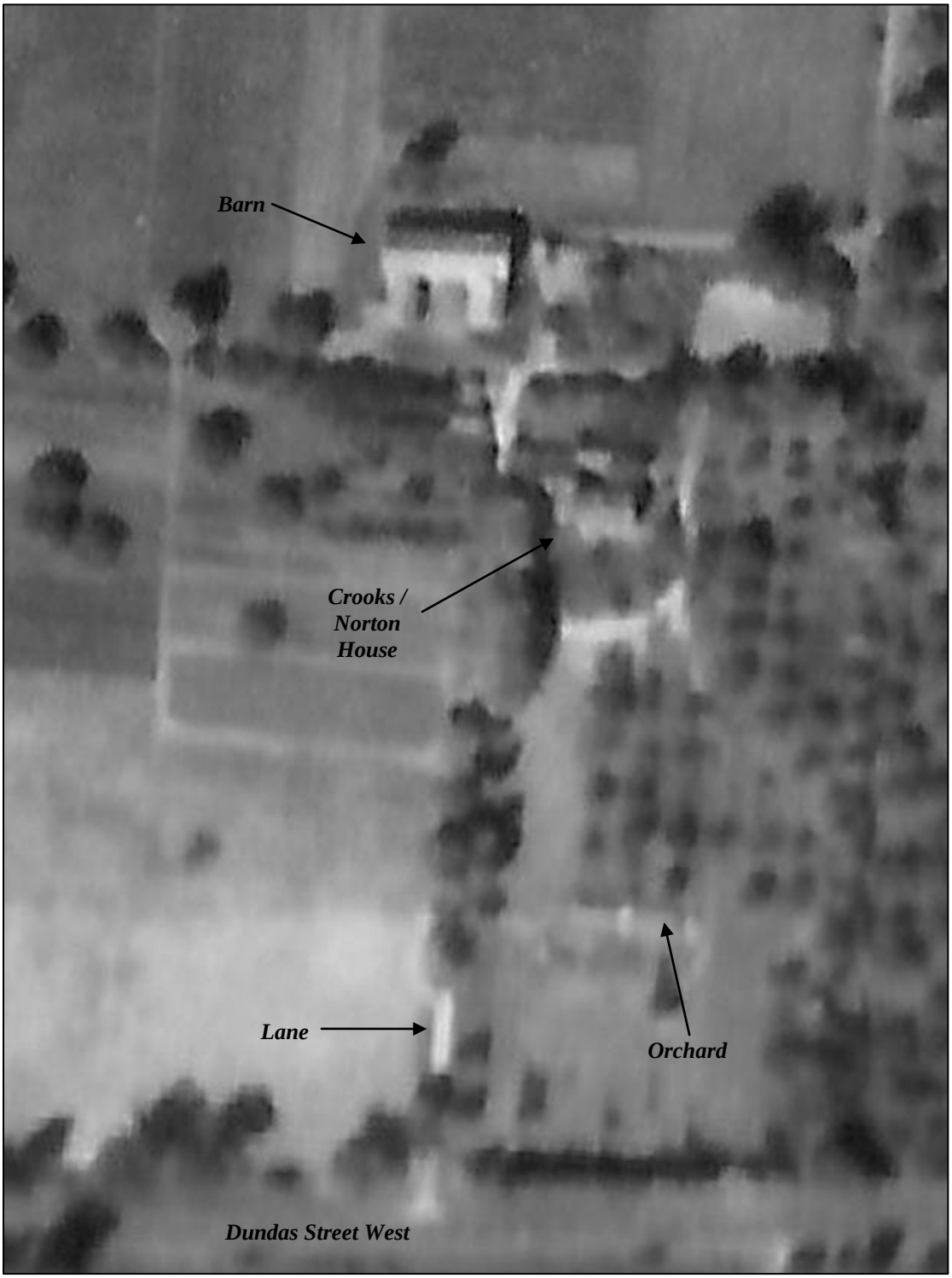


Appendix D: Aerial Photographs

1934 – Farm (South Part)
Source – National Airphoto Library Roll No. 4837, Photo 37

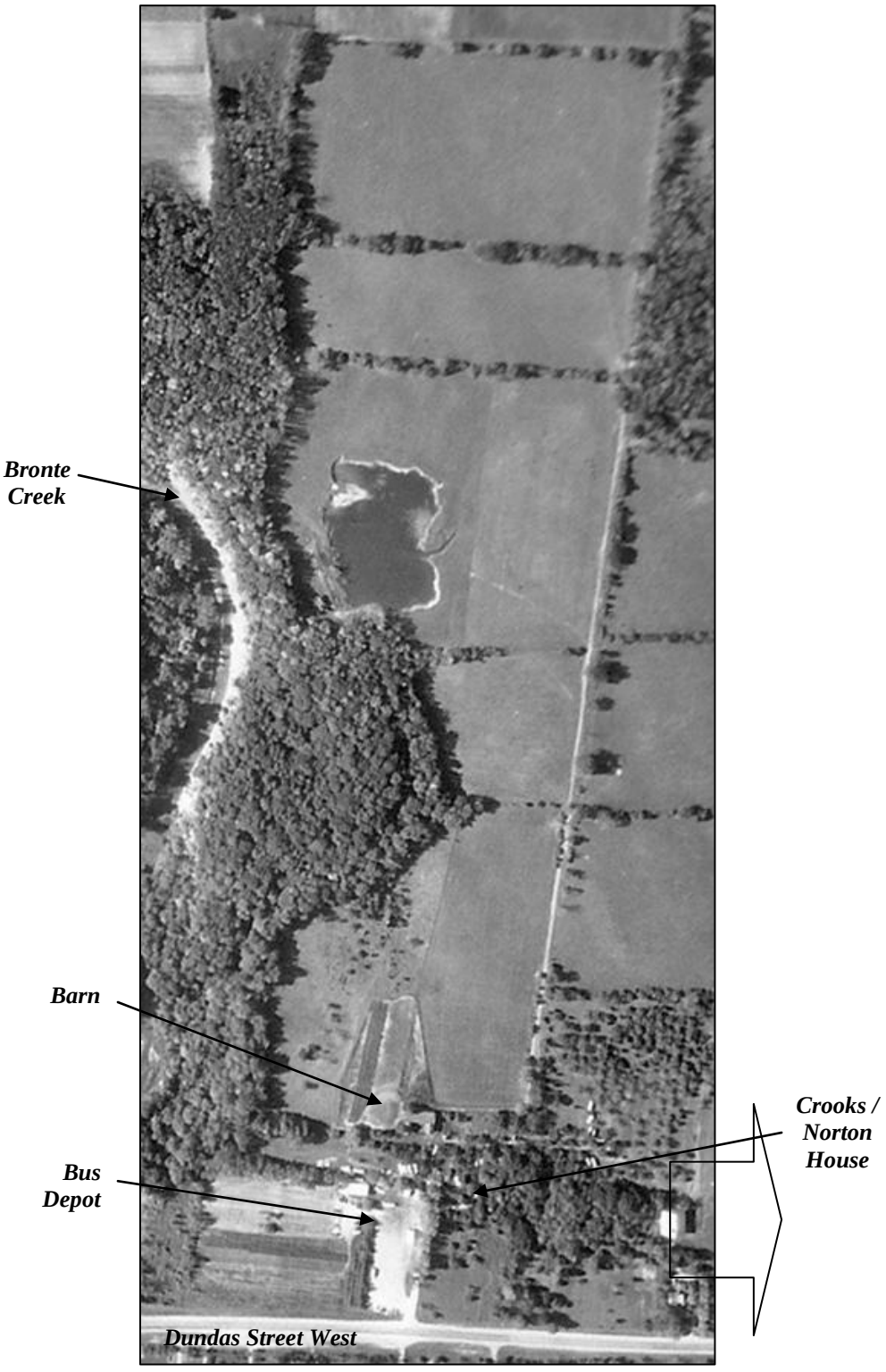


1934 – Farmstead
Source – National Airphoto Library Roll No. 4837, Photo 37

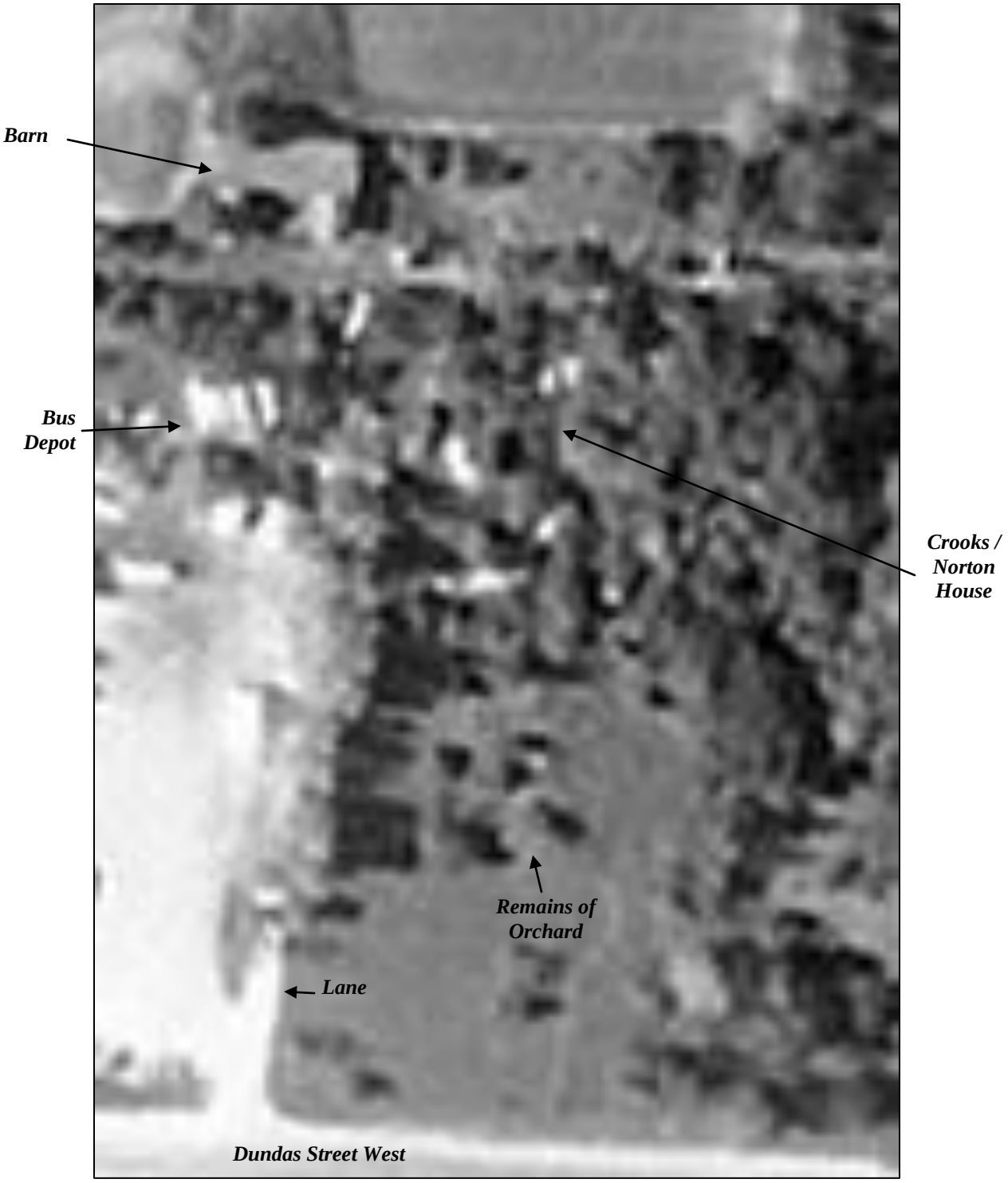


1965 - Farm

Source – National Airphoto Library Roll No. A19345, Photo 26



1965 - Farmstead
Source – National Airphoto Library Roll No. A19345, Photo 26



2005 - Farm
Source – Google Earth, 2014.



2005 - Farmstead
Source – Google Earth, 2014.



2013 - Farm
Source – Google Earth, 2014.



Appendix E: Crooks / Norton Farm House
Floor Plan Sketches

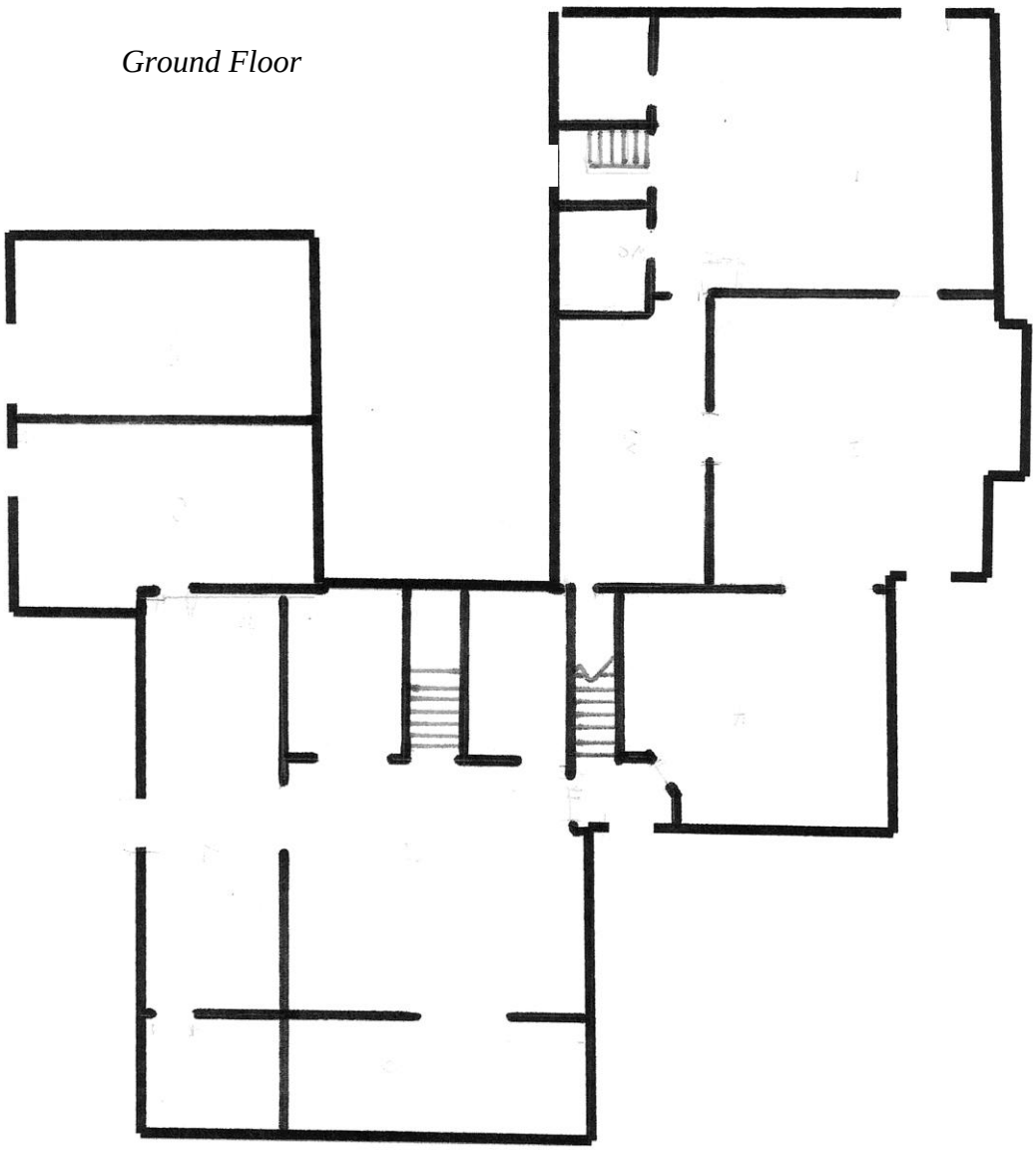
North



Aerial view of the
Crooks / Norton Farm House,
Source: Burlington Maps, 2013

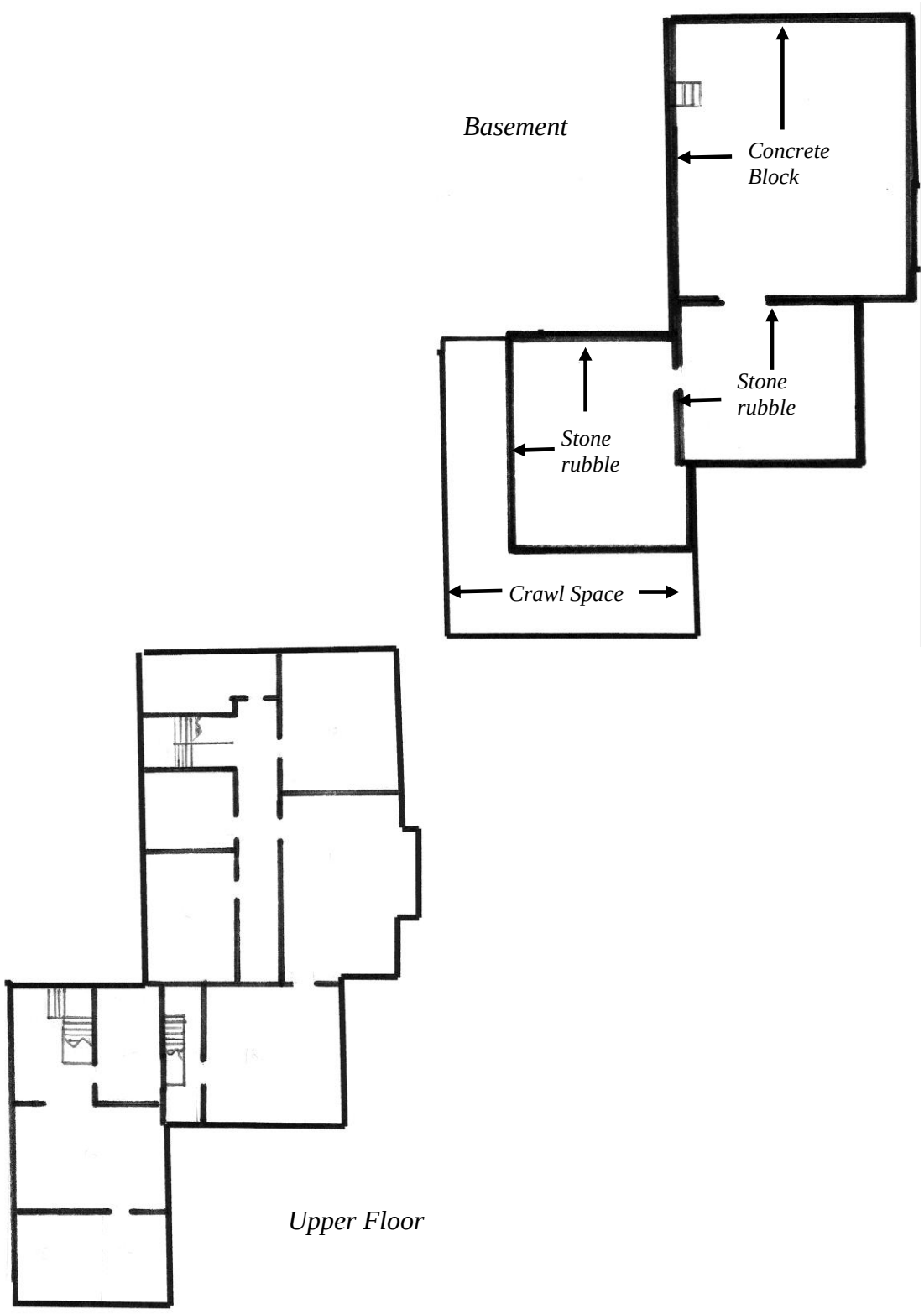
Floor Plan Sketches – 2007

Ground Floor



not to scale

Floor Plan Sketches – 2007



Appendix F: Crooks / Norton Farm Out-Building Photographs



Crooks / Norton Farm – Outbuilding – West and south elevations, April 2007

Crooks / Norton Farm – Outbuilding – West and south elevations, September 2014





Crooks / Norton Farm – Outbuilding – East and south elevations, September 2014

Appendix G: Crooks / Norton Farm Landscape Photographs

Location Index to Landscape Photographs
– Crooks / Norton Farm



2005
Source – Google Earth



1. Crooks / Norton Farm House view from the site of the barn, September 2014.



2. Farm Lane north of the farmstead looking north to the Crooks / Norton House, April 20007

3. North of the farmstead looking south to the farmstead, September 2014.





4. Looking North from north of the farmstead, April 2007.

5. Looking North from north of the farmstead, September 2014.



Appendix H: *Ontario Heritage Act* Regulation 9/06

REGISTRAR OF REGULATIONS
Filed as O. Reg. 9/06
On
JAN 2 5 2006
Proposed source law publication dates:
e-Laws Jan. 27/06
Ontario Gazette Feb. 11/06

Bilingual

CONFIDENTIAL
Until filed with the
Registrar of Regulations

reg2005.0571.e
3-CS/CO

ONTARIO REGULATION

made under the

ONTARIO HERITAGE ACT

CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST

Criteria

1. (1) The criteria set out in subsection (2) are prescribed for the purposes of clause 29 (1) (a) of the Act.

(2) A property may be designated under section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. The property has design value or physical value because it,
   i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
   ii. displays a high degree of craftsmanship or artistic merit, or
   iii. demonstrates a high degree of technical or scientific achievement.
2. The property has historical value or associative value because it,
   i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
   ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
   iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
3. The property has contextual value because it,
   i. is important in defining, maintaining or supporting the character of an area,
   ii. is physically, functionally, visually or historically linked to its surroundings, or
   iii. is a landmark.

Transition

2. This Regulation does not apply in respect of a property if notice of intention to designate it was given under subsection 29 (1.1) of the Act on or before ***insert the date of the day before the regulation is filed with the Registrar of Regulations***. Jan. 24/06

Appendix I: Crooks / Norton Farm
Property Ownership History

Page 1 Municipality: Burlington (formerly Nelson Twp) Lot: 2 Concession: 1 North of Dundas Street

No. of Insturment	Instrument	Date of Instrument	Date of Registration	Grantor	Grantee	Consideration	Remarks	Comments
	Patent	2.7.1808		Crown	Abraham Markle		200 acres all	
1931	BS	5.12.1808	11.2.1812	Abraham Markle	Isaac Walker		200 acres all	
16	BS	13.11.1833	4.5.1853	Philip Beaman & others	William Crooks Senior		200 acres all	
45	BS	13.7.1853	27.7.1853	Hon James Crooks & another, exec of William Cooks, heir at law	William C King		20 acres of west part of S 1/2	
46	BS	13.7.1853	1.8.1853	"	Solomon Winter		86 acres north part	
277	BS	24.5.1852	23.1.1855	Hon James Crooks & others, exec of William Cooks, heir at law	Mary Crooks, widow		part of lot 2	
278	BS	2.3.1853	23.1.1855	Mary Crooks, widow	Allan M. Crooks		"	
939	Mortgage	11.12.1858	15.4.1858	Allan M. Crooks	Harvey M. Switzer	$400	part of lot 2 discharge 403	
401	BS	24.2.1862	4.3.1862	Allan M. Crooks + wife	Andrew M. Crooks		100 acres	
403	Dis Mortgage	4.3.1862	4.3.1862	Harvey M. Switzer	Allan M. Crooks			
418	Mortgage	11.3.1862	13.3.1862	Andrew M. Crooks + wife	William Lampier + others	$1100	100 acres discharge 287	
283	Dis Mortgage	22.9.1866	24.9.1866	Andrew M. Crooks + wife	Richard G. Lampier		part of lot 2	
421	BS	10.3.1870	6.4.1870	Andrew M. Crooks + wife	Thomas Page		100 acres part of lot 2	
422	Mortgage	10.3.1870	6.4.1870	Thomas Page + wife	Andrew M. Crooks	$1500	100 acres part of lot 2, discharge 1762	
484	Asst of Mort	23.7.1870	27.7.1870	Andrew M. Crooks	William Wass		100 acres part of lot 2	
924	Asst of Mort	17.9.1872	18.9.1872	William Wass	George Davison		100 acres part of lot 2	
1761	Dis Mortgage	18.3.1876	27.3.1876	George Davison	Thomas Page		100 acres part of lot 2	
2053	Mortgage	27.6.1877	3.7.1877	Thomas Page + wife	The North British Canadian Investment Company	$3000	100 acres part lot 2 and other land	
2063	Dis Mortgage	16/7/1877	23.7.1877	The North British Canadian Investment Company	Thomas Page		100 acres part of lot 2	

Page 2 Municipality: Burlington (formerly Nelson Twp) Lot: 2 Concession: 1 North of Dundas Street

No. of Instrument	Instrument	Date of Instrument	Date of Registration	Grantor	Grantee	Consideration	Remarks	Comments
2070	Mortgage	14.7.1877	23.7.1877	Thomas Page + wife	Jerimiah Hebbethwaite	$1250	100 acres part of lot 2 discharge 2077	
2077	Dis Mortgage	3.8.1877	18.8.1877	Jerimiah Hebbethwaite	Thomas Page		100 acres part of lot 2	
3139	BS	21.7.1882	1.8.1882	Thomas Page + wife	Jacob Page		100 acres part of lot 2	
8620	BS	2.10.1911	7.10.1911	Jacob Page + wife	Hiram George Andrew Norton	$7000	part of lot 2	
8621	Mortgage	2.10.1911	7.10.1911	Hiram George Andrew Norton	Jacob Page + wife	$1000	part of lot 2, discharge 9604	
9604	Dis Mortgage	4.10.1915	5.10.1915	Jacob Page	Hiram George Andrew Norton		disch 8621	
15031	Mortgage	9.7.1931	15.7.1931	Hiram George Andrew Norton	Jonathan H Shields	$5500	part of lot 2, discharge 17428	
17427	Grant	20.6.1939	21.11.1940	Hiram George Andrew Norton	Cecil H. Norton	Love + $1	100 acres part of lot 2 subject to mortgage	
17425	Mortgage	18.11.1940	21.11.1940	Cecil H. Norton + wife	Jane Shields spinster	$3900	100 acres part of lot 2 discharge 30343 +166693	
17426	Mortgage	18.11.1940	21.11.1940	Cecil H. Norton + wife	Mary Norton, wife of Hiram George Andrew Norton	$3000	100 acres part of lot 2 discharge 30354 & 34623	
17900	Grant of Easement	30.1.1941	16.7.1942	Cecil H. Norton	Hydro Electric Power Commission of Ont	$50	portion of lot 2	
30353	dis of pt of Mortgage	18.12.1946	11.2.1947	Mary Jane Shields	Cecil H. Norton		portion of lot 2	
32716	Grant of Easement	19.12.1949	22.3.1950	Cecil H Norton	Hydro Electric Power Commission of Ont	$12.50	portion of lot 2	
34623	Dis Mortgage	25.3.1952	25.3.1952	Cecil H Norton admin of estate of Mary Norton			mortgage 17426	
37195	grant	11.1953	12.1.1954	Cecil H Norton + wife	Charles Percy Roberts	$1362.50	1.36 acres part of lot 2	
37196	dis of pt of Mortgage	31.12.1953	12.1.1954	Mary Jane Shields	Cecial H. North		1.36 acres part of lot 2	
45811	Grant	23.12.1955	28.12.1955	Cecil H T Norton	Cecil H T Norton & others	$1	100 acres & 1/2 except parcel at s. angle	
166692	Grant	6.4.1964	6.5.1964	Cecil H T Norton + wife	Cecil H T Norton & others	$1 etc	100 acres part lot 2	

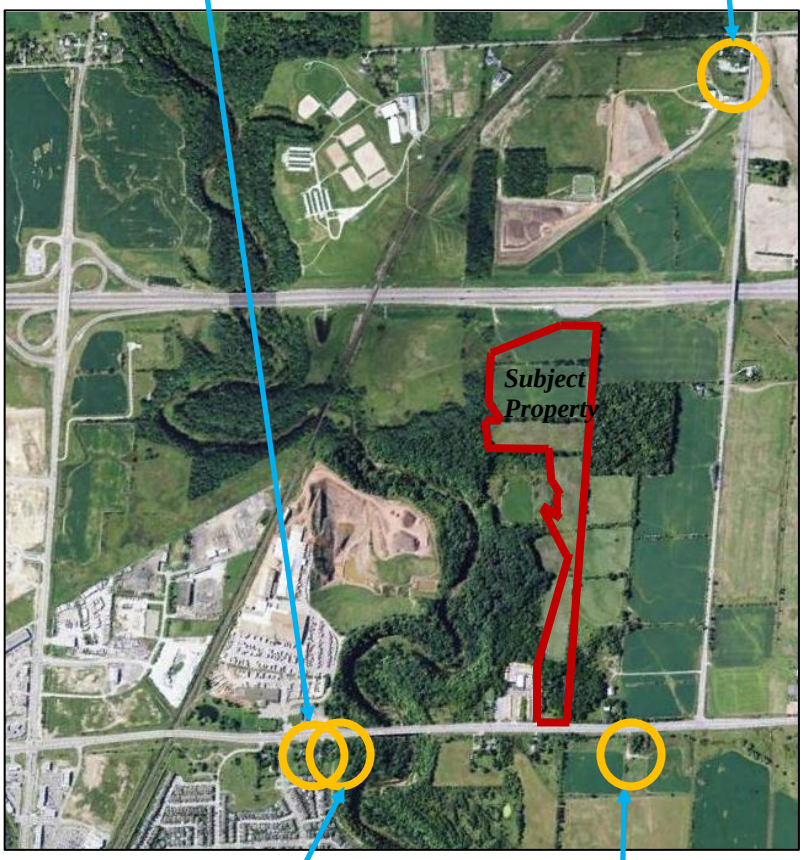
Appendix J: Adjacent/Nearby Heritage Properties



5218 Dundas Street West



3488 Tremaine Road



Source: Google Earth 2009

5226 Dundas Street West



5418 Dundas Street West



Appendix K: Development Proposal

Evergreen Community
Draft Plan of Subdivision, July 2015



LAND USE SCHEDULE

LAND USE / UNIT TYPE	LOTS / BLOCKS	AREA ha	AREA ac	UNITS
Business Corridor	396-398	4.57	11.29	
Mixed Use Corridor - Employment	399	1.48	3.66	
Mixed Use Corridor - General	400-403	5.81	14.36	410 *
Future Transit	404	0.66	1.63	
Parks	405-411	2.02	4.99	
LID / SWM / Naturalized Area	412-427	2.85	7.04	
NHS	428-432	19.61	48.46	
Road Widening	433-435	0.95	2.35	
0.3m Reserve	436-440	0.02	0.05	
Right of Way		13.38	33.06	
Special Right of Way (Eco Passage)		0.25	0.62	
Townhomes (6.10m / 20')	375-395	2.34	5.78	123
Single Detached WS (10.40m / 34')		2.26	5.58	75
Single Detached WS (11.60m / 38')		4.02	9.93	124
Single Detached WS (12.50m / 41')		3.69	9.12	101
Single Detached (12.50m / 41')		1.28	3.16	33
Single Detached (13.72m / 45')		0.74	1.83	18
Single Detached (15.24m / 50')		1.05	2.59	23
TOTAL		**66.98**	165.51	**907**

*Final unit count to be determined at a later date.

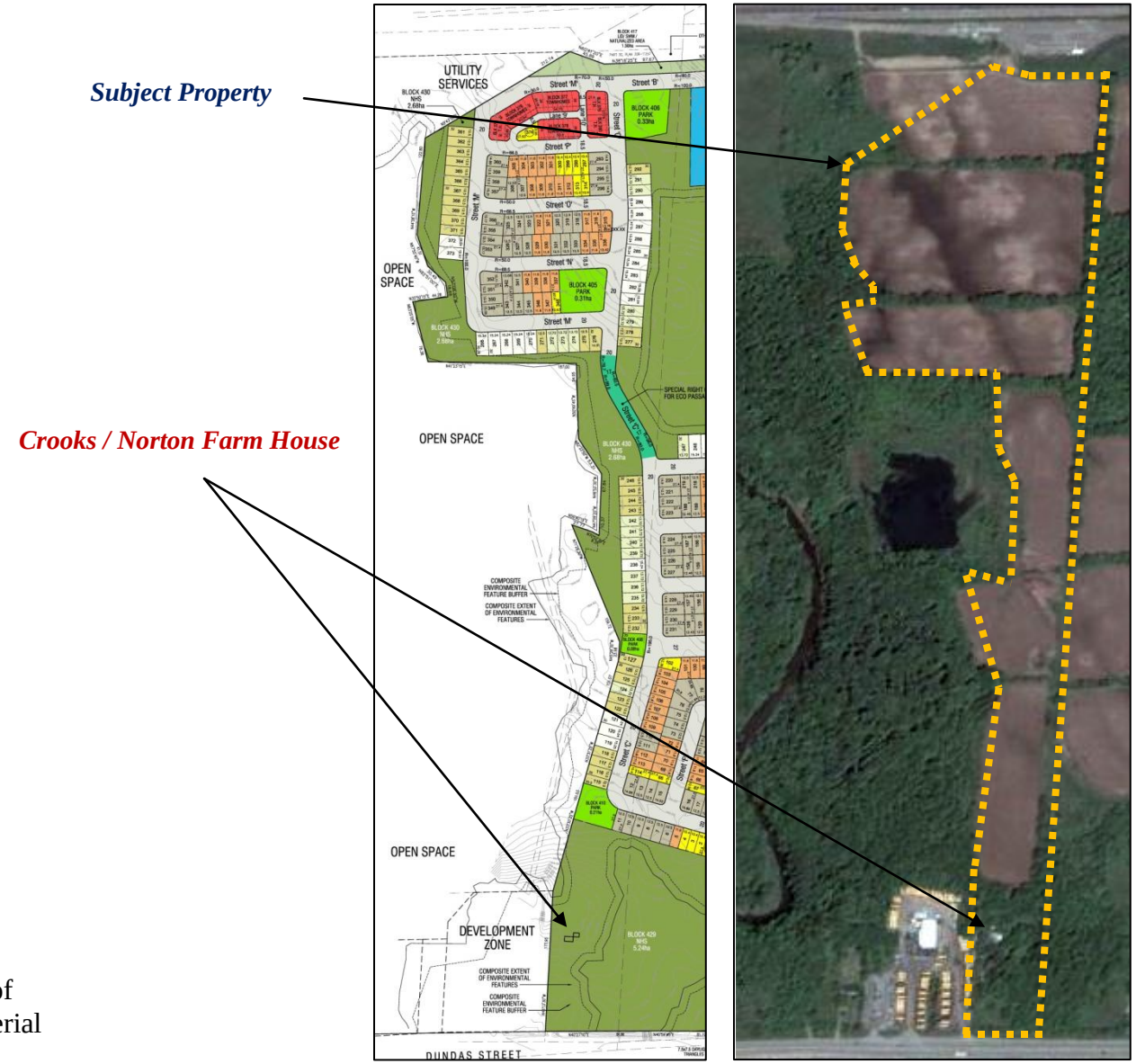
R.O.W. SCHEDULE

	m (width)	lin.m
Collector Road	27	370.0
Local Road	20	5420.3
Special Local Road (Eco Passage)	17	141.0
Minor Local Road	18.5	479.2
Lane	8.5	665.6
TOTAL		7076.1

Evergreen Community Concept
July 2015



Source: Urban Strategies



Inset –
Evergreen Community Draft Plan of Subdivision, July 2015 and 2013 aerial photograph of the subject property.

Appendix L: City of Burlington and Region of Halton Planning Document Maps

Regional Municipality of Halton
Official Plan
Part of Map 1, May 2013
The Regional Structure

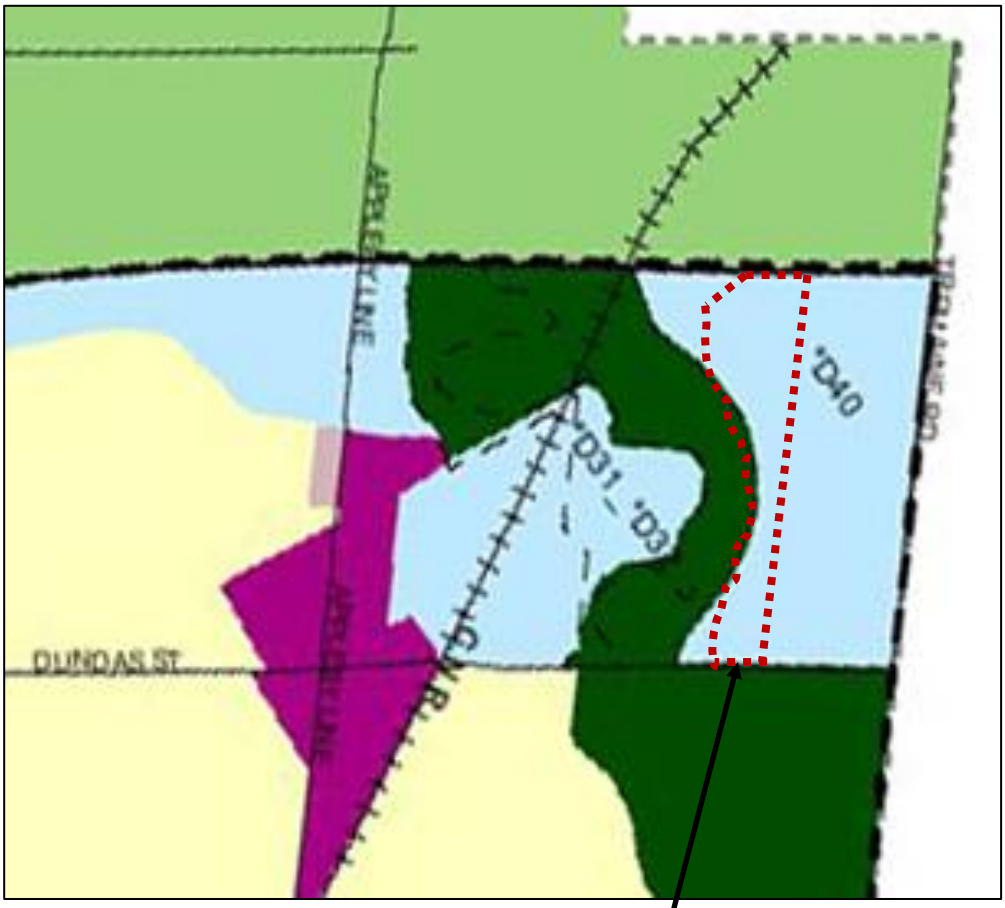


Subject property



Legend

City of Burlington Official Plan
Part of Schedule A
Settlement Pattern



Tremaine Road

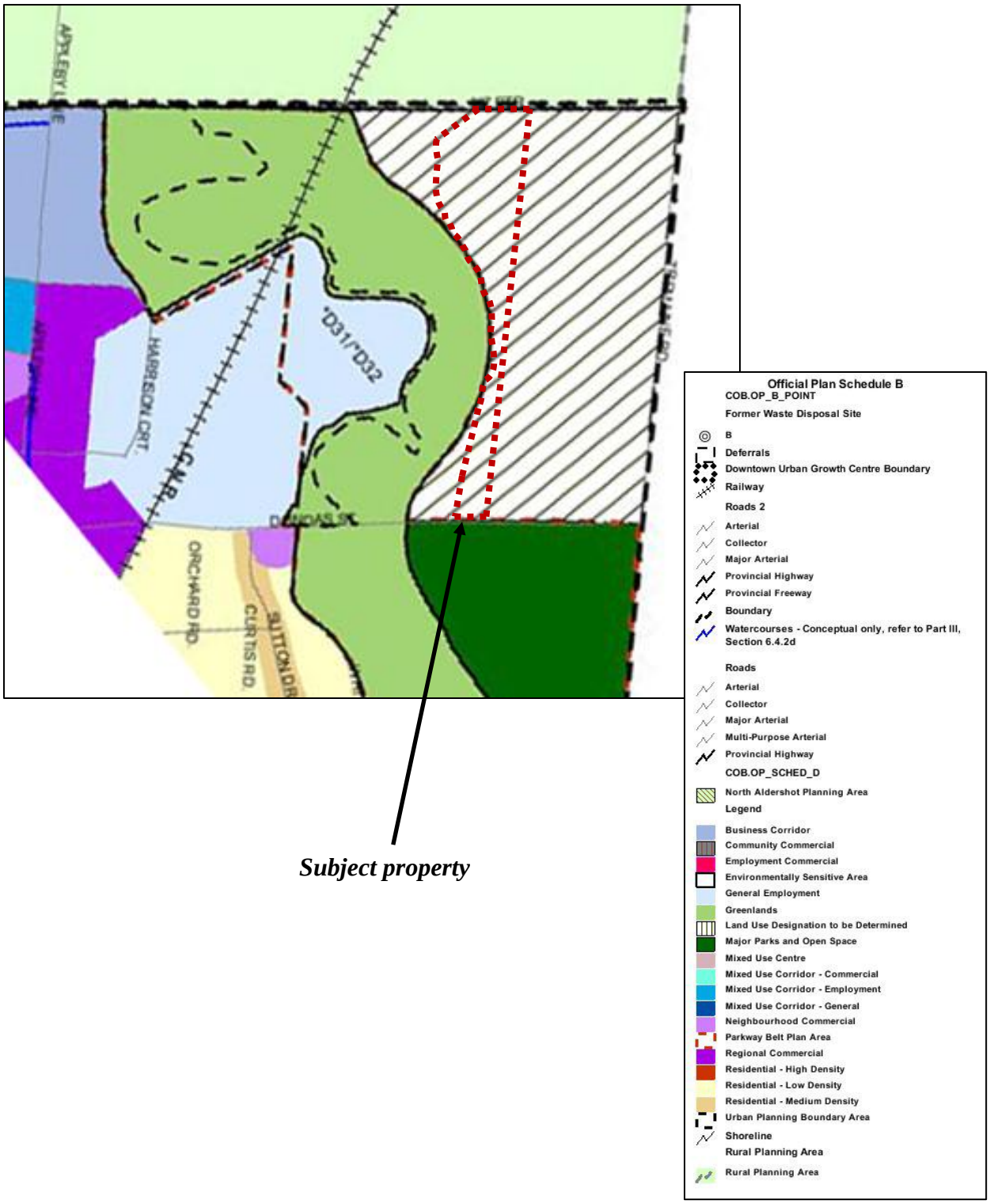
Legend

Dundas Street

OP Schedule A
Urban Planning Area Boundary
Shoreline
City Outline
Railway
Deferrals
Roads 2
Other Roads
Collector
Not Travellable
Provincial Freeway
Roads
AL
Legend
Employment Lands
Major Retail Areas
Mixed Use Activity Areas
Natural Features/Open Space
North Aldershot Planning Area
Residential Areas
Rural Lands
Rural Settlement Area

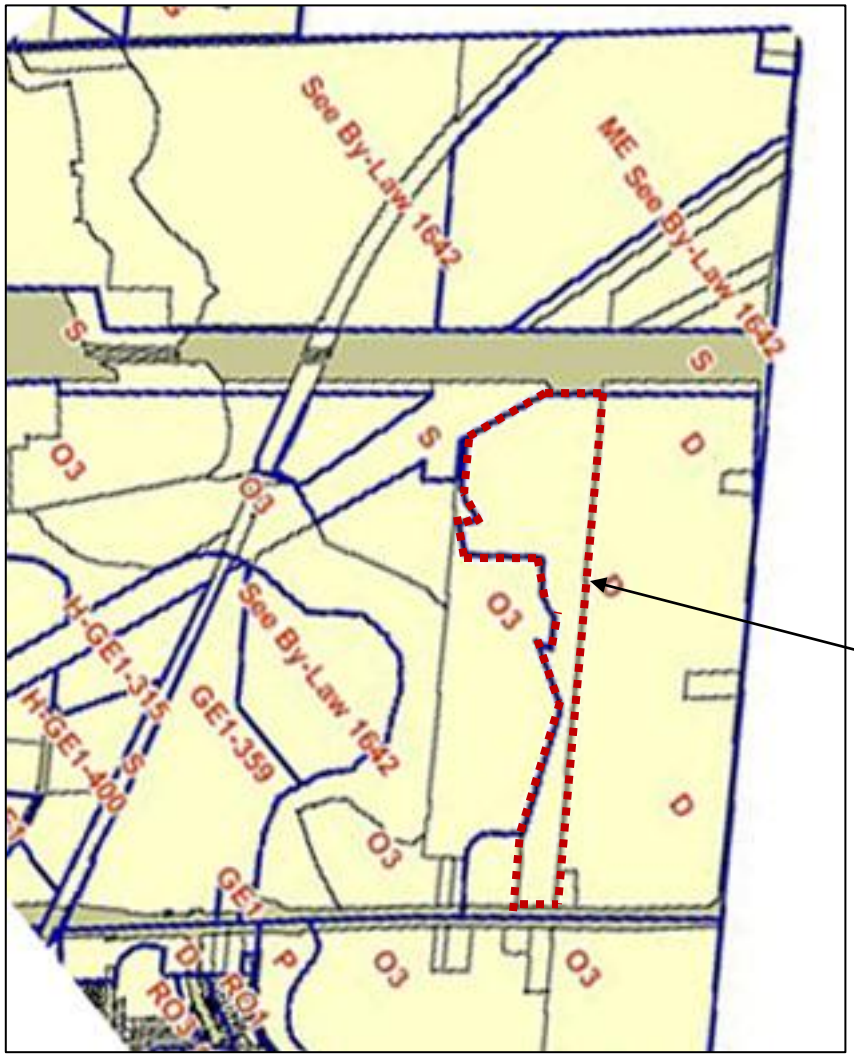
Subject property

City of Burlington Official Plan
Part of Schedule B
Settlement Pattern



Subject property

City of Burlington
Zoning By-law, By-law No. 2020 as amended
Part 15 – Zoning Maps



Subject property



Appendix M: Extract from City of Burlington Heritage Data Base

BURLINGTON HERITAGE RESOURCE INVENTORY 1997

5401 Dundas Street **Con 1 NDS Pt Lt 2** **1840** **A. 84**

The Norton House

HISTORY:

Built in 1840 for..... with later additions.

In 1877 the property of Thomas Page (Halton Atlas): house & orchard shown.

1806 Plan of the Third Township or Nelson: Abraham Markle of Ancaster

Title search summary:

… 1939 Hiram George Andrew Norton to Cecil Hiram Tennyson Norton; 1975 to C.H. Norton Bus Lines Ltd.

In 1936 the Cecil Norton family lived on Dundas Street, one-and-a-quarter miles west of Palermo; their son Grant was ready to attend Burlington Central High School, but there was no public transportation. Cecil Norton bought a seven-passenger Pierce-Arrow limousine in which he drove his son and up to twelve other passengers, who were asked to pay $3 per month if they could afford it. In 1946, an old surplus army chassis was fitted with a bus body to carry more students; in the following year, the school board began to pay for bus service, and the Nortons purchased their first real bus, a Reo. The bus line was sold to Travelways and then to Laidlaw Transit. Cecil's grandson Alan Norton is now vice-president of the company's western region and supervises 680 routes with 68,000 student passengers. An elementary school opened in 1991 on Cleaver Avenue in Headon Forest is named the C.H. Norton School.

The family home, now more than 150 years old, had a room upstairs with no windows, reached by a trap door.

Turcotte, *Burlington: The Growing Years*, pp. 138–143.

ARCHITECTURE:

A highly interesting combination of frame structures from different periods, which merits closer site inspection. The gables have arched windows, one with an unusual frame. The other early windows have pedimented frames. Some frame windows are 2/2, other 6/1. Very good gingerbread in the centre gables.

ENVIRONMENT:

Somewhat secluded; next to the bus parking lot.

USABILITY:

INTEGRITY:

Quite unspoiled. Some deferred maintenance.

Appendix N: Curriculum Vitae – Wayne Morgan

Wayne Morgan – Curriculum Vitae

Work Experience

2006 – Consultant

Principal, Wayne Morgan Heritage Planner

- Heritage character statements and impact assessments
- Heritage Conservation Districts
- Heritage planning policies

2000–2006 City of Toronto, City Planning

Senior Co-ordinator, Heritage Preservation Services

- Managed review and approval of proposals involving heritage properties in the City – under the following Acts – Planning, Heritage and Building Code.
- Secured and administered heritage easement agreements (more than 200) and letters of credit to the City (in excess of $10 million annually).
- Established 4 Heritage Conservation Districts involving in excess of 1500 properties – Yorkville and the Cabbagetowns -Metcalfe, North and South.
- Managed the listing and designation of individual heritage properties.
- Provided technical advice to City Council and its advisory committees and represented the City in negotiations and before Provincial tribunals.

1998 - 2000 City of Toronto, Urban Development Services

Senior Community Planner

- Managed approval process of planning proposals and preparation of community plans, involving liaison with City staff and the public; provided professional advice to City Council and Provincial tribunals.

1989–1997 Metropolitan Toronto, Planning Department

Manager, Research Division

1976–1989 Region of York, Planning Department

Senior Planner, long range planning

1974–1976 Region of Hamilton Wentworth, Planning Department

Planner, Official Plan team

1973–1974 Acres Engineering

Planner/Economist

Related Experience

1980 - 2000 Town of Newmarket

Chair, Local Architectural Conservation Advisory Committee

- Appointed as a volunteer by Town Council to the municipal heritage advisory committee established under the Ontario Heritage Act

Education

1968–1972 - University of Toronto - B.A., Geography

1972–1973 - Queen's University - M.A., Geography – Urban and Regional

Professional Associations

Registered Professional Planner – member - Canadian Institute of Planner and the Ontario Professional Planners Institute.

Member – Canadian Association of Heritage Professionals