

Alteration guidelines for easement properties

Introduction

Before proceeding with any activity or action that may affect an easement property (e.g., legal, physical or esthetic), owners should consult the easement agreement and discuss the matter with Trust staff to determine if Trust approval is required. The owners of Trust easement properties must obtain the written approval of the Trust for the demolition, construction, alteration, remodeling or any act that would materially affect the appearance or construction of the “heritage elements/features” identified in the easement. The Trust’s written approval is also required for the erection of any building, structure, fence or sign on the property, or for permission to demolish any building or structure on the easement property. The Trust requires that all alteration requests be made in writing and approvals will also be provided in writing.

The purpose of the easement approval process is to ensure that best practices are followed and that our cultural heritage is preserved for future generations. The prime consideration when contemplating a repair is whether the work will materially affect the appearance or construction of the heritage elements/features. Often, well-intentioned work unknowingly leads to further deterioration (sometimes even interventions that achieve short-term goals may lead to future deterioration). It is the responsibility of the Trust to ensure that this deterioration is prevented.

Alteration and maintenance guidelines

The following guidelines are meant to assist property owners in meeting easement obligations – particularly as they pertain to maintenance and alteration of the heritage elements/features. This list is intended as a guide only, and the original legal document should be considered authoritative on any particular matter. Please read your easement agreement carefully and feel free to contact Trust staff if you have any questions regarding its contents.

1. Cleaning of heritage elements/features, should be performed with the utmost care. Chemical (e.g., acid, caustic or volatile organic compounds), abrasive, aggregate or mechanical methods should be avoided altogether and, like any method, require Trust written approval. Safe cleaning of heritage elements or features (e.g., historic masonry, wood, glass and roofing) includes the use of natural or plastic bristle brushes, warm water and non-ionic soap rather than more damaging expedients, such as chemical cleaning agents, high pressure or steel brushes.



Peel Heritage Complex, Brampton

2. Grounds maintenance should be performed with care. Vegetation must not be removed,

except in the interest of disease prevention or other good husbandry practices. Changes in vegetation may have an esthetic impact on the historic site, but can also impact foundation stability, surface finish, drainage, soil, evaporation rates, freeze thaw and thermal loading.



Inappropriate repointing

3. Roofing may be undertaken without Trust approval provided it involves the repair of a small, localized section and like materials are used. This repair should also be considered a temporary intervention until replacement of the roof is feasible or required. Replacing the complete roof surface (even like with like) requires Trust approval due to the high visibility, functional requirements and character-defining features.
4. Flashing may be repaired as needed, including re-caulking, provided it is done with like materials. Should the need to repoint be involved in the flashing repair, please see Section 7 in this document. Full replacement of flashing requires approval.

5. Elements such as gutters, eavestroughs and downspouts should be cleaned regularly to prevent failure. Replacement of small sections of downspouts and leaders can be considered routine maintenance, but should only be undertaken with like materials and profiles.
6. Repointing of mortar joints is a form of cyclical maintenance. If improperly executed, however, it can greatly accelerate deterioration and – in extreme cases – cause irreparable damage to the masonry. Primary concerns include the cutting of saw kerfs in the masonry units with mechanical grinders/saws, repointing the joints with non-historic profiles that feather edges, and using a mortar with a composition that is harder and of a different thermal and moisture absorption performance than the existing mortar. Once Trust approval of technique and materials is received, subsequent maintenance/alterations may be carried out without approval, provided it follows the same procedures, conditions and materials.
7. Repairing wooden elements (e.g., patching, dutchman, epoxy filler and other consolidates) – such as eaves, soffits or fascia – should be considered routine maintenance, provided the work required does not involve wholesale replacement of said elements. Replacement should only be considered when deterioration prevents the element from being rehabilitated, preserved and retained in any manner.
8. Routine maintenance of hardware – such as hinges, door catches, passage sets, locks and other elements – that involve moving parts is prudent practice and is encouraged. Replacement of said elements with new units – especially those that are not based on historic precedent – requires Trust approval.
9. Repainting and refinishing of heritage elements/features falls under the category of maintenance, provided that the same colour, finish or material is applied to the element in question. Any deviation from existing applications (e.g., colour, surface treatment or texture) will require written approval from the Trust.



Paint failure on wooden veranda

10. Patching small cracks and holes and/or spot-painting on interior walls and ceilings is considered routine maintenance, and does not require approval. Some cracks occur from normal building actions such as settling, changes in humidity and casualty. Large or persistent cracks should be monitored and investigated if further damage occurs. Monitoring devices (or tell-tales) can be installed across the cracks to determine direction, timing and magnitude of motion. Repairing moulded plaster elements is a skill that should be left to professional plaster conservators, and furthermore should only be undertaken with the approval of the Trust due to its delicacy and the need for custom profiling tools.
11. Caulking around doors, windows and between disparate materials needs to be renewed from time to time. This is routine maintenance and does not require approval, provided the caulking is being introduced where there was some before. Caulking may be used as a patch to a damaged area to avoid further damage from water or pest penetration, but in such cases should be

temporary and reversible. Caulking should only be used at locations of material failure, not locations of perceived design failure. Some gaps serve an architectural function. If in doubt, please contact the Trust.

12. Replacement of broken panes of vision glass (note that stained glass is an entirely different matter) is considered routine maintenance and does not require approval, provided the replacement glass matches the former material in colour, transparency, thickness and texture. Rebuilding the window frame or changing the colour of the glass is not routine maintenance, and can only be undertaken with written approval.

Submitting an alteration request

If you wish to undertake work that is considered an alteration as described above, the following procedure is required:

1. Submit a completed alteration request form (available on request from our office), along with any other pertinent information that may include, but is not limited to: photographs; site plans; sections and other drawings; specifications for any newly introduced elements; paint samples; and any work provided by a consultant – such as an architect, interior designer or engineer. Remember: The more information we have, the better we can evaluate the project, and the quicker you will have a response. Please note that consultants submitting requests on behalf of an owner require the owner's authorization (i.e., signature) before the Trust can process the application.
2. Once we have received an application, the Trust has 60 days to respond in writing to your request. This process ensures that our technical and heritage staff have enough time to consider your project carefully and make inquiries, if required.
3. If we require more information, you will be informed as soon as the application is processed. The receipt of any new information is considered a new application, and so the timeframe for response begins anew.

4. Once your application is processed and a decision has been made, you will be informed in writing.

Although the Trust is permitted 60 days to process a request, we typically process responses to requests in about two weeks – where there are no complications. Some requests, however, are complicated and require additional information, research, consultation, site visits, etc. We therefore recommend that owners involve the Trust as early as possible in order to avoid delays and to save you undue expense. We strongly advise that you discuss your proposed alteration with the Trust before you hire a contractor, purchase/order materials, finalize designs or submit for building permit or planning approval.

If you have any questions about your obligations as the owner of an easement property, or if you wish to receive a copy of your easement agreement, contact us at programs@heritagetrust.on.ca.

Additional reading

There are several documents you may wish to reference when contemplating alterations to your heritage property. These documents provide a framework for making appropriate conservation decisions and provide guidance for repairing, preserving and restoring historic structures.

Fram, M., 1992. Well-preserved: The Ontario Heritage Foundation's Manual of Principles and Practice for Architectural Conservation. Toronto: Stoddart Publishing Co. Limited. (Now available [online](#).)

National Parks Service, 2004. Preservation Briefs. Available at: <http://www.nps.gov/tps/how-to-preserve/briefs.htm>.

Parks Canada, 2003. Standards and Guidelines for the Conservation of Historic Places in Canada. Available at: www.historicplaces.ca/en/pages/standards-normes.

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