

## Report to Planning & Environment Committee

**To:** Chair and Members  
Planning & Environment Committee  
**From:** John M. Fleming  
Managing Director, Planning and City Planner  
**Subject:** Priority Levels on the Register (Inventory of Heritage Resources)  
**Meeting on:** Monday January 21, 2019

## Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the priority levels on the Register (Inventory of Heritage Resource) **BE REMOVED**.

## Executive Summary

The provisions of the *Ontario Heritage Act* enable Municipal Council to include properties that are not designated but that it believes to be of cultural heritage value on its Register. Municipal Council has availed of this general approach since the 1990s, and the *Inventory of Heritage Resources* was adopted as the Register pursuant to Section 27 of the *Ontario Heritage Act* in 2007.

Municipal Council, with the recommendation of the London Advisory Committee on Heritage (LACH), adds a property to the Register (*Inventory of Heritage Resources*) that it considers worthy of further cultural heritage considerations.

Priority levels have been assigned to properties listed on the Register since the 1990s. Since then, both the approach to heritage conservation and the legislative framework of the *Ontario Heritage Act* has evolved. Mandated criteria are now used to determine if a property is a significant cultural heritage resource that merits designation under the *Ontario Heritage Act*. Properties are now added to the Register by Municipal Council with the belief that they may meet the criteria for designation, however further research and evaluation is required. Priority levels no longer serve a critical function to the Register and should be removed.

## Background

### 1.0 Introduction

The Register (*Inventory of Heritage Resources*) is an essential resource used by staff and the public to identify the cultural heritage status of properties in the City of London. The first Municipal Council-adopted *Inventory of Heritage Resources* was created in 1991, and was compiled from previous inventories dating back to the 1970s. The *Inventory of Heritage Resources* was reviewed and revised in 1997 to include newly annexed areas of the City of London. In 2005-2006, Municipal Council adopted the revised *Inventory of Heritage Resources*. The *Inventory of Heritage Resources* (2006) in its entirety was adopted as the Register pursuant to Section 27 of the *Ontario Heritage Act* in 2007.

The cultural heritage status of properties within the City of London is mapped on the City's CityMap web application in the "Heritage Conservation Districts and Properties" layer. In addition to mapping properties of cultural heritage value, it has been the local convention to publish a printed copy of the *Inventory of Heritage Resources*. The last published copy of the *Inventory of Heritage Resources* dates to 2006 and is available for downloading off the City's website. While CityMap has been maintained, staff are working to publish an updated version of the Register (*Inventory of Heritage Resources*).

**1.1 Previous Reports**

October 3, 1988. Resolution of Municipal Council regarding the “Inventory of Buildings of Interest in the City of London.”

May 15, 1989. Resolution of Municipal Council regarding establishing priority levels for the protection of heritage resources.

August 6, 1991. Resolution of Municipal Council regarding approval of the Heritage Resources Inventory.

June 23, 1997. Resolution of Municipal Council regarding approval of the Inventory of Heritage Resources.

December 11, 2006. Report to Planning Committee. Revised Inventory of Heritage Resources.

February 12, 2007. Report to Planning Committee. *Inventory of Heritage Resources adopted as a Guideline Document within Section 19.2.2 of the Official Plan.*

March 19, 2007. Report to Planning Committee. *Adding the Heritage Inventory to the Heritage Register.*

March 26, 2007. Resolution from Municipal Council regarding the addition of the Inventory of Heritage Resources to the Register of Property of Cultural Heritage Value or Interest in accordance with Section 27 of the *Ontario Heritage Act*.

September 12, 2018. Report to the London Advisory Committee on Heritage. “Removal of Properties from the Register.” (Housekeeping Report).

**2.0 Legislative/Policy Framework**

**2.1 Ontario Heritage Act**

Section 27 of the *Ontario Heritage Act* requires that the Clerk of every municipality to keep a Register of properties that are of cultural heritage value or interest located within the municipality. This includes heritage designated properties.

In addition, Section 27(1.2) of the *Ontario Heritage Act* enables a Municipal Council to include properties that it believes to be of cultural heritage value or interest, but are not designated under the *Ontario Heritage Act*, on its Register. These properties are commonly referred to as “heritage listed properties.”

The Ministry of Tourism, Culture and Sport (2016) has highlighted a number of benefits of including properties on a municipal Register, including but not limited to:

- Recognizes properties of cultural heritage value or interest in the community;
- Demonstrates a municipal council’s commitment to conserve cultural heritage resources;
- Enhances knowledge and understanding of the community’s cultural heritage;
- Provides a database of properties of cultural heritage value or interest for land use planners, property owners, developers, the tourism industry, educators, and the general public;
- Should be consulted by municipal decision makers when reviewing development proposals or permit applications; and,
- Provides interim protection from demolition.

To include a heritage listed property on the Register, a municipal council, in consultation with its municipal heritage committee, believe that a property has cultural heritage value or interest. The Ministry of Tourism, Culture and Sport (2016) notes that detailed research and evaluation of the property are not required to add it to a municipal Register. Property owner consultation or consent is not required to add a property to the Register pursuant to Section 27 of the *Ontario Heritage Act*.

**2.2 Official Plan**

Policy 13.2.1, *Official Plan* – Inventory of Properties of Cultural Heritage Value or Interest

*Council, through its London Advisory Committee on Heritage (LACH) as provided for in Section 13.6.1, will prepare and maintain a descriptive inventory of properties of cultural heritage value or interest within the City of London. The Inventory will establish priority levels for the protection of each heritage resource based on a set of established criteria relating to the importance of heritage resources. The location of properties included in the descriptive inventory of heritage resources will be identified in a guideline document as provided for in Section 19.2.2 of this Plan (Subsection 13.2.1 amended by OPA No. 88 – OMB Order No. 2314 – approved 99/12/23) (Section 13.2.1 amended by OPA 438 and Ministry Mod. #32 Dec. 17/09).*

Through the Official Plan Review process of Vision '96, policy was included in the *Official Plan* regarding the *Inventory of Heritage Resources*. Policy 13. 2.1 required the *Inventory of Heritage Resources* to “establish priority levels for the protection of each heritage resource based on a set of established criteria relating to the important of heritage resource.”

**2.3 The London Plan**

Policy 557\_, *The London Plan* - The Register of Cultural Heritage Resources

*In accordance with the Ontario Heritage Act, City Council, in consultation with the London Advisory Committee on Heritage (LACH), will prepare and maintain a Register listing properties of cultural heritage value or interest. The Register may also be known as the City of London Inventory of Heritage Resources. In addition to identifying properties designated under the Ontario Heritage Act, the Register may include properties that are not designated by that Council believes to be of cultural heritage value or interest.*

The policies of *The London Plan* enable the preparation and maintenance of the *Register of Cultural Heritage Resources* (also known as the *Inventory of Heritage Resources*), but not priority levels.

**3.0 Register (Inventory of Heritage Resources)**

Efforts to prepare inventories of properties of cultural heritage value in London date back to the 1970s. In 1988, this resulted in the *Inventory of Buildings of Interest in the City of London*, which was “received and recognized by the City of London as the initial unprioritized listing of existing buildings or architectural and historical value” by Municipal Council. The *Inventory of Buildings of Interest in the City of London* was geographically limited the Thames River, Oxford Street East, and Adelaide Street North, with the intention of expanding the area over time.

At its meeting on May 15, 1989, Municipal Council directed the Local Architectural Conservation Advisory Committee (LACAC; precursor to the London Advisory Committee on Heritage, the City of London’s Municipal Heritage Committee) to “establish priority levels for the protection of heritage resources including, or to be included, in the inventory.” That direction resulted in the preparation of *Discussion Paper: Inventory of Heritage Resources: Format and Prioritization* (1990). The *Discussion Paper* provided an overview of the process of developing the *Inventory of Heritage Resources*, including suggested guidance on the prioritization and evaluation of resources using standardized criteria.

Recognizing that all properties included on the *Inventory of Heritage Resources* have some architectural, historic, or contextual importance, determining priority levels was intended as a means of assessing the value of heritage resources. Categories of Priority 1, 2, 3, and 4 were developed. It was initially considered that A, B, and C rankings be used, however it was felt that school grades could be implied and potential assumptions that anything below a Grade A was expendable. Likewise, scoring was also dispensed. Categories were preferred as a property scoring 74 may not differ

substantially from a property scoring 69 but could be treated differently. Priority 1 would be assigned to properties of “major significance”; Priority 2 would be assigned to properties of “importance”; Priority 3 would be assigned to properties of “value as part of environment”; and Priority 4 would be assigned to properties “of little importance.” The terms significant, importance, and value were not defined.

In the *Inventory of Heritage Resources* (1991), Priority 1, 2, 3, and 4 were used (Appendix A). It noted that, “Priority One buildings deserve more consideration, have greater precedence and require more stringent intervention, while Priority Four buildings do not require such a rigorous response and may only require photographic documentation should they be demolished.” By the *Inventory of Heritage Resources* (1998), Priority 4 properties had become Priority 9 properties, which was then restricted to buildings in a Heritage Conservation District which individually have little or no heritage value (non-contributing) (see Appendix A). Priority levels continued to evolve in the *Inventory of Heritage* (see Appendix A).

Priority ratings were not formalized beyond the descriptions that were included in the *Inventory of Heritage Resources* document that was approved by Municipal Council in 1991. At the time, the *Inventory of Heritage Resources* was characterized as having no legal status; nonetheless, it was considered to be an indicator of community interest in the heritage resource. Priority levels were described, however no evaluation criteria were included.

At its meeting on March 26, 2007, Municipal Council adopted the *Inventory of Heritage Resources* as its Register pursuant to Section 27 of the *Ontario Heritage Act*. This action took advantage of new provisions of the *Ontario Heritage Act* established in 2005 which provided a 60-day delay in the issuance of a demolition permit for a property listed on the Register. This 60-day period is intended to provide the City time to determine if the property is of significant cultural heritage value and merits designation under the *Ontario Heritage Act*.

In addition to this new provision of the *Ontario Heritage Act* that provided the 60-day delay in the issuance of a demolition permit for a heritage listed property in 2005 and the adoption of the *Inventory of Heritage Resources* as the Register in 2007, the Province established minimum criteria for determining cultural heritage value or interest in Ontario Regulation 9/06 (O. Reg. 9/06, Appendix B). Moving away from historical value or architectural value of the old *Ontario Heritage Act*, the criteria of O. Reg. 9/06 were intended to be more inclusive of broadened values attributed to cultural heritage resources. This reinforced a shift to values-based heritage conservation in Ontario.

## Analysis

From its origins, the *Inventory of Heritage Resources* has always noted that further historical research and evaluation is required to designate a property under the *Ontario Heritage Act*. Information included on the *Inventory of Heritage Resources* for heritage listed properties complies with the minimum requirements of the *Ontario Heritage Act* by providing a description to readily ascertain the property (its address). The application of priority levels, however, has been inconsistent in the history of the *Inventory of Heritage Resources*. Most properties included on the Register do not have evaluation sheets (or equivalent) that can document the priority level that was assigned. The assigned priority level often reflects a perceived value of a property at the time it was added to the Register (*Inventory of Heritage Resources*).

A survey of Heritage Planners in Ontario was undertaken to identify best practice and obtain insight from other communities. The survey results informed this analysis and are presented in Appendix C.

A number of issues/matters related to the prioritization of properties on the Register have been identified:

- Absence of evaluation criteria for the application of priority levels/inconsistent use of priority levels;

- Assigned priority level does not change review process when a demolition request is received;
- Confusion created from priority levels of the *Inventory of Heritage Resources* and the ranking of an Heritage Conservation District Plan;
- Bias towards architectural or physical criteria, at the potential expense of contextual or historical criteria; and,
- Perceptions that only Priority 1 resources are worth conserving.

While priority levels are described in the *Inventory of Heritage Resources*, no evaluation criteria to determine the appropriate priority are included. The original “category” approach of the priorities has been eroded over time. Most properties added to the Register by resolution of Municipal Council are added because it is believed that they have potential cultural heritage value. These properties have generally not been subject to a comprehensive evaluation of their cultural heritage value, but have demonstrated sufficient potential to warrant further consideration and are often characterized as being “of interest” from a cultural heritage perspective. A recent example of this are the 347 properties that were added to the Register by Municipal Council, with the advice of the LACH, arising from the Cultural Heritage Screening Report (CHSR) prepared for Rapid Transit. These properties were identified as potential cultural heritage resources by the CHSR, but were not individually evaluated or assigned a priority level.

The Council Policy Manual describes the process by which a demolition request for a heritage listed property is considered by Municipal Council. All properties listed on the Register are afforded the same process and consideration, which includes an evaluation using the criteria of O. Reg. 9/06 to determine if the property is a significant cultural heritage resources that merits designation under the *Ontario Heritage Act*. The assigned priority of a property does not affect this process.

Confusion has emerged from multiple priority and ranking systems applicable to some properties. For a property included on the Register that is now part of a Heritage Conservation District, the property could have both a prioritization and a ranking. For example, 485 English Street is an A-Ranked property in the *Old East Heritage Conservation District Plan* but is a Priority 2 property on the *Inventory of Heritage Resources*. The property at 535 Colborne Street is an A-Ranked property by the *West Woodfield Heritage Conservation District Plan* but is a Priority 3 property on the *Inventory of Heritage Resources*. The property at 2096 Wonderland Road North is another example; the property was initially listed as a Priority 1 resource, but was later changed to a Priority 2 resource, and was recently designated under Part IV of the *Ontario Heritage Act*. Conversely, the property at 4100 Glanworth Road was a Priority 1 resource but was determined to not meet the criteria of O. Reg. 9/06. Assigned priorities often have the impact of confusing the cultural heritage value attributed to a property or resource without having the benefit of a comprehensive evaluation or research to substantiate.

All properties included on the Register are believed to have some cultural heritage value. Through their listing on the Register by Municipal Council, properties are flagged for further consideration. This can result in their removal from the Register if found to not meet the criteria for designation prescribed in O. Reg. 9/06.

Elimination of the priority levels from the Register would not preclude the LACH or its sub-committees from establishing its own “priority list” of properties that it was pursuing research or designation.

**5.0 Conclusion**

Priority levels should be removed from the Register. The application of priority levels is not consistently supported by research and evaluation to apply the suitable priority level, resulting in the uneven application of this system as well as perceptions or assumptions about the cultural heritage value of a property. The use of a prioritization or scoring system is not considered to be best practice and it has no basis under the current legislation.

The cultural heritage protection afforded to a heritage listed property is a 60-day delay in the issuance of a demolition permit; all heritage listed properties are afforded the same process and consideration when a demolition request is received despite what their assigned priority level may be. The 60-day delay is intended to provide time to undertake an evaluation of the property and to pursue designation if warranted.

Municipal Council should continue to add properties to the Register as a flag – signaling that these properties are believed to be of potential cultural heritage value and merit further consideration. The application of priority levels are not required in order for a property to be added to the Register and should be removed.

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Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

January 14, 2019  
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- Appendix**  
Appendix A – Description of Priority Levels on the *Inventory of Heritage Resources* (1991, 1998, 2006)  
Appendix B – Ontario Regulation 9/06  
Appendix C – Survey Results of Best Practice in Ontario

**Sources**  
“Inventory Status Report to Planning Committee.” March 25, 1991.  
Gladysz, Mark. *Discussion Paper: Inventory of Heritage Resources: Format and Prioritization*. Local Architectural Conservation Advisory Committee. April 19, 1990.  
Ministry of Tourism, Culture and Sport. *InfoSheet: The Municipal Register of Heritage Properties*. 2016.

## **Appendix A – Description of Priority Levels on the *Inventory of Heritage Resources* (1991, 1998, 2006)**

### ***Inventory of Heritage Resources* (1991)**

#### **Section 4.0 Priority Levels**

*Priority levels indicate and justify the value of heritage resources as objectively as possible. Structures are generally assessed using a numeric grading formula and the buildings fall into one of several categories. All buildings listed in the *Inventory of Heritage Resources* have already been screened and represent the most interesting 2% of the city's building stock. Therefore, all listed buildings have architectural, historical or contextual importance.*

*Priorities can also indicate the degree of change that should be allowed to a structure. Generally, the most important structures should be protected and restored as far as practical, whereas less important structures could have a greater degree of flexibility to accommodate changes in personal taste, land-use, market conditions, etc.*

*Priority levels of heritage resources in London should be based on the following principles:*

- 1. All buildings should be assessed according to standardized evaluation criteria.*
- 2. Preservation of heritage structures should reflect every aspect of a community's history. It should be concerned with buildings in less affluent areas as well as those in more affluent areas. Buildings should be evaluated in relation to their importance within their own neighbourhood (or area).*
- 3. It is recommended that the categories of heritage resource be referred to as Priority One, Two, Three or Four. Priority One buildings deserve more consideration, have greater precedence and require more stringent intervention, while Priority Four buildings do not require such a rigorous response and may only require photographic documentation should they be demolished.*
- 4. It is inappropriate to draw fine distinctions between evaluated buildings with different numeric scores. An evaluated building with a score of 74 is not significantly "better" than a building with a score of 69, because both buildings would likely be in the same category (Priority Two). It is appropriate, however, to infer that there is a qualitative difference between buildings in different categories.*

#### **Section 4.1 City of London's Heritage Categories for Built Form**

##### **Priority One**

*These buildings are London's prime heritage buildings worthy of individual designation under Part IV of the Ontario Heritage Act, based on their architectural and/or historic value. These buildings have otherwise been designated under Part V of the Ontario Heritage Act, as part of a heritage district.*

*In general, repair and maintenance of the exterior and listed interior features of these structures should be the only work permitted. Significant alterations, deletions, and additions to these buildings is considered inappropriate.*

##### **Priority Two**

*Priority Two buildings also have significant architectural and/or historical value. In potential heritage districts, they are integral heritage components of areas and, collectively, they prove responsible for its character. Like Priority One buildings, those in the Priority Two usually warrant individual designation under Part IV of the Ontario Heritage Act.*

*Sympathetic alterations and/or additions to the exterior and to listed interior elements may be allowed in order to maintain the economic viability of the structure.*

##### **Priority Three**

*Priority Three buildings in a heritage district are heritage components of the area and contribute to its overall heritage identity. Outside of heritage districts these buildings exhibit good design elements or demonstrate building forms that were significant in London's architectural development. They may warrant individual designation.*

*Exterior alterations are permitted where deemed appropriate.*

#### **Priority Four**

*Priority Four buildings are of minor heritage value but are located in potential heritage districts. If demolished, the buildings may warrant photographic documentation.*

### **Inventory of Heritage Resources (1998)**

#### **Section 4.0 Priority Levels**

*Priority levels indicate and justify the heritage value of the resource as objectively as possible. Buildings are generally assessed using a numeric grading formula and fall into one of several categories. All buildings listed in the Inventory of Heritage Resources have already been screened and represent the most valuable of the City's building stock. Therefore, all listed buildings have architectural, historical or contextual importance.*

*Priorities can also indicate the degree of change that should be allowed to a structure. The most important structures should be protected and restored as far as practical.*

*Priority levels of heritage resources in London are based on the following principles:*

- 1. All buildings are assessed according to standardized evaluation criteria.*
- 2. Preservation of heritage resources should reflect every aspect of a community's history. It should be concerned with buildings in less affluent areas as well as those in more affluent areas. Buildings are evaluated in relation to their importance within their own neighbourhood (or area).*
- 3. The categories of heritage resources are referred to as Priority One, Two, Three, or Nine. Priority One buildings deserve more consideration, have greater precedence and require more stringent intervention, while Priority Three buildings do not require such a rigorous response and may only require photographic documentation should they be demolished.*

**Priority 1** buildings are London's most important heritage structures and all merit designation under Part IV of the Ontario Heritage Act. They are worthy of protection through whatever incentives may be provided in terms of zoning, bonusing or financial advantages and, if necessary, may be designated without owner's consent. This group includes not only landmark buildings and buildings in pristine condition, but also less well-known structures with major architectural and/or historical significance and important structures that have been obscured by alterations which are reversible.

**Priority 2** buildings warrant designation under Part IV of the Ontario Heritage Act on application by owner. They have significant architectural and/or historical value and may be worthy of protection by whatever incentives may be provided through zoning considerations, bonusing, or financial advantages.

**Priority 3** buildings may warrant designation as part of a group of buildings designated under Part IV of the Ontario Heritage Act or as part of a heritage conservation district designated under Part V of the Act, even though these buildings are seldom worthy of designation individually. They may have some important architectural features or historical associations, be part of a significant streetscape or provide an appropriate context for buildings of a higher priority.

**Priority 9** is restricted to buildings in heritage conservation districts which individually have little or no heritage value.

### **Inventory of Heritage Resources (2006)**

#### **Section 4.0 Priority Levels**



*Priority levels indicate and justify the heritage value of the resources as objectively as possible. Buildings are generally assessed using a numeric grading formula and fall into one of four categories. All buildings listed in the Inventory of Heritage Resources have already been screened and represent the most valuable of the City's building stock. Therefore, all listed buildings have architectural, historical, and/or contextual importance.*

*Priorities can also indicate the degree of change that should be allowed to a structure. The most important structures should be protected and restored as far as practical.*

*Priority levels of heritage resources in London are based on the following principles:*

- i. All buildings are assessed according to standardized evaluation criteria*
- ii. Preservation of heritage resources should reflect every aspect of a community's history. It should be concerned with buildings in less affluent areas as well with those in more affluent areas. Buildings are evaluated in relation to their importance within their own neighbourhood (or area).*
- iii. The categories of heritage resources are referred to as Priority One, Two, Three or Nine. Priority One buildings deserve more consideration, have greater precedence and require more stringent intervention, while Priority Three buildings may not require such a rigorous response.*

**Priority 1** buildings are London's most important heritage structures and all merit designation under Part IV of the Ontario Heritage Act. They are worthy of protection through whatever incentives may be provided in terms of zoning, bonusing or financial advantage and may be designated without the owner's consent. This group includes not only landmark buildings and buildings in pristine condition, but also lesser well-known structures with major architectural and/or historical significance and important structures that have been obscured by alterations which are reversible.

**Priority 2** buildings merit evaluation for designation under Part IV of the Ontario Heritage Act. They have significant architectural and/or historical value and may be worthy of protection by whatever incentives may be provided through zoning considerations, bonusing or financial advantages.

**Priority 3** buildings may merit designation as part of a group of buildings designated under Part IV of the Ontario Heritage Act or as part of a Heritage Conservation District designated under Part V of the Act, even though these buildings are often not worthy of designation individually. They may have some important architectural features or historical associations, be part of a significant streetscape or provide an appropriate context for buildings of a higher priority.

**Priority 9** is restricted to buildings in Heritage Conservation Districts which individually have little or no heritage value.

## Appendix B – Ontario Regulation 9/06

### Ontario Heritage Act

#### ONTARIO REGULATION 9/06

##### CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST

**Consolidation Period:** From January 25, 2006 to the [e-Laws currency date](#).

No amendments.

*This is the English version of a bilingual regulation.*

##### Criteria

1. (1) The criteria set out in subsection (2) are prescribed for the purposes of clause 29 (1) (a) of the Act. O. Reg. 9/06, s. 1 (1).

(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. O. Reg. 9/06, s. 1 (2).

##### 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 January 24, 2006. O. Reg. 9/06, s. 2.

## Appendix C – Survey Results of Best Practice in Ontario

A survey was distributed to Heritage Planners in Ontario to identify benchmarks and best practice in other communities in the management of heritage listed properties included on a Register pursuant to Section 27 of the *Ontario Heritage Act*. In total, eighteen responses were received.

### Municipalities:

- City of Kingston
- Municipality of Trent Hills
- City of Windsor
- City of Markham
- Town of Niagara-on-the-Lake
- City of Pickering
- City of Peterborough
- City of Burlington
- Town of Ajax
- Town of Oakville
- City of Vaughn
- City of Hamilton
- Town of Richmond Hill
- City of Toronto
- Municipality of Port Hope
- Region of Waterloo
- Township of North Dumfries
- Town of Cobourg

Seventeen of the eighteen respondent municipalities maintain a register pursuant to Section 27 of the *Ontario Heritage Act*. In some municipalities, the Register is maintained by the Clerk or the Heritage Planner (and some jointly), whereas the Municipal Heritage Committee maintain the Register in other municipalities. Some municipalities had no heritage listed properties (non-designated properties) included on the Register, whereas other municipalities had over 30,000 heritage listed properties included on their Register.

The majority of municipalities use the criteria of O. Reg. 9/06 to determine the eligibility of a property to be added to their Register. Some municipalities have additional criteria that are considered in addition to the criteria of O. Reg. 9/06. Evaluations to determine a property's eligibility for inclusion on the Register focuses on the property's potential for cultural heritage value pursuant to the criteria of O. Reg. 9/06, often stopping short of a comprehensive evaluation of the property. Four of the eighteen municipalities rely on the belief of Municipal Council to add a property to the Register, which could be informed by a belief in the property's potential to meet the criteria of O. Reg. 9/06.

None of the municipalities surveyed indicated that properties listed on their Register are ranked, prioritized, or scored. In comments received, it was characterized as an older methodology that prioritized age of a structure and its architectural merits, often at the expense of broader cultural heritage values recognized today. General trends in heritage conservation discourage scoring properties.

Many municipalities noted legacy issues with ranking, prioritizing, or scoring properties. One Heritage Planner noted:

*We used to score or rank through a process called the Built Heritage Evaluation (BHE). However, in 2016, we decided against further use of the form. It prioritized very few buildings and would sometimes even screen out culturally significant properties from having a high enough "value" because it wasn't old enough or unique enough in architecture. Many modest heritage buildings in HCDs were lost in this fashion. Another example of the form's problems was how*

*it graded according to age - anything from before 1820 the highest points, but anything from 1821-1850 would start at a significantly "lesser" value. However, the [REDACTED] history has many settlements with a later founding date because gradual settlement of the area prior to 1880's. This does not make them any less significant locally, but it was used by anti-conservation individuals as "proof" to not conserve. Basically, what was meant to be a tool in the late 1990's to identify potential heritage properties, became a weapon. Now, we use Ont. Reg. 9/06 because it better allows us to see a property in context, although we are still having problems with borderline heritage properties in our HCDs.*

The only cultural heritage protection afforded to a property listed on a Register pursuant to Section 27 of the *Ontario Heritage Act* was a 60-day delay in the issuance of a demolition permit. The 60-day delay is intended to provide time to undertake an evaluation of the property and to pursue designation and protection if warranted. Identifying a property as a lower priority could be problematic if found to have more significant or different cultural heritage value than originally anticipated (or vice versa) through more detailed research and evaluation. Generally, most municipalities list properties on the Register as "of interest" and undertake detailed evaluation when under threat of demolition or a designation is requested.

Because heritage approvals are not required by most municipalities to alter a heritage listed property, ranking or prioritization could be affected by alterations to a property. Ranking or prioritization would require re-assessment to maintain its validity over time.