



Ontario Heritage Act

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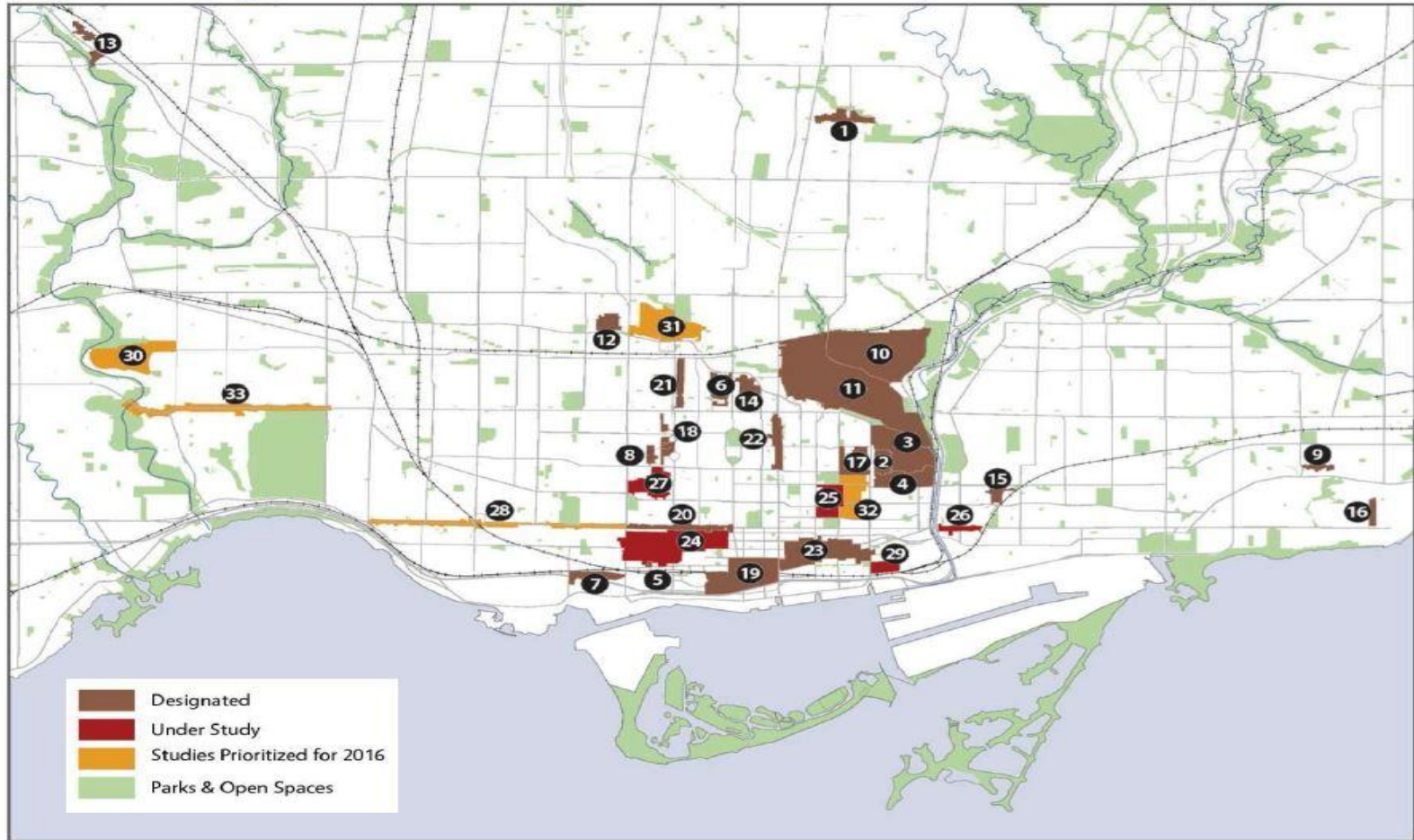
Overview

Ontario Heritage Act:

- Ontario Heritage Act (OHA) passed in 1975
- Until 2005 property designation merely allowed delay of demolition permit
- 2005 amendments added ability to create heritage conservation districts (“HCDs”)
- January 2012: 20 HCDs in the City of Toronto
- February 2017 –24 approved HCDs and another 29 HCDs in the works
 - 7 HCD studies and plans completed in 2015/2016, 11 HCD studies and plans prioritized in progress and 11 HCD studies authorized but not yet prioritized

Map of HCDs in Toronto – Schedule A

Heritage Conservation Districts in Toronto



Part IV – Individual Property Listing

- Municipality keeps register of properties of cultural heritage value or interest
- If listed (but not designated) must give municipal Council 60 days' notice for demolition or removal



Part IV – Individual Property Designation

- Landowner may object to designation
 - Hearing held before Conservation Review Board (CRB)
 - CRB makes recommendation
 - Council makes final decision
- Once designated, no demolition or alteration without Council consent
 - Demolition – Council decision appealable to OMB
 - Alteration – Council decision goes to CRB
- Heritage designation broad – includes not only buildings and structures, but also lands upon which structure situated

Part V – Heritage Conservation Districts

- HCD Study (Section 40 of OHA)
 - makes recommendations for HCD (e.g., geographic boundaries and content)
 - designated as study area for 1 year – municipality may prohibit or limit erection, demolition or removal of buildings and structures within area
 - Study area by-law appealable to OMB (unless property already designated under Part IV, in which case Part IV rules apply)
- HCD Plan
 - Public meeting required
 - By-law designating HCD appealable to OMB
 - Once HCD designated, permit required for erection, demolition or alteration
 - Council decision re: permit appealable to OMB

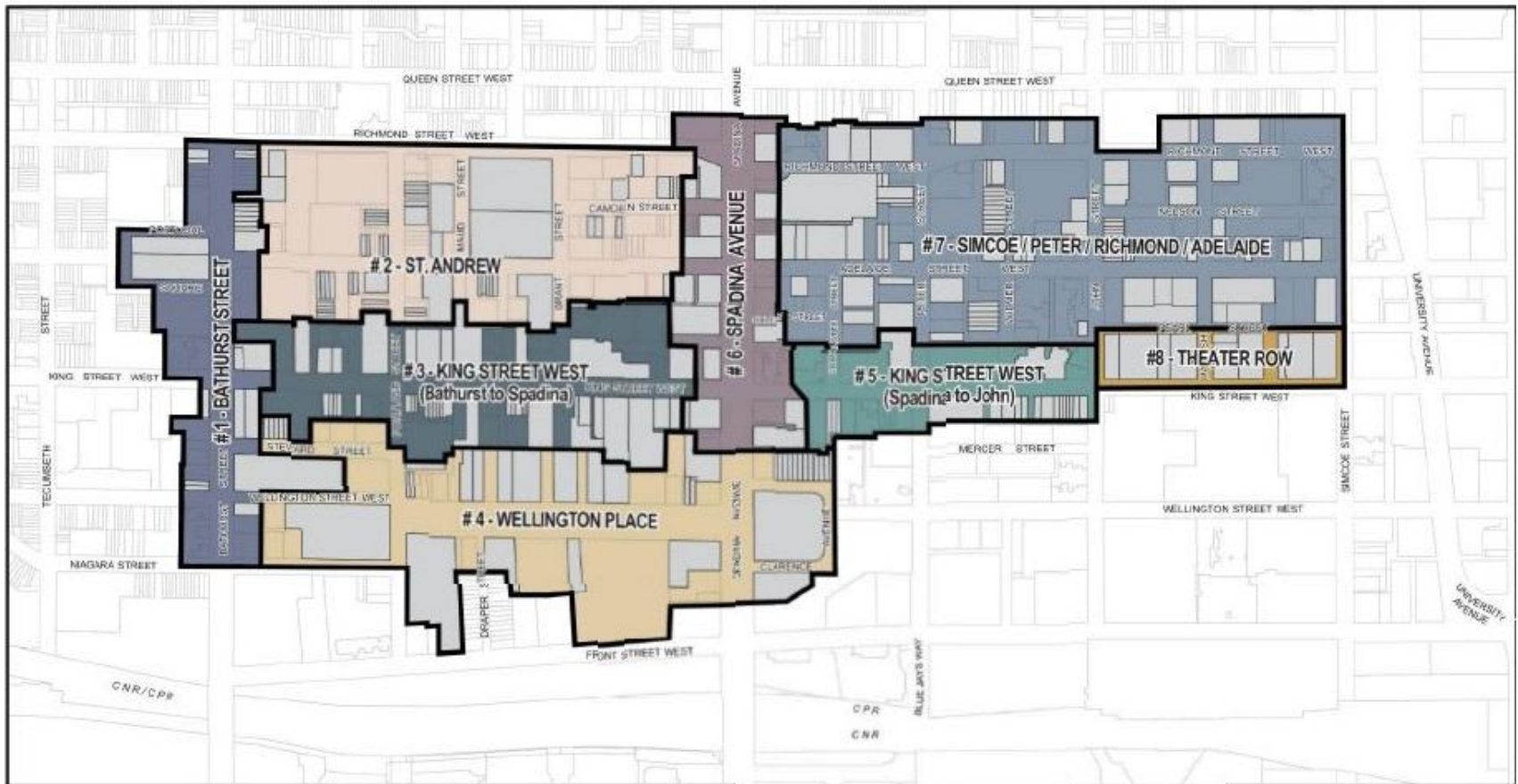
Implications of HCD

- Introduces additional “designations” and associated obligations
 - Character Subareas
 - Contributing Properties
 - property that supports the identified significant culture heritage values, character and integrity of the HCD
 - Non-Contributing Properties
 - Property that does not support the overall cultural heritage values, character and integrity of the HCD

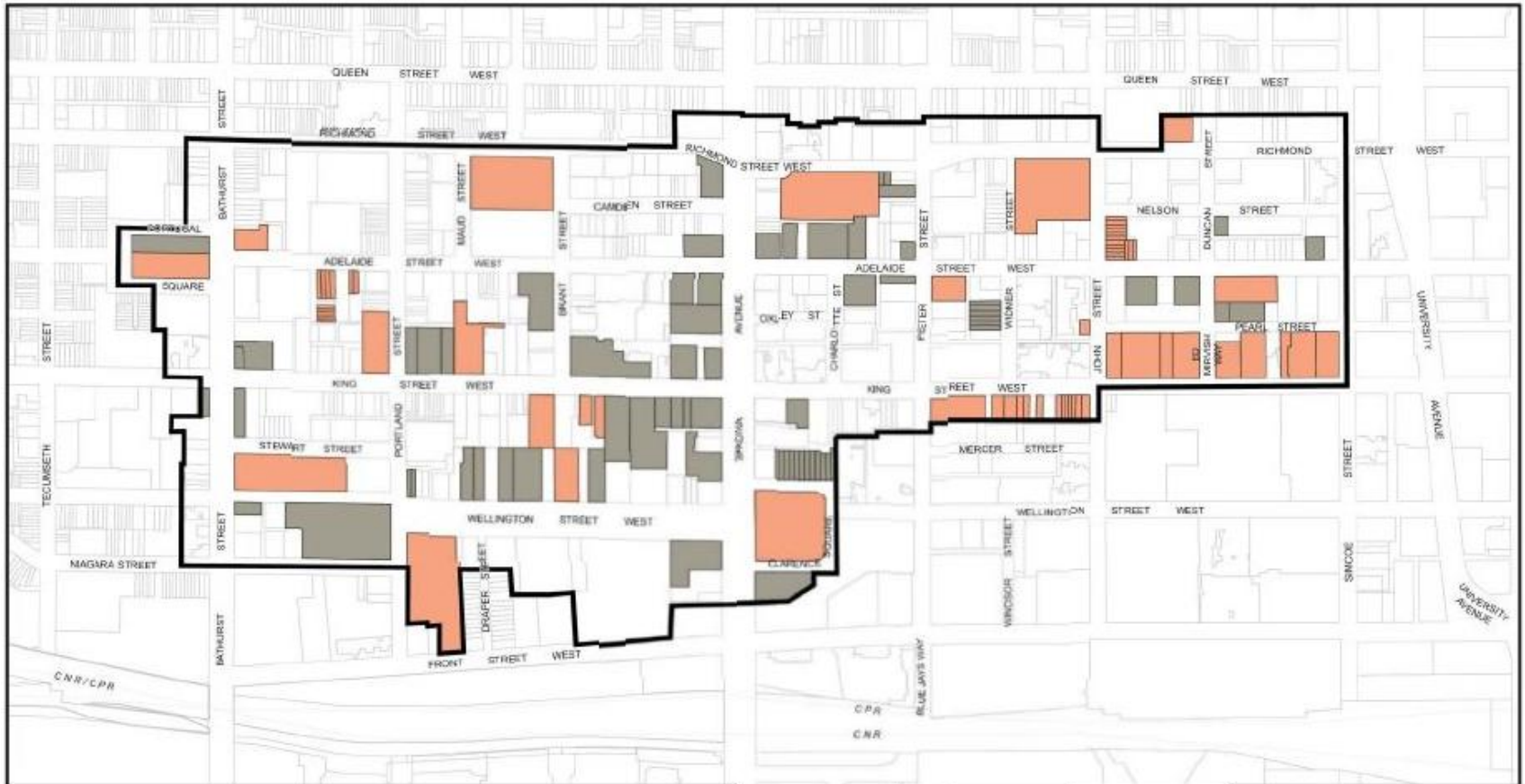
King-Spadina Heritage Conservation District

- 45 hectares of land
- 8 character subareas
 - Areas within HCD with distinctive built form typologies
- Contains 512 properties
 - 65 listed or designated properties (Parts IV & V)
 - 4 properties subject to heritage easement agreements
 - 287 contributing properties

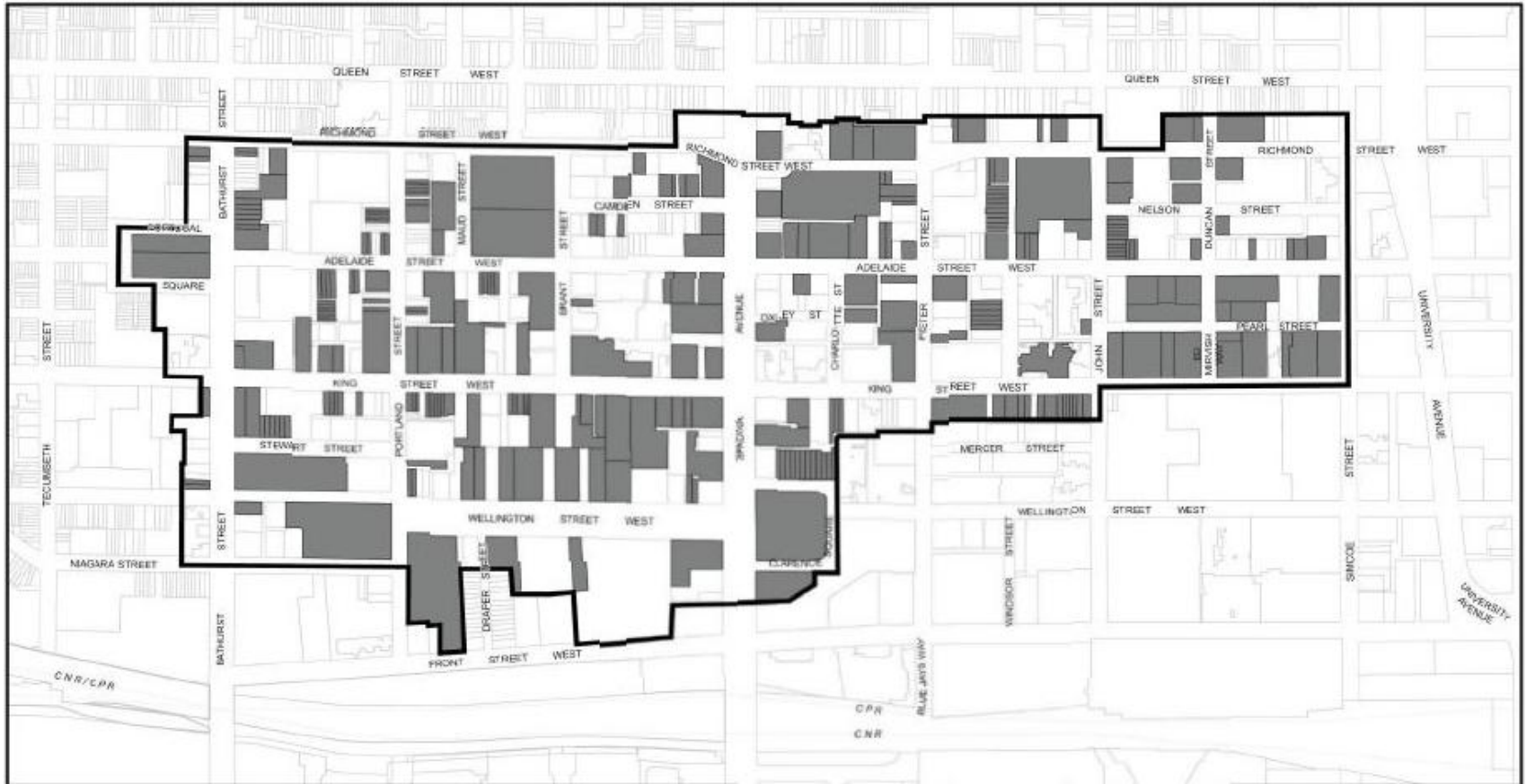
Map of Character Sub Areas – Schedule C



Map of Heritage Register – Schedule B



Map of Contributing Properties – Schedule D



King-Spadina Heritage Conservation District Policies

- Contributing Properties
 - No demolition unless integrity of contributing property lost
 - Heritage Impact Assessment required for alterations or additions
 - Restoration must reinstate building features from period to which being restored
 - Alterations must be complementary and subordinate to HCDs cultural and heritage attributes
 - Additions must conserve buildings' three dimensional integrity
 - Death of facadism?
 - Additions must be complementary with scale, height, massing and form of HCD, contributing property and adjacent contributing properties

King-Spadina Heritage Conservation District Policies

- Non-Contributing Properties
 - Demolition not permitted until plans for replacement building approved
 - Replacement building must conform to HCD policies
 - Alterations and additions not permitted unless demonstrate heritage attributes of HCD conserved
 - Alterations shall conserve cultural and heritage attributes of HCD and adjacent contributing properties
 - Additions must be complementary with scale, height, massing and form of HCD, contributing property and adjacent contributing properties

Potential Impact of HCDs on Development

- While preserving history laudable goal, may prevent or limit change, growth and reinvestment within HCD areas
- e.g., King-Spadina HCD
 - Appears to isolate goals to specific historical period (1880-1940)
 - No recognition of modifications and renovations over time
 - Onerous obligations placed on landowners
 - restoration of building to iteration from previous time period
 - requirement to meet contributing property policies for extensively modified and renovated buildings

QUESTIONS?



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