

MUNICIPAL HERITAGE PLANNING IN CANADA

by

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B.A., McGill University, 1974

A THESIS SUBMITTED IN PARTIAL FULFILMENT OF
THE REQUIREMENTS FOR THE DEGREE OF
MASTER OF ARTS

in

THE FACULTY OF GRADUATE STUDIES
(School of Community and Regional Planning)

We accept this thesis as conforming
to the required standard

THE UNIVERSITY OF BRITISH COLUMBIA

1981

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ABSTRACT

Municipal Heritage Planning in Canada: A Profile of Ten Cities

The need to conserve physical evidence of the past or "heritage", in a changing urban environment, has manifest itself in a new aspect to municipal planning.

This thesis examines municipal heritage planning in Canada from the following perspectives:

- (a) the events leading to and comprising municipal involvement in its heritage;
- (b) the role of the heritage planner;
- (c) the tools available to municipalities for heritage preservation.

Based on the premise that the appointment of the heritage planner is a significant point in the evolution of the planning profession and the conservation movement, the thesis focuses on those cities which have a heritage planner. A questionnaire was sent to sixteen cities where heritage activity was taking place. Ten of these qualified for inclusion in the analysis by virtue of having one or more Heritage Planners on staff.

While the primary jurisdiction for the regulation of heritage property rests with the Provincial Government, the provinces have recently given municipalities the power to protect their own cultural resources through designation. These powers are rarely sufficient and have compelled municipalities to use other tools to achieve protection either with or without designation. These mechanisms can range from "soft" incentives which require little commitment from the municipality in terms of time and money spent (for example, moral suasion), to "harder" mechanisms such as outright purchase.

The role of the Heritage Planner will continue to be the development and administration of these tools together with other heritage programs such as the Inventory and Evaluation of the city's cultural resources and the education of the public and private sectors about heritage preservation.

A central conclusion of this thesis is that current municipal activity in heritage preservation is directed, in large part, towards ameliorating the negative economic consequences of heritage designation. More could be done by setting designation aside as a primary concern and using the existing tools at the municipality's disposal to encourage the private sector to undertake preservation activities. The opportunity for the Heritage Planner rests in using these tools and developing new ones.

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ACKNOWLEDGEMENTS

I should like to gratefully acknowledge the following for their help:

- Professors Michael Seelig and Brahm Wiesman for their guidance;
- The British Columbia Heritage Trust for awarding me the Peter Cotton Scholarship (80-81) for studies in Heritage Conservation;
- The Heritage Planners across Canada who replied to my questionnaire;
- Barbara Humphries of the Canadian Inventory of Historic Building for giving me my first exposure to heritage preservation and for supporting that interest over many years;
- Diana Bodnar for access to her private library;
- My family for their constant support.

I should also like to acknowledge the past and continuing contribution of volunteers such as Mary Roaf, the late Eleanor Holt and many others across Canada. Without their activism and selfless work within heritage societies and other community groups, municipal heritage planning could not have become an issue to be described in this thesis.

INTRODUCTION

The profession of planning continues to evolve, reflecting the needs of different communities. The need to conserve physical evidence of the past or "heritage" in a changing urban environment has manifest itself as a new fact in municipal planning in Canada.

This thesis describes Municipal Heritage Planning in ten Canadian cities as seen through the following:

- (a) the events leading to and comprising municipal involvement in its heritage;
- (b) the role of the Heritage Planner;
- (c) the tools available for the encouragement of municipal heritage preservation.

Heritage in its broadest sense can include anything from the past. For the purpose of this study, the definition will focus on those historic, aesthetic and cultural components of the urban built environment which are of concern to the municipality. The City of Halifax describes its heritage as "...sites, structures, buildings and environments of historic, architectural or cultural interest." Heritage Planning, in general, is any activity related to the protection of this heritage. Specifically it can refer to activities such as the Identification, Evaluation, Designation and Promotion of that heritage. Further definitions are included in Appendix H.

While heritage planning occurs in many other communities and by many actors apart from the Heritage Planner, the existence of this staff position responsible for heritage activities was felt to be an important point in the evolution of municipal heritage planning. It represented the climax of a sequence of events often initiated by community mobilization against threats to landmark buildings and environments.

A survey was conducted by means of a questionnaire circulated to sixteen cities across Canada where heritage activity was known to be taking place,

but where the existence of a Heritage Planner had not yet been determined. Fifteen replies were received, of which ten qualified by virtue of having one or more Heritage Planners on staff. This position could be titled a Heritage Planner, Heritage Officer, Heritage Coordinator or Planner. The criterion, for the purpose of this survey, was that they be recognized by the bureaucracy as having full or part-time (greater than 25% of their time) responsibility for municipal heritage preservation activities. Information from the questionnaires was supplemented by readings and interviews.

Local government was chosen as the scene for this survey for several reasons. Whereas the federal and provincial governments are involved with the protection of heritage with the significance appropriate to their level of responsibility, the greatest potential for the preservation of the urban environment exists at the local level.

Provincial governments across Canada have passed on responsibilities for local heritage designation to the municipality over the past eight years. This legislation was created by means of a new Heritage Act, amendments to existing Planning Acts or a combination of the two.

The nature of this enabling legislation often presented barriers to the municipality by holding back some of the powers of the province with respect to municipal designation. Heritage Conservation Districts in Ontario and Saskatchewan, for example, have to be approved by a provincial government review board. This board also has the authority to repeal any municipal heritage designation. In British Columbia and Alberta the municipality (unlike the province) is obliged to pay compensation for economic loss resulting from heritage designation. This requirement for compensation is not accompanied by the provision of funds for the support of monetary incentive programs.

Municipalities have consequently been compelled to use tools apart from designation. These mechanisms are listed in Table 2 and range from "soft" incentives which require very little commitment from the municipality in terms

of time or cost (e.g. Moral Suasion or Persuasion) to "harder" incentives such as outright Purchase which requires more commitment both in terms of time and money.

The role of the heritage planner is closely tied with that of an advisory committee to Council in the preparation, evaluation and implementation of heritage programs such as an Inventory of Historic Resources, Designation, or programs using the incentive mechanisms listed in Table 2. The Heritage Planner is also involved with other city, provincial, federal and community contacts in carrying out and coordinating these responsibilities. An important aspect of their role is educating the public and private sector with respect to the opportunities of heritage preservation in general and informing them of specific programs which could help realize those opportunities.

The results of this survey demonstrate, for the first time, the expansion of the function of planning in Canada, which now incorporates heritage preservation as an integral part of the planning process in urban environments. This has culminated in the emergence of the "Heritage Planner" as an entity within the profession.

This thesis also establishes the fact that much of current municipal activity in heritage preservation is directed towards ameliorating the negative economic consequences of heritage designation on the private sector. A great deal more could be done by setting designation aside as a primary concern and using the existing tools at the municipality's disposal to encourage the private sector. The opportunity for the Heritage Planner rests in using these tools to their best advantage in negotiating with the private sector to preserve the City's heritage.

CHAPTER I: EVOLUTION

Introduction

This chapter describes contemporary and historical influences on the evolution of municipal heritage planning in Canada. These influences are described as follows:

- (a) The influence of the Provincial Government in creating legislation which enabled municipalities to protect their heritage resources.
- (b) The influence of local activity which lobbied for provincial enabling legislation and municipal heritage programs.
- (c) The influence of the Federal Government through the creation of the Canadian Inventory of Historic Building and Heritage Canada.
- (d) The historical influence of ideas and legislation in Germany, Great Britain and France.
- (e) The influence of international ideas through U.N.E.S.C.O. and nationally through Heritage Canada.
- (f) The influence of the United States.
- (g) The influence of ideas which gave added dimension and support to the evolution of heritage planning.

While these influences are described separately, it was a combination of all of them over time which caused municipal heritage planning in Canada to evolve. Figure 1 illustrates this interaction.

(a) Influence of the Provincial Government

The most recent influence on the evolution of municipal heritage planning has been the delegation to the municipality of responsibility for the protection of heritage property which has local significance. This power has been delegated by Provincial Governments through their authority to regulate property under the British North America Act.¹ This trend has been followed to varying degrees over the past eight years as illustrated in Table 1, and in all provinces with the exception of Quebec, where legal responsibility for the

protection of all heritage property remains with the province. The provinces of Manitoba, Newfoundland and Prince Edward Island have given special enabling powers for heritage protection to their respective capitals but this power has not as yet been extended to the other cities.

In providing municipalities with the power to protect their own heritage resources, the provinces did not always delegate all of the powers which it had in the area of preservation. For example, in British Columbia² (apart from Vancouver) and Saskatchewan³, the provinces can waive building and fire code requirements in the case of rehabilitating heritage structures, while municipalities cannot. In addition, the provinces did not complement the enabling legislation with funds to help support municipal heritage programs, but rather increased the drain on municipal financial resources, in the case of British Columbia and Alberta,⁴ by obliging the payment of compensation to the owners of designated heritage property.

While these factors have caused problems for the municipalities, they have also necessitated innovative heritage programs which make use of, complement or ignore provincial enabling legislation.

(b) Local Influence

The delegation of power for heritage preservation by the Province to the City represented the formal recognition of a local concern for the protection of its heritage. This concern had grown in strength over the past decade and was an important impetus for the creation of this enabling legislation. While local activity in heritage preservation was not a new phenomena⁵ it often needed a crisis on which to focus public awareness. In Vancouver, that crisis was Project 200 and a threat to Gastown.⁶ Halifax faced a similar freeway threat to its waterfront buildings.⁷ Groups such as the Vancouver Community Arts Council, Montreal's Save Montreal and Ottawa's Capital for Canadians swelled during the 1970's as consciousness of conservation in general⁸ confronted the increasing impacts of urban growth such as urban renewal and freeway construct-

ion.⁹ The fires were fanned by publications of Heritage Canada¹⁰ which spread word of recent confrontations and developments in other municipalities, provinces and countries, to member societies and individuals across the country. Heritage Canada encouraged an awareness of national and international activity through its publications and provided financial support to new heritage societies forming in its image. Heritage Canada was itself the product of the federal government and is evidence of the influence of international ideas on Canadian federal policy.

A brief description of the evolution of this policy in the area of heritage conservation follows.

(c) National Influences

The Historic Sites and Monuments Board was established in 1919, two years after the first National Historic Park, for the purpose of advising the Minister on the national historic significance of persons, places or events.

While the role of the Board has not changed, its supporting research arms have played a part in influencing heritage awareness and participation across Canada. One of these is the Canadian Inventory of Historic Building.

The Canadian Inventory of Historic Building

The support services for the Historic Sites and Monuments Board started a nation-wide inventory of historic building in 1970. This Canadian Inventory of Historic Building was intended to help the Board make more accurate decisions as to the nation's more significant sites but its side benefits had even greater impact.

Issue No. 4 of the National Historic Parks' News expresses some of these side effects.

"The data compiled through this National Historic Sites Service survey will ultimately be made available, in catalogue form, to all provinces for use in their own planning in this field. In preparing a basis for building evaluation, the Service team will also help to encourage efforts of interested individuals and private enterprise in restoration and use of worthwhile structures ... The Minister expects that the inventory will provide a valuable basis for federal-provincial cooperation in preserving

buildings with the greatest historical and architectural significance throughout Canada."¹¹

While the initial justification for this inventory was rather limited in scope, its long term ramifications for heritage policy across Canada and, through feedback, to Parks Canada, were significant. The C.I.H.B., with a list of over 200,000 sites across Canada, has provided a data base on which municipalities can build their own heritage Inventories and preservation programs. The Research arm of the C.I.H.B. has provided guides to recognizing and evaluating Canadian heritage architecture,¹² and through the employment of students under Opportunities for Youth and Winter Works Programs, it has educated and sensitized people to heritage across Canada.

The Heritage Canada Foundation

Concurrent with the formation of this Inventory, a study was carried out by the Department of Indian Affairs and Northern Development "...regarding the creation of some form of National Trust, through which sites, buildings and furnishings of national historic importance (could) be donated or acquired and preserved."¹³

This National Trust, modelled on the British and American National Historic Trusts became Heritage Canada, incorporated in 1973 with an initial endowment of 12 million dollars provided by the federal government.

"The main purpose of Heritage Canada, said Mr. Chretien, (then Minister of Department of Indian Affairs) is to enlist the active interest and participation of all Canadians who would like to share in the important task of preserving the nation's historic and natural heritage and who would be glad of an opportunity to contribute their services and money to this cause. It has been the experience in other countries that an active, independently structured national trust can create an environment of citizen involvement which attracts greatly increased public support and participation."¹⁴

Heritage Canada (now the Heritage Canada Foundation) has had a substantial impact in influencing government legislation and policy with respect to heritage preservation at all levels. The Area Conservation Program was a significant impetus to Heritage Planning at the municipal level. Through this pro-

gram, Heritage Canada has financed in whole or in part studies of potential municipal conservation areas. It has also invested in the property, provided the following conditions were met:

- the conservation area had sufficient merit;
- there was a strong public commitment to the area;
- There was legislation at the municipal level to create and enforce protection of the area;
- a foundation was created to administer the area.

These conservation districts were of significant impetus in Winnipeg, St. John's, Newfoundland and 9 other cities across Canada.

While the Canadian Inventory of Historic Building could encourage public awareness of historic building through a government program, Heritage Canada was free to actively lobby for better legislation. The publication of its Brown Paper on Legislation in 1975 attempted to provide a prototype for this legislation. Some of the points included in this model provincial heritage legislation are as follows:

- the Provincial Minister and the municipalities are to be given powers concerning the ownership, study, control and financing of heritage properties;
- properties designated as heritage by either the Minister or the municipality cannot be altered or destroyed without specific approval from these circumstances;
- the Minister may exempt heritage properties from building and fire codes;
- heritage property must be maintained by the owner, and if required, the municipality or Minister may order and enforce maintenance and repair at the owner's expense.¹⁵

(d) European Influence

"It is a matter of intimate duty of conscience on the part of city

governors, to care for the older monuments, not in amateur fashion ... but of set purpose as one of the most important objects of civic administration."

1902 the Burgomaster of Hildesheim¹⁶

The evolution of state policies related to the preservation of historic sites has been described in great detail by authors such as John Harvey¹⁷ who has traced it to the third and fourth centuries A.D. For the purpose of this discussion we are primarily interested in recent developments related to defining conservation beyond the scope of preserving monuments and in enabling government at the local level to have a say in what should be conserved and how. A list of heritage legislation is included as an appendix.

The first "...explicit programme and directive for conservation...in the world...stemmed directly from the work of Louis X."¹⁸ The 1818 decree of Ludvig X, Grand Duke of Hesse-Darmstadt, discusses the basis for heritage policy which holds true for all levels of government to this day. It covers such basic items as the following:

1. a preliminary and detailed Inventory
2. the establishment of a "learned" Advisory Board
3. a form of Impact Assessment to monitor the impact of "excavation" or development on heritage property
4. very significantly, the responsibility for care of monuments was to be the duty "of all public authorities" and not just the supreme monarch.

The concept of "das Stadtbild - the general townscape produced by the large number of humbler domestic monuments..."¹⁹, which was expressed in Germany in 1904, helped extend the evolving scope of heritage conservation beyond the monumental and closer to the more holistic view of conservation accepted today.

The British Ancient Monuments Act of 1931 extended responsibility for the conservation of local monuments to local officials. It also extended this authority "...to protect not only monuments but also the areas surround-

ing them."²⁰ This authority was again expanded through the 1932 Town and Country Planning Act to protect buildings and groups of buildings other than ancient buildings. The concept of conservation areas was promoted by the Civic Trust since its founding in 1957 and eventually legislated under the Civic Amenities Act of 1967 enabling local authorities to designate areas of architectural and historic interest.

This increase in local cultural autonomy was not without its deficiencies.

"While the character and appearance of these areas were to be preserved and enhanced by strict planning control, the Act made no provision for the protection of buildings, other than listed buildings, within such a scheme; offered little in the way of advice on the problems of reconciling the economic and social developments of the twentieth century with the preservation of our old towns; and gave no significant financial incentive to make the idea of conservation attractive to the local authorities on whose good will it relies."²¹

In France, Law 4 of August 1962 combined an expanded context and authority for conservation in enabling the designation of historic conservation centres. It viewed "Historical, Archaeological and Architectural Interest... less in the "monumental" character of the particular building making up the group than in the overall quality."²² State and local authorities together with the individual property owners are involved in the designation and administration of these areas.

(e) U.N.E.S.C.O.

The cross-fertilization of ideas related to preservation at the International level can be seen in the International Recommendations of the United National Educational Scientific and Cultural Organization (UNESCO). While these recommendations are primarily directed toward international and national concerns, the filtering of responsibility to the local level and the expanded view of the context of conservation is illustrated in Recommendation five "concerning the Safeguarding and Contemporary Role of Historic Areas" (1976).

"Historic areas and their surroundings should be regarded as forming an irreplaceable universal heritage. The governments and the citizens of the states in whose territory they are situated should deem it

their duty to safeguard this heritage and integrate it into the social life of our times. The national, regional, or local authorities should be answerable for their performance of this duty in the interest of all citizens.

In the conditions of modern urbanization, which lead to a considerable increase in the scale and density of buildings, apart from the danger of direct destruction of historical areas, there is real danger that newly developed areas can ruin the environment and character of adjoining historic areas."²³

(f) The American Influence

Planning in Canada has been traditionally influenced by activity in Britain and the United States.²⁴ We have developed in Canada a hybrid of government intervention as accepted practice in land use regulation combined with a healthy respect for the "prerogatives of private ownership"²⁵ as guaranteed in American constitutional doctrine.

"Preservation exposes contradictory impulses in America's psyche. On one side is a genuine commitment to the goal of safeguarding the nation's historic and architectural heritage. On the other is the bias, deeply rooted in the nation's laissez-faire traditions, that private decisions should be supreme in the market-place despite their destructive impact on community values."²⁶

The American influence on Municipal Heritage Planning in Canada has been the adoption of economic and other incentives to encourage preservation by the private sector and encourage its viability. The U.S. has not been without heritage legislation at the municipal level. Its first preservation ordinance was adopted in Charleston, South Carolina in 1931 and it has a tradition of historic district zoning such as the Vieux Carre in New Orleans. The difference between the American and European influences on Canadian heritage planning lies in the importance placed with the involvement of the private sector.

(g) Concern for the protection of the urban built environment has had a long tradition in Europe and even in Canada prior to the 1960's and 1970's. Why

then, was formal municipal involvement with its past so long in coming about. The following quotations express some of the possible reasons for initial hesitancy on the part of the municipality:

1. Priorities:

"Cities are more preoccupied with day-to-day operations than with the long-range activities of preserving their culture and historical heritage."²⁷

2. Attitude Towards Progress and Misconceptions About Conservation:

"Faced with problems of changing growth and structure (Ontario towns) tend...to ignore or devalue their own unique assets and to seek "big city" characteristics as a solution...A shopping centre complex mushrooms on the fringes or as a multi-use downtown mall...The small centre welcomes these proposals as a visible sign of "progress" and they are thought to be a needed boost to the tax base."²⁸

3. Opposition of Vested Interests:

"Developers, building managers, financial institutions, brokers and title insurance companies...look askance at any governmental measure that dilutes the private sector's control over real estate decisions such as those affecting land assembly, demolition and redevelopment."²⁹

While the reasons for municipal reluctance described above have not disappeared, the arguments for heritage preservation have been strengthened by the influences mentioned earlier in this chapter and by the following ideas and events of the 1960's and 1970's.

- The Environmental Conservation Movement encompassed the Urban as well as Natural Environment.

"Until relatively recently, concern for the environment focused on the protection of natural resources - air and water quality, land conservation and wildlife preservation. As interest in the environment has intensified, a broader and more sophisticated understanding of environmental quality has emerged to encompass natural and man-made factors that make up our environment. Underlying this expanded concept is a recognition that buildings and neighborhoods should be preserved for reasons that go beyond historic or architectural significance. A "sense of place" and one of cultural continuity are increasingly accepted as genuine needs in urban American society. Equally widespread is the growing recognition that the quality of life in urban areas is intimately related to a hospitable environment. Conserving our built environment, particularly those older elements that are often more gracious and humane in terms of scale, texture and design, is now a priority in almost all urban revitalization programs."³⁰

- The Canadian Centennial celebrations of 1967 and the later celebrations of

the Prairie Provinces provided an impetus to the recognition of a national and provincial identity and heritage. Funds were also expended during these celebrations on programs related to the promotion of heritage.

- The physical and social upheaval of urban renewal created a need for the stability and sense of place which heritage preservation could provide.
- The International Style of Design which had been dominant for over half a century was losing ground to a greater appreciation for the craft of ornament and detail.

Summary

This chapter has briefly described some of the contemporary and historical influences on the evolution of municipal heritage planning in Canada. While this activity is being examined in this thesis over the course of its recent past and in the context of the local municipality, the origins of planning for heritage preservation can be traced to the fourth century A.D. and across the World.

The influences described in this chapter provide an historical backdrop against which we can observe municipal heritage planning in Canada as seen through the role of the Heritage Planner and the mechanisms for preservation at their disposal.

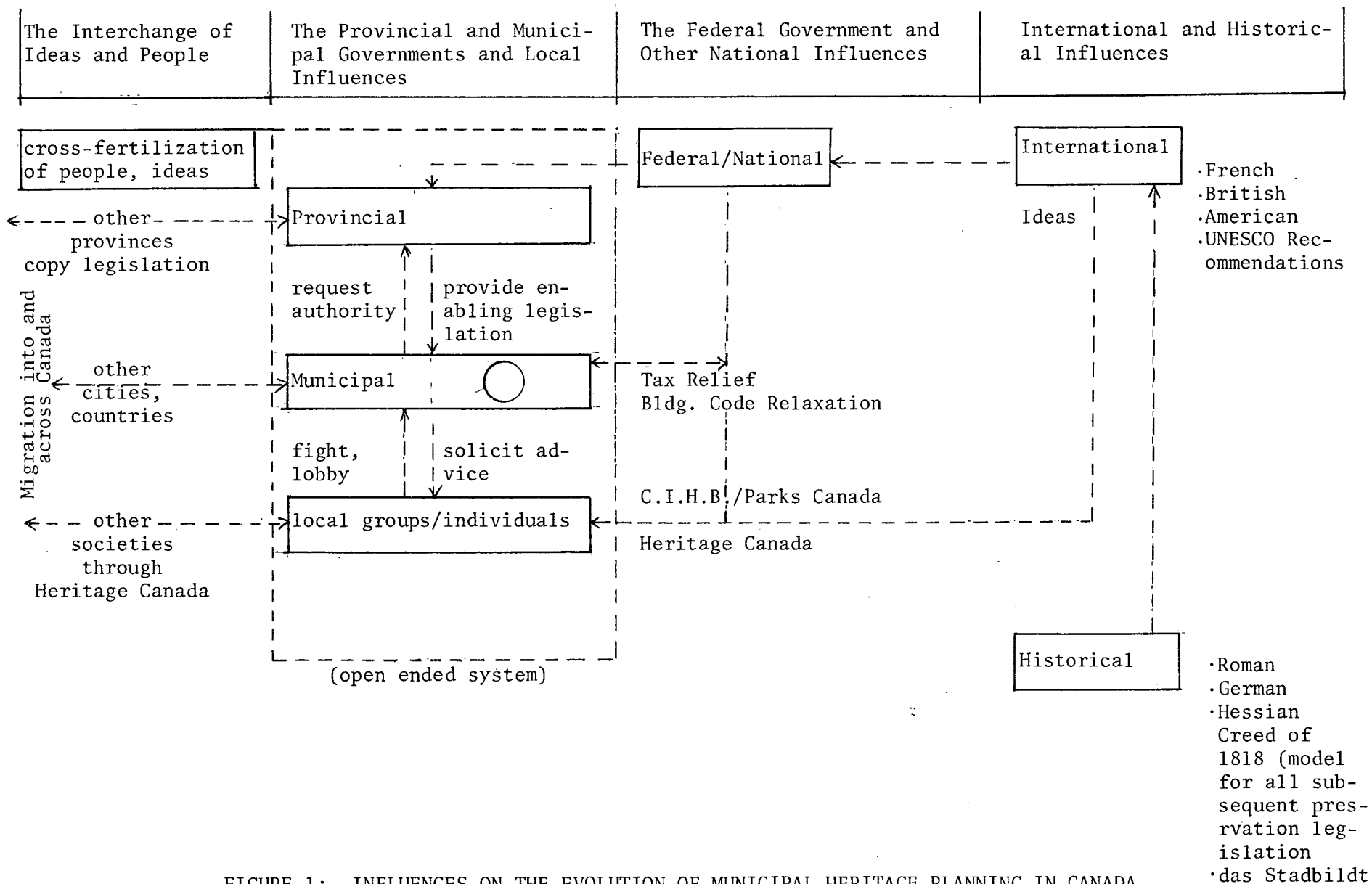


FIGURE 1: INFLUENCES ON THE EVOLUTION OF MUNICIPAL HERITAGE PLANNING IN CANADA

Footnotes

¹British North America Act, sec. 92,92.

²Heritage Conservation Act. S.B.C. 1977.

³Saskatchewan Heritage Property Act. S.S. 1980.

⁴Alberta Historical Resources (Amendment) Act. S.A. 1978.

⁵This early activity in heritage was carried out by local groups such as the B.C. Historical Society formed in 1922 and the Vancouver Community Arts Council which was formed in 1946. (Dates are from the Arts Reference Division, Vancouver Public Library, October 1981).

⁶A Case Study of Gastown in Mark Denhez, Heritage Fights Back (Toronto, Ontario: Fitshenry and Whiteside, 1978), p. 184.

⁷Barbara Lambert. "On the Waterfront - The Story of Halifax's Oldest Buildings." Heritage Canada, (Summer 1977): 21.

⁸Michael Seelig, "The role of heritage conservation in planning." (School of Community and Regional Planning, University of British Columbia, 1980).

⁹The case of Project 200 in Vancouver is an example as described in Mark Denhez, Heritage Fights Back, op.cit.

¹⁰The current bi-monthly publication of Heritage Canada is called Canadian Heritage. This was changed from Heritage Canada. Heritage Canada also published Heritage Conservation for a brief period.

¹¹Department of Indian Affairs and Northern Development National Historic Parks News 4;

¹²Harold Kalman. The Evaluation of Historic Buildings (Ottawa, Ont.: Parks Canada, 1980).

¹³Department of Indian Affairs and Northern Development Annual Report (1969-70), p. 18.

¹⁴Department of Indian Affairs and Northern Development National Historic Parks News 10.

¹⁵Howard Goshulak, "Preserving the Past for the Future." (Master's thesis, Winnipeg: University of Manitoba, 1980), p. 332.

¹⁶John Harvey, Conservation of Buildings (London: University of Toronto Press), p. 25.

¹⁷Ibid.

¹⁸Ibid, p. 27.

¹⁹Ibid, p. 25.

²⁰Jane Fawcett (ed.) The Future of the Past, Attitudes to Conservation 1174-1974 (London: Thames and Hudson, 1976), p. 21.

²¹N. Boulting. In The Future of the Past, Attitudes to Conservation 1174-1974, op.cit.

²²Harvey, p. 46.

²³United Nations Educational Scientific and Cultural Organization Recommendation, 1976. Section II.

²⁴Tom Gunton "The History of Planning in Canada" Doctoral Thesis, Community and Regional Planning, University of British Columbia, Vancouver, 1981.

²⁵John Costonis, Space Adrift: Landmark Preservation and the Market-Place (Champaign, Illinois: University of Illinois Press, 1974), p. 14.

²⁶Ibid, p. 26.

²⁷Weiming, Lu "Public Commitment and Private Investment in Preservation" in Economic Benefits of Preserving Old Buildings, (Washington, D.C.: Preservation Press, 1976), p. 35.

²⁸Jack Diamond, "Stratford" Heritage Canada (Spring 1977), p.43.

²⁹John Costonis, Op.Cit., p. 11.

³⁰R. Verner in Cobett, M. et al. Splendid Survivors San Francisco's Downtown Architectural Heritage. (California Living Books, San Francisco, California, 1980).

CHAPTER II: PROFILES OF SELECTED CANADIAN MUNICIPALITIES

Part 1: Method of Survey

In order to describe municipal heritage planning in Canada as defined in this thesis it was necessary to fill a void of existing material on this recent phenomenon and collect new information. A written, mailed questionnaire was used as a means of soliciting this primary information. At the same time, new, unpublished documents related to heritage planning were requested from the municipalities surveyed. These local planning documents comprise the major body of information in the field of municipal heritage planning in Canada, beginning with the study of the Glebe neighbourhood in Ottawa by John Leaning in the 1970's¹ and continuing with documents such as the 1980 study of Nelson, British Columbia.²

A questionnaire was chosen because of the anticipated savings in cost as compared to a telephone survey, and also the potential for greater accuracy in interpreting written responses (particularly in another language) rather than over the phone. The costs of this mailed questionnaire, however, were comparable to a telephone survey when factors such as the costs of typing, translation, editing, retyping, layout, printing, mailing, reminder mailings, reminder phone calls, speed of response, are taken into consideration. There was also ambiguity in some of the written responses which could have been remedied during an initial telephone survey rather than through repeated mailings and calls.

Initial contact was established with the Heritage Planners for Calgary, Edmonton, Winnipeg, Ottawa and St. John, New Brunswick, at the Heritage Canada Foundation Conference in Winnipeg in October 1980. These planners were canvassed informally for their receptiveness to a questionnaire dealing with municipal heritage planning, for suggestions regarding its content and for additional contacts. The Heritage Planner for Vancouver was approached in person in Vancouver and the Planner for Victoria was contacted by telephone.

The cities of Toronto, Kingston, Montreal, Quebec City, Charlottetown, Halifax and St. John's, Newfoundland were approached on the basis of the existence of reports relating to municipal heritage preservation or coverage of their activity by Heritage Canada. Questionnaires were sent to these cities to the attention of the Planner responsible for heritage preservation in care of the Director of Planning.

The design of the questionnaire took into consideration clarity, brevity, layout, etc. It was influenced by a survey of Energy Conservation³ in twenty Canadian cities prepared by the City of Toronto in conjunction with the Cities Energy Conference in Toronto, in February 1980. A critical analysis was carried out of the questionnaire within the U.B.C. School of Community and Regional Planning by faculty and students.

The final draft of the questionnaire and the covering letter were approved and dispatched over January and February 1981. Cities which did not respond to the questionnaire after five weeks and where a Heritage Planner was known to exist were contacted by telephone to speed the reply. The remaining cities were contacted by special delivery letter.

The Selection Process

The following cities were sent questionnaires because of demonstrated activity in heritage preservation as mentioned earlier in this section:

Victoria, Vancouver, Nelson, Calgary, Edmonton, Regina, Winnipeg, Toronto, Kingston, Ottawa, Niagara-on-the-Lake, Montreal, Quebec City, St. John, N.B., Charlottetown, Halifax, St. John's.

The following cities did not qualify by virtue of having a staff person devoting more than 25% of their time to heritage preservation activities:

Nelson, B.C.; Kingston, Ont.; Charlottetown, P.E.I.; St. John's, Newfoundland.

The following cities did not reply to the questionnaire:

Vancouver, B.C.; Montreal, Quebec.

Those cities which did respond or qualified through the existence of a Heritage Planner (Vancouver) will be described in the profile of Part 2 of this chapter.

Part 2: Profiles

Information summarized in this chapter is derived primarily from the answered questionnaires supplemented by municipal reports, which were included with those replies, interviews and publications.

The profile of each municipality consists of the following:

1) Background

The major events which affected municipal heritage planning in that city are traced chronologically. The letters in brackets beside the date correspond to Chart 1 labelled "Background".

2) Role

The responsibilities of the Heritage Planner are described.

3) Evaluation

The opportunities, constraints of municipal heritage program are discussed.

4) Incentive Mechanisms

A summary of the status and effectiveness of the incentive mechanisms is appended in Table 2. Only those mechanisms which were discussed in detail by the municipality are included here. A description of these mechanisms is included in greater detail in Chapter 3.

5) Additional Information

A description of sources of assistance to the municipality for heritage programs.

Table 1

Background to Municipal Activity in Heritage Preservation

This chart describes the evolution of municipal activity related to heritage preservation for fourteen cities across Canada to March 1981. This activity is defined in terms of the events described in the legend.

	Pre 1970 (Specify Date)	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981
Victoria					L ₁ C ₂	P ₁	P _b I S		L ₁ I				
Vancouver	T(Project 200) S 1967	I	C ₁ P _{1,2}	T	S B _b L ₂ C ₂	C ₁		F	L ₁				
Edmonton			O _p				S C ₁ I		I	C ₁ L ₁	B _b	O _p P	I
Calgary										L ₁	O _p P	P ₂	I
Regina												L ₁	I
Winnipeg	P(1964 City Hall)		L ₂			S	P ₁	C ₁	B _b C ₂ O _p	T B _a P ₂ F			
Toronto	T(City C ₁ T Hall-(1960 Spadina Express) 1967)			C _p	P _{1,2,3}	L ₁	I C ₂						
Kingston	B _b (Proposed C ₁ in 1958)		O _p			L ₁ C ₂							
Ottawa				C ₁ P ₁ S			I B _a P ₂	C ₂	O _p				
Quebec City			L ₂					C ₂		C ₄	P _{1,2,3,4} C ₄	O P	
St. John										L ₁			
Charlottetown											C ₂ O _p C ₃		
Halifax	T(1968 Waterfront)		C ₁ O _p	C ₄				P ₁	S	O _p P ₂		L ₁	
St. John's									O _p	F		B _a	

LegendP₁ = staff personP₂ = other staffC₁ = Any committee or task force which advises Council on heritage policy.C₂ = Heritage Advisory Committee formally created under municipal by-law to advise Council.C₃ = An internal committee representing municipal departments such as Property, Development Control, Fire, Parks, etc. which affect preservation activities.C₄ = Committee either inside or outside the bureaucracy created for a specific purpose. To look at specific technical problems or oversee a conservation district.L₁ = enabling heritage legislation at provincial level.L₂ = enabling provincial heritage legislation specific to this city.B_b = Historic Building Bylaw.B_a = Historic Area Bylaw.B_o = Other Bylaw related to Heritage.

F = Creation of a foundation responsible for a conservation district.

O_p = Official policy/plan.

T = Threat of demolition of a landmark or older neighbourhood.

P = Actual demolition.

S = A major study in the area of heritage carried out by or with the cooperation of the municipality.

I = An inventory of historic resources is commenced. This can be ongoing.

VANCOUVER:1. Background

1967 (T) - Project 200 was the largest commercial development yet proposed for downtown Vancouver when it became public in 1967.⁴ Its 36 highrise towers of apartments and offices as well as a waterfront freeway threatened the old Gastown and Chinatown areas and provoked a strong public reaction. This public reaction changed the attitude of City Council, which initially supported Project 200, to the point where it requested the Province to designate the Gastown and Chinatown areas as historic sites.

June 1969 (S) - This change of public attitude is expressed by Abraham Rogatnick in a report entitled "Maple Tree Square" Phase 1, first published in June, 1969.

"The City of Vancouver is only now beginning to mature. It still hovers on that fascinating threshold between naive and reckless youth and the wonderful unfolding of its full adult potential. The City is at that stage where it still can choose to recognize the value and the beauty of its cultural inheritance. It has a very special and attractive human heritage, and though it has impetuously squandered some of it, and through ignorance and blindness has often pitifully neglected to take proper stock and care of its possessions, a substantial sum of them remain intact and only need to be revealed and cultivated to help Vancouver to refine and strengthen that character and personality which will make it great among great cities of the world."⁵

1970 (I) - The City's first inventory of historic buildings was started in 1970 and covered Gastown and Chinatown. This inventory had national and international significance, as the evaluation system developed by Harold Kalman for this survey was expanded and used by cities across Canada⁶ and in San Francisco.⁷

1971 (Ba) - Chinatown and Gastown were zoned historic districts.

1972 (P) - The City of Vancouver first hired Nancy Oliver and John Gift-Ellis in 1972 as part of an L.I.P. project. Nancy Oliver would eventually become the City's Heritage Planner. John Ellis moved to other planning responsibilities within the City.

June 1973 - "Time Present and Time Past", 1973 by Michael Seelig, proposed a

framework for the development of Area Conservation Policy in Vancouver and expanded the perspective of conservation beyond a concern only for historic building preservation. "A conservation policy involves determining what people treasure in different parts of the city; trees, fences, large lot size, and views may be as important, if not more so, than buildings."⁸

This report, prepared for the Vancouver Social Planning Department, also expanded the concern for conservation beyond "...the province of an intellectual elite or a hobby of the wealthy - it is important to the humanity and stability of a city and all of its inhabitants."⁸

1974 (D) - Michael Harcourt, then Alderman for Vancouver, made this statement at a conference sponsored by Heritage Canada in February, 1977, entitled "New Life for Old Buildings", "I think that people got excited about heritage preservation in Vancouver by becoming aware that Christ Church Cathedral was going to be torn down and secondly that the Birks Building was going to be torn down."⁹

This statement reflects the continuity of crises in stimulating public involvement in preserving Vancouver's heritage. While the development of a municipal heritage program may have been initiated by public reaction to the threat of Project 200, renewed threats to Vancouver's heritage continue to renew citizen and municipal activity.

1974 (L₂) - Vancouver received enabling powers for heritage designation under an amendment to its charter in 1974 at the same time as amendments to the Municipal Act provided these powers for the rest of the province.

1974 (C₂) - The Heritage Advisory Committee was appointed in 1974.

December 1974 (S) - "Vancouver's Heritage 1 - Twenty-two Buildings and Two Historic Areas" (1974) was written in-house by the Planning Department for the newly appointed Heritage Advisory Committee.

September 1975 (S) - "Vancouver's Heritage 2" (September, 1975) was a follow-up of buildings recommended for preservation.

September 1975 (S) - "The Gastown Economic Study" (September, 1975) was import-

ant in justifying public and private expenditures on Commercial District Rehabilitation and Revitalization. Gastown's success as reported in this document was publicized nationally through Heritage Canada's publications and Marc Denhez's case study in "Heritage Fights Back".¹⁰

February 1976 - The city's first heritage plaque was awarded to the Davis Residence in recognition of the work carried out by the Davis family to preserve this property and as an incentive to other heritage property owners.

1977 (L1) - The B.C. Heritage Conservation Act superceded the 1974 Vancouver charter amendment. It differed from early legislation in that the city was now obliged to pay compensation for economic loss which might result from designation.

October 3 1978 - As a result of the restrictive provincial enabling legislation, the City of Vancouver prepared a study dealing with methods of "Monetary and Non-Monetary Compensation for Heritage Designation".¹¹ A Case study incorporated in that report demonstrated that designation did not necessarily cause an economic loss. Several of the non-monetary mechanisms were pursued under an amendment to the 1979 Zoning and Development Bylaw which enabled the Director of Planning or the Development Permit Board to relax restrictions such as parking, design, use for designated sites.

January 1979 - City Council rejected a motion in January, 1979 to hire a permanent heritage officer for the City.¹² The position of Heritage Planner was renewed on a year-to-year basis.

2. Role

While Council refused to approve a heritage officer position, they directed that it be incorporated as the part-time responsibility of a planner.

The position, currently held by Tom Phipps, includes responsibilities with respect to the following three categories:¹³

(a) Planning:

Heritage conservation has been considered an integral part of the planning

and specifically urban design function of the city. The role of the heritage planner in this context is to assist with special area and neighbourhood studies which include heritage resources. Normally, the heritage planner's involvement includes providing terms of reference for special heritage studies, supervising staff or consultants carrying them out or carrying out a limited survey of heritage resources and developing a program for their evaluation.

(b) Heritage Advisory Committee:

The role of the Heritage Planner is closely tied to the Heritage Advisory Committee. He provides information on ongoing and anticipated municipal programs which might affect, positively or negatively, heritage resources. He provides advice on proposed designations, alterations to designated sites and infill development and provides liaison between the Heritage Advisory Committee and the Planning and other municipal departments.

(c) Private Sector:

The Heritage Planner provides information to developers on opportunities and legal constraints for development with respect to heritage and potential heritage resources.

Information is also provided on a continuing basis to the public on Vancouver's heritage programs.

3. Major Restrictions/Limitation

The City of Vancouver has designated fifty-nine heritage sites, the majority of which were designated prior to the 1977 Heritage Conservation Act. The few sites designated since that time have all been publicly owned. This slowdown of designation activity can be attributed, in part, to the requirement for compensation upon designation.

While compensation appears to be discretionary under the Heritage Conservation Act (Subsection 1), the 1979 Municipal Act states that "...the Council shall make to owners, occupiers or other persons interested in real property... injuriously affected by the exercise of any of its powers, due compensation

for any damages."¹⁴ Municipalities in B.C. have chosen not to risk the possibility of large compensation settlements in the Courts and have designated only those "safe" buildings such as public buildings where compensation is not an issue.

The Planner responsible for heritage can devote only 50% of his time to these activities, while this time can be used effectively in seeing that input is provided to other ongoing studies and while expertise can be drawn from other departments and consultants when needed, it is unrealistic to expect an effective municipal program with this limited allocation of manpower.

4. Items of Special Interest

Another heritage program which has the opportunity of being unique to Vancouver and Canada is "Park Site 19". A feasibility study was commissioned by Heritage Canada in 1979 for an urban park in Vancouver's West End.¹⁵ This study proposed a park which incorporated some of the existing houses of varying heritage significance. The concept was an attempt to combine passive recreational park space, housing and heritage conservation in a unique oasis. The Park Site 19 proposal is being reviewed again in 1981.

Heritage conservation is an integral part of urban design. The revitalization of Granville Island, while not a designated conservation district, attempts to use the existing industrial architecture and sympathetic new construction to create the atmosphere of a heritage district.

The City of Vancouver is attempting to include heritage conservation as an integral part of its special area and neighbourhood studies. The most ambitious of these is the Core Area Study which includes the greater part of Vancouver physical heritage.

VICTORIA

1. Background

1962 - The City of Victoria was the first in Western Canada to initiate a municipal heritage conservation program through its revitalization of Bastion and Centennial Squares in 1962 through 1965.

1971 (Ø) - Demolition of the Basset House in 1971.

1973 (T) - Possible demolition of buildings on Wharf Street in 1973.

1973 (L₁) - Legislation enabling municipalities in British Columbia (other than Vancouver) to designate heritage properties first came about in 1974, under an amendment to the Municipal Act.

1973 (C₂) - The Heritage Advisory Committee of Council was established.

1974 (P) - Doug Koch, a Planner, was given heritage responsibilities in 1974. He was followed by K. Van Westen and in turn by Dean Strongetharm (1976-1980). Brian Sikstrom currently fulfills this role.

1975 (S) - Heritage Recycle Report (1975).

- City of Victoria: Heritage Conservation Report (1975).

1975 (I) - An Inventory of older commercial buildings in the downtown was carried out.

1975 (B_b B_a) - Bylaw No. 6825, the "Designation of Historical District, Downtown Victoria." (1975).

1977 (Ø) - Demolition of the Jones Building on Fort Street.

1977 (L₁) - The Heritage Conservation Act (1977) was passed thus replacing the Municipal Act amendment mentioned above.

Nov. 22 1977 (B_o) - The "Heritage Houses Financial Compensation Bylaw" (1977) was intended to encourage owners of residential property to repair, improve and maintain the exterior or structural parts of the building.

1977 - Plaques program initiated.

1978 (I) - Inventory of Residential buildings was carried out.

1979 - Residential Inventory published in This Old House (1979).

1979 (Op) - "City of Victoria Heritage Conservation: A Guideline to Policies and Programs" (1979) (Revised 1981).

July 31 1980 (Bo) - "Heritage Commercial Properties Compensation Bylaw" (1980).

This bylaw attempts to compensate owners for the designation of commercial buildings.

1981 (I) - Inventory of industrial buildings.

1981 (S) - "Heritage Buildings: Alterations and Designs" (1981).

2. Role

Name: Brian Sikstrom

Job Description:

Policy: To provide information, ideas and advice on heritage issues.

Administration: To ensure that proper procedures are followed on building and demolition permits which affect heritage buildings.

Public Relations: To attend heritage meetings, provide planning information and advice, present planning ideas and concerns, and inform the Heritage Advisory Committee of events and other City priorities.

City Departments with Heritage Preservation Activities:

Building Department: This department is responsible for inspections, stop work orders and ensuring that plans for restoration, rehabilitations, or any development which affects heritage property are followed once approved. Demolition and building permits or plans which affect heritage buildings are sent to the Heritage Planner for a check.

Municipal Manager's Office: Administers "Heritage Houses Grant Program".

Shared Responsibilities for Preservation: Doug Koch - Planner Officer.

Responsible To: Director of Planning.

Potential Contribution of Heritage Planner: Brian Sikstrom felt that the potential contribution of the Heritage Planner was in undertaking research into local heritage issues and concerns, understanding the economics of preservation and evaluating policies and programs to ensure their effectiveness.

Limitations: Lack of time. Involvement with day-to-day operations of the Planning Department outside of heritage.

Changes: More research/less day-to-day work.

Time Devoted to Heritage: 50% to 75%.

3. Evaluation - Constraints/Opportunities

The City of Victoria has managed to use the existing provincial enabling legislation despite uncertainties surrounding the issue of compensation. It has done this by encouraging designation through grants and other incentives. Victoria has also used its zoning powers under the Municipal Act in conjunction with heritage designation and the incentives to provide an effective program for heritage preservation. Commercial and residential areas have been downzoned to reduce the economic incentive to demolish the existing building stock. The conservation of heritage buildings and streetscapes is encouraged by providing small lot sizes as in the Fort Street Special Commercial District (Zoning Bylaw Sec. 6.5). A "Premises and Occupancy Bylaw" (1974) ensures that heritage property is maintained while the various grants and other incentives described later help the property owner cover the cost of that maintenance.

Barriers to Designation:

The City is concerned about the amount of money being spent and changes in the residential grant program are being considered to make it less generous. (A policy was adopted by Council to designate heritage houses only in areas where there is a threat of demolition). The City Administration feels that the majority of important heritage buildings have been "saved" and that heritage is largely a "stewardship" role now. The City is also concerned that new construction is being tied up with red tape.

4. Incentive Mechanisms

Jurisdiction

- Persuasion

Implemented by the Heritage Planner and Heritage Advisory Committee.

- Plaques Implemented by City under a resolution of Council in 1977.
- Public Awareness Implemented by City under a resolution of Council. Examples include: The Mayoral Proclamation for "Heritage Day"; Letters of Commendation; "Heritage Clinic".
- Demonstration Projects Implemented by City under a resolution of Council. An example is the revitalization of Chinatown.
- Public Works Implemented by City under a resolution of Council. Examples include Bastion Square and the Government Street Mall.
- Design Options Implemented by City under a resolution of Council. An example is Centennial Square.
- Building Code Flexibility The City has requested the province to relax code requirements for heritage buildings under the Municipal Act (Sec. 740).
- Encouragement and coordination of leasing space by the public sector in municipal, provincial and federal heritage structures The City under a resolution of Council has leased the Carnegie Library and encouraged the leasing of the Crystal Gardens.
- Zoning Incentives Implemented by City under a zoning regulation bylaw for Fort Street and the downtown.
- Purchase of Property Implemented by City. An example is the Centennial Square revitalization carried out between 1962 and 1965.

Profile for Significant Incentive Mechanisms:

1) Measure: Commercial Properties Compensation Program.

Implemented By: Comptroller-Treasurer's Department, Planning Department and Municipal Managers Office.

Objectives: To compensate owners for designation of commercial buildings.

Description: The bylaw permits the City to calculate property taxes on heritage designated commercial buildings as if assessed values were frozen, even though for assessment purposes they are not. The bylaw is effective for a period of 3 years following the designation. If improvements are made the additional taxes on these are forgiven for a maximum period of 7 years following designation.

Funding: City.

Sites Preserved: None so far.

Limitations, Constraints, Problems Experienced: Meant to be used "as a last resort". So far no commercial building has been designated under the program.

2) Measure: Heritage Houses Grant Program.

Implemented By: Planning Department and Municipal Manager's Office.

Objective: To encourage owners of residential property to repair, improve and maintain the exterior or structural parts of their buildings.

Description: To provide annual grants up to an amount equal to 3 times the gross property taxes to owners for exterior or structural work.

Funding: City funds from taxes. Since 1977, \$187,000 has been spent on this program.

Sites Preserved: 59.

Limitations, Constraints, Problems Experienced:

- the grant is exclusively for "designated" residential heritage sites and for exterior work only;
- the grant formula could be too generous;

- designated apartment buildings obtain a relatively large sum of money.

3) Measure: Heritage Building Clinic.

Implemented By: City of Victoria, Hallmark Society, Vancouver Island Chapter of the Royal Architectural Institute of B.C.

Objectives: To inform prospective renovators of proper restoration and renovation methods.

Description: Free advice was provided by persons with design experience.

Funding: Those involved donated their time. The City covered the administration costs.

Limitations, Constraints, Problems Experienced: Each applicant was entitled to a maximum of two sessions. Consultants limited their advice to discussion of historical aspects, colour and general design advice and would not provide detailed working drawings. It terminated because applicants started to use the clinic as a free design service, instead of hiring architects.

4) Measure: Chinatown "Paint-up" Program.

Implemented By: Planning Department.

Objectives: To help revitalize Chinatown.

Description: Owner pays half, City pay half, for a "paint-up".

Funding: B.C. Heritage Trust and building owners. The building owners provided \$30,000.

Sites Preserved: Approximately 25 buildings in Chinatown.

Limitations, Constraints, Problems Experienced:

- Uncooperative owners cannot be made to participate.
- City acts as the trustee for government funds but contracts between painter and owner created administration confusion.
- quality control of work was a problem. Conflicts occasionally arose over this between property owners and the City.

- 5) Measure: Annual Heritage Commendation Letters (Heritage Day),
Implemented By: Planning Department and Mayor's Office.
Objectives: To encourage sympathetic renovation of old buildings.
Description: Letter of Commendation from the Mayor. In the past an awards ceremony/reception was held.

Assistance Received by the City with Respect to Heritage Preservation:

- The Hallmark Society has provided the City with information of general and technical nature
- The Province has restored several of its own heritage buildings such as the Crystal Gardens; Legislative Buildings; Rich and Can House, etc. Funds (\$30,000) were received under the Provincial Heritage Area Revitalization Program (HARP) for the revitalization of Chinatown. Funds were also obtained for the preparation of the "Conservation Report" and This Old House.
- The Heritage Canada Foundation has been a source of information for the City.
 University professors have been a part of the Victoria Heritage Advisory Committee and helped with reports.
- Heritage preservation in Victoria has been supported by private entrepreneurs and architects in various projects throughout the city.

EDMONTON:1. Background

1970 (T) - The threat to the Strathcona neighbourhood in the 1970's was perhaps the most significant in terms of its political impact. A proposed approach to a new bridge threatened to destroy many structures and the character of the area. Concerned residents formed the Strathcona Historical Group in 1972 and petitioned City Council to preserve the area.

1971 (Op) - Council's position with respect to historic preservation was first stated in the General Plan (1971):

".. structures of historic and architectural distinction should be preserved and restored to reflect our taste and culture of different periods, to provide continuity with the past and to aid the individual character of Edmonton. Structures officially designated to be preserved should be protected by legislation and should be properly maintained and given a proper setting so that succeeding generations can enjoy them."¹⁶

1974 (C₁) - City Council approved the establishment of the Historic Sites Selection Committee in 1974 as a sub-committee of the Edmonton Historical Board to recommend buildings and sites to the Board for protection, and provide a set of legislative guidelines for their preservation.

1975 (I) - An inventory of structures in the Civic Centre area.

July 22 1976 - Heritage Canada became involved in this area through its Area Conservation Program and the Strathcona Heritage Foundation was subsequently created to administer the area.¹⁷

1976 (B_a) - In 1976 the City of Edmonton adopted a development control resolution for the Old Strathcona Historic District to enable the monitoring of demolition and new development. This resolution was declared ultra vires by the Supreme Court of Canada in the case of Tegen vs. The City of Edmonton.¹⁸

As a result of this landmark decision, municipal land use controls cannot be used for the purpose of heritage conservation unless authorized by law. The 1978 amendment to the Alberta Historical Resources Act provides this authorization.

1977 (B_b) - In 1977, the Historical Board was empowered to withhold the development permit for historical buildings for a period of up to 10 days to permit an inspection by the Board.

1977 (I) - An inventory of the neighbourhoods of Oliver, Garneau and Strathcona.

1978 (L₁) - Under a 1978 amendment to the Alberta Historical Resources Act of 1973 the municipality can enact bylaws that would provide for the designation and protection of any historic resource within the municipality whose preservation it considers to be in the public interest. The Historic Resources Act amendment of 1978 states that the owner of a designated property shall be provided with compensation for the decrease in economic value attributable to the designation. Unlike the B.C. Act, there is no ambiguity here as to Council's discretion.

1978 - The demolition of significant buildings has been an ongoing experience in Edmonton over the past decade resulting from the development pressures following Alberta's oil wealth. A group of citizens founded the Society for the Protection of Architectural Resources in Edmonton (SPARE) in 1978 in response to this continued actual and threatened demolition of buildings and neighbourhoods. The creation of SPARE followed by two years the creation of SPARC in Calgary, and is indicative of the development pressures and response in both cities.

1979 - An inventory of Mayor's residences.

December 13 1979 (O_p) - A report was prepared by the Corporate Policy Planning Office with respect to a municipal heritage preservation program. It dealt, in part, with designation of sites, monetary and non-monetary forms of compensation, the creation of a municipal heritage foundation, the composition of its advisory board, and changes to provincial legislation.

1980 (P₁) - The position of Heritage Officer was created in 1980 and is currently held by R. Kilstrom.

1981 (I) - An inventory of historic resources will be commenced this summer in conjunction with the province and city groups such as SPARE.

2. Roles

The position of Heritage Officer is currently held by Richard Kilstrom. The responsibilities of the position include:¹⁹

- (a) the implementation of City policy on historic preservation;
- (b) the coordination of all Civic preservation activities;
- (c) the development and administration of an inventory and evaluation process for municipal heritage property;
- (d) acting as an advisor and liaison to owners, developers and other interested in the purchase, redevelopment or rehabilitation of heritage buildings through the provision of information and assistance on land use control and development permit processes, loan and grant assistance programs, property tax treatment, and building inspection processes;
- (e) serving as an ex-officio member of the Edmonton Historical Board to ensure liaison and consultation between the Board and the Civic Administration;
- (f) preparing reports for Council on heritage matters through the General Manager of the Planning Department.

(The specific duties are included as an appendix because they are the most comprehensive list of responsibilities included in the survey results).

Potential Contribution of Heritage Planner:

- Educating public, council and administration.
- Coordination of heritage groups and problems.

Limitations:

- Provincial legislation requiring compensation for designation.
- Lack of Council support.

City Departments (Apart from Planning) with Heritage Preservation Activities:

- Real Estate and Housing Department: Ownership of properties, assessment

and tax abatements.

- Parks and Recreation Department: Has a historical planning section of two or three persons which does research on historical matters for parks such as Fort Edmonton (historical theme park), a proposed city museum, etc.

3. Evaluation

Edmonton is in the very early stages of activity in municipal heritage conservation. The attitude towards municipal conservation is beginning to shift from the separation of old and new as expressed in the Fort Edmonton Historical Park to an attempt to conserve heritage and integrate it with the new. The creation and protection of the Old Strathcona District was a step in this direction.

Edmonton and Calgary, like Vancouver and Victoria, are faced with the need to develop heritage programs, based on designation combined with incentives or compensation.

4. Incentives of Special Interest

Plaques:

Plaques have been used on a continuing basis by the Edmonton Historical Board.

Purchase:

The City owns several residential properties in the Old Strathcona District.

T.D.P.:

The Transfer of Development Potential has been used by the City in two cases to help preserve two provincially designated heritage sites; The Le Marchand Mansion and The Ritchie Mill.

CALGARY:1. Background

January 1975 (S) - A report entitled "Recycling Valuable Buildings" by students in the Environmental Design Faculty of the University of Calgary, was presented in January 1975 to the Arts and Architecture Committee which forwarded it to Council.

1975 (C₁) - The Arts and Architecture Committee was established under a program to promote Calgary's Centennial in 1975.

An Ad Hoc Heritage Committee was created in 1975 to identify, inventory and evaluate sites and determine the administrative procedures and legislation required for their protection.²⁰

1976 (S) - In 1976, a report entitled "Heritage Conservation" was prepared by the Ad Hoc Heritage Committee. Their suggested approach to the evaluation of heritage sites was based on the collective vote of the Heritage Advisory Committee.

"To evaluate a site, given the vagaries of time, place and circumstance, the Committee discarded arbitrary scoring schemes applied through the inventory in favor of a collective judgement, made when action for or against conservation at a particular site is necessary, by a broadly based group, a Heritage Advisory Board with knowledge in the fields of local history, architecture, urban design and planning."²¹

This report covered the basic elements of a municipal heritage program: Inventory, Evaluation, Protection, Management, Public Awareness and Organization of Heritage Advisory Committee.

1977 (I) - An inventory of historic resources was carried out in 1977 which identified 304 sites.

1978 (L₁) - The City of Calgary derives its enabling authority for municipal heritage designation from the 1978 amendment to the Alberta Historical Resources Act.

1978 (O_p) - The 1978 revisions to the Calgary Plan²² recommended the protection of historic resources and the initiation of a public education program.

1979 (O_p) - A policy framework for Heritage Conservation was defined in 1979, which included a study of the monetary and non-monetary incentive mechanisms available to the municipality. It also recommended the hiring of a Heritage Planner.

1979 (P₁) - The Heritage Planner recommended in the 1979 policy report was hired in that year.

1980 (P₂) - Two additional architectural historians have been employed on a contract basis to research the existing municipal inventory and prepare an evaluation framework.

1981 - The heritage inventory is currently being researched and "An Evaluation Process for Calgary's Historic Resources"²³ is being reviewed by City Council.

1981 - An alliance of merchants and property owners on the Stephen Avenue Mall has been organized by the Heritage Planner to work out a strategy for revitalization and conservation on this downtown commercial street.

2. Role

The Calgary Heritage Planner was to "... be responsible to the Director of Planning for the coordination of the Heritage Program in The City of Calgary. The Planner will be expected to consult with the Heritage Advisory Board, all City Departments, senior levels of government and the private sector."²⁴

The 1979 terms of reference for a Heritage Advisory Board include the Heritage Officer as a non-voting Administrative Representative. The responsibilities of the Heritage Officer are tied in very closely to that of the Board which is responsible as follows:²⁵

- To make recommendations to Council, through the Heritage Officer, regarding the designation of heritage sites, buildings, streetscapes and areas.

- To be responsible for advising the Heritage Officer of the most important aspects for preservation, and other matters, on a project-by-project basis.

- To make recommendations through the Heritage Officer regarding the demolition, conservation, alteration, maintenance and renovation of all recognized heritage sites, buildings, streetscapes and areas."

The Heritage Planner is a part of the Special Projects Division.

3. Evaluation

The search for monetary and non-monetary mechanisms to accompany designation continues as in Edmonton, Vancouver and elsewhere, but the Transfer of Development Potential is being given the most attention because of the intense market for development in the downtown, particularly on the Sixth Avenue Mall.²⁶

The intense development pressures in Calgary necessitate a strong public relations and education aspect to the heritage planning role, in particular with respect to the economic advantages and opportunities of conservation. This is not only for the benefit of the private sector and the public but for the municipal bureaucracy as well.

WINNIPEG:1. Background

1964 (Ø) - Demolition of the Old City Hall.

1971 (L₂) - An amendment to the City of Winnipeg charter authorized the creation of a building conservation list and protection of those buildings.

(L₁) - While specific legislation enabling municipalities to regulate and protect heritage resources does not exist, the general regulatory provisions of the Municipal Act and the Planning Act can be utilized to accomplish the objective of heritage conservation. Specific reference to heritage conservation is made in the amended Planning Act, and thus heritage resource protection can be provided by the sympathetic application of zoning and building by-laws.²⁷ A municipality or planning district can undertake a development plan which may take into account the preservation, projection or enhancement of areas of land, buildings and structures by reason of their architectural, historical, archaeological, geological, environmental or scenic significance. The City has inventoried 600 properties, of which it has purchased three and designated 30.

1974 (S) - The "Historic Winnipeg Restoration Area Report dealt with the Warehouse District and Market Square.

October 1975 (P₁) - Historic Projects Coordinator established.

1976 (S) - "Winnipeg's Historic Warehouse Area". This study was carried out by the Manitoba Historical Society and commissioned by Heritage Canada under its area conservation program.

1976 (O_p) - Following this report, Heritage Canada offered to become involved in the area contingent upon financial and legal commitment from the City, through the following:

- the introduction of heritage resource protection legislation; the protection of the character of the area by architectural control, district plan and anti-demolition measures for buildings of architectural and

historical interest;

- a matching \$500,000 financial contribution from the City of Winnipeg.

1976 (C₁) - Historic Winnipeg Downtown Advisory Committee.

1977 (C₂) - Heritage Advisory Committee.

February 1977 (B_b) - "Historic Buildings Bylaw 1474/77" (amended August 1978)

outlined criteria for evaluation, appeal procedures and legal restrictions.

August 1978 (B_a) - "Historic Winnipeg Restoration Bylaw 2048/78" established the "HW" zoning district known as the Historic Winnipeg Restoration Area. It empowers the Historic Winnipeg Advisory Committee to advise on the appropriateness of alterations, new construction, signs and other details of exterior development proposed in the area.

1978 (B₀) - Winnipeg's General Zoning Bylaw was amended to allow the regulation of uses, heights of buildings and to control the details of buildings except residences to be built or remodelled within the Historic Winnipeg Restoration Area.²⁸

March 1978 (P₂) - Assistant Historic Projects Coordinator.

September 1978 (T) - Demolition permits were applied for two significant banks on Main Street; The Bank of Commerce Building and The Hamilton Building. It was strongly protested by the Manitoba Historical Society.

2. Role

C.I. Brook - Historic Projects Coordinator

Steve Barber - Assistant Historic Projects Coordinator - Department of Environmental Planning. Mr. Barber acts as

the secretary to the Historic Winnipeg Advisory Committee, (a design control committee which advises on exterior renovations and new construction in the Historic Winnipeg Restoration Area) and as an an advisor to Heritage Winnipeg.

Potential Contribution of the Heritage Planner:

- Public relations work promoting heritage conservation, providing information to historical societies and lobbying.

3. Evaluation

Programs of encouraging preservation through monetary and non-monetary mechanisms are now being investigated in Winnipeg. The City did not reach this state by the same path as cities in B.C. and Alberta. They were attempting to work around legislation which required payment of compensation for economic loss resulting from designation. Winnipeg's search for incentives derived from the need to negotiate for preservation in the absence of strict heritage enabling legislation.

4. Incentive Mechanisms

Jurisdiction

- Public Awareness The Planning Department has published an illustrated guide to the Historic Winnipeg Restoration Area.
- Demonstration Projects An example of this mechanism was the Masonry Cleaning Seminars which was promoted with the help of Heritage Winnipeg.
- Design Guidelines Historic Winnipeg Advisory Committee provides design guidelines under Bylaw 2048.
- Encouragement and coordination of leasing space in municipal, provincial and federal heritage structures. Future office space for civic buildings will be housed in heritage buildings where possible.

Assistance Received by the City with Respect to Heritage Preservation:

- The Manitoba Historical Society has provided financial assistance for municipal heritage programs.
- The Provincial Government has provided financial and technical assistance through the Historic Resources Branch.
- Heritage Winnipeg is a charitable, non-profit corporation, established by the Province of Manitoba in 1978, which promotes the restoration, rehabil-

itation and preservation of heritage resources, particularly in the Historic Winnipeg Restoration Area.

- The Federal Government has provided technical and general assistance through Parks Canada, Prairie Region.
- The Heritage Canada Foundation sponsored 1976 Area Conservation Study.
- Local industry and business has supported the preservation efforts of the City by providing financial assistance through the Old Market Square Association.

TORONTO:1. Background

c.1960 (Ø) - Demolition of University Avenue Amouries

1960 (C₁) - Toronto established a Historical Board to manage historic property owned by the City.

c.1967 (T) - Threat to Old City Hall.

1969 (L₂) - Prior to passage of the Ontario Heritage Act Toronto had specific enabling authority for heritage designation under Section 2 of the City of Toronto Act.²⁹

c. 1970 (T) - Threat of Spadina Expressway.

1972 (O_p) - Policy with respect to heritage conservation was included in the City's official plan.

1973 (P₁) - A section within the Toronto Historical Board was created consisting of a Planner, Architect, Historical Researcher and Secretary.

1974 (L₁) - The 1974 Ontario Heritage Act passed authority for heritage conservation on to the municipality. It provided for a local advisory committee (LACAC) to advise and assist Council on heritage conservation matters and a provincial Conservation Review Board to consider objections to proposed municipal designations. The Saskatchewan Heritage Property Act created a similar review board.

(L₀) - Under the Planning Act, the municipality can supplement provisions of the Heritage Act with respect to Development Control, Maintenance and Demolition Control.

The municipality can regulate signs under the Municipal Act. Any heritage regulation passed using the Planning or Municipal Act has to conform to the Heritage Conservation District Plan as defined by the Ontario Heritage Act.

1974 (C₂) - The Toronto Historical Board assumed the role of Local Architectural Advisory Committee (LACAC) under the 1974 Ontario Heritage Act.

1975 (I) - The City carried out an inventory in 1975 of 1,600 buildings and

has designated approximately 170 sites under the Ontario Heritage Act.

2. Role

The Historical Preservation Section of the Toronto Historical Board is presently headed by Marcia Cuthbert, a Planner. The section works with City departments in the development and management of municipal heritage policy and property as follows:

- Building - to examine all building permit applications.
- Planning and Development - to comment on all rezoning, development review and other applications.
- Legal - to prepare and enforce the designation bylaw and Heritage Easement Agreements.
- Public Works - to ensure that legal descriptions of properties for designation bylaws and municipal numbers are correct.

3. Evaluation

The situation in Toronto is unique in the sense that it is the only municipality surveyed where the Heritage Planner operates independently from the municipal planning bureaucracy. While the Preservation Section works in conjunction with the City and its departments, this Section is responsible to an independent body, the Toronto Historical Board.

4. Incentives

City Council created a heritage revolving fund in 1979 of \$500,000 to provide low interest loans or grants to owners involved in restoration. A grant is awarded, contingent upon the property owner signing a Heritage Easement Agreement.

A Density bonus of up to 25% of the permitted maximum floor area can be used to encourage the preservation of designated property in the downtown. This incentive, as well as the Transfer of Development Potential, are being tried for the first time. The Development Bonus for the Confederation Life

Building and T.D.P. for St. Andrews Presbyterian Church.

The City has also requested an amendment to the provincial Assessment Act to allow municipalities to exempt designated heritage properties.

OTTAWA:1. Background

1972 (D) - The Rideau Street Convent was demolished.

1972 (C₁) - The Mayor's Committee on Heritage was established. It is significant that the Chairman of this Committee was R.A.J. Phillips, the Founder and first Executive Director of the national Heritage Canada (now Foundation).

1972 (S) - Report of the Mayor's Committee on Heritage (1972).

1973 (L₂) - The City of Ottawa Act included powers to protect municipal heritage property.

1973 (S) - "Conservation of Heritage Buildings in the National Capital Region" (1973) by the Ottawa Research Foundation.

1974 (S) - "Heritage Centretown" (1974) by the Centretown Citizens Planning Committee.

1974 (S) - The Revitalization of Older Residential Districts (c.1974) (referring specifically to the Glebe neighbourhood) by John Leaning.

1974 (L₁) - Ontario Heritage Act (1974).

1974 (P₁) - Clifford Ham hired as the City's Heritage Planner. He was followed by Alain Lafreniere in 1979.

1974-5 (S) - "The Sandy Hill Heritage Study".

1975 (P₂) - Technical Assistant for the Heritage Planner appointed in 1975.

1975 (B_a) - Bylaw 123-75, later repealed by Bylaw 280.77; established a Demolition Control Area in the Downtown/Centretown Area.

1976 (C₂) - LACAC Heritage Advisory Committee was established.

March 21 1977 (O_p) - "Plan of Heritage" Amendment 80 to the official city plan.

1978 (B_o) - Bylaw 135-78 included four heritage zones to the official zoning

map: - HP-1 - Heritage Public

- HC-1 - Heritage Commercial

- HR-1 - Heritage Residential

- HR-2 - Heritage Residential

n.d. (I) - The City has a list of about 3,500 buildings in 3 categories. 260 are on the list to be designated individually and 2,000 are in future heritage districts. Approximately 100 buildings are actually designated. 28 proposed districts are being considered by Toronto. None have yet been endorsed.

2. Role

The Heritage Planner, as part of the Current Operation Division of the Planning Department, is responsible for heritage activities which include: studies, designations, restoration, relations with the (LACAC) Heritage Advisory Committee, the Ministry of Culture, other staff members and the public.

Potential Contribution of Heritage Planner:

"Heritage has to be seen as a part of General Planning, if you can convince politicians and citizens - not to insist only on designation but make sure that they understand that heritage is important in particular and also in general."³⁰

Barriers to Designation: (According to the Heritage Planner)

- Economics of revitalization.
- Attitudes to heritage, i.e., "that only the Parliament Building is a heritage building."³⁰
- Inability to visualize what the property will look like after its restoration.

3. Evaluation

Ottawa's heritage program has been closely linked with neighbourhood studies. In that aspect it resembles the approach in Vancouver. Ottawa has also encouraged private interest and investment through some of the incentives listed here.

An aspect of Ottawa's program which is not typical of any of the other cities in the survey, is the consideration of the effect of "displacement" or "gentrification" in its heritage program.³¹ The Heritage Plan for Lower Town provided for the establishment of non-profit housing cooperatives in the neighbourhood to help soften the impact of the area revitalization and keep the

original residents in the neighbourhood.

4. Profile for Significant Incentive Mechanisms

1) Measure: Design.

Implemented By: Design Committee with the Heritage Section.

Objectives: Ensures that the alterations are done well or compatible with adjacent heritage property.

Description: When an application is submitted to Design Committee it is circulated to Heritage Planner for comments and approval.

Sites Preserved: Scattered in the City where Design Committee jurisdiction applies (Centretown area and main streets).

Limitations, Constraints, Problems Experienced:

- The Committee is not obliged to consider comments.
- Their jurisdiction is limited to designed highways or buildings facing public lands or in the Centretown heritage area.

2) Measure: Transfer of Development Potential.

Implemented By: Current Operations Division Heritage Section and Zoning Section.

Objectives: Preserves streetscapes within heritage areas.

Description: Height is controlled on the street leaving the back (20 feet) for highrise (transfer of potential).

Sites Preserved: None.

3) Measure: Grants.

Implemented By: Heritage Section.

Objectives: To help owners of designated buildings to restore.

Description: Provides 1/3 of costs up to \$5,000 for individually designated buildings (only for exterior work) and up to \$3,000 for buildings in districts (not in effect as yet).

Funding: City of Ottawa.

Sites Preserved: Individual buildings and districts scattered in the City.

Limitations, Constraints, Problems Experienced:

- The grant is low but the owners may apply every two years.
- Not effective for public buildings where the restoration costs are very high.

4) Measure: Purchase and Resale.Implemented By: City of Ottawa.Objectives: Preserve important building for the City.Description: Usually by expropriation or if possible by negotiation.Funding: City.Sites Preserved: Philomene Terrace (Daly Avenue).

CKOY Building (Richmond Road).

Limitations, Constraints, Problems Experienced:

- Control of future use and development of surrounding site.
- City may lose money.

Powers of the Municipality with Respect to Heritage Preservation Directly or Indirectly:

- Individual designation (Part IV of the Ontario Heritage Act).
- District designation (Part V of the Ontario Heritage Act).
- Demolition Control Bylaw (Planning Act).
- Property Standards Bylaw (Planning Act).
- Zoning Bylaw (for Heritage) (Planning Act).
- Design Committee (On main streets only).

QUEBEC CITY:1. Background

1967 - Interest and activity in Quebec City has extended beyond the boundaries of the City due to the significance in age, quantity and quality of this city's heritage. The Place Royale District was designated by the Province as a protected area in 1967.³² Activity in the old part of Quebec has been ongoing since the 1960's at the initiative of the provincial and federal governments. Three hundred buildings have been protected individually, and 2,000 within heritage conservation districts under provincial designation.

1970 - The "Canada/Quebec Agreement" initiated a conservation/restoration project for the area which has received over 22 million dollars in Government funds.

1972 (L₁) - Municipalities may, under the Cultural Property Act (1972), initiate bylaws within provincially designated historic districts for the regulation of building alteration, renovation or demolition.

Municipalities in Quebec are limited in the role they can play with respect to heritage preservation. Quebec law, like that of France,³³ reserves the responsibility for cultural property for the State. Quebec passed the first heritage legislation in Canada, the "Historic or Artistic Monument Act" (1922).

1974 (L₀) - The "City and Towns Act" (1974) authorized municipalities to prohibit the demolition of potential historic sites for 12 months within provincially designated districts.

1976 (O_p) - A document entitled "Philosophie d'Intervention et Critères d'approbation des permis", discussed the activity of the Commission for Urban Planning and Conservation of Quebec City with respect to approving permits for renovation, restoration and demolition.

1976 (C₂) - "La Commission d'Urbanisme et de Conservation de Québec" was established in 1976 with authority to monitor restoration, renovation and new construction activity in the City.

1978 (L₂) - Quebec City derives its authority for activity in heritage preservation beyond that which is enabled under the Cultural Property Act (1972) and the City and Towns Act (1974) from an official agreement with the Minister of Cultural Affairs in 1978.

1978 (C₁) - An Advisory Committee for Old Quebec and Heritage was established by the municipality in 1978.

1979 (P₂) - A "Division du Vieux-Québec et du Patrimoine", with a full-time staff of five was established.

1979 (C₄) - Two special technical committees have been established for preservation activity in the district of Old Quebec; one by Parks Canada in 1979 and the other by the Province in 1980.

1981 - Four programs are proposed for this year by the municipality:

1. An evaluation of archaeological resources in the district of Old Quebec.
2. An inventory of the islands Chantier, St. Paul and Sault-au Matelot.
3. A detailed architectural inventory of the historic district of Old Quebec.
4. The preparation of technical guides for the conservation, restoration and renovation of architectural elements. Specifically with respect to windows, doors, emergency stairs and verandahs.

The first program is unique in Canada. No other municipality has taken a direct interest in the inventory of its archaeological resources. The preparation of technical guides has also been undertaken to a small extent in Victoria and Winnipeg.

2. Role

The "Division du Vieux-Québec et du Patrimoine" consists of five people responsible to the Director of Planning. The duties of this Division are appended. In summary, they include the following:

1. Research

- inventory
- publications

2. Policy and Planning

- planning studies initiated by this Division
- participation in overall studies with and for other departments
- public relations
- priorities

3. Architecture and Operations

- permit approval
- supervise public and private works of restoration, infill, etc.
- establish standards for the above.

3. Opportunities and Constraints

The greatest opportunity of the Heritage Planner, as expressed by the respondent François Varin, was to be able to provide information to the public on programs and techniques of preservation. The greatest hindrance was seen to be the lack of coordination between the different divisions of the City and the lack of money. The greatest help to the Planner would be the responsibility for and the access to funds to encourage private initiative.

ST. JOHN, NEW BRUNSWICK:1. Background

1978 (L₁) - The "Municipal Heritage Preservation Act" (1978) enabled the designation of a preservation area (which can also mean an individual building or structure) by a municipality.

1979 (C₂) - A Preservation Review Board was established under the 1978 enabling legislation.

1980 (P₁) - Three staff members serve in an advisory capacity to the Preservation Review Board in a part-time capacity. They are as follows:

- The Assistant Building Inspector who acts as Secretary to the Board and advises on building matters.
- A City Solicitor.
- A Planner, Mr. Kenneth Kelly.

January 14 1980 (S) - The City became involved in heritage activities when Heritage Canada and the Provincial Historical Resources Administration offered on January 14, 1980 to co-sponsor an implementation plan for the creation of a preservation area in the central core of the City.

1981 (B_a) - Heritage Area Bylaw Proposed.

2. Role

Mr. Kelly has the following responsibilities with respect to heritage:

- developing heritage policy and promoting awareness among City staff and Council
- providing a liaison between the Preservation Review Board and the Planning Branch.
- overseeing the implementation plan for a proposed preservation area being conducted by consultants
- coordinating the sale of ten City-owned heritage buildings.

Potential Contribution of Heritage Planner:

- providing encouragement and guidance to the private sector
- relating the experience of others
- developing a plan for retention and economic use of areas.

3. Incentive Mechanism"Purchase and Resale of Property":

"Though the City did not purposely go out and purchase heritage buildings with the thought of recycling them itself or by sale and reuse by the private sector, the City had a very successful proposal call for the purchase and recycling of ten City-owned heritage buildings. These buildings were already in the City's hands, as 6 of the buildings had at one time been occupied by City offices or services. In 1971, a new City Hall was constructed and 5 of these 6 buildings were vacated by the City and since that time have been under-utilized or vacant. The City has been maintaining these buildings these past 10 years, but Council felt it was time for these buildings (including the Old City Hall, 1878) to be placed in the private sector for rehabilitation and re-use. One building, the Jarvis, 118-120 Prince William, was sold by Council for \$20,000 on the condition that the structure be rehabilitated as stores, offices and accommodation with 1 year of the transaction. This proposal call and sale, to my knowledge, is a unique incentive being offered by this municipality for the private sector to become involved in rejuvenating a somewhat neglected part of the City."³⁴

HALIFAX:

1. Background

1967 (L₀) - The Town Planning Act enables municipalities to use land use controls such as the regulation of use, location, height, design and density for purposes of heritage conservation.

1968 (T) - Threat to historic buildings on the waterfront from a proposed highway.

1969 (L₀) - The Nova Scotia Planning Act permitted zoning regulations which cover architectural character.

1970 (C₁) - The Halifax Landmarks Commission was empowered under the City's charter to act as an advisor to Council regarding heritage conservation.

1970 (L₂) - The Halifax Landmarks Commission received authority to designate historic sites under the Halifax Charter.

1971 (O_p) - The Halifax Municipal Development Plan (Draft) incorporated the objective of preserving historic sites on the waterfront.

1972 - The Historic Properties Project of 1972 involved the municipal, provincial and federal governments, together with private enterprise in successfully developing the Halifax waterfront.

1975 - In 1975, an Intergovernmental Waterfront Committee consisting of the federal and provincial governments planned a revitalization of the Halifax and Dartmouth harbours. It is still in progress.

1976 (P₁) - A Planner was assigned the responsibility of preparing the Heritage Policies section of the Municipal Development Plan.

1977 (S) - Jennifer Phillips prepared the heritage policy section of the Municipal Development Plan and a report entitled "An Evaluation and Protection System for Heritage Resources in Halifax" (1977), which surveyed legislation and protection methods in Canada and the United States. This report was officially adopted by City Council in 1978. It was one of the most comprehensive works relating to municipal heritage planning in Canada at the time and was

very important in influencing the work of later Heritage Planners.

1978 - Halifax Municipal Development Plan was approved.

1978 (P₂) - As a consequence of the 1977 report, a Heritage Coordinator was appointed in 1978. Mr. A.W. Churchill is also the Supervisor for the Real Estate Division of the Development Department and has extensive responsibilities in that capacity.

1980 (L₁) - "An Act to Provide for the Identification, Preservation and Protection of Heritage Property" (1980) Section 27.

Although the 1977 Heritage Report sets out a detailed evaluation system and listing of heritage resources, none have yet been designated under this enabling legislation.

2. Opportunities/Constraints

Ms. Phillips feels Heritage Planners can make their most important contributions by taking an objective, non-emotional standpoint between "skeptical" Councils and heritage groups.

The allocation of responsibilities for heritage to a staff person with other duties was seen by Ms. Phillips as an obstacle to an active heritage program.

Footnotes

- ¹John Leaning, The Revitalization of Older Residential Districts. (Ottawa: Central Mortgage and Housing (1975)).
- ²B.C. Heritage Conservation Branch. Department of the Provincial Secretary. Nelson: A Proposal for Urban Heritage Conservation? (Victoria, B.C., 1981).
- ³Lang and A. Armour, Energy Conservation in Twenty Canadian Cities. (City of Toronto, 1980).
- ⁴Marc Denhez, Heritage Fights Back. (Toronto, Ontario: Fitch Henry and Whiteside, 1978), p. 213.
- ⁵Abraham Rogatnick, "The Basic Premise" in Maple Tree Square Phase 1. (Vancouver, B.C.: Planning Department, June 1969), p. 7.
- ⁶Calgary, Edmonton, Halifax, Regina have used evaluation systems similar to that outlined in the booklet by Harold Kalman, The Evaluation of Historic Buildings. (Ottawa: Parks Canada, 1980).
- ⁷M. Cobett, et al. Splendid Survivors - San Francisco's Downtown Architectural Heritage. (San Francisco, California: California Living Books, 1980).
- ⁸Michael Seelig, Time Present and Time Past: Proposals for Area Conservation in Vancouver. (Vancouver: Dept. of Social Planning, June 1973), p. 7.
- ⁹Michael Harcourt in New Life for Old Buildings. Proceedings of a B.C. and Yukon Heritage Conference. Feb. 10-12 1977. (Vancouver: Community Arts Council of Vancouver, 1978), p. 444.
- ¹⁰Denhez, op.cit., p. 184.
- ¹¹Vancouver, B.C. "Monetary and Non-Monetary Compensation for Heritage Designation." (Vancouver: Department of the City Manager, Oct. 3 1978).
- ¹²Vancouver City Council minutes January 1979.
- ¹³The Vancouver Planner could not reply as a result of Municipal strike. Information was solicited from the Heritage Planner for Vancouver to 1978, from a member of the Vancouver Municipal Heritage Advisory Committee, and from minutes of the Council.

- ¹⁴William Huot, Compensation for Designation. (Victoria, B.C.: Heritage Conservation Branch, 1979).
- ¹⁵Barry Downs, and Archambault Architects, Park Site 19. A Feasibility Study. (Ottawa: Heritage Canada, 1979).
- ¹⁶Edmonton, Alberta. "General Plan" City of Edmonton Planning Department, 1971.
- ¹⁷Edmonton, Alberta. "Agreement re the Old Strathcona Heritage Conservation Area between the City of Edmonton, the Old Strathcona Foundation and Heritate Canada." (Edmonton, July 22 1976).
- ¹⁸Marc Denhez, "In the Wake of the Tegone Mess." Heritage Canada, 5 (February 1979), 32-34.
- ¹⁹Job description summary for Richard Kilstrom, City of Edmonton Planning Department, 1981.
- ²⁰Calgary, Alberta. Municipal Heritage Conservation Framework. (City of Calgary, 1979), p. 18.
- ²¹Calgary, Alberta. Heritate Conservation: Report of the Ad Hoc Heritage Committee. (Calgary: City of Calgary, 1976), p. 10.
- ²²Calgary, Alberta. Calgary Plan. City of Calgary, 1978. Sec. 7,8,9.
- ²³Trevor Boddy, "An Evaluation Process of Calgary's Historic Resources", Draft Paper. (Calgary: Planning Department, 1981).
- ²⁴City of Calgary Competition notice for a Heritage Planner June 29, 1979.
- ²⁵Edmonton, Alberta, "Report of the City of Edmonton Corporate Policy Planning Office", December 13, 1979. Appendix.
- ²⁶Penina Coopersmith at the Annual Meeting of the Society for the Study of Architecture in Canada. Lecture. April 1980, Victoria, B.C.
- ²⁷Planning Act C.C.S.M. 1980.
- ²⁸Bylaw No. 16502 cited as "Winnipeg Zoning Bylaw", City of Winnipeg(1978).
- ²⁹City of Toronto Act. S.O. 1969.

³⁰Alain Lafreniere, Heritage Planner for Ottawa, Ontario in response to questionnaire, March 1981.

³¹Georges Bedard at Annual Meeting of the Heritage Canada Foundation Lecture, October 1980, Winnipeg, Manitoba.

³²Act Respecting Royal at Quebec. S.Q. 1967, c.54.

³³Loi, n. 62-903 du aout 4 1962.

³⁴Ken Kelly Neighbourhood Planner for St. John, N.B. in response to questionnaire March 1981.

CHAPTER III: A DESCRIPTION AND ASSESSMENT OF INCENTIVE MECHANISMS

"You can catch more flies with honey than with vinegar"¹. This chapter deals with the "honey" or incentive mechanisms which can sweeten the economic blow of heritage designation or perhaps even replace it as a means of heritage preservation. Heritage Designation² does not always cause a loss of economic return to the private property owner as demonstrated by studies such as that carried out by the City of Vancouver.³ It can, however, imply a loss of development opportunity either at present or in the future. "Economic blow" is therefore the real or perceived loss of opportunity for profit through development at a "higher" use now or in the future.

Several incentive programs have already been described under the city profiles of Chapter Two. Table II summarizes the status and effectiveness of these mechanisms for twelve of the cities surveyed. Table III provides a summary of the mechanisms in terms of their main advantages, shortcomings, costs, ease and term of implementation.

1. Persuasion

Persuasion or Moral Suasion is the ability of the municipal bureaucracy to encourage preservation through request as opposed to negotiation using some of the incentives mentioned below.

Persuasion is defined as "An act or the action of influencing the mind by arguments or reasons offered..."⁴ and "...the addressing of reasonings, appeals or entreaties to a person in order to induce him to do or believe something."⁵ A municipality as a government body has the power to regulate and to protect heritage resources through that regulation. It also has a degree of status associated with that power which can be used to "influence the mind" without resorting to actual regulation. The municipality also has the power to negotiate using the incentive mechanisms described in this chapter. Persuasion as the "softest" of these mechanisms is neither regulation nor negotiation but the ability of the municipal bureaucracy to encourage preservation through

request. It does not need any enabling legislation but only the receptiveness of both the municipality and the potential heritage property owner to discussion. Persuasion is therefore the first step in a program to encourage heritage preservation. Eight of twelve municipalities surveyed found persuasion to be effective in encouraging preservation. The response from Charlottetown, P.E.I. described persuasion as useful, particularly in the administration and issuance of building permits and the administration of funds through the Residential Rehabilitation Assistance Program (RRAP).

2. Plaques

Plaques can be used to commemorate and interpret individual sites, but the greatest benefit in terms of public awareness, promotion and cost occurs when plaques are used in an established Conservation area. Plaques work well as part of a larger interpretation program of guided tours, printed tours, school programs, etc., and they need not be used in conjunction with formal designation of a site. The Commemorative Plaque on Vancouver's Davis House demonstrates this device as a means to commemorate the efforts of the owners of the home in conserving it and to thereby encourage others by example.

Plaques not only commemorate the site but the work of the agency awarding the plaques. This publicity is important in maintaining public awareness of and support for the program. Seven of the municipalities surveyed found plaques to be effective as a mechanism for encouraging support for the preservation of heritage sites. It is an inexpensive mechanism with benefits for tourism and public relations. The relatively small cost can be borne entirely by the municipality, by a local conservation authority responsible for the particular district such as the St. John's Historic Trust or Heritage Winnipeg, by the owners of the property, or a combination of the above.

3. Green Door Policy

The purpose of this mechanism is to hasten those processes within the municipal bureaucracy which involve heritage preservation such as heritage

designation, the provision of zoning incentives, etc., by providing special assistance to property owners in dealing with the City's bylaws and departments. Putting a "Green Door" on applications related to heritage preservation is an incentive for those property owners who are intimidated by the "Red" tape of municipal regulation. This policy has not been used in the cities surveyed. This lack of popularity can perhaps be attributed to the difficulty of giving special treatment to some municipal programs at the expense of others within limited manpower and budget constraints.

4. Public Awareness

Public awareness encompasses any program intended to publicize heritage sites, areas and programs. These programs do not need to be specifically tailored for this purpose but can be accommodated in others such as Urban Design Awards, publicity brochures, cultural programs, etc. Urban Design Awards, which rewarded (among other categories) private residential and commercial rehabilitation or restoration projects were considered effective in Ottawa and Toronto as a means of encouraging preservation by example, similar to the plaque mechanism mentioned earlier.

The publication of a heritage inventory is a common form of encouraging public awareness. This can be done by the municipality itself, by a local heritage committee or by a private individual. Well-illustrated studies such as the City of Victoria's Heritage Conservation Report were intended, not only to provide information for internal use, but to promote public interest and support. Equivalent publications of this nature were also produced in seven of the municipalities surveyed.

Public awareness can also be introduced through educational programs specifically tailored to introduce people to opportunities and techniques of preservation. These programs can be as extensive as public seminars or as simple as How-To-Do-It reprints from technical preservation journals placed in locations accessible to the public.

5. Demonstration Projects

Six of the municipalities have tried demonstration projects.

Demonstration projects can be carried out by a municipality to encourage area revitalization.

A strategic, municipally-owned landmark, such as the Regina Post Office on the Scarth Street Mall, can be conserved to demonstrate the potentials of conservation and how to go about it properly. The intention is to cause a spin-off effect in revitalizing the rest of the street.

The City of Victoria provided half the cost of paint and free advice on color schemes to revitalize its Chinatown area.

6. Public Works

Five of the municipalities have used this mechanism.

The provision of public amenities such as brick paving, special lighting, street furniture, landscaping around heritage buildings, can increase the value and viability of heritage property. The costs of these improvements can be borne wholly by the City or in conjunction with the property owner(s).

The provision of amenities by the City has worked to greatest advantage as an incentive in encouraging the revitalization of commercial conservation districts and non-designated character areas such as malls and public squares.

"The city needs to combine carrots with sticks. Public improvements such as landscaping, lighting, fountains and benches will help to enhance a historic district. They also are critical in changing the investment climate for private investors. According to Arthur Skolnik, former city conservator for the City of Seattle, the two million dollars in public improvements in Pioneer Square by the City of Seattle played no small part in attracting a ten million dollar private investment in the district by 1975."⁶

7. Design Guidelines

Design guidelines have been tried in five of the municipalities surveyed.

Design guidelines are proposed initially by the city and altered to suit the needs of the developer. Like the "Green Door Policy" it attempts to encourage the participation of the private sector, by easing the bureaucratic

process. Like the "Demonstration Project" it attempts to promote sensitive design through example. This example is not only through stated guidelines for size, shape, materials, color, style, etc., but through a graphic portrayal of the type of the above best suited for the site.

Design guidelines attempt to demonstrate opportunities for sensitive rehabilitation and new infill. They can be used for individual sites by themselves, as part of conservation districts where design guidelines are specified, or in character areas where flexible zoning (for example: Comprehensive Development Zoning in Vancouver) permits a negotiation of design. Design guidelines require imagination and time on the part of municipal staff but it saves time in the long run, facilitates the approval process and helps encourage cooperation by the private/public developer through removing stumbling blocks.

Design options have been tried in five of the municipalities.

8. Encouragement of the Donation of Facade Easements

Private property owners can be encouraged to donate facade easements to the City or to a separate heritage foundation created by the City for that purpose. Facade easements can be solicited in lieu of municipal property taxes. The use of this mechanism to encourage preservation was not popular outside of Toronto and Edmonton. In both cases it was the activity of heritage foundations which encouraged and purchased the easements and not the municipality itself. This mechanism has the potential, however, of being an inexpensive means of encouraging preservation.

9. Building Code Flexibility

This mechanism for preservation provides concessions with respect to building bylaws to retain the integrity of the heritage site. The municipality may have powers under its charter⁷ or under more universal planning or heritage legislation to exercise discretion in the enforcement of its building/fire codes through the planning director, its building inspectors, or fire marshall. The municipality can also ask for input from the National Research Council with

respect to "equivalents" in the case of heritage buildings. "Equivalent" material, exits, sprinkler systems are approved or specified which would be more sympathetic to the heritage building and provide equivalent safety.

Building code flexibility has not been used to a great degree due to reluctance on the part of building inspectors and planning directors to take a chance on standards differing from the National Building Code and which could possibly endanger public safety.⁸

The National Research Council is expected to announce shortly, revisions to the National Building Code which will take into account heritage buildings. This will have a significant impact on the future effectiveness of Building Code Flexibility in encouraging heritage preservation.⁹

10. Encouragement and Coordination of Leasing Space in Municipal, Provincial and Federal Heritage Structures

These three governments can own a large number of heritage structures and sites within a municipality.¹⁰ They might also account for a significant need for office and storage space as well as for residential, apartment, cultural, recreational and other space.

The municipality has the opportunity to encourage the re-use of these publicly owned spaces for public purposes and to coordinate and disseminate information on space requirements and available sites. It is another way in which the municipality can use moral suasion to lobby and negotiate for conservation.

This mechanism has been tried in Victoria, Winnipeg and Toronto.

11. Zoning Incentives

The relaxation of restrictions under zoning bylaws with respect to parking, use, design, etc., may be allowed to make the heritage building more economically viable. Density bonusing is becoming the rule rather than the exception as a means of encouraging design amenities (including heritage conservation) and is consequently losing its impact as an incentive. Permitting

these select relaxations or bonuses can also be viewed as spot zoning and a threat to the credibility of overall land use control as evidenced in zoning. It is, however, the most flexible, discretionary and rewarding incentive mechanism available to the municipality.

Zoning incentives have been used in six of the cities.

12. T.D.P.

The transfer of development potential (sometimes referred to as transfer of development rights) allows the heritage property owner to sell excess development potential as determined by floor area ratio to a prospective developer for use on another site. This site can be adjacent to the heritage property or some distance from it. The latter case requires the identification of areas where these rights can be used so as not to upset the existing balance of land uses. A development rights bank might be set up by the city to purchase excess development potential from an endangered heritage property and sell it to the highest bidder in areas where the city has determined these rights can be used. This bank permits the city to intervene where a buyer for the development potential is not immediately available. It also affords the opportunity to the city to make a profit from the resale of the development potential which could be used for conservation purposes through a heritage revolving fund or other mechanism.

The concept of T.D.P. has been used in Vancouver to allow a transfer of excess potential from Christ Church Cathedral and Gabriola Mansion to adjacent developments. For the purpose of the former case as well as two cases in Edmonton, Alberta, the heritage property and the adjacent new developments were considered to be on one site. The allowable development potential was thus transferred over one site rather than from one to another or through a development rights bank.

T.D.P. is associated with a number of significant drawbacks. It requires time to negotiate the transfer and a site capable of accommodating the in-

creased density without negative impacts. It may weaken the credibility of a municipality's zoning regulations if it is seen that exceptions to existing zoning are continuously made. Most important, T.D.P. requires a demand for the transferable space and if the municipality attempts to downzone the area in order to create a market, it typically runs against opposition from vested interests.

These reasons account for the infrequent use of this incentive mechanism and its limitation to very significant heritage sites.

13. Tax Freeze on Rehabilitated Commercial Property

Property taxes on designated commercial property are frozen at the level before any improvements are made. This freeze will forgive the taxes resulting from improvements to the property over a period of a few years. The freezing of taxes for rehabilitated commercial heritage property was tried only in Victoria.

The costs of rehabilitating commercial property are such that the incentive afforded by a freeze on taxes is limited. This mechanism has the potential to be effective when used in combination with other incentives within a designated conservation district.

14. Reduced Property Assessment

A reduction of property taxes for designated heritage buildings. It could be for a limited duration to help alleviate the costs of necessary renovations sympathetic to the building or it could be a freezing of taxes forever at the time of designation. It is another mechanism for encouraging the viability of a heritage property but is not sufficient by itself to encourage a property owner to seek designation. It has been used only in Edmonton.

15. Tax Increment Financing

A project area is selected for restoration and its tax base is frozen. From then until the project is completed, the taxing bodies continue to receive the same low revenues as before. As investment and improvement take place in the area, there is an increased property valuation or increment above the frozen level. That increment is allocated to a special fund to be used for reinvestment back into the area. This is a form of value recapture or betterment tax. (See No. 17).

Tax Increment Financing has not been used in any of the municipalities as yet due perhaps to the perceived loss by Finance Departments of operating revenues.

16. Revolving Funds

"The revolving fund is your equity that enables you to venture into the economic battlefield. The techniques of using such a fund are your weapons. Victory comes when you have revitalized the economic qualities of your historic district so well that it can work without you."²

"A revolving fund is cash or other equities, a line of credit or any combination of these owned and administered by a non-profit organization for the express purpose of purchasing and restoring architecturally significant structures. It can also be cash loaned by a non-profit organization to individuals or organizations for the same purpose. All proceeds from rentals, sales, interest and dividends must be returned to the fund in order to replenish it. Thus the fund revolves. Generally, such funds are used in specific urban areas and districts rather than applied helter-skelter to one building here, another elsewhere."³

The funds could be derived from the following:

1. private industry, groups and individuals
2. the province, in the form of a grant
3. a local demolition tax based on the value of the building, and its significance
4. a new development tax
5. value capture derived from other enterprise.

This fund has been established only in Ottawa and Toronto.

17. Value Capture

Value capture (betterment tax) could be a source of funding for the Heritage Revolving Fund and the many incentives which extend from that fund. Increased tax revenues which accrue from property which has increased in value due to heritage building and area revitalization would be "captured" and recycled back into other buildings and areas through the revolving fund or another mechanism.

While the former source of value capture taxes betterment accruing from conservation, other developments could be taxed. If the municipality decided that a heritage site should be demolished on account of substantial economic benefits which would accrue to the city overriding the cultural benefits of the site, part of that value could be captured for the city's heritage programs. The use of Value Capture as a mechanism for preservation has not been used as yet in Canadian municipalities.

18. Loans or Grants to Owners of Residential Heritage Properties

The provision of low-interest loans or grants or combinations of the two

can both compensate for and encourage heritage designation. These funds could be used to subsidize necessary structural repairs or sympathetic renovations. They would be given solely for that type of work and upon satisfactory completion of it. The source of that fund could be a heritage revolving fund derived from a provincial grant or municipal taxes or private donations as discussed earlier.

This monetary incentive is offered in five of the municipalities and is rated highly by them in terms of its effectiveness in encouraging residential heritage preservation. The most successful program is offered in Victoria. It is described in greater detail under that city's profile.

19. Mortgage Guarantees

The City would insure private financing for the purposes of purchasing and revitalizing significant heritage property by guaranteeing the mortgage.

The city could also act as a lender of last resort if the project could not receive private funding. Mortgage guarantees have not been used in any of the municipalities surveyed, perhaps because of the risks involved.

20. Purchase of Property

The property should be very significant as it entails great public expense in acquisition, maintenance, possible rehabilitation, interpretation and administration. Not all of these costs could or should be retrieved on resale of the property if that were desired. Five of the municipalities have purchased heritage property.

21. Purchase of Facade Easements

This mechanism is less expensive than purchase in fee simple, yet it preserves the facade as a public amenity, helps the property owner maintain it and relieves the municipality of administrative headaches.

Easements

"A limited ownership right in a piece of real property granted by the owner to another person. It is granted in perpetuity and accompanies the title to the land through its various successive ownerships ...

A facade easement, for example, protects the front of an historic building while allowing the owner unimpaired enjoyment of the remainder of his property."⁴

It is an inexpensive way to use a small revolving fund effectively. It need not be reserved for historic facades but can be used for the fronts of adjacent buildings in order to preserve a streetscape or for the preservation of landscaping and also for interiors.

An easement can place restrictions on the future development or alteration of the property or require that certain changes be made which would restore its heritage character.

It has been used only in Toronto and is legally possible in B.C., Ontario, P.E.I., Alberta and Saskatchewan.

22. Purchase of Property and Resale with Restrictive Covenants

Although this is much more expensive initially than the purchase of easements, there is an opportunity for capturing increased "value" resulting from resale of a rehabilitated heritage property and consequently supporting other conservation efforts through a revolving fund. It also provides the opportunity of demonstrating what can be done (a demonstration project) and what is being done (public awareness) with the fund. The property cannot always be resold at a profit depending on the zealousness of the rehabilitation effort and the market conditions.

The intent of this mechanism is not to preserve the site and contents as a museum piece, but to keep it in private hands with restrictions on the type and quality of renovations which can be made so that it is conserved for the enjoyment of the city yet continues as a vital and functioning part of it.

Restrictive Covenants

Covenants, like easements prohibit unsympathetic alteration to heritage property. Unlike easements, however, they require property purchase before they can be applied.

"Typically, they stipulate that no alteration to an exterior

may be made without the consent of the preservation group or its successors, that the group may sue the owner if he violates the agreement, and that the preservation group has the first option to repurchase the property for a brief period if it is put up for sale."⁵

This mechanism has been used effectively in Victoria, Edmonton, Ottawa and is currently being tried in St. John.

23. The Redevelopment Levy

An opportunity not described to this point is the "redevelopment levy". It was used until very recently by the City of Edmonton to help pay for recreational and school facilities through a levy on new office development. Although it was enabled by a change in the Alberta Municipal Act requested by the City of Edmonton, it is now being contested in the Supreme Court of Canada. If the necessary amendments to enabling legislation could be solicited for other provinces, this redevelopment levy would provide a substantial boost for a municipal heritage fund, particularly in areas of extensive office development such as Calgary. It is more attractive than a tax since it is only levied once.

Table 2:

A Summary of Incentive Mechanisms

This chart summarizes the use of twenty-two Incentive Mechanisms to encourage heritage preservation by twelve Canadian municipalities as of March 1981.

	British Columbia		Alberta		Manitoba	Ontario		New Brunswick	Prince Edward Island	Nova Scotia	Newfoundland	Quebec
	Victoria St/Ef	Vancouver St/Ef	Edmonton St/Ef	Calgary St/Ef	Winnipeg St/Ef	Ottawa St/Ef	Toronto St/Ef	St. John St/Ef	Charlottetown St/Ef	Halifax St/Ef	St. John's St/Ef	Quebec St/Ef
1. Persuasion	* C	C	* -	C	* B	* B	* B	* B	* B			* A
2. Plaques	* B	*	* -	C	* C	C ?	* B	ø	* B		* C	C ?
3. Green Door		C	ø		ø		*	ø	ø			
4. Public Awareness	* B	*	* ?	* B	* A	C ?	*	ø	* B			C ?
5. Demonstration Projects	* B		* A	C	* ?	ø	ø	ø	* A	C	* C	* B
6. Public Works	* B	*	C	C	* ?	ø	ø	ø	* A			* B
7. Design Options	* B	ø	* ?	* C	* B	C	ø	ø	* A	C		C ?
8. Donation of facade easements		C	C	C	ø	ø		ø	ø			C ?
9. Bldg. Code flexibility	* ?	C	ø		* B	C ?	*	ø	* C	C		C ?
10. Leasing Space	* B	C	ø	ø	* ?	ø	*	ø		C		C ?
11. Zoning Incentives	* B	C	C	C	* B	* B	*	ø	ø	ø	* B	* B
12. T.D.P.	ø	* B	* B	C	ø	* B	C	ø	ø	ø		C ?
13. Tax freeze commercial	* ?	ø	ø	C	C	ø	ø	ø	ø	N.A.		C ?
14. Reduced Property Assessment		ø	* ?	C	ø	ø	ø	ø	ø	N.A.		C ?
15. Tax Increment financing	ø	ø	ø	C	ø	ø	ø	ø	ø			C ?
16. Revolving Fund	C	ø	ø	C	C	* -	*	ø	ø	C		C ?
17. Value Capture	ø	ø	ø		ø	ø	ø	ø	C B			ø
18. Grants	* B	C	ø	C	ø	* B	*	ø	* A			* A
19. Mortgage Guarantees		C	ø	C	C	ø	ø	ø	ø	C		C
20. Purchase	* B	C	ø	C	C	* B	* ?	ø	* A	C		* A
21. Purchase of easements	ø	C	ø	C	C	ø	* B	ø	ø	C		ø
22. Purchase & resale with covenant	* B	C	* A	C	C	* ?		* A	ø	C		

<u>Legend:</u>	<u>Status:</u>	Tried	*	<u>Effectiveness:</u>	Very Effective	A
		Considered	C		Effective	B
		Not	ø		Marginally Effective	C
		Considered			Ineffective	-
		Not Applicable	N.A.		Don't know	}
					Too early to evaluate	
						?

(The headings ST/EF in the table refer to Status and Effectiveness.)

Table 3: An Analysis of Incentive Mechanisms

This chart summarizes key advantages and disadvantages of twenty-two incentive mechanisms as determined by results of this survey to March 1981.

Method/ Characteristics	Main Advantage	Main Shortcoming/ Obstacle	Financial Costs to Public	Ease of Implementation	Duration of Implementation	Tried in "X" (of 12 Cities)
Persuasion	P.R.		Nil	Very	Continuous	8
Plaques	P.R.		Small	Very	Continuous	7
Green Door	Encouraging Private Sector		Nil	Very	Continuous	1
Public Awareness	P.R.		Varies	Very	Continuous	7
Demonstration Projects	P.R.		Moderate	Very	Occasional	6
Public Works	Encourage P.S.	Cost	Large	Moderate	Occasional	7
Design Options	Encourage P.S.	Staff time	Nil	Very	Continuous	6
Donation of facade ease- ments		Income Tax Act	Nil	Very	Continuous	None
Bldg. Code Flexibility	Encourage P.S.	National Code & perceptions	Nil	Moderate	Continuous	4
Leasing Space	Encourage Public Sector	Coordination	Nil	Very	Continuous	3
Zoning Incentives	Encourage P.S.		Nil	Moderate	Continuous	6
T.D.P.	Compensate P.S.	Urban Design	Nil	Moderate-high	Occasional	3
Tax Freeze Commercial	Maintenance	Not enough of an incentive	Small	Very	Limited	1
Reduced Prop- erty Assessment	Maintenance		Small	Very	Limited or continuous	1
Tax Increment Financing	Fund Raising		Small	Moderate	Continuous	None
Revolving Fund	Fund In- centives	Source of funding	Nil	Moderate	Continuous	2
Value Capture	Fund Raising	Application	Nil	Moderate	Continuous	None
Grants	Maintenance	Cost	Small	Moderate-high	Continuous	5
Mortgage Guarantees	Encourage P.S.	Risk	Nil	Very	Occasional	None
Purchase	Preserve forever	Cost	Large	Very	Occasional	5
Purchase of easements	Maintenance		Small	Moderate	Occasional	1
Purchase and resale with covenant	Recycles property	Initial cost	Small	Moderate-high	Occasional	4

Footnotes

¹L. Killam, New Life for Old Buildings; Proceedings of a B.C. and Yukon Heritage Conference Feb. 10-12 (Vancouver, B.C.: Heritage Canada, 1977), p. 99.

²Heritage Designation means that the property cannot be altered, moved, demolished or sold without the permission of City Council. Designation can cover all of the property or parts of it. Additions or deletions to this description will vary with the specific provincial enabling legislation as listed in Appendix A.

³Vancouver, B.C. "Monetary and Non-Monetary Compensation for Heritage Designation." (Vancouver: Dept. of the City Manager, May 2, 1978).

⁴Webster's Third International Dictionary.

⁵Oxford English Dictionary Volume VII, 1970.

⁶The National Trust for Historic Preservation, Old and New Architecture - Design Relationships (Washington, D.C.: The Preservation Press), 1980.

⁷For example, Vancouver has the authority under the Vancouver charter. For a more detailed survey of this legislation see Mark Denhez Heritage Fights Back (Toronto, Ontario: Fitzhenry and Whiteside), 1978.

⁸University of British Columbia, Habitat Seminar on Heritage Preservation (Vancouver, May 1981). The obstacles permitting alternatives to certain code requirements were expressed by the participants in this seminar. They included Richard Henriquez (Vancouver Architect), The Deputy Fire Marshall for the City of Vancouver and others.

⁹Georges Bedard of the Heritage Canada Foundation, Interview, Regina, Sask., Sept. 1981.

¹⁰Surveys of the Canadian Inventory of Historic Building, Ottawa, 1971-77.

¹¹Development rights banks cannot be established under the charters of most Canadian cities at present, according to Laura Lee Richard, Interview, Vancouver, October 1981.

¹²Arthur Ziegler et al, Revolving Funds for Historic Preservation
(Pittsburgh, Penn.: Ober Park Associates Inc., 1975) p. 107.

¹³Arthur Ziegler, Historic Preservation in Inner City Areas (Pittsburgh,
Penn.: Ober Park Associates Inc., 1974)

¹⁴Ibid, p. 32.

¹⁵Ibid, p. 34.

CHAPTER IV: CONCLUSIONS: A CHARACTERIZATION OF MUNICIPAL HERITAGE PLANNING IN CANADA

This concluding chapter will provide an overview and analysis of the characterization of municipal heritage planning in Canada presented in this thesis as seen through the following:

- a scenario of local involvement in heritage activity;
- the role of the Heritage Planner;
- the relationship of tourism and activity in heritage preservation;
- the implications of the thesis.

Beginnings - A Scenario of Local Involvement

Public involvement in municipal heritage conservation was often initiated by confrontation over the loss of a significant heritage building. An aroused public would then form a heritage committee as part of an existing Historical (or other) Society or by itself, in affiliation with the national Heritage Canada Foundation.

Initially, this committee would concern itself with saving endangered buildings and developing public awareness through activities such as walking tours, open houses, publications and lectures. At some point, a plan for heritage would be prepared for presentation to City Council, which might contain the following:

- 1) general statements on the importance of preserving the City's heritage buildings.
- 2) creation of an Advisory Committee to Council on heritage matters.
- 3) a list of significant buildings.
- 4) the need for a larger and continuous Inventory.
- 5) the allocation of a Planner or other resource person in City Hall to liaise with the committee, and watch out for heritage interests.
- 6) recommendations to lobby provincial and federal governments regarding heritage enabling legislation (provincial), tax incentives or the relaxation of building and fire codes (federal).

These points would reappear again in the provincial enabling legislation which followed the early citizen heritage plans and again in the municipal bylaws which followed the provincial legislation. The community heritage plans were influenced in part by national and international activity as promoted by Heritage Canada.

Early activity in the Designation of Municipal Heritage Sites was carried out by the provinces in areas such as Vancouver's Gastown and Chinatown. This activity was prompted by public pressure, aroused through increasing threats

to these and other older urban centers resulting from rapid urban growth. While protection of endangered heritage sites was an important factor in these confrontations it was the alliance with larger social concerns such as the preservation of neighbourhoods which gave a greater strength and credibility to heritage conservation issues.

Enabling legislation for heritage conservation has been delegated to municipalities in varying degrees over the last eight years. Those cities which had not already adopted the community-prepared heritage plan discussed earlier, began preparing one. These more recent plans drew on the experience of plans prepared in other Canadian and American cities as well as guidebooks on Municipal Conservation Programs prepared by the Province.¹

At this point, personnel were solicited from the regular planning, technical or research support staff and the process of Policy formulation began, in light of the new powers at the municipality's disposal.

An initial organizational alliance would be formed between the Citizens' Heritage Committee and planning staff if one had not been created previously. This informal alliance would gradually evolve into two separate structures. The informal advice of the Citizens' Heritage Committee would be channelled into a more broadly-based Municipal Heritage Advisory Committee to advise City Council on Heritage matters. The staff person(s) assigned part-time responsibility for heritage would become more involved and develop a more specialized role - that of the Heritage Planner.

The Role of the Heritage Planner:

Functions

The following functions are common to the Heritage Planners surveyed:

1. To help develop and implement policy with respect to heritage conservation.
2. To act as liaison between the Heritage Advisory Committee and Planning Department and provide technical support to both.
3. To handle outside liaison with community provincial and federal contacts in the heritage conservation field.
4. To coordinate the work of consultants working on design or planning projects related specifically or peripherally to heritage matters. For example, N.I.P., Area Plans, Downtown Development Plans, etc.
5. To monitor development applications which affect designated or potential heritage sites or their environs.
6. To work with other City departments primarily (and with consultant, community provincial and federal contacts, when needed) to carry out heritage policy.
7. To supervise an Inventory of Potential Historic Sites and prepare assessments of potential heritage sites.
8. To carry out public relations work on behalf of the City's Heritage Policy. Involving lectures, tours, publications, etc.
9. To use the mechanisms discussed previously to stop, alter or encourage development of or around heritage sites.

Categories

The Heritage Planner as described in this thesis falls into several categories:

- 1) The coordinator of a team of specialists working exclusively on heritage matters, separate from the Planning Department and municipal bureaucracy but working closely with them.
- 2) Part of a specialized team working exclusively on heritage matters within the Planning Department.

Example: Quebec City.

- 3) One or two positions working exclusively on heritage matters within the Planning Department.

Examples: Winnipeg (2 positions)

Calgary (1 + 3 contract)

Edmonton (1 + 4 contract)

Ottawa (1 + 1 support position).

- 4) Part-time responsibility for heritage matters within the Planning Department.

Examples: Victoria (50%)

Vancouver (50%)

Saint John, New Brunswick (20% to 50%).

- 5) Part-time responsibility for heritage matters outside of the Planning Department.

Example: Halifax (Building Department).

The responsibilities of these respective positions have been described in the profiles of Chapter Two.

Location within the bureaucracy

The appropriate location for the Heritage Planner will depend in part on the size and financial resources of the community, the existing organizational structure within the bureaucracy, the political climate, the planning priorities and the effectiveness of a heritage lobby, all of which are interrelated. Assuming that all these factors are favourable, a small community would not necessarily require a full-time Heritage Planner, but could rely on the resources of the local Heritage Society, Planning Department, a paid consultant, the consultative resources of provincial historic conservation divisions, the local Heritage Advisory Committee or combinations of the above. This sequence also illustrates a pattern of development prior to the establishment of a Heritage Planner in larger centres as described in the profiles of Chapter Two.

- Committee of Citizens - Heritage Society
- Planning Department/Planning Commission
- Consultant (Private)
- Consultant (Public) with Provincial Agency
- Heritage Advisory Committee
- Heritage Planner
- Heritage Division.

Ontario, for example, has over 120 local Heritage Advisory Committees² but only two municipal Heritage Planners, as defined in this thesis. There is, however, a very active resource in the Provincial Historic Conservation Branch which can provide expertise and support to these communities.

In Toronto, the Heritage Planner is in charge of a Heritage Division which is part of the Toronto Historical Board. This division is not part of the municipal planning bureaucracy but works closely with it. The location of the Heritage Planner in this instance affords a degree of autonomy from other workload or political pressures which might otherwise occur if they

were part of a regular Planning Department.

Is it better to be close at hand or at arm's length? The advantage of being a part of the Planning Department lies in the ability to initiate or influence policy decisions and to oversee the implementation of programs by any municipal department which might positively or adversely affect the municipality's heritage. The disadvantage lies in being under the influence of City Council and the municipal administration.

In the initial stages of the evolution of a municipal heritage consciousness and program, as indicated in the profiles of Chapter 2, a period of uncertainty can occur when the new Heritage Planner will attempt to define a niche within City Hall.

In Vancouver, the first Heritage Planner was hired under a short-term summer contract which was eventually extended for one year. It was only after four years that the position was formally recognized as a planning function and titled Heritage Planner. Even at that point, the position was still not made permanent. The Heritage Planner for Ottawa was also hired under a one year contract. The positions in Vancouver and Ottawa are now full-time planning functions although the Planner in Vancouver has additional responsibilities apart from heritage.

The Heritage Planner for Calgary was hired more recently and again, for a one year contract. While the position in Calgary is within the planning bureaucracy it has a degree of autonomy because of the location within a Special Projects Division.

It is not possible to state where the optimal location for the Heritage Planner should be. There are advantages to being with the Planning Department and to being apart from it. This varies with the periods in the evolution of municipal consciousness with respect to heritage; with different locations across Canada; and with different bureaucratic structures.

The creation of a new function within the Planning Department is not

different from the start of a new function within any established bureaucracy. There is an initial period of uncertainty and confrontation as it attempts to prove and assert itself. Gradually, the function and the personnel it encompasses, will entrench itself in policy and procedures.

Education

The Heritage Planners surveyed have varied academic backgrounds as follows:³

Architecture (Quebec City, Winnipeg, Ottawa - Second generation)

Planning (Victoria, Vancouver - Third generation, St. John, Toronto)

(Art)History (Ottawa - First generation, Vancouver - First generation)

Political Science (Calgary).

These categories are not mutually exclusive, as some Heritage Planners have a series of degrees or experience in two or more areas at undergraduate, graduate and post-graduate levels.

It is interesting to see that in cities such as Ottawa and Vancouver, where there has been more than one Heritage Planner, the first person in that position tended to have a more academic background related to Art or Architectural History, while the people who followed tended to have more technical backgrounds. This is consistent with the evolution of the role of the Heritage Planner as it moved from concerns related to the Inventory and Evaluation of Historic Resources to the development and implementation of policy related to heritage conservation programs.

The Future: Opportunities and Constraints

The opportunities for the Heritage Planner are unlimited in that there is a great deal to be done and many techniques left to be tried. The popularity of the conservation movement may fade, however, following the "Attention Cycle" described by Downs⁴ with respect to ecology.

- 1) Pre-problem stage
- 2) Alarmed discovery and euphoric enthusiasm
- 3) Realization of costs of significant progress
- 4) Gradual decline of intense public interest
- 5) Post-problem stage.

The "post-problem stage" may see the abandonment of the heritage planning function or its entrenchment as part of the regular municipal planning structure.

As the perceived worth of heritage activity changes in the mind of the community, so will the role of the Heritage Planner. While it has taken a long time to demonstrate the economic, social and cultural arguments in favour of heritage conservation, it is also clear that they will need to be defended continually.

The Heritage Planner will always be in a defensive position because of the influence of the "Corporate Group" described as follows:

"Every city has its Chamber of Commerce, Board of Trade, or an equivalent organization of business interests, and these organizations have a long tradition of involvement in city government and politics. They have a continuity over time that most other organized groups do not have, and ready access to the kind of detailed information that is most likely to impress elected and appointed city officials. Given the background and experience of large proportions of elected officials, there is an obvious affinity between them and this kind of corporate group actor, an affinity that provides the latter with comparatively easy access to public officials."⁵

This is not to imply that the "Corporate Group" will always have predominant influence at Council, but that heritage planning will always have an advocacy role within the municipal administration and without (i.e. in the

community) in ensuring that the arguments in favour of heritage are presented and also in creating alliances for support.

Tourism

A relationship appears to exist between an active heritage program (as seen through the existence of one or more Heritage Planners and the Municipal Heritage Programs they help administer) and tourism. For example, Quebec City, with a very active program as described in Chapter Two, derives approximately 36% of its Canadian tourist dollars from historical and cultural visits.⁶

Implications of this Thesis

The greatest potential for heritage conservation exists at the municipal level. While the opportunity provided by recent provincial enabling heritage legislation has played an important role, it is not the end but only part of a process of private and public activism in the ongoing heritage conservation movement. The sensitivity of municipal politics to local interest groups provides an opportunity for responsive and creative approaches to heritage conservation, which are not possible at the provincial or federal level.

When designation at the municipal and even provincial level does occur, it tends to be of publicly owned sites, or privately owned sites where there is no loss or potential loss of development revenue. Designation will only be as attractive as competing opportunities permit it to be. It will be necessary, therefore, to relieve pressure for development by downzoning to a point where it is financially attractive to keep and upgrade existing older structures. Where this cannot be done because of speculative interest in current or anticipated zoning, some form of compensation/incentive needs to be offered. The results of this thesis have shown the limited extent to which this is currently being done across Canada.

In the absence of opportunities for development at a "higher use" (in terms of density or type of use) the option of conservation might seem attractive, depending on the attitudes of the property owner and the community. At this point, "soft" incentives such as moral suasion, plaques, publicity, public amenities, paint-up programs, etc., can best be used to influence property owners towards conservation. It can also be demonstrated to commercial property owners that there are opportunities for profit by virtue of collectively revitalizing a heritage district.

The opportunity cost of preservation is a function of the existing market, the development potential and the expectation that either of the two will change. As the actual or perceived opportunity for profit through upward

development increases, the "harder" or more expensive in money and time, the incentives will have to be.

The potential for heritage planning in Canada continues to be restricted by two shallow perspectives. One, is that of the private sector which refuses to recognize that profits can be derived from revitalization. The second is that of the public sector which believes that zoning and legislative "sticks" are the only means for preservation. Where profits (or profits substantial enough to entice the private sector) cannot be made from revitalization it is the role of the public sector to help with "carrots" and investment of its own.

The Heritage Planner can show both the opportunities of heritage conservation and how to realize them.

Summary

Canadian municipalities have concentrated on the limited potential and scope of Heritage Designation. Designation will not work without the cooperation of the private sector and only as long as economic arguments in favor of conservation are valid. If they are no longer valid, designations can be revoked. The solution is to negotiate with those incentives which are available to the municipality and appropriate for the situation. This negotiation can best be carried out at the municipal level and by the Héritage Planner.

It is apparent from this survey that in general, Canadian municipalities have not approached their potential in terms of encouraging the private sector through incentive mechanisms currently at their disposal. The federal and provincial governments can best serve preservation by helping the municipality with its incentives or lessening the need for them by removing competing programs and legislation. For example, the Federal Government can help by changing the National Building Code to be sympathetic to heritage structures and by providing more funds to the Heritage Canada Foundation to promote heritage awareness on a national level and intervene in conservation areas that need public investment and demonstration projects.

The provincial governments can help by enabling the municipality to develop and use the incentive mechanisms listed and by creating Heritage Trusts to use public funds where the private market is hesitant to invest, to help out private investment in conservation, and to seed the Revolving Funds of municipalities.

Epilogue

- The Power - Negotiation
- The Tool - Incentives
- The Agent - The Heritage Planner
- The Process - Heritage Planning
- The Goal - Preservation

Policy Recommendations

The conservation of Canada's heritage has been and will continue to be largely determined by the private sector in terms of residential and commercial rehabilitation. A major emphasis of the Heritage Planner should be to encourage that sector through the development and administration of incentive mechanisms. Negotiation and moral suasion should begin early in the process of attempting to conserve heritage resources either with or without designation.

Every city in Canada has, to varying degrees, the capacity to implement a program for heritage preservation. Of the mechanisms described in Chapter 3, half require no special enabling legislation or a complicated administrative structure or a large financial commitment. While the pursuit of continued changes in federal tax and building regulations or the rewording of provincial enabling legislation are necessary in the long run, their pursuit should not be used as a smoke screen for inaction on the part of municipalities.

Direct financial intervention must be accepted as part of any municipal program. There will be initial costs which can be eventually recaptured.

The province can help by providing seed money for municipal heritage revolving funds.

Footnotes

¹British Columbia Department of The Provincial Secretary and Government Services, Methods and Means in Municipal Heritage Conservation (Vancouver: Price Printing Limited, n.d.).

Ontario Department of Culture and Recreation, Designation Handbook (Toronto: Queen's Printer, 1974).

²George Kapelos, a talk presented to the annual meeting of the Society for the Study of Architecture in Canada, Victoria, British Columbia, May 1981.

³These observations are not based directly on the survey results but from personal contact with the respondents or inference from the title and duties as described in the responses to questionnaires.

⁴Anthony Downs, "Up and Down with Ecology: The Issue-Attention Cycle", The Public Interest (1972-1973).

⁵D.J. Higgins, Urban Canada: Its Government and Politics (Toronto: Macmillan and Company, 1977): 1977.

⁶George Galt, "Heritage and Tourism", Heritage Canada (Spring 1976): 18.

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Oliver, Nancy. Victoria, B.C. Interview, April 1981.

Phipps, Tom. Vancouver, B.C. Interview, February 1981.

APPENDIX A

LEGISLATION

Federal

- British North America Act.
- Historic Sites and Monuments Act. S.C. 1972, c.39.
- National Housing Act. R.S.C. 1970, c.N-10 as amended.
- Income Tax Act. S.C. 1970-71-72.
- National Housing Act. S.C. 1972.

ProvincialBritish Columbia:

Archaeological and Historic Sites Protection Act. S.B.C. 1972, c.4.
Municipal Act (Amendment). S.B.C. 1973, c.59.
Heritage Conservation Act. S.B.C. 1977, c.37.
Municipal Act. S.B.C. 1979, c.64.
Vancouver Charter, S.B.C. 1974, c.137.

Alberta:

Alberta Heritage Act. S.A. 1973, c.5.
Alberta Historical Resources Act. S.A. 1973, c.5.
Planning Act. S.A. 1968, c.26 as amended.
Municipal Government Act. S.A. 1967, c.45 as amended.
Alberta Heritage Amendment Act. S.A. 1975, c.37.
Alberta Historical Resources (Amendment) Act. S.A. 1978, c.4.

Saskatchewan:

Saskatchewan Heritage Act. S.S. 1974-75, c.45.
Planning Act. S.S. 1970-71, c.23 as amended.
Urban Municipality Act. S.A. 1968-69, c.16 as amended.
Urban and Rural Planning and Development Act. S.S. 1968-69, c.17 as amended.
Heritage Property Act. S.S. 1979-80, c.88.

Historic Sites and Objects Act. R.S.M. 1970, c.H70.

Manitoba:

Heritage Manitoba Act. S.M. 1974, c.42.

Planning Act. S.M. 1975, c.29.

Municipal Act. S.M. 1974, c.34.

Planning Act. C.C.S.M., c.P80.

City of Winnipeg Act. S.M. 1971, c.105.

City of Winnipeg Act. S.M. 1977, c.64.

Ontario:

Ontario Heritage Foundation Act. S.O. 1970, c.65.

Archaeological and Historic Sites Protection Act. R.S.O. 1970, c.26.

Ontario Herigage Act. S.O. 1974, c.122.

Planning Act. R.S.O. 1970, c.349.

Municipal Act. R.S.O. 1970, c.247.

City of Ottawa Act. S.O. 1973, c.367.

City of Toronto Act. S.O. 1969, c.347.

Quebec:

Historic or Artistic Monuments Act. S.Q. 1922, c.30.

Act Respecting Royale at Quebec. S.Q. 1967, c.54.

Historic Monuments Act. S.Q. 1963, c.34.

Cultural Property Act. S.Q. 1972, c.19.

City and Towns Act. S.Q. 1974, c.118.

Newfoundland:

City of St. John's Act. S.NFLD. 1976, c.256.

Nova Scotia:

An Act to Provide for the Protection of Historical Objects. S.N.S. 1970, c.8.

Heritage Property Designation Act. S.N.A. 1976, c.11.

Act to Provide for the Identification, Preservation and Protection of Heritage Property. S.N.A. 1980, c.8.

Municipal Act. S.N.A. 1967, c.192.

Town Planning Act. S.N.A. 1967, c.198.

City of Halifax Charter. S.N.A. 1963, c.52.

New Brunswick:

Historic Sites Protection Act. R.S.N.B. 1973, c.H-6.

Municipalities Act. N.B.A. 1978, c.M-21.1.

Municipal Heritage Preservation Act. N.B.A. 1978, c.M-21.1.

Prince Edward Island:

City of Charlottetown Act. S.P.E.I. 1976, c.3.

Municipal

Bylaw No. 6825 the "Designation of Historical District, Downtown Victoria." City of Victoria, 1975.

Bylaw No. 6899 the "Emergence Meadure Bylaw." City of Victoria, 1976.

Bylaw No. 7371 the "Heritage Houses Financial Compensation Bylaw." City of Victoria, 1977.

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Bylaw No. 1474/77 the "Heritage Building Bylaw." City of Winnipeg, 1977.

Bylaw No. 2032/78 the "Heritage Building Procedural Bylaw." City of Winnipeg, 1978.

Bylaw No. 2048/78 the "Historic Winnipeg Restoration Area Bylaw." City of Winnipeg, 1978.

Bylaw No. 16502 the "Winnipeg Zoning Bylaw." City of Winnipeg, 1978.

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Bylaw No. 294-79 "Site Plan Control Area Bylaw. City of Ottawa, 1979.

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APPENDIX A Continued

FRANCE

- | | |
|------|---|
| 1789 | Revolution |
| | Creation of National Museums |
| 1837 | Commission des Monuments Historiques |
| 1852 | Loi du 26 mars
(protection of great vistas) |
| 1889 | Lois du 30 mars
(protection of buildings and sites) |
| 1910 | Loi du 20 avril
(protected the area around an historic building) |
| 1913 | Loi du 31 decembre
(grants and tax prôvision) |
| 1930 | Loi du 2 mai
(protected up to 500 m around listed building) |
| 1943 | Loi du 10 juin
(compensation and protection areas within town plans) |
| 1962 | Malraux Law
(secteurs sauvegardes) |

APPENDIX A Continued

GREAT BRITAIN

1560	Elizabethan Proclamation
1882	Ancient Monuments Protection Act (Stonehenge protected)
1900	Ancient Monuments Protection Act (no longer just pre-historic)
1907	National Trust Act
1910	Housing and Town Planning Act (conservation part of planning)
1913	Ancient Monuments Consolidation and Amendment Act
1931	Ancient Monuments Act (protected territory around a monument)
1932	Town & Country Planning Act (preserve buildings in groups)
1935	Historic Buildings & Ancient Monuments Act
1937	City of Bath Act (protected city)
1937	Formation of the "Georgian Group" after destruction of Adelphi Terrace
1944	Town & Country Planning Act (listed buildings)
1947	Town & Country Planning Act (protected non-listed as well as listed buildings)
1953	Historic Buildings and Monuments Act (state aid to offset costs of taxation and maintenance)
1957	Civic Trust established
1967	Civic Amenities Act (introduced conservation areas as part of local planning)
1972	Town and Country Planning (Amendment) Act enabled local planning authorities to control the demolition
1974	Town & Country Amenities Act (schemes of enhancement for conservation areas)

APPENDIX A Continued

UNITED STATES

- | | |
|------|---|
| 1906 | Antiquities Act |
| 1931 | Charleston, South Carolina established historic district zoning |
| 1933 | Historic American Buildings Survey |
| 1937 | National Survey of Historic Sites and Buildings |
| 1937 | New Orleans established historic district zoning |
| 1949 | National Trust for Historic Preservation |
| 1961 | Housing Act
(provided for heritage programs) |
| 1965 | Housing Act
(as above) |
| 1966 | National Historic Preservation Act
(matching grant to States for $\frac{1}{2}$ the cost of
State inventories, etc.) |
| | Advisory Council on Historic Preservation
(to review and comment on federal projects) |
| 1976 | Amendments to National Historic Preservation Act (1966) |
| 1976 | Tax Reform Legislation
(provided incentives for rehabilitation) |

APPENDIX A Continued

CANADA

1919	Historic Sites and Monuments Board
1953	Historic Sites and Monuments Act
1970	Start of the Canadian Inventory of Historic Building
1973	Incorporation of Heritage Canada
1973	National Housing Act and creation of the Neighbourhood Improvement Program and the Residential Rehabilitation Assistance Program

APPENDIX B
THE QUESTIONNAIRE

I. YOUR CURRENT ROLE	
. Name	
. City	
. Job Title	
. Organization	
. Please briefly discuss your job as it relates to heritage preservation. If your job description specifies responsibility for heritage activities, please attach a copy to the questionnaire.	
. Please list the city departments/agencies that play key roles in the city's heritage preservation activities and describe how you interact, if at all:	
. Are there other staff members who share responsibilities for preservation programs? Please list their names and titles. If possible, please relay a copy of the questionnaire to them.	
. Who are you responsible to?	
. How is your position viewed by the heritage community?	
. In what ways do you feel the heritage planner can make their most important contribution?	
. What do you feel are the major limitations of your position?	
. If you were redefining the heritage responsibilities of your position, what would you change/add/delete?	
. How long have you worked with this organization?	
. How much of your time is devoted to heritage related programs? - 100% 50% 25% or less	

II. BACKGROUND

These questions attempt to identify the key events leading to the involvement of your organization in preservation activities.

- . What were the issues which were instrumental in mobilizing citizen activity. (say, the demolition of a heritage building)
- . How was local government drawn into the area of conservation and when.
- . Please check those of the following that apply and indicate the year appointed.
 - _____ Citizen committee or task force (Year _____)
 - _____ Combined staff and citizen committee or task force (Year _____)
 - _____ Heritage Advisory Committee of Council (Year _____)
 - _____ Committee of department heads or other staff (Year _____)
 - _____ Joint inter-city or city/region committee (Year _____)
 - _____ Other organizational structure (Please specify) _____
 - _____
 - _____ A staff member assigned full or part-time responsibilities for heritage preservation? responsible to _____
 - _____
- . When, if at all, was a policy formally adopted by Council with respect to Heritage Preservation?
- . Who were the principal participants in the development of the first heritage policies put before Council?

III. HERITAGE PRESERVATION ACTIVITIES

- . Has an Inventory of heritage resources been carried out?
- . Is there a "heritage list" of significant buildings, sites and areas?

- . Is there a program for designating municipal heritage buildings, sites and areas? (Please elaborate and send material, if available). If so, how many have been designated?

- . What have been the major barriers to designation.

- . Which aspects of a heritage program seem most critical in your judgement.

- . What documents have been prepared for the municipality with respect to heritage preservation?
Please list in chronological order.

- . Have consultants been used?

Yes. _____

Proposed. _____

No. _____

- . What are the powers of the municipality with respect to heritage preservation either directly or indirectly through such things as a Maintenance and Occupancy By-law or a Demolition Control By-law. Please list the by-laws and state the source of provincial enabling legislation. (e.g. Planning Act, Heritage Act).

- . What have been the main types and sources of assistance received by the city with respect to heritage preservation. Please check those that apply.

Source	Financial	Technical	Information	Other
Citizen groups				
Provincial Government				
Federal Government				
Heritage Canada Foundation				
University				
Local industry/business				
Other (please specify) (Heritage Trusts, Foundations, Funds, etc.):				

- . How is heritage preservation generally perceived in your city at this time? Please check one for each column.

	By City admini- stration	By Population at large
Urgent concern		
Significant concern		
Neutral		
Minor concern		
Not an issue		

Incentive Mechanism (Explanation)	STATUS				GENERAL ASSESSMENT OF THEIR EFFECTIVENESS						JURISDICTION	
	Have Tried (Insert date)	Being Con- sidered	Not Consi- dered	Not Appli- cable	Very Effec- tive	Effec- tive	Margin- ally Effec- tive	Ineffec- tive	Don't Know	Too Early to Evalu-	Implemented By	Enabling Legislation
Zoning/Legislative:												
11. Zoning Incentives (relaxation of restrictions or special bonuses as in the case of												
12. Transfer of Development Potential.												
Financial:												
13. Tax freeze on rehabilitated commercial property.												
14. Reduced property assessment.												
15. Tax Increment Financing (to use increased taxes resulting from Heritage Designation)												
16. Heritage Revolving Fund												
17. Value Capture (from new development).												
18. Loans or Grants to owners of residential heritage properties.												
19. Mortgage guarantees.												
20. Purchase of property.												
21. Purchase of facade easements.												
22. Purchase and resale of property, with restrictive covenants.												
Please elaborate on any other incentive mechanisms which you have used but which are not mentioned here.												
Thank you for your time.												

Appendix: Profile Sheet for Significant
 Incentive Mechanisms

City:

Name of Measure:

Implemented by (department, etc.):

Objectives of the measure:

Description of the measure:

Source and amount of funding for measure (if available):

Sites preserved:

Financial saving (actual, projected, etc.):

Limitations, constraints, problems experienced:

Please append relevant documents.

APPENDIX C

ADDRESSES OF MUNICIPAL HERITAGE PLANNERS

Penina Coopersmith, Heritage Planner
 Planning Department
 City Hall
 Box 2100
 CALGARY, Alberta
 T2P 2M5

Mr. R. Kilstrom, Heritage Planner
 Planning Department
 13th Floor, Phipps McKinnon Building
 10020 - 101A Avenue
 EDMONTON, Alberta
 T5J 3G2

Ms. J. Phillips, Planner
 City Hall
 Box 1749
 HALIFAX, Nova Scotia
 B3J 3A5

Mr. A. Churchill, Heritage Coordinator
 Department of Development
 City Hall
 Box 1749
 HALIFAX, Nova Scotia
 B3J 3A5

A. Lafreniere, Heritage Planner
 Planning Department
 City Hall
 111 Sussex Drive
 OTTAWA, Ontario
 K1N 5A1

Mr. K. Kelly
 Community Planning Branch
 Department of Community Planning and Development
 P.O. Box 1971
 SAINT JOHN, New Brunswick
 E2L 4L1

Ms. Marcia Cuthbert, Head
 Preservation Section
 Toronto Historical Board
 Stanley Barracks, Exhibition Place
 TORONTO, Ontario
 M6K 3C3

Mr. Tom Phipps, Heritage Planner
 Planning Department
 City Hall
 453 West 12th Avenue
 VANCOUVER, B.C.
 V5Y 1V4

Brian Sikstrom, Heritage Planner
Planning Department
City Hall
No. Centennial Square
VICTORIA, B.C.
V8W 1P6

Francois Varin
Division du Vieux-Quebec et du Patrimoine
Commission d'Urbanisme et de Conservation de Quebec
CP 700
Hotel de Ville
VILLE DE QUEBEC, P.Q.
G1R 4S9

C. Brook and S. Barber
Department of Environmental Planning
City of Winnipeg
100 Main Street
WINNIPEG, Manitoba
R3C 1A5

APPENDIX D

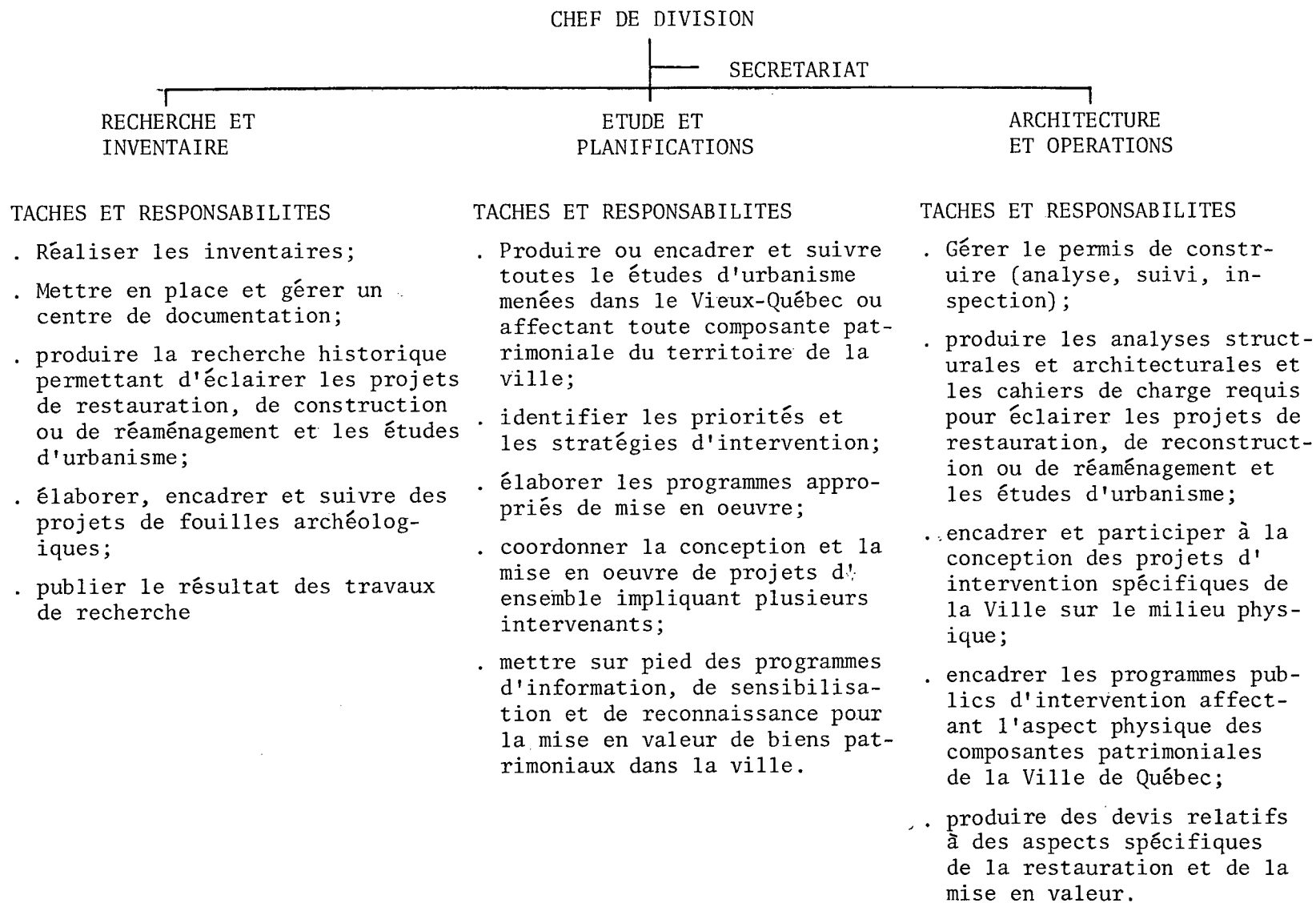
THE CURRENT DUTIES AND RESPONSIBILITIES OF THE
HERITAGE PLANNER FOR EDMONTON

1. Liaise with the Edmonton Historical Board and/or a historical resources foundation, the Old Strathcona Foundation, any other heritage organizations, public interest groups, all City departments, senior levels of government, and the private sector for all matters with any historic preservation content.
2. Develop and administer a heritage conservation program to preserve the City's architecturally and historically significant sites.
3. Administer and/or conduct architectural and historical research as may be necessary to implement the heritage conservation program.
4. Monitor applications for development permits and rezonings, advise the Development Officer on such applications when they affect architectural and historical resources, and participate in negotiations with developers and/or owners of sites containing architectural and historic resources who wish to alter or demolish such resources, both at the pre-application and development permit application stages. Such negotiations will include evaluation of various preservation incentives such as density bonuses and density transfers on a case-by-case basis and will include recommendations from the Edmonton Historical Board.
5. Advise the Development Officer on development permit applications for sites which are adjacent to architecturally and historically significant sites, and participate in negotiations concerning such sites to ensure compatibility between new developments and heritage buildings.
6. Act as a liaison between owners and developers and the Civic Administration to resolve problems imposed in the application of normal standards to heritage properties by the development control and building inspection processes.

7. Provide consultative services in the preparation of General Municipal Plans, Area Redevelopment Plans, and Area Structure Plans for areas containing architectural and historic resources, coordinate heritage-related matters between such plans, recommend appropriate heritage policies and proposals for and act as a heritage resource person for such plans.
8. Participate in the development of land use control policies and regulations as they affect the preservation of architectural and historical resources.
9. Prepare urban design guidelines to ensure the compatibility of architectural and historic resources with existing streetscapes and new developments.
10. Undertake the coordination of economic and functional feasibility studies for architectural and historic resources considered for purchase by the City.
11. Coordinate the municipal designation process with the Edmonton Historical Board, City Council, the City Law Department, and Alberta Culture.
12. Insure that designated architectural and historic resources are inspected periodically for conformance with designation requirements and for evaluation of their structural condition.
13. Advise on and prepare resolutions to the Alberta Urban Municipalities Association, Confederation of Canadian Municipalities, and similar agencies with regard to heritage matters.
14. Review provincial historical resources legislation and planning legislation, advise the Civic Administration as to their effect or implications, and make recommendations to the Civic Administration on the need for amended and/or additional legislation.
15. Administer a heritage program budget, with the advice of the Edmonton Historical Board, which will fund activities such as the hiring of con-

sultants for special projects, the printing of brochures and reports, travel to heritage conservation courses and conferences, photography, advertising, etc.

16. Supervise consultants and other subordinate staff as may be required to implement a heritage conservation program and other Civic policies on heritage conservation.
17. Assist owners of heritage buildings to obtain grants and loans for the restoration and/or rehabilitation of their properties.
18. Coordinate the completion and maintenance of an inventory and evaluation system for the City's architectural and historic resources, in cooperation with Alberta Culture, the Edmonton Historical Board, and all appropriate City departments.
19. Develop and coordinate a public relations program designed to increase public awareness of the benefits of heritage conservation, to be accomplished in conjunction with the Edmonton Historical Board and any other heritage-related organizations.
20. Develop and coordinate an information resource centre on heritage conservation, to be available for use by public groups and individuals.



APPENDIX F

A PROFILE OF REGINA

1981 (L₁) - Regina does not have a heritage program as yet, but the new Saskatchewan Heritage Property Act (1981) enables it and all Saskatchewan municipalities to designate individual heritage properties and conservation areas.

A municipality can designate any area as a heritage conservation district after preparing a municipal development plan for that area and obtaining approval from the Saskatchewan Heritage Property Review Board (formerly the Saskatchewan Heritage Advisory Board).

Unlike the B.C. Act, municipal heritage property designation is deemed not to injuriously affect the value of the property. Designated municipal and heritage properties are also eligible for exemption by the Lieutenant-Governor-in-Council from the application of any provision in fire and building code regulations.

While this Act enables the municipality to designate with legal and financial immunity, if the property owner objects to the designation, they can appeal repeatedly before, during and after designation. The arguments for compensation will still need to be addressed and will require the search for incentives to accompany designation as it has and is being done across Canada.

APPENDIX G

THE CASE OF ST. JOHN'S, NEWFOUNDLAND

The purpose of designation is the long-term protection of the designated property. This, however, is not necessarily true. The case of the St. John's Conservation District illustrates the importance of economic viability and opportunity in both creating and then eroding a municipally designated conservation area.

The St. John's Conservation District was initially studied with the help of a grant from the Heritage Canada Foundation as part of their Area Conservation Program. The study was supported by the Newfoundland Historic Trust, the Community Planning Association of Canada, and most significantly by the merchants of the area.

The Conservation District was created in 1977 through municipal bylaw and provincial enabling legislation created specifically for this area. This legislation was subsequently extended for the rest of the province. The St. John's Heritage Foundation was created, in a manner similar to the Old Strathcona Foundation in Edmonton, to oversee the area.

The borders of the area are now in the process of being redrawn to remove some of the designated buildings and there have been attempts to de-designate the entire area.¹ The reason for this is the pressure for large development close to the downtown core resulting from off-shore oil discoveries. The economics of revitalization in a designated conservation district are no longer as attractive as they were.

This example illustrates the fragility of economic arguments in favour of heritage conservation. It appears that the arguments are valid only as long as opportunities for profit are consistent with current land use. If there is a potential for a much "higher and better" use, in fact, or even anticipated, then the property will not be secure. The Canadian Imperial Bank of Commerce in Regina was designated by the province and subsequently de-designated in

1980 to accommodate the Cornwall Centre, a downtown redevelopment project partly sponsored by the province.²

¹Shane O'Dea Interview, Victoria, B.C. May 1981.

²Frank Korvemaker Interview, Regina, Sask. June 1980.

APPENDIX H

DEFINITIONS

Heritage

For the purpose of this study "Heritage" means "...sites, structures, building, areas and environments of historic, architectural or cultural interest."¹

Heritage in its broadest sense can include anything from the past... something transmitted by or acquired from a predecessor: INHERITANCE, LEGACY (rich - of folklore) (a - shrine ...).²

Heritage Planning

Heritage Planning is any activity related to the identification, evaluation, designation or preservation of the urban, built environment of the municipality.

Synonyms

No distinction is drawn between the following terms: Preservation and Conservation; Heritage, Historic or Cultural Resources.

This is not to say that differences between these terms have not been expressed, but that they are often interchanged in the literature.

Conservation

"Conservation can be defined in two categories - natural conservation which would include land, air, water, wildlife and so on, and the man-made environment which would include conservation of energy, concern for neighbourhoods, historic conservation and any other man-made area of social, economic and cultural importance to mankind. Cultural conservation or preservation is a very limited aspect of the man-made environment."³

Preservation

"The objective is not "preservation" in the narrow, traditional sense, but preservation in its most enlightened sense, when it ceases to be the goal of some special interest group and becomes the proper goal of the entire city.

The goal is not preservation, the goal is the city. The means is preservation."⁴

Preservation

Preservation is the activity of preserving or protecting heritage resources by the numerous mechanisms outlined in the questionnaire. Preservation can imply strict legislated protection or encouraging sympathetic exterior renovation as part of a program designed for something other than heritage preservation.

¹City of Halifax "An Evaluation and Protection System for Heritage Resources in Halifax." October 1978.

²Webster's Third New International Dictionary, 1976.

³Skolnik, A. in New Life for Old Buildings. Proceedings of a B.C. and Yukon Heritage Conference. Feb. 10-12, 1977. Vancouver. Community Arts Council of Vancouver, 1978. p.16.

⁴Cobett, M. et al. Splendid Survivors San Francisco's Downtown Architectural Heritage. California Living Books, San Francisco, California. 1980. p.3.