



PB38.X

Public Engagement and the Demolition of Listed Heritage Register Properties

PB38.X

**Public engagement on proposals
to demolish listed properties**

Agenda

- 1. Summary of Regulatory Framework**
- 2. Demolition Scenarios**
 - a. Section 27 Notices**
 - b. Planning Act Applications**
- 3. Opportunities**

PB38.X

Public engagement on proposals to
demolish listed properties

Regulatory Framework

Ontario Heritage Act

Section 27 (9) Restriction on demolition, etc.

- Notice of intention to demolish
- 60 day window for Council decision on designation

Section 29 (1.2) Limitation

- Prescribed Event timing (90 days)

City of Toronto Municipal Code

§ 103-7.2. Application; demolition; Listed Property

- Application requirements

PB38.X

Public engagement on proposals to
demolish listed properties

Notice to Demolish a Listed Property

Section 27

Scenario 1 (Current practice):

- Staff have a relatively comprehensive understanding of a listed property's cultural heritage value or interest and are of the opinion that the property should be designated
- Staff write a report to the Toronto Preservation Board, Planning and Housing Committee, and City Council recommending that the property be designated under Section 29 of the Act within 60 days of demolition notification.

PB38.X

**Public engagement on proposals to
demolish listed properties**

Notice to Demolish a Listed Property Section 27

Scenario 2 (Current practice):

- Staff do not have a fulsome understanding of the property's cultural heritage value at the time the notice is submitted
- Staff undertake preliminary research and engage with the local Community Preservation Panel in order to learn more about the property and to better understand its community value
- If the property meets the Provincial Criteria and merits designation staff write a report to the Toronto Preservation Board, Planning and Housing Committee, and City Council recommending that the property be designated under Section 29 of the Act within 60 days of demolition notification.

PB38.X

Public engagement on proposals to
demolish listed properties

Notice to Demolish a Listed Property

Section 27

Scenario 3 (Current practice):

- If after undertaking preliminary research and engaging with the Panel staff are of the opinion that the property does not meet the Provincial Criteria and does not merit designation the property owner is informed that staff will not be recommending to Council that the property be designated
- No report to Council
- Removed from the Register if/when it is demolished

PB38.X

Public engagement on proposals to
demolish listed properties

Planning Applications (Rezoning, Official Plan Amendment, or Plan of Subdivision)

Scenario 1 (Current Practice):

- Staff have a relatively comprehensive understanding of a listed property's cultural heritage value or interest and are of the opinion that the property should be designated
- Staff write a report to the Toronto Preservation Board, Planning and Housing Committee and City Council (subject to prescribed event timing limitations) recommending that the property be designated under Section 29 of the Act

PB38.X

Public engagement on proposals to
demolish listed properties

Planning Applications (Rezoning, Official Plan Amendment, or Plan of Subdivision)

Scenario 2:

- Staff do not have a fulsome understanding of the property's cultural heritage value under OHA 9/06 criteria at the time notice is submitted
- Staff undertake preliminary research, review the HIA if one has been submitted, engage with the local Community Preservation Panel in effort to learn more about the property and to better understand its community value
- If the property meets the Provincial Criteria and merits designation staff write a report to the Toronto Preservation Board, Planning and Housing Committee, and City Council (subject to prescribed event limit) recommending that the property be designated under Section 29 of the Act

PB38.X

Public engagement on proposals to
demolish listed properties

Planning Applications (Rezoning, Official Plan Amendment, or Plan of Subdivision)

Scenario 3:

- If after undertaking preliminary research, reviewing the HIA, engaging with the Panel and considering any public comments staff are of the opinion that the property does not meet the Provincial Criteria and does not merit designation the applicant is informed that staff will not be recommending to Council that the property be designated
- Staff comments on the proposed conservation strategy are included in the report on the planning application from Community Planning

PB38.X

Public engagement on proposals to
demolish listed properties

Planning Applications (Rezoning, Official Plan Amendment, or Plan of Subdivision)

Summary of current public process governed by the Planning Act
(under review due to Bill 109)

- Preliminary Report to the local Community Council
- Community meeting
- Final report with recommendations to Community Council and Toronto City Council presented at a statutory public meeting
- Designated properties subject to Section 33/34 alteration and/or demolition reports considered at the same Council meeting as the Planning Application

PB38.X

**Public engagement on proposals to
demolish listed properties**

Opportunities

- The City of Toronto is implementing mandatory pre-application meetings prior to the submission of Rezoning, Official Plan Amendment, or Plan of Subdivision Application meeting
- Mandatory Pre-Application process could provide an opportunity for earlier community engagement related to listed properties
- Last year the City introduced a terms of reference for Cultural Heritage Evaluation Reports. Staff have been encouraging applicants to undertake these evaluations prior to submitting a planning application. These terms of reference includes a requirement for community consultation
- Review process changes under consideration related to C2K and Bill 109 and identify additional opportunities