

# Municipal Planning Pressure Points

### "Fitting in, under pressure"

David Cuming, MCIP, MRTPI, RPP Managing Coordinator, Cultural Heritage Section MHBC



Origins: 1970s

New Ontario Heritage Act 1975, administered by new Ontario Ministry of Culture and Recreation.

Mid 1970s and early 1980s many municipal heritage issues were generally managed by Culture and Recreation Departments.

Followed the lead of the Ontario Ministry of Culture and Recreation.



#### Origins: 1970s (continued)

Emphasis on historical sites and museums.

- Managers of facilities generally unfamiliar with the policy and regulatory aspects of heritage conservation planning and associated legislation.
- Early 1980s impacts of progressive environmental legislation start to filter through to municipalities.



**Emerging trends: 1980s to 1990s** 

- Mid 1980s recognition of "matters of provincial interests" in a revamped Planning Act, 1983.
  - "the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest".
  - Introduction of supporting provincial policy statements.



**Emerging trends: 1980s to 1990s** 

- General trend for heritage conservation and heritage planning activities to be incorporated into municipal planning departments.
- Fitted into fields of long range policy planning, community planning and urban design, and regulatory nature of development planning, approval and permit processes.



#### Fitting in: The Hamilton experience

- 2001, City of Hamilton, newly amalgamated municipality comprising 6 former local municipalities and 1 former regional municipality.
  - Traditional downtown historical core, Niagara Escarpment, waterfront, rural villages and hamlets, expansive agricultural landscape.
  - Fully staffed and newly formed "Heritage and Urban Design Section" part of the Long Range Planning and Design Division (2001-2003).



#### Fitting in: The Hamilton experience (continued)

- 2004, Heritage and Urban Design Section disbanded, "group" folded into Community Planning and Design Section.
- Community Planning and Design Section then transferred into Development Planning and Real Estate Division.



#### Fitting in: The Hamilton experience (continued)

- Community Planning and Design Section then transferred into newly formed Planning Division.
  - Planning Division comprised two sections "Development Planning" and "Community Planning and Design".
- 2012, Heritage planning staff recently transferred out of "Community Planning and Design" into "Development Planning".



#### Fitting in: The Hamilton experience (continued)

In the space of 11 years heritage planning went from being part of a long-term, visionary, Citybuilding initiative to heritage being a minor part of a "reactive" development plans review function.



#### **Under pressure: Two examples**

- Senior management tended to cite the concept of balancing "heritage conservation" needs with other areas of the Planning and Economic Development Department's portfolio.
- Economic development, downtown renewal, real estate, development planning and other related interests always seemed to have greater priority and overwhelmed "heritage".
  - Measures of municipal progress and advancement seen as: building permits issued, residential units constructed, hectares of "shovel ready" serviced land available or created, cranes in the sky, etc.



- Measures of progress and achievement were rarely "heritage" measures.
  - Heritage not perceived as part of economic development, downtown renewal, or sound development planning.
  - The Lister Building and the Federal Building.



- Lister building: OHA designated, Part IV, vacant commercial building, the "barometer of Downtown".
  - Heritage permit for demolition granted by City Council on advice of senior management.
- Approval for a "replica" building, contrary to heritage committee and heritage staff advice.
  - Resulting political process saw one councillor break ranks with Council decision.
- Requested designation by Ontario Minister with building ultimately conserved and protected.









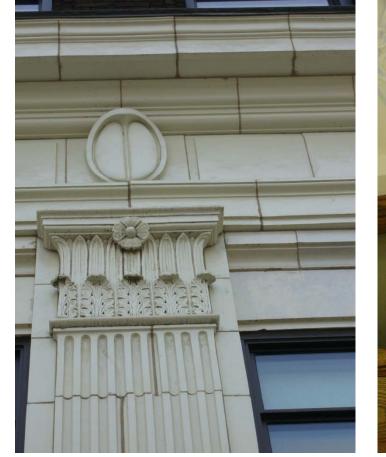






















- 2011, Former Federal Building threatened with demolition, proposed for designation by heritage committee and supported by heritage staff.
  - Recognised by Parks Canada as having heritage value in the 1990s.
- Senior management recommended against designation by Council.
  - Rationale: 11<sup>th</sup> hour designations send out wrong message to the development community.
  - Contrary view: 11<sup>th</sup> hour demolitions send out wrong message to the heritage community



- Remnant still standing due to "surprise" Federal easement announced at Planning Committee.
  - Ontario office of Public Works and Government Services Canada advised new owner that he signed a covenant when he bought the building promising to "conserve, protect and maintain" the heritage features of the building.
    - Outcome still unknown, frontispiece contained in facade still standing, contains eight bas relief sculptures by notable sculptor Elizabeth Holbrooke.
- Represent four resource-based industries: mining, lumbering, farming and fishing; and four iconic Canadian animals — Canada geese, beavers, caribou and black bears.



















#### **Under pressure: Final comments**

Role of municipal heritage planning staff:

independent, professional advisors to Council.

cannot take advocacy approach.

must provide advice on legislation, principles and best practice.

- maintain a professional relationship with Councillors.
  - in public arena (Council and Committee meetings), speak when spoken to.
  - staff provide information that feeds the Councillor's debate but do not debate...however tempting.



## Thank you

David Cuming, MCIP, MRTPI, RPP Managing Coordinator, Cultural Heritage Section MHBC

Planning, Urban Design & Landscape Architecture

540 Bingemans Centre Drive, Suite 200 Kitchener, ON, N2B 3X9 T 519 576 3650 x750 F 519 576 0121 E dcuming@mhbcplan.com W www.mhbcplan.com