

Draft Ministry Guide to Cultural Heritage Resources Released: How It Impacts You

Christie E. Gibson, Signe Leisk

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On October 3, the Ontario Ministry of Tourism, Culture and Sport released a draft of “A Guide to Cultural Heritage Resources in the Land Use Planning Process” (the Draft Guide). The Ministry is inviting comment by November 17, 2017, which can be provided through the Environmental Registry website.

The stated purpose of the Draft Guide is “to help those involved in the land use planning process in Ontario understand the changes to the cultural heritage policies in the PPS 2014.” The Draft Guide draws on multiple sources and original content in pursuit of this goal, and once finalized should be consulted by anyone wishing to obtain background on the Ministry’s interpretation of the PPS. However, it should be remembered that these positions are being advanced through a guide only and therefore do not have the force of statute or regulation.

A few of the highlights of the Draft Guide include:

- The PPS definition of “conserved” is expanded to include “measures in the planning approval process that ensure significant cultural heritage resources are identified, protected and managed in a way that retains their cultural heritage value or interest.”
- “Good design” is identified as design that “favours retention, rehabilitation, and adaptive reuse (or continuity of use) of the existing buildings, structures and landscape elements that support sense of place, and encourages sympathetic integration of new built form with old,” while design choices “should discourage complete redevelopment that has an adverse effect on built heritage resources, archaeological resources, cultural heritage landscapes and the natural environment.”
- New broad categories of cultural heritage landscapes are identified: “designed landscapes”, “evolved landscapes”, and “associative landscapes.”
- Design guidelines for streetscapes are required to address the physical attributes of buildings and landscape features that affect the road or streetscape. Such features may include cornice lines, consistent setback of buildings, and various signs that may enhance or detract from a streetscape depending upon their placement.
- Further criteria for the determination of “contiguous property” pursuant to the PPS is provided.
- Official Plans are encouraged to include policies respecting the preservation of views and vistas, as well as policies requiring a heritage impact assessment as part of a complete application.
- Direction on when a heritage impact assessment should be prepared and its content is provided.

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If you have questions regarding the impact of the Draft Guide, please contact Christie E. Gibson, Signe Leisk or any member of the Cassels Municipal, Planning & Environmental Group for further information.

This publication is a general summary of the law. It does not replace legal advice tailored to your specific circumstances.