

SOCIAL LEARNING, FEEDBACK LOOPS, AND PUBLIC SPHERES

Implementing a Values-based Management Model in Heritage Conservation

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How do jurisdictions choose what buildings to preserve? Since its beginnings, the Canadian heritage conservation movement had been primarily guided by an approach that prized architecture, originality of materials, and the stylistic purity of design. In recent years, however, theorists and professionals have changed evaluation and conservation techniques by broadening the range of cultural heritage values. They have added a number of “public good” concerns as measures of desirability such as historical importance, scientific and cultural significance, context, and place. These considerations had long been understood, but were generally applied by methods that gave them less weight and significance than architectural values.¹ The impact was that fewer historic resources were deemed worthy of state protection, a reality that inevitably triggered a “regime” politics of its own.²

This article breaks new ground in exploring how a values-based approach has been applied and explores some of the difficulties in implementing the values-based management model. It focuses on the application of Ontario Regulation 9/06 (under the *Ontario Heritage Act's Criteria for Determining Cultural Heritage Value or Interest*) in the Heritage Conservation Program of the City of Toronto, but its lessons could be applied universally. It does so in three ways. First, it contrasts past and new evaluation models. Secondly, as participant-observers in the process, the authors explore three illustrative case studies. Through them, the positions of the preservation staff, the property owners, and the decisions of the Preservation Board are examined. The case studies were



FIG. 1. FIRST UNITARIAN CHURCH, TORONTO, ONTARIO. | PATRICE DUTIL, 2012.

drawn from the 2008-2009 sitting of the Board because they revealed the tensions in applying the criteria of a values-based heritage management system:

- designation issue:
First Unitarian Congregation Church,
- conservation issue:
3 Old George Place,
- values in districts issue:
Munroe Park Avenue.

Finally, the evidence presented by these cases sheds light on the unpredictability of the new policy environment born by the expansion of values that necessarily challenge society to move beyond architecture in measuring the desirability of preserving heritage resources. The analysis draws on submissions to the Toronto Preservation Board presented by property owners, staff reports and deliberations of the Board to show how new “values” were applied in making critical decisions.

In Ontario, the advent of the new regulation framework in 2006³ created an opportunity to test the heritage values of the community and to see them contested and debated through a policy feedback process that combined bureaucratic expertise, public participation, and an appeals process through municipal councils. This critical change in the process of determining cultural heritage importance allowed singular values to stand as sufficient in order to warrant legal protection of a heritage resource, without the support or precondition of architectural values. This shift in focus not also promised to test how cultural heritage values were determined, but how those values could inform society regarding the protection and conservation of heritage resources. The change also enlarged the public sphere of dialogue on the issue of preservation by promoting a more sophisticated policy “feedback loop”

to appointed Board members as well as to elected officials. Not least, the process also created the potential for a new era of “social learning” as precedents were set to apply the new and enlarged meaning of cultural heritage value. The Toronto Preservation Board—at the time composed of three members of the City Council and seven community representatives chosen through a competitive process—were challenged to strike a balance between the impulse for historic preservation under the wider definitions, while balancing the needs for redevelopment, including the adaptation of historic properties for tourist or urban revitalization.⁴

There is no doubt that cultural heritage values have been applied in past assessments of heritage resources in Canada, but always in competition with architectural values that weighed more heavily in decision-making. Moreover, each value was applied only if good or significant architecture was first deemed worthy of preservation. Discussion on heritage values arose only when architecture values were deemed insufficient to warrant designation. The practice of “scoring” heritage resources on their architecture inevitably created an inventory of protected buildings that did not necessarily reflect community choice.

In 2005, the *Ontario Heritage Act* (OHA) was amended to improve municipal ability to protect heritage properties and to encompass broader heritage values through the adoption of Ontario Regulation 9/06. As a result, properties could be protected for reasons that reflected a community’s associative and contextual values, in addition to the traditional architectural values. To assist in this, section 2.6.1 of the *Provincial Policy Statement 2005* stipulated that “*Significant* built heritage resources and significant *cultural heritage landscapes* shall be *conserved*.” The definition of the italicized terms emphasized:

Significant in regard to cultural heritage [...] means “resources that are valued for the important contribution they make to our understanding of the history of a place, an event or a people.” (p. 40)

Cultural heritage landscape means “a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It *involved* a grouping(s) of individual heritage features such as structures, spaces, archaeological site and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements of parts. Examples may include [...] heritage conservation districts designated under *the Ontario Heritage Act*.” (p. 33)

Conserved means the identification, protection, use and/or management of cultural heritage [...] in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment. (p. 33)

This significant shift in definitions presented an important challenge to policy-makers and decision-makers in terms of explaining the new approach to cultural heritage values to stakeholders and in implementing them. The new cultural environment created new tensions as properties not deemed to be “heritage worthy” based on traditional norms could henceforth be listed or outright “designated” for their heritage value (both listing and designation could be used to protect cultural heritage value or interest).

The City of Toronto was hardly alone in wrestling with this new phase of historic preservation. The OHA allowed any municipality to designate a property if it met one or more of the following criteria: if they were rare, unique, or representative or early example of a style, type, expression,

material, or construction method; if they displayed a high degree of craftsmanship or artistic merit, or if they demonstrated a high degree of technical or scientific achievement. Most importantly, the OHA also permitted municipalities to declare that properties had historical value or associative value if they had direct associations with a theme, event, belief, person, activity, organization, or institution that was significant to a community or if they yielded, or had the potential to yield, information that contributed to an understanding of a community or culture. Properties could also be designated if they demonstrated or reflected the work or ideas of an architect, artist, builder, designer, or theorist who was significant to a community.

Finally, municipalities were granted the right to declare property as historically significant if they had “contextual value,” in that they were important in defining, maintaining, or supporting the character of an area or if they were physically, functionally, visually, or historically linked to its surroundings, or if they were a landmark. The Toronto City Council adopted Parks Canada’s *Standards and Guidelines for the Conservation of Historic Places in Canada* (henceforth referred to as “Standards and Guidelines”) in March 2008 as the official document for the planning, stewardship, and conservation approach of all listed and designated heritage resources within the city. This document identified cultural heritage values that could guide decisions in the stewardship of the materials and attributes of heritage resources.

CORE PRINCIPLES OF VALUES-CENTRED PRESERVATION

The OHA borrowed its stipulations of value from the Venice, Burra, Washington, and Appleton charters of the International Council on Monuments and Sites (ICOMOS)

and its national committees.⁵ These declarations were endorsed by numerous government departments and agencies around the world, including Canada, and have underpinned heritage legislation, regulations, and guidelines adopted at the national, provincial, municipal, and local levels. In other words, although none of the cultural heritage value criteria represented entirely new departures for the profession of heritage conservation, the importance of the regulated criteria was heightened by the fact that each was individually sufficient to warrant designation under the OHA. All the same, it challenged the evaluation models that mostly relied on an accumulation of points under similar categories to justify government involvement in the protection of a historical property. Under this approach, a singular historical property rarely accumulated a sufficient score to warrant designation as a result of a single, highly compelling cultural heritage value. The new evaluation model had the potential to allow properties to be protected for their associative, historical, or contextual value without necessarily having any design or architectural value.

The prevalent model of heritage evaluation system that provided a clear and understandable basis for decision-making was based on evaluation criteria and methodology originally designed by Harold Kalman.⁶ However, as the understanding and application of the scored evaluation model developed over time, it became evident that some criteria needed to be elevated so that they could be sufficient to warrant the protection of a heritage resource, regardless of the presence of other heritage values, particularly architectural values. The City of Vancouver has retained that model, showing how certain elements of the grading of cultural heritage values could be problematic. Although the system has included wide-ranging

criteria for determining cultural heritage values, such as architectural history, cultural history, and context, it has been tested in how these values have been applied. For instance, in the Vancouver model, criteria that were evaluated to be present in quantities noted as “excellent,” “very good,” “good,” or “average” and each category were assigned a score, as follows:

- architectural history: maximum score 40,
- cultural history: maximum score 35,
- context: maximum score 25.

This model of weightings emphasized a focus of cultural heritage value or interest on architectural history, giving a heavier influence over its subsequent conservation than any of the other criteria. Once scored in this system, potential heritage resources were assigned a cumulative score, as follows:

- houses and apartments:
60-100 = A, 40-59 = B, 20-39 = C
- institutions, churches, schools, commercial and industrial buildings:
70-100 = A, 55-74 = B, 30-54 = C

These weightings have made it very difficult for a heritage resource with little architectural value or significance to obtain an “A” or even a “B” rating. The emphasis on architectural value in the evaluation of heritage resources has challenged the flowering of values-based evaluation systems, where each and every value has been deemed to be individually significant.

Although Ontario Regulation 9/06 allocated values to the evaluation of heritage resources that were very similar to those employed by the City of Vancouver (and by many other municipalities, including

the City of Toronto), it prefaced its criteria by emphasizing that “A property may be designated under section 29 of the Act if it meets *one or more of the following criteria* for determining whether it is of cultural heritage value or interest.”⁷

This shift toward values-based evaluation and conservation models has been informed by recent scholarship in identifying and applying values in the process of evaluating heritage resources. Randall Mason identified three principles at the core of a values-centred preservation practice:

- the participation of various stakeholders, ranging from politicians to community organizations along with preservation practitioners, in the researching and preservation planning of a site;
- the acknowledgement of the manifold values of a place, all of which are valid and meaningful; and
- the understanding that “culture [is] a process not a set of things with fixed meaning” and is, therefore, subject to change over time and to a given situation.⁸

Mason stressed that the values-based approach was not meant to replace the previous emphasis on the conservation and management of historic fabric, which may conflict with contemporary values such as profit and recreational use, but instead enabled “a truly holistic handling of a site’s values and [brought] to bear tools for dealing with the values and their conflicts rationally as well as politically.”⁹ A values-based approach also allowed for sites with intangible values, but no standing structures (for example, the location at which important events in a community occurred) to be examined for heritage planning.

Three cases considered by the Toronto Preservation Board in 2008-2009 demonstrated how the values were applied differently. The stakeholders in one case successfully contested the values-based approach; in a second case they compromised with it, and in the final case embraced it. The case studies bring to light the difficulties in applying the values-based approach, but also its potential as an effective tool in “social learning” and as a policy “feedback loop” in arriving at decisions that will meet what economists have called a “double public good” that incorporates a “social heritage value with private satisfaction derived from preserved historic resources.”¹⁰

Listing the First Unitarian Congregation Church

In September 2008, the City of Toronto’s Preservation staff recommended that the City Council include on its list of heritage buildings a group of nine church properties in the St. Clair Avenue West area (between Yonge Street and Dufferin Street). The addition of the properties on the City’s heritage inventory would enable staff to monitor any changes to the sites and encourage the retention of heritage attributes. Eight of the churches were built at the turn of the century and, while very different from each other, shared recognizably “historic” features. Certainly, their architecture belonged to a past era, they had long associations with the neighbourhood and had, for the most part, been conceived by architects who had realized many beautiful buildings in the city. The Toronto Preservation Board agreed with the judgment of the City staff, and passed a motion to advise the City Council to list all the buildings on the heritage inventory.

Located at 175 St. Clair Avenue West, the First Unitarian building was different. It was built in the early 1950s, much later

than the other eight churches. The design was of a more modern era, with its distinctive north façade dating only from 1993.

The First Unitarian Church (fig. 1) was considered to have design value as a well-crafted example of Modern design applied to a religious building. The church featured detailing by metalsmith Don Stuart and a monumental stained-glass window entitled “Radiance, Reflection, Revelation” by artist Sarah Hall. The latter project—one of the largest single commissions for stained glass in the Toronto area—had been nominated for the Ontario Art Council’s Jean A. Chalmers Award for creativity and excellence in the arts.¹¹ There were other features of the building’s unique styling that made it worthy of preservation:

- the scale, massing and form of the asymmetrical plan, which rises one extended storey under a flat roofline with coping;
- the stone, brick and glass cladding and trim;
- the principal (north) façade, which conceals the bulk of the building to the rear (south), and features stone band courses on the walls flanking the offset tower;
- the distinctive tower that rises in tiers and incorporates an oversized multi-paned stained-glass window with a triangular top;
- the main entrance, which is placed at the base of the tower in a flat-headed surround;
- the fenestration on the north façade, with full-height rectangular window openings with multi-paned windows on the left (east), and similar openings reduced in size on the west (right) side.

The building, like the other eight, also had associative value. The origins of the congregation date to the seventeenth century when the church was founded in the United States according to the principles of individual freedom of belief, use of reason in religion, and liberal social action. The Toronto congregation was organized in 1846, followed in 1854 by the opening of a church on Jarvis Street. Identified as the earliest religious body in Toronto to recognize the equal rights of women, the congregation's membership in the late 1800s included Emily Stowe, the first practicing female physician in the city. In 1950, members of the congregation founded the Elizabeth Fry Society, which continues to assist women prisoners during incarceration and following release. Among the causes advocated by the First Unitarian Church during its long history in Toronto were the abolition of the death penalty, nuclear disarmament, native issues, gay and lesbian rights, assistance for the homeless, and numerous other activities supporting social change.

The original building and its addition were executed by the Toronto architectural partnership of Bruce Brown and Brisley Architects and the successor firm of Brown Beck and Ross Architects (now known as BB&R Architect Inc.). Founded in 1891 by the important Toronto architect J. Francis Brown, the practice evolved to include three generations of the Brown family and partnerships with other leading designers. While the firm originally gained prominence with its industrial buildings after the Great Fire of 1904 that destroyed significant portions of the downtown core of Toronto, church projects became its mainstay. In the early 1950s, BB&R introduced contemporary designs to its religious commissions, including the noted McMaster Divinity College and Chapel (1958) in Hamilton. Contextually, with its unique design and embellishments, the First Unitarian Church could easily be considered a landmark.¹²

The listing of the first eight churches was uncontested by their communities. (One congregation, the United Church, did not dispute the cultural heritage values related to the listing and subsequent designation of Deer Park United, but did momentarily challenge the listing and designation out of concern about its legal impact.) The First Unitarian Church's representatives, however, appeared before the Preservation Board in December 2008 and opposed the listing.¹³ They challenged the City's perception of value. In their view the building was relatively new, therefore not "historic" by definition. The First Unitarian Church also argued that while the links of their community to the past were evident, the accomplishments listed as associative to a building actually belonged to a former property of the congregation in downtown Toronto. Finally, they challenged the architectural pedigree of the structure: the work of the Browns had all but disappeared from public view. In other words, there was no justification for the building to be included on the city's registry of historic buildings.¹⁴ For the representatives of the First Unitarian Church, the edifice did not tell the "story" the Toronto staff discerned. Aside from being an institution of importance to the local community, the associative values was not tied to the modern building, the work of the original architects had, for all intents and purposes, been lost, and while the building did have striking features, it was not of "historic" importance.

The case of the First Unitarian Church illustrated vividly the application of new values to the task of heritage preservation. The issue pitted members of the community against City staff, leaving the Preservation Board with the delicate task of weighing the two interpretations. In the end, the Preservation Board compared the First Unitarian Church with the other eight religious buildings and drew sharp contrasts.

The eight churches had been fixtures in their neighbourhood for almost a century, with recognizably distinct architectural features. Their associative history was incontestable, and their congregations largely welcomed the recognition of the City. First Unitarian Church leaders, however, had made a convincing case that the City staff had gone too far in applying a broad range of cultural heritage values. Following a long discussion of the values at play, the Preservation Board (in a split decision) advised the City Council not to list the First Unitarian Church on its inventory of heritage buildings. It was a case where the community's interpretation of values was carried. It trumped the views of the professional staff and convinced a majority of the Preservation Board members.

3 Old George Place

The First Unitarian Church's challenge to the notion that a "Modern" structure should be protected against demolition found a similar echo in the case of a home in North Rosedale, a luxurious neighbourhood of Toronto. North Rosedale had been designated as a Heritage Conservation District (HCD), thereby empowering the city to protect the structures and character of all the structures in the neighbourhood. The owners of 3 Old George Place had hired eminent architects to bring changes to the home and applied to the City for permission to execute them. In so doing, they contested the City's interpretation of what alterations were acceptable to a relatively new building.

The property had been designated by the City Council in 2004 as part of the North Rosedale Heritage Conservation District (NRHCD) under Part V of the *Ontario Heritage Act* and was identified as a "Category A" building. Within the NRHCD Plan, Category A buildings held the highest level of importance: they had national



FIG. 2. 3 OLD GEORGE PLACE, TORONTO, ONTARIO. | CITY OF TORONTO, 2008.

or provincial heritage significance. (Also, under Section 42 of the OHA, owners must obtain a permit from the municipality to alter a designated property in a HCD. If Council fails to give a decision to the owner within 90 days from the receipt of a complete application for alteration, the permit is deemed to be granted. Should the Council refuse, however, the owner could appeal the decision to the Ontario Municipal Board.)

The home was designed by prominent Canadian architect John B. Parkin and stood as an iconic example of the 1960s modernist movement in Canada (fig. 2). The property had made a significant contribution to the unique streetscape character of this part of the NRHCD ravine lands (indeed, a photo of 3 Old George Place was used to illustrate typical features of the “Dominion Modern” style in the NRHCD plan). The description stated that “Dominion Modern refers to a strand of orthodox Canadian International style

modernism which allows only understated and subtle expressions of individuality. Rather than willful flamboyant display, good architecture presents a discrete anonymous public face.” That feature, however, was not unanimously appreciated. The building was considered by many of its neighbours to be hostile and unattractive; even City Preservation staff acknowledged that it was colloquially referred to as “the bunker.”¹⁵

3 Old George Place, designed as a bachelor’s home, was completed in 1965. It was built for J. Douglas Crashley, an accomplished Toronto entrepreneur and philanthropist, president of the Art Gallery of Ontario (1972-1974) and member of the Order of Canada. The dwelling was characterized by the use of modern materials and building techniques as well as a clear orthogonal massing. The property presented a private, discrete face to the street that has been characteristic of the “Dominion Modern” style. The

garage was the most visible feature on the property and was set in front of the house with its rear wall facing the street. The driveway looped around the garage to provide a private drop off at the front entrance. The garage was connected to the main entrance of the house by a straight open-sided canopy. The main house was designed with a “T” shaped plan with the stem of the “T” projecting dramatically over a ravine, affording beautiful views from large glazed areas. Originally the house was designed to be one storey at the front, with the basement floor at the ravine level below.¹⁶

The prominent garage was one storey and clad in its original materials: coursed light grey brick surmounted by a horizontal pebbled precast concrete band. This cladding carried around the house, setting a strong contrast to the sloping ravine site and reflecting the original structure design. Some of the cladding has been removed or damaged by recent renovations. Beyond the garage was the private realm of the main house, almost invisible from the street. Only a very small portion of the main house wall was visible to the west of the garage. The front door was not visible and remained hidden behind the garage. An earlier photograph shows that the garage itself was once partially hidden by large pine trees.¹⁷

Old George Place, a *cul-de-sac* featuring four homes, was one of the last developed areas in North Rosedale and provided a unique “place.” The street was opened in the 1960s and offered a unique modernist heritage character and value to the eyes of the NRHCD. The houses were all completed in a Modern or post-Modern architectural style (as defined in the NRHCD Plan). The houses were also all designed with their primary façade facing the ravine. Conversely, the street façade reinforced the private character of this street,

displaying garages, landscaping walls, and largely blank walls to the local pedestrian. Directly adjacent, on the east side of the property, stood 4 Old George Place, “the Fraser House” designated under Part IV of the OHA in 1991. Built in 1968, the house was designed by architect Ron Thom. It was also situated over the ravine, set into a hillside away from the street to emphasize the natural setting. These two adjacent modernist houses reinforced each other’s design with their private, understated character and architecture that recedes into the natural landscape.¹⁸

The new owners of 3 Old George wished to build an addition that would cover the front of the house and connect to the garage at the front of the property. One storey would also be added above the garage. The approximately 6523-square-foot original structure would thus gain another 1980 square feet. The applicant proposed to re-clad the buildings to make them energy efficient. The plans allowed a second storey to be added to the house, which was to be set back from the original wall plane and clad in glass to differentiate from, but complement, the original forms and materials.¹⁹ The City Preservation staff agreed to the changes and issued a heritage permit in early 2007 to allow some alterations to the property.

In 2008, the applicant made a new proposal for another 2613 square feet, increasing the original surface by 4593 square feet (the new area combined in the two proposals would represent a 70% increase over the original). The revised application proposed a large addition to the front of the house, in three rectangular spaces. The “formal dining room” would be a smaller one-storey addition to the east set back from the garage and would not be visible from the street. A second two-storey block would join the front façade to the garage so that it

would no longer appear to be separate, and it would enclose the original entrance inside the house. A third two-storey block to the west would contain the new entrance area set in front of the house and back slightly from the garage, completely covering the visible portion of the existing front façade, extend west of the original plane of the house and radically alter the entrance which had been private and hidden. The entrance would thus be visible and much closer to the street.

The applicant also proposed a second, glazed storey to the garage, altering the low massing. The effect would be to make it an integral part of the proposed new house. More space would also be added over the back of the house with an expanded second storey. This additional space would not be visible from the street. City staff considered approving the addition of a full second storey to the main house but balked at the request for more additions on the front of the house. The combination, it was feared, would ruin the heritage character of the property and the streetscape. The proposal to put a large addition on the front of the building would have major impacts on the heritage character of the property. It would completely obscure the visible front façade, increase dramatically the massing of the front of the house, and alter the spatial character of the front of the property by pushing the taller portions forward. It would also add mass to the garage and replace the hidden entrance with a new visible front entrance.

City staff, however, countered that this was precisely what the character of the street was *not* meant to be: “It was meant to be discrete and the existing entrance demonstrates that distinctive heritage character.” Staff also turned to the “Standards and Guidelines,” which specifically recommended against altering important

spatial organization and views into a property and which also recommended against removing or radically changing the entrances of heritage buildings.²⁰

The input of the North Rosedale Ratepayers Association Heritage Committee, which has served as the heritage advisory committee for the district, was also sought. The Committee indicated that while some aspects of the alterations could be acceptable, the new proposal advanced by the owners was not supportive of the streetscape or architectural character of the property. City Preservation staff thus concluded that the proposed addition would radically alter the existing significant Old George Place streetscape with its unique modernist heritage character and value in the NRHCD. The discrete character of the street would also be affected by the addition of a new front entrance facing the street. The spatial organization of the streetscape would be altered by the insertion of a much larger, taller volume closer to the street, which would add glazed areas directly overlooking the street replacing the discrete elevation that had been low, horizontal, partially hidden, and receding into nature.²¹

Moreover, the scale and nature of the proposed alterations were not considered appropriate by the staff and were considered damaging to the heritage character of the property and streetscape of Old George Place. City staff recommended that the Preservation Board permit the application only if amended to be consistent with the NRHCD Plan as well as the “Standards and Guidelines.” The existing, stand-alone single-storey garage, it argued, should be maintained to support the original intent of the John Parkin design of a low profile front of this property and entrance to the house. The single storey would also maintain the symmetry with the adjacent houses

and preserve the Old George Place *cul-de-sac* streetscape. Moreover, the second storey would materially alter the original design of this A-rated house and provide for potentially objectionable increase in activity at the front of the property and vastly intensified lighting on the *cul-de-sac*. Similarly, it recommended that the two-storey addition on the west side of the current house should not be included in the final plans of the property.

The Preservation Board had a difficult choice to make. The house in question was held to be worthy of protection both on its architectural and historical merits and in light of guidelines for the Heritage Conservation District. The new owners, with the help of prestigious architects, had also presented a compelling case that would make the home more accommodating to its owners and remove the “hostile” façade it presented to the street. This was a contest of values that had little to do with the original design or its proposed modifications. At the core of the debate were values about the original intents of the architect, and the impact these precedent-setting changes to 3 Old George would create in a designated heritage conservation district.

The architects for the owner presented the Preservation Board with two options. The first was a compromise that drew the additions atop the garage and away from the streetscape. The second was a scheme the neighbourhood residents had opposed in the past. The proposed single-storey addition on the east of the current house in both options posed no significant threat to the design of the entrance, the nature of the *cul-de-sac* and the character of the unusual streetscape of Old George Place, and were therefore acceptable, but the second set of changes were the cause of considerable debate among the members of the Preservation Board.

The Board approved the application, but imposed a modification to the materials proposed in the second option. The decision—unexpected for the applicant and City staff—was one that was informed by aesthetics rather than the cultural heritage values of the property, as the Preservation Board set aside many concerns of the staff, the views of neighbours, and the preferences of the applicant. The compromise was one that could potentially change the character of the street as well as the architecture of the building. It was a case where the final decision formulated by members of the Preservation Board highlighted the “material value” of the preservation issue over the “cultural heritage value.”

The Proposed Munro Park/East Beach Heritage Conservation District

The proposal for the Munro Park / East Beach HCD showed how preservation values can change in a community. Munro Park Avenue is located in the “Beach” in East Toronto. It is a neighbourhood where other HCDs already exist and where residents have an appreciation of the cultural heritage values of this section of the city.

Although it is referred to as the Munro Park/East Beach, the area is larger than its name. The boundaries of the proposed district range north of Lake Ontario, south of Queen Street East, east of Silver Birch Avenue, and west of the R.C. Harris Filtration Plan which is at the foot of Victoria Park Avenue. More specifically, it comprises all land between the rear lot-lines of properties fronting on the west side of Munro Park Avenue and the east side of Neville Park Boulevard extending south to the Lake Ontario shoreline and north to the rear lot-lines of properties fronting on Queen Street East. It includes those properties facing Lake Ontario on Lake Front Road but excludes all properties

fronting on Queen Street. Munro Park Avenue was named after George Munro (1800?-1878) who acquired the land in 1847 (fig. 3). Munro was a successful Toronto businessman, a Toronto alderman and mayor, and a member of the provincial legislature.

The Balmy Beach neighbourhood had long been an area of interest for a potential HCD, although the area’s residents were all but unified in their opinions on the merits or disadvantages of a HCD designation for their neighbourhood. Consequently, the area was subdivided into a number of specific areas and polls were held in June 2004 in each to determine which neighbourhoods should advance to a HCD study.

As a result of that polling the Toronto City Council passed a bylaw authorizing the study of various parts of Balmy Beach to determine whether all or parts should be designated by the Council as a Heritage Conservation District under the *Ontario Heritage Act*. The areas authorized for the HCD Study by the City Council included Munro Park Avenue, but did not include Neville Park Boulevard. The HCD Plan would also be written to preserve the character of the Balmy Beach area. The development of the guidelines and the character statement for each block would be part of the study process.

Although the Province established criteria for the designation of individual buildings under Part IV of the *Ontario Heritage Act* (Regulation 9/06), it did not do the same for the identification of HCDs or the properties within them. In particular the contextual value of all buildings in a HCD could vary from district to district. For example, in Toronto’s Cabbagetown area, the importance of individual buildings arose from their contribution to a mid- to late-Victorian streetscape. (The approach allowed by the OHA for the designation

of HCDs in four areas of Cabbagetown, Yorkville/Hazelton, two areas in Rosedale and Lyall Avenue, focused heritage conservation on building exteriors that were visible from the street. An addition to the rear of a building, which was not visible from the street, would typically be permitted but only if it were not higher than the existing roof ridge. Similarly, paint colours on building exteriors visible from the street have not been considered to require a heritage permit.)

The process of forming a HCD has often been resident-driven, and citizens can change their minds. In 2005, at the request of the local Toronto East York Community Council, a new poll was conducted in the area. A letter from the local Councillor in June of that year indicated to Munro Park/East Beach residents that the results of the vote *did not favour* a HCD study, and that none would be carried out.²²

Two years later, attitudes turned again when developers submitted a proposal for a five-storey apartment building to be constructed on three lakefront lots at the foot of Munro Park Avenue. By the end of 2007, a movement for the preservation of Munro Park Avenue and Neville Park Boulevard had taken its first steps and residents founded the Beach Lakefront Neighbourhood Association Inc. (BLNA). After much consideration, the leaders of the organization concluded that the best strategy to protect the neighbourhood from such development was to seek a HCD designation. The BLNA conducted its own poll of area households, and its result demonstrated that the majority of households would support a Heritage Conservation District study.²³

The BLNA then commissioned an examination of the area and concluded that heritage buildings within this district would be defined as having been built during



FIG. 3. MUNRO PARK AVENUE, TORONTO, ONTARIO. | SCOTT BARRETT, 2012.

its initial development period (1910-1924) and as retaining original or character-defining features. Homes that had been altered in a way which was sympathetic to the original character of the building, or had been architecturally designed and retained important original architectural features, or had a built form and features that contributed to the characteristic of the district, were also deemed acceptable. Finally, buildings that had had a notable resident or owner, or which had been built after 1924 but had sufficient cultural heritage value to merit designation on their own in accordance with Regulation 9/06 issued under the OHA, or which contributed to the “character” of the district, would be included. The study concluded that under such guidelines, heritage buildings constituted almost 70% of the stock of principal buildings within the district.

In January 2009, the BLNA submitted its HCD study and plan to the Toronto Preservation Board, with a request that the

district be designated as a HCD by the City. The Preservation Board referred the HCD study and Plan to City staff for review.²⁴ The *Heritage Conservation Districts in Toronto: Procedures, Policies and Terms of Reference, Munro Park Avenue and Neville Park Boulevard* were adopted by the City of Toronto in March of 2012, which in effect recognized the area as a HCD.

The change in attitude toward HCD designation clearly demonstrated the dynamic nature of community-based cultural heritage values. There once was little support for a HCD in the area because property owners feared the impact of official designation on property rights and values. The cultural heritage values of the community changed in the face of a tangible threat to its built environment. It was a case where the community made a decision based on the cultural heritage values of its neighbourhood, rather than on property rights or the architectural appeal of their individual properties alone.

CONCLUSION

Although the *Ontario Heritage Act* had long indicated that heritage resources could be protected for their value or interest (specifically not limiting the possibility of protection to architectural values alone), the 2006 amendments changed the methods by which properties were evaluated. For decades weighted evaluation systems were employed to recognize associative, contextual, and historic values, but not without the consideration of architectural values. This custom deeply penetrated the practice of conservation, making the adoption of a true values-based model difficult in municipal heritage planning.

The application of values-centred preservation approaches offers a special challenge in social learning. As the city—its public servants, its advisory bodies such as the Preservation Board, its decision-makers on the City Council and its citizens—has discovered “new” values associated with heritage that go beyond concerns for building aesthetics and age, adjustments will continue to take place in the public sphere. The three cases discussed in this article demonstrated some of the strains and difficulties as the City of Toronto has moved from a “materials value” appreciation of historic buildings to the new values-based management of properties and has moved research into a “politics” of heritage preservation where values are debated. More research into how these values are weighed in the fullness of time will determine which values, in the end, manage to dominate decision-making and establish how the “public good” is defined in a public sphere that is shaped by an unpredictable three-way conversation between the bureaucracy, community members, and civic bodies such as preservation boards.

NOTES

1. On values, see Navrud, Stale and Richard C. Ready (eds.), 2002, *Valuing Cultural Heritage: Applying Environmental Valuation Techniques to Historic Buildings, Monuments and Artifacts*, Northampton (MA), Edward Elgar; Sable, Karen A. and Robert W. Kling, 2001, “The Double Public Good: A Conceptual Framework for ‘Shared Experience’ Values Associated with Heritage Conservation,” *Journal of Cultural Economics*, vol. 25, p. 77-89. Many scholars, meanwhile, made inroads in studying the economic impact of heritage conservation. The latest example is Noonan, Douglas S. and Douglas J. Krupka, 2010, “Determinants of Historic and Cultural Landmark Designation: Why We Preserve What We Preserve,” *Journal of Cultural Economics*, vol. 34, p. 1-26.
2. The notion of a heritage policy “regime” is borrowed from Newman, Harvey K., 2001, “Historic Preservation Policy and Regime Politics in Atlanta,” *Journal of Urban Affairs*, vol. 23, no. 1, p. 71-86.
3. See Ontario Regulation 9/06 made under the Ontario Heritage Act: *Criteria for Determining Cultural Heritage Value or Interest*.
4. See Mason, Randall, 2002, “Assessing Values in Conservation Planning: Methodological Issues and Choices,” In Marta de la Torre (ed.), *Assessing the Value of Cultural Change*, Los Angeles, J. Paul Getty Trust. For some discussion of how “values” have been debated by stakeholders, see Lowenthal, David, 1997, *Possessed by the Past: The Heritage Industry and the Spoils of History*, New York, The Free Press; and Tung, Anthony, 2001, *Preserving the World’s Great Cities: the Destruction and Renewal of the Historic Metropolis*, New York, Clarkson Potter. A good discussion of a Canadian example is Hall, Jennifer, 1999, “Consuming the Past at a Suburban Heritage Site: Markham Heritage Estates, Ontario,” *Canadian Geographer*, vol. 43, no. 4, p. 433-455.
5. ICOMOS, the International Council on Monuments and Sites, is an international organization of professionals engaged in the conservation and protection of monuments and sites and is the principal advisor to the United Nations Educational, Scientific and Cultural Organization (UNESCO) on such matters.
6. See Kalman, Harold, 1980, *The Evaluation of Historic Buildings*, Ottawa, Parks Canada. Kalman, an unsung hero, should be credited for his massive contribution to advancing the field of heritage preservation in Canada.
7. [Emphasis added.] See Ontario Regulation 9/06 made under the Ontario Heritage Act, *op. cit.*
8. The theoretical tension is explored by Mason, Randall, 2006, “Theoretical and Practical Arguments for Values Centered Preservation,” *CRM: The Journal of Heritage Stewardship*, vol. 3, no. 2. He calls the traditional concern the “curatorial impulse” and the demand for redevelopment the “urbanistic impulse.” See also Lee, Antoinette J., 2004, “From Historic Architecture to Cultural Heritage: A Journey through Diversity, Identity, and Community,” *Future Anterior*, fall 2004, p. 15-23; and Mason, Randall and Marta de la Torre, 2000, “Heritage Conservation and Values in Globalizing Societies,” *World Culture Report 2*, Paris, France, UNESCO; see also de la Torre, *Assessing the Values of Cultural Heritage*, *op. cit.*
9. Mason, *id.* : 34.
10. Sable and Kling : 77-89.
11. City of Toronto, City Planning Division. Report (September 27, 2007) from the Director, Policy and Research, “Reasons for listing 175 St. Clair Avenue West.”
12. *Id.*
13. Richard Kirsh, the president of the Board of Trustees of the First Unitarian Congregation of Toronto, and David Finnegan, the archdiocese of Toronto’s Director of Planning, Properties and Housing.
14. City of Toronto, Toronto Preservation Board Minutes, December 2008.
15. City of Toronto, City Planning Division, “Report From the Director, Policy and Research, on 3 Old George Place” (June 10, 2008).
16. *Id.*
17. *Id.*
18. *Id.* : 4.
19. *Id.*
20. City of Toronto, City Planning Division. Report 3 Old George Place (September 3, 2008) from the Director, Policy and Research.
21. *Id.*
22. City of Toronto, Department of Planning, Letter from Sandra Bussin (deputy mayor and City of Toronto Ward 32 councillor) to the residents of Munro Park Avenue, June 28, 2012.
23. Report of the BLNA, 2007.
24. City of Toronto, Toronto Preservation Board Minutes, January 22, 2009.