

Terms of Reference:

Heritage Building Protection Plan

Approved by Municipal Council on December 6, 2023, through Resolution Number C299-2023

Description:

The City of Brampton has a rich legacy of cultural heritage resources that “provides a foundation for planning the future of the City as our heritage resources and assets contribute to the identity, character, vitality, economic prosperity, quality of life and sustainability of the community as a whole.”¹ Through its Official Plan policies, the City has committed to “conserve the cultural heritage resources of the City for the enjoyment of existing and future generations.”²

A Heritage Building Protection Plan (HBPP) is a short-term plan that outlines how a heritage building(s) will be protected from construction work on or adjacent to the heritage property(ies) during a development, redevelopment, or rehabilitation process, or when a building is planned for relocation. The Owner of a heritage building subject to a HBPP is expected to implement the protection measures in a timely manner. In the event of damage to a building, the Owner will be required to fulfill the requirements as established in the HBPP. If the damage occurs before approval of the application, conditions may be attached to the approval requiring the fulfillment of these obligations. If the damage occurs after approval, the City reserves the right to use a portion of the securities reserved for the protection of the resource for the fulfillment of the obligations.

A HBPP is complementary to a Heritage Conservation Plan but focuses on short term planning for protection and responding to potential problems.

Development Application Stream:

A Heritage Building Protection Plan may be required in relation to the following development applications:

- Official Plan amendments
- Zoning By-law amendments
- Main Street North Development Permit System
- Draft Plan of Subdivision
- Site Plan Control
- Consent and/or Minor Variance
- Demolition Permit Applications

Prepared By:

A Heritage Building Protection Plan must be prepared by qualified professional members in good standing with the Canadian Association of Heritage Professionals (CAHP) who possess applied and demonstrated knowledge of accepted standards of heritage conservation, historical research, and the identification and evaluation of cultural heritage value or interest.

¹ City of Brampton, “Our Brampton...Our Future: 2006 Official Plan,” last modified September 2020, https://www.brampton.ca/EN/City-Hall/Official-Plan/Documents/Sept2020_Consolidated_OP_2006.pdf, Section 2.2.

² City of Brampton, “Official Plan,” Section 4.10.

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Rationale:

A HBPP may be required for short term or temporary protection of a heritage building(s). This may be necessary before a full Heritage Conservation Plan can be prepared or where a project is moving quickly enough that temporary protection is all that is deemed necessary by City heritage planning staff.

Content:

The HBPP must be prepared following these Terms of Reference and relevant Provincial guidance. Headings from Table 1 (below) shall be used as the general Table of Contents for the HBPP. Use a table such as Table 1 to cross reference to relevant appendices – if necessary. The HBPP will include the following information (at minimum):

Table 1: Minimum information to include in a HBPP submitted to the City of Brampton

Content Requirement	Location in the DSP Report
Cover Sheet A separate covert sheet/cover letter	
Executive Summary The HBPP must include an executive summary section that includes:	
a. A brief description of the report's scope;	
b. A brief description of the planned redevelopment of the property;	
c. A summary of the proposed conservation and mitigation measures.	
1. Introduction The introduction to the HBPP must include:	
a. The scope and purpose of the report;	
b. The location of the property, including its civic address;	
c. the property and its cultural heritage value or interest, including any heritage attributes, and its heritage status; and	
d. Brief description of the development and its impact on the cultural heritage resource.	
2. Methodology / Approach Briefly describe the methodology or approach used to create the HBPP.	

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<p>a. Describe conservation principles and any guidance documents followed including, but not limited to:</p> <ul style="list-style-type: none"> • <i>Standards and Guidelines for Historic Places in Canada</i>; • <i>Ontario Heritage Tool Kit</i>; • <i>Appleton Charter for the Protection and Enhancement of the Environment</i>; and, • <i>Eight Guiding Principles in the Conservation of Built Heritage Properties</i>. 	
<p>b. Include details on site visit(s), other specialists consulted, and public engagement activities.</p>	
<p>3. Securing Guidelines The Owner must acknowledge that they have read the City’s <i>Guidelines for Securing Vacant Heritage Buildings</i>, and the Owner agrees to abide in good faith by such guidelines, and at their own cost.</p>	
<p>4. Photographic Documentation Documentation of the cultural heritage resource shall include:</p>	
<p>a. Include photographic documentation of all heritage attributes as a baseline record of the cultural heritage resource. Photographs shall be labelled so City heritage planning staff know exactly what part/feature of the heritage building is documented; and</p>	
<p>b. Photographs shall be sufficiently high resolution and/ or large enough prints to zoom in on specific features – as necessary.</p>	
<p>5. Implementation Implementation will be guided by the <i>Standards and Guidelines for the Conservation of Historic Places in Canada</i>. The HBPP must include:</p>	
<p>a. A description of how the cultural heritage resource/heritage attributes will be protected from trespassing;</p>	
<p>b. A description of how the cultural heritage resource/heritage attributes will be protected from vandalism;</p>	
<p>c. If vacant, a description of any cleaning measures to be completed before closing up the building. It is expected that a vacant heritage building will have some cleaning completed before it is closed/boarded up. This may be dependent on</p>	

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completion of a designated substances survey and application of relevant health and safety mitigation measures;	
d. A description of how the cultural heritage resource/heritage attributes will be secured from water infiltration;	
e. A description of how fire protection methods will be applied to the heritage building/property. A description of how fire protection methods will be applied to the heritage building/property; and	
f. A description of how temperature and humidity will be controlled in the heritage building (if vacant). Temperature and humidity control and monitoring must be maintained to prevent mould and mildew damage. This may require that electrical and heating infrastructure remain in the building and functional.	
6. Monitoring Plan and Schedule The HBPP must include a plan and formal schedule for monitoring.	
a. Monitoring should include observations for: <ul style="list-style-type: none"> • Pest infestation (animal, bird, insect); • Water infiltration; • Humidity build up, mildew, mould; • Deterioration of heritage attributes -including photographic documentation (before and after); • Unauthorized access; 	
b. Changes observed during monitoring that adversely affect the heritage building must be reported to City Heritage Planning Staff. The HBPP must describe how reporting on adverse changes will be communicated to the City.	
c. Where vibration monitoring is being done a summary of vibration monitoring reporting shall be included.	
7. Conclusion The HBPP must include a conclusion section that draws the parts of the HBPP together and where the owner acknowledges that they will:	
a. Notify the Commissioner of any damage or destruction, imminent damage or destruction, and/or changes in occupancy status on the Property as soon as reasonably possible after it has come to the Owner's attention.	
b. Agree that any change to or deviation from the Plan shall be approved by the Commissioner.	

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|--|--|
| c. Acknowledge that any application for demolition of any buildings or structures subject to the Plan remains subject to the requirements of the Ontario Heritage Act, the Ontario Building Code Act and other applicable by-laws, policy, or legislation. | |
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Owner's Obligations under a HBPP

The Owner shall, at all times, maintain buildings and structures subject to a HBPP in as good and sound a state of repair as a prudent Owner would normally do, so that no deterioration in the condition and appearance of buildings and structures shall take place except for reasonable wear and tear.

As noted in the Property Standards By-law (By-Law 165-2022), the Owner's obligation to maintain the buildings and structures shall require that the Owner undertake routine and preventative maintenance, repair, stabilization, and replacement whenever necessary to maintain and secure the buildings and structures in substantially the same or superior physical condition and state of repair as that existing on the date of this Plan, or where applicable as shown in an updated baseline documentation and condition assessment report.

The Owner shall take all necessary measures to adequately secure and protect the buildings and structures subject to a HBPP from vandalism, trespassing, fire, and inclement weather. The Owner shall ensure that any buildings subject to a HBPP are actively monitored and inspected regularly.

The Owner shall also maintain any landscape features that form part of the property's heritage value in good condition and appearance and shall not substantially alter those landscape features or allow their neglect to negatively impact the appearance of the property or the fabric

of built structures. Landscape features include, but are not limited to, trees, shrubs, lawns and other plantings, water features, vistas, view planes, walkways, paths, fence rows, retaining walls, structures, and other improvements.

Requirements in the event of Damage or Loss

Requirements in the Event of Partial Damage

In the event of partial damage to a heritage building(s), the Owner shall return the building to a safe, repaired, protected, weather-tight and secure condition. Such works shall take place without delay after the damage has occurred. The Owner shall be required to promptly and adequately complete repairs to any building or structure subject to a HBPP in the event that it is damaged by fire, flood, vandalism or other insured perils.

Requirements in the Event of a Total Loss

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In the event that a building or structure subject to a HBPP is totally destroyed, the Owner shall be required to undertake the following:

- **Reconstruction:** In the unlikely event the heritage resource suffers an unforeseen loss prior to or during relocation, the owner will recreate the heritage resource as planned using as much original material as can be salvaged and will be supplemented in kind with temporally accurate materials. The reconstruction will adhere as closely as possible to the structure, as described in the HIA. Financial securities will be made available to undertake reconstruction and will be released on a modified schedule to be determined should the need arise. Any financial short falls will be made up solely by the owner.
- **Documentation:** Professional documentation of the heritage resource shall be provided to the satisfaction of the City of Brampton. City heritage staff shall be invited to be present during key phases of the cleanup of the site to document any additional information or detail that may be revealed.
- **Salvaging of Materials:** Where important architectural heritage elements can be salvaged, the owner shall be responsible for salvaging the materials, storing them, and integrating them into a commemorative feature to the satisfaction of the City of Brampton.
- **Commemoration:** In addition to commemoration with the use of salvaged materials, the owner may also be required to commemorate the resource with plaques or the naming of parks, streets, or other features in the development. This will involve the creation of a Heritage Commemoration Plan.

Other Applicable By-laws and Codes

The City of Brampton shall not tolerate demolition by neglect. The Minimum Maintenance By-law (Property Standards), Vacant Building By-Law, Ontario Fire Code, the City of Brampton Guidelines for Securing Vacant Heritage Buildings and any other applicable legislation shall be applied in good faith by all landowners with regard to listed and designated heritage buildings. Landowners shall adhere to all specifications and requirements of the applicable by-laws and codes at all times.

Scope and Review Checklist – Staff Use Only

Content Requirement	Include in Scope? Y / N / Details	Sufficient Detail Included Y / N
Cover Sheet A separate covert sheet/cover letter		

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<p>d. Brief description of the development and its impact on the cultural heritage resource.</p>		
<p>2. Methodology / Approach</p> <p>Briefly describe the methodology or approach used to create the HBPP.</p>		
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<p>b. Include details on site visit(s), other specialists consulted, and public engagement activities.</p>		
<p>3. Securing Guidelines</p> <p>The Owner must acknowledge that they have read the City's <i>Guidelines for Securing Vacant</i></p>		

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Additional Resources:

- Terms of Reference – Heritage Impact Assessment (HIA)
- Terms of Reference – Cultural Heritage Evaluation Report (CHER)
- Terms of Reference – Heritage Commemoration Plan (HCOMP)
- Terms of Reference – Heritage Building Protection Plan (HBPP)
- Terms of Reference – Heritage Conservation Plan (HCP)