

Ministry of Tourism, Culture and Sport
Cultural Heritage Conservation Policy

1.0 INTRODUCTION AND PURPOSE

The Standards and Guidelines for Conservation of Provincial Heritage Properties (S&Gs) apply to properties the Government of Ontario owns or controls that have cultural heritage value or interest—provincial heritage properties. They came into effect on July 1, 2010 and are mandatory for all ministries and prescribed public bodies. Compliance with the S&Gs will demonstrate that the province values its cultural heritage resources, and provide an opportunity to lead by example in conservation and responsible stewardship of real property.

The Ministry of Tourism, Culture and Sport's (MTCS) Cultural Heritage Conservation Policy records our commitment to conserving provincial heritage properties under our control, and identifies how the ministry will fulfill that commitment through specific objectives. This policy will be reviewed and updated as necessary every five years in order to ensure that commitments, objectives and any associated targets remain relevant.

2.0 APPLICATION

This policy applies to property: (i) owned by the Crown, if responsibility or authority for control of the property is granted to MTCS by statute or by order made by the Lieutenant Governor in Council; or (ii) occupied by MTCS, if the terms of the occupancy agreement are such that MTCS is entitled to make alterations to the property.

Where MTCS and one or more other Ministries or agencies share responsibility for or control of a property, as provided for by statute, order made by the Lieutenant Governor in Council or applicable occupancy agreement(s), MTCS may enter into an agreement with such other Ministries or agencies about which Cultural Heritage Conservation Policy shall apply to the property in question.

See Appendix A for a list of properties that this policy currently applies to. This policy applies as of July 2014.

3.0 MINISTRY MANDATE

The ministry of Tourism, Culture and Sport supports three important sectors of Ontario's economy to directly promote economic growth and job creation and enhance the quality of life for Ontarians:

- The ministry works with the tourism sector to support a strong and more competitive industry that positions Ontario as a premier tourism destination.
- The ministry works to build a strong and prosperous cultural sector through its leadership within the arts, culture and heritage communities.
- By providing sport and recreation opportunities and supporting the success of Ontario athletes, the ministry promotes a culture that values sport, recreation and physical activity and champions the social and economic benefits of active, engaged living for all Ontarians.

As the ministry responsible for the administration of the *Ontario Heritage Act*, MTCS develops and implements policies and programs for the conservation of the cultural heritage of Ontario, including the S&Gs. This Cultural Heritage Conservation Policy is an articulation of MTCS's responsibilities as a ministry that is obligated to comply with the S&Gs. MTCS also has an implementation, review and approval role for the government which is further explained in the S&Gs, but is not reflected in this document.

4.0 POLICY STATEMENT

The Ministry of Tourism, Culture and Sport recognizes that Ontario's cultural heritage resources belong to present and future generations of Ontarians. The conservation of provincial heritage properties is important to the social, economic, and cultural well-being of our communities, and integral to our identity now and for the future.

MTCS recognizes the critical importance heritage and archaeological sites often have for Aboriginal communities and the role the ministry can play as part of Ontario's commitment to improving relationships between the provincial Crown and Aboriginal communities.

MTCS will contribute to identifying and protecting provincial heritage properties in its care through compliance with all of the requirements of the S&Gs and the implementation of this policy and associated procedures as outlined in the MTCS Heritage Identification and Evaluation Process.

MTCS will make best efforts to meet, and continually improve upon, the objectives and commitments outlined below. Where appropriate, annual targets that support the achievement of these objectives and commitments will be reflected in the ministry's Results-based Plan.

MTCS will:

1. Continue to manage and use our provincial heritage properties¹ as assets which support a prosperous creative economy and vibrant, liveable communities that understand, respect and celebrate their origins, and interpret their cultural heritage value in a manner that enhances public understanding and enjoyment. In order to achieve this objective, MTCS will:
 - Undertake Strategic Conservation Plans and other studies to help inform any capital revitalization and conservation, maintenance and management plans to ensure the ongoing viability and success of our special purpose properties.
 - Ensure the sustainability of our special purpose properties through their role as stewards of heritage assets.
 - Revisit interpretations of the cultural heritage value of special purpose properties as appropriate.
2. Engage interested groups and individuals in any decisions affecting the cultural heritage value or future of an MTCS provincial heritage property, tailoring the nature

¹ Refers to a property that MTCS has responsibility for evaluating under this policy and has determined to be a "provincial heritage property" under O. Reg. 10/06.

and timing of engagement to the circumstances. Key issues on which MTCS will seek input from interested groups and individuals includes, but is not limited to:

- determining cultural heritage value (evaluation);
 - managing the site (Strategic Conservation Plan);
 - demolition or disposal (Heritage Impact Assessment).
3. Meet any duty to consult with Aboriginal peoples that arise as a result of implementing this policy².
 4. Make public any relevant information regarding decisions affecting the cultural heritage value of an MTCS provincial heritage property subject to security, privacy and other considerations.
 5. Ensure the Cultural Heritage Conservation Policy remains relevant and reflects the ongoing objective of continuous improvement with respect to the identification and management of MTCS provincial heritage properties. The Cultural Heritage Conservation Policy will be reviewed every five years and will be available on the ministry website.
 6. Ensure all staff that are responsible for giving advice, making decisions, and undertaking activities that may affect MTCS provincial heritage properties are made aware of and adhere to this policy and their obligations under it. In order to achieve this objective, MTCS will develop and disseminate information and training materials through a range of tools, including, but not limited to, e-learning and in-person training sessions.
 7. Implement the MTCS Identification and Evaluation Process.
 8. Direct and oversee the timely preparation and implementation of Strategic Conservation Plans by:
 - ensuring that strategic conservation plans are prepared within one year of a completed evaluation;
 - implementing an approach to monitoring MTCS provincial heritage properties for compliance with their respective strategic conservation plans;
 - reviewing plans every five years.
 9. Ensure all relevant records related to the identification and conservation of MTCS provincial heritage properties are archived within a reasonable timeframe and are readily accessible to the public, subject to security, privacy and other considerations. MTCS will achieve this objective by including information on the MTCS website about how to access records relating to the identification and conservation of MTCS provincial heritage properties.

² As outlined on page 4 of the *Standards and Guidelines for Conservation of Provincial Heritage Properties*, the duty to consult with Aboriginal peoples arises when the following conditions occur:

- The Crown has knowledge, real or constructive, of the existence, or potential existence, of an Aboriginal right or treaty right; and
- The Crown contemplates conduct that might adversely affect the right in question.

10. Mitigate impacts to archaeological sites through avoidance and protection, opting for excavation only when necessary.
11. Promote the continued use or adaptive re-use, repair or conservation of provincial heritage properties, or components/features of provincial heritage properties that have cultural heritage value, over replacement or new build, while remaining compliant with health and safety objectives and accessibility requirements. MTCS will achieve this objective by:
 - making best efforts to use provincial heritage properties when seeking out leases or event venues;
 - engaging in adaptive reuse studies to extend the viability and use of buildings and structures located on MTCS provincial heritage properties;
 - repairing and conserving features that are part of a provincial heritage property's heritage attributes;
 - retaining and maintaining visual settings that contribute to the cultural heritage value of a provincial heritage property;
 - ensuring all alterations to a provincial heritage property respect the heritage value and attributes as identified in the Statement of Cultural Heritage Value and comply with the Strategic Conservation Plan for the property.
12. Update all occupancy agreements to reflect roles and responsibilities of MTCS and Ministry of Economic Development, Employment and Infrastructure (MEDEI)/Infrastructure Ontario (IO).
13. Ensure the appropriate implementation of MEDEI cultural heritage conservation policies and procedures for all MTCS occupied properties that are controlled or owned by MEDEI.
14. Work with MEDEI, and consult with the Ontario Heritage Trust, to ensure that disposal provisions of the S&Gs are appropriately implemented for MTCS provincial heritage properties.

5.0 ROLES AND RESPONSIBILITIES

Persons with duties and responsibilities that could impact an MTCS provincial heritage property are responsible for reviewing and consulting this policy as necessary and carrying out any relevant obligations under it. Specific responsibilities are outlined below.

The Deputy Minister of Tourism, Culture and Sport is responsible for:

- Approving the Cultural Heritage Conservation Policy and any future modifications;
- Establishing any annual targets and measures that support the objectives and commitments of this policy; and
- Ensuring competent management of the ministry's provincial heritage properties.

The Assistant Deputy Minister of the Culture Division is responsible for:

- Developing the Cultural Heritage Conservation Policy and any future modifications; and
- MTCS compliance with the Standards and Guidelines, as Executive Lead.

The Assistant Deputy Minister for Tourism Planning and Operations is responsible for:

- Reviewing and approving the Cultural Heritage Conservation Policy and any future modifications; and
- Ensuring MTCS Historical Parks applies the Cultural Heritage Conservation Policy for the properties they manage.

Chief Administrative Officer/Assistant Deputy Minister for Regional and Corporate Services Division is responsible for:

- Reviewing and approving the Cultural Heritage Conservation Policy and any future modifications; and
- Ensuring Facilities Staff apply the Cultural Heritage Conservation Policy.

General Managers of special purpose properties are responsible for:

- Applying the Cultural Heritage Conservation Policy for the properties they manage.

MTCS Facilities, Information and Records Management Manager is responsible for:

- Administering the Cultural Heritage Conservation Policy for MTCS.

APPENDIX A – MTCS PROPERTIES

The MTCS Cultural Heritage Conservation Policy applies to the following properties:

- Fort William Historical Park
- Huronia Historical Parks:
 - Discovery Harbour
 - Sainte-Marie among the Hurons Historical Park