



## **Title: Real Property Branch Procedure for the Stewardship of Federal Heritage Buildings**

**1. Effective date:** September 3, 2008

**2. Cancellation:**

This procedure supersedes *AMA: 8.9 Federal Heritage Buildings Review Office* (April 1, 1995).

**3. Authority:**

This procedure is issued by the authority of the Assistant Deputy Minister (ADM), Real Property Branch (RPB), Public Works Government Services Canada (PWGSC).

**4. Context:**

This procedure should be read in conjunction with the RPB *Policy on the Stewardship of Federal Heritage Buildings*.

**5. Purpose:**

The purpose of this procedure is to:

1. Ensure RPB adheres to the Treasury Board *Policy on Management of Real Property* as it applies to federal heritage buildings
2. Identify roles and establish implementation processes necessary for RPB to comply with the TB policy in a consistent manner
3. Facilitate coordinated communication between the Department and the Federal Heritage Buildings Review Office (FHBRO)
4. Ensure an appropriate level of compliance-activity planning and record keeping at the regional and national levels
5. Allow RPB to set objectives and report on its compliance with the TB policy

Additional guidance, recommended best practice, and information on training opportunities and regionally-specific practices are available from the National and Regional Heritage Coordinators.

**6. Summary of the procedure:**

This procedure identifies roles and establishes implementation processes to support RPB compliance with the heritage-specific requirements of the TB policy. These requirements, in place to protect the heritage character of federal buildings, are to be met while respecting other federal government objectives, such as accessibility, life cycle management, etc.

Specific compliance roles are identified throughout this procedure; for a summary of the responsibilities associated with each role identified in **bold face** text below, refer to Appendix B.

The specific processes addressed in this procedure are:

- The evaluation of buildings to determine their heritage value (section 6.1)
- The review of interventions that propose to alter buildings (section 6.2)

- The review of proposed disposal or demolition of a building (section 6.3)
- The monitoring, evaluation and reporting on RPB compliance activities (section 6.4)

## 6.1 Evaluation

### 6.1.1 Context - intent:

The TB policy requires that 40 years after construction, all federally owned buildings be submitted to FHBRO for evaluation, to determine their heritage status. This also applies to buildings over 40 years of age being considered for acquisition by a federal department.

The intent of the following evaluation procedure is:

- a) That PWGSC buildings are submitted to FHBRO for evaluation in a manner that is systematically planned, implemented and reported
- b) That appropriate departmental representation participates in the FHBRO evaluation process
- c) That the results of the evaluation are communicated within RPB

Note that regional variations and best practice may exist, however the following is considered the minimum procedure to be followed within the RPB. The **Regional Heritage Coordinator** should be contacted for more information.

### 6.1.2 Submission of buildings to FHBRO:

The **Regional Heritage Coordinator** develops and maintains a list of the buildings in their Region that will require FHBRO evaluation during the upcoming fiscal year. The buildings are prioritized based on their age and any planned interventions (including acquisition or disposal). A copy of this list is provided to the **National Heritage Coordinator**.

The Asset Manager (or their delegate) assembles the information required by FHBRO on their preliminary information sheet, and submits the package to FHBRO. The **Regional Heritage Coordinator** can provide guidance on the assembly of information, and, at a minimum, reviews the package prior to its submittal to the FHBRO.

Given the timeframe of the FHBRO's evaluations, it is recommended that the FHBRO Registrar be contacted prior to assembling the information for submission. This is particularly important in urgent cases or when submitting several buildings.

The FHBRO will determine whether the submitted building will be screened out, evaluated through a benchmarking process, or evaluated by the Federal Heritage Buildings Committee. If screened out by the FHBRO (based on past evaluations of similar buildings), a notification letter will be sent to the **National Heritage Coordinator**, who will obtain from the **RPB FHBRO Representative**, Asset Manager (who submitted the building), and **Regional Heritage Coordinator**, the agreement on the screening evaluation result.

The benchmarking process is generally applied when a large number of similar buildings are submitted at once, or where previous submissions for the identical building type have resulted in a consistent score. In this case, the FHBRO sends a benchmark evaluation report with the

recommended score to the **National Heritage Coordinator**, who will obtain from the **RPB FHBRO Representative**, the Asset Manager (who submitted the building) and the **Regional Heritage Coordinator** their agreement with the recommended benchmark evaluation score. When not in agreement with this score, they may reply with an alternative score and an appropriate justification.

It is also important to note that when PWGSC is considering acquiring a building that is over 40 years of age, the Department must consult with the FHBRO regarding its submission for evaluation *prior* to the acquisition. Real estate advisers are to contact the **Regional Heritage Coordinator** for assistance with consultations with the FHBRO.

#### 6.1.3 Evaluation of buildings:

For buildings that are evaluated by the Federal Heritage Buildings (FHB) Committee – which includes three representatives of the submitting department – RPB is represented by the **RPB FHBRO Representative** (from the National Accommodation and Portfolio Management Sector), a representative from the Heritage Conservation Directorate (Professional and Technical Service Management Sector), and a regional employee familiar with the building (usually the person who submitted the building, either the **Regional Heritage Coordinator** or the Asset Manager). In their role as departmental representatives, these three individuals have the authority to represent the interests of PWGSC on the FHB Committee. Others may attend as observers to provide additional clarification or background, but they do not score the building. The **National Heritage Coordinator** coordinates the participation of the three RPB representatives, acting as the FHBRO point of contact for the distribution of information.

Prior to the FHB Committee meeting, the PWGSC representatives score the building, based on the heritage building report produced and distributed by the FHBRO, utilizing the FHBRO evaluation criteria and the FHBRO point score rating sheet (both are available from the **Regional Heritage Coordinator** or the [FHBRO Web site](#)). Based on the discussions during the meeting, the FHB Committee achieves a consensus on the building's final score.

It is important to note that the participation of the three RPB representatives in achieving a final score constitutes the departmental acceptance of the evaluation results.

#### 6.1.4 Communication of evaluation results:

Evaluation meeting notes are prepared by the FHBRO and are circulated for review to the FHB Committee members along with the final score. The three RPB representatives ensure that the notes are an accurate reflection of the Committee's discussions.

When the FHB Committee recommends a building for designation, the FHBRO prepares a draft heritage character statement for the building based on the approved meeting notes. This draft is sent to the **National Heritage Coordinator** who obtains its endorsement from the three departmental representatives that evaluated the building. The **National Heritage Coordinator** also sends to the three departmental representatives the final version of the heritage character statement.

The Asset Manager (or their delegate) ensures that the final heritage character statement is distributed to the appropriate RPB staff and made available on locally shared networks or intranet sites as appropriate. They also arrange for the Facility Inventory System (FIS) to be updated with the results of the evaluation process (whether the building is recommended for designation or not).

Note that a building is only “officially” considered to be designated and placed on the FHBRO Register of Federal Heritage Buildings once the Minister of Environment has accepted the Committee’s recommendation. For buildings located in the National Capital Region, the National Capital Commission must also accept the Committee’s recommendation (obtained by the FHBRO).

## **6.2 Review of intervention for alterations**

### 6.2.1 Context – intent:

Under the TB policy, departments are responsible for respecting and conserving the heritage character of federal heritage buildings. It contains specific obligations to ensure that an appropriate review is conducted for proposed interventions that may impact the heritage character of a designated building.

In the case of classified buildings, this review must be done through a submission to the FHBRO. For recognized buildings, departments must themselves obtain appropriate “conservation advice.” Within RPB, this is done through an internal review process, but may also include consultation with the FHBRO.

To meet the TB policy’s overall goal of protecting the heritage character of federal heritage buildings, conservation advice should also be integrated as part of longer-term portfolio and asset planning, as well as part of the implementation of the National Project Management System (NPMS). The **National or Regional Heritage Coordinator** should be contacted for additional information and guidance.

The intent of the following Review of Intervention procedure is to ensure that:

- a) Projects on classified RPB buildings (that have the potential to impact heritage character) are identified, and their review by FHBRO is planned, implemented and reported against in a nationally consistent manner
- b) Appropriate departmental representation participates in the “formal” review of projects to classified RPB buildings by the FHBRO’s Federal Heritage Buildings Committee (if required)
- c) Projects on recognized RPB buildings (that have the potential to impact heritage character) are identified, and their review by appropriate conservation experts is planned, implemented and reported against in a nationally consistent manner

Note that the following is considered the minimum procedure to be followed within RPB, however regional variations and best practice may exist, including the establishment of **Regional Heritage Committees** to support regional compliance activities. For buildings managed by a third party (AFD), protocol for communication between RPB and the AFD contractor may vary

by region to ensure that RPB's compliance to the TB policy is implemented. However, all conservation advice and decisions must be documented as established by this procedure. Guidance on procuring consultants with appropriate conservation expertise can be obtained from the **Regional Heritage Coordinator**. The NPMS Web site can be consulted for additional guidance.

#### 6.2.2 Implementation and monitoring:

The conservation advice received from either the FHBRO or the internal review process does not approve nor reject a project, but rather it makes recommendations for the protection of heritage character. RPB retains the final accountability to manage its real property assets in a manner that meets legal and code requirements while balancing departmental priorities and federal objectives, including the protection of heritage character.

Project managers are responsible to follow the process described below to obtain a FHBRO review, or to demonstrate that appropriate conservation advice was sought. In order to balance heritage goals with all other project objectives, they should bring the conservation advice and recommendations to the attention of any design or project review committee in place in their region. It is recommended that these internal RPB discussions on balancing all project objectives include **Regional Professional and Technical (P&T) Heritage Conservation Expertise** and/or the **Regional Heritage Coordinator**.

If the project will not follow the conservation advice received, compliance with the TB policy cannot be achieved. PWGSC's position should be documented and endorsed by the appropriate delegated authority, usually the Regional Investment Management Board. This justification should be provided to the **Regional Heritage Coordinator** for all designated buildings and to FHBRO in the case of classified buildings.

It should be noted that in some regions, a **Regional Heritage Committee** may be established to specifically review projects on designated buildings.

To coordinate the review of alterations to designated buildings and to provide the basis for year-end reporting, each fiscal year, the **Regional Heritage Coordinator** produces a list of projects in their region that will require a review. This list of projects is created through consultation with the appropriate asset or project management employees, and with **Regional P&T Heritage Conservation Expertise** (to help gauge the potential impact on heritage character) as required. The **Regional Heritage Coordinator** circulates this list to the responsible project management employees or otherwise identifies the projects to ensure they are aware of the review requirement that applies to their project. A copy is also provided to the **National Heritage Coordinator**.

#### 6.2.3 Alterations to classified federal heritage buildings:

The project manager is responsible for obtaining the review by the FHBRO of any project that might impact the heritage character of a classified building. Prior to any submittal to the FHBRO, project managers are to contact the **Regional Heritage Coordinator** to determine if any regionally-specific processes apply, and to receive guidance on the review by the FHBRO. The review requirements will depend on the scale, scope and complexity of the project, and should be determined in consultation with the FHBRO as early as possible in the project

planning. For large projects, a review of intervention is normally required at the design concept, design development and 99% tender document stages. For highly complex projects, a review of selected aspects of the project and additional stages (33%) may be required. In some cases the FHBRO may request that a “formal” review of intervention take place before the Federal Heritage Buildings (FHB) Committee (see formal reviews of intervention below). The **Regional Heritage Coordinator** is to be copied on all correspondence with the FHBRO.

If no regionally-specific review is required, the project manager (or their delegate) prepares the project submission package for review by the FHBRO. It is strongly recommended that projects involving classified heritage buildings first be reviewed by the **Regional Heritage Coordinator** and/or **Regional P&T Heritage Conservation Expertise** prior to being submitted for review by the FHBRO.

The FHBRO prepares a review of intervention report, which analyzes the proposed design for its impact on the heritage character of the building, and if appropriate, makes recommendations to the custodian. This analysis is based on the heritage character statement for the building and the *Standards and Guidelines for the Conservation of Historic Places in Canada*. The report is sent to the project manager with a copy to the **Regional Heritage Coordinator**.

#### 6.2.4 FHBRO “formal” reviews of intervention:

In the case of large, complex projects, the FHBRO may schedule a “formal” review of the project by the FHB Committee. As with the evaluation of buildings (section 6.1 above), the FHB Committee includes three RPB representatives: the **RPB FHBRO Representative**, a representative from Heritage Conservation Directorate and a Regional employee familiar with the building (most often the **Regional Heritage Coordinator**). The **National Heritage Coordinator** coordinates the participation of three departmental representatives, acting as point of contact with the FHBRO. These three RPB representatives should not have a direct involvement with the project being reviewed. Prior to the “formal” review of intervention meeting, the FHBRO sends the FHB Committee members copies of reports and drawings that describe the proposed alterations as well as a copy of its review of intervention report.

At a “formal” review of intervention meeting, the PWGSC project team (usually the project manager and their consultants) presents the project to the committee, followed by a FHBRO staff heritage conservation specialist who presents the review of intervention report. The committee discusses the project, reaches consensus on the results and provides comments to the FHBRO that will form the basis of the FHBRO’s response to the Department. The FHBRO letter is sent to the project manager with a copy to the **Regional Heritage Coordinator**.

#### 6.2.5 Alterations to recognized federal heritage buildings:

In order for RPB to demonstrate that “appropriate conservation advice” was sought for alterations to its recognized buildings, project managers are responsible to obtain an internal RPB review. Project managers are to contact their **Regional Heritage Coordinator** to determine the level of review required and identify any regionally-specific process that may apply. Depending on the nature and scope of the project, the review may range from a simple email correspondence with **Regional P&T Heritage Conservation Expertise** or the **Regional Heritage Coordinator**, to a more formal review involving conservation expertise from several

disciplines. In the case of very large and complex projects to recognized buildings, consultation with the FHBRO may be warranted.

In all cases, the project manager will receive a written review from the appropriate expert, in which the impact of the proposal on the heritage character of the building will be evaluated. This analysis is based on the heritage character statement for the building and the *Standards and Guidelines for the Conservation of Historic Places in Canada*. The project manager ensures that the project team considers this analysis as part of other design/project reviews.

To avoid duplicating internal reviews, in cases where a project's design management team includes PWGSC conservation expertise, that individual or group must provide the project manager, who in turn provides a copy to the **Regional Heritage Coordinator**, a written evaluation of the project's impact on heritage values. If the project will deviate from the advice received from the PWGSC conservation expert, the project manager must document the justification, and provide a copy to the **Regional Heritage Coordinator**.

### **6.3. Review of intervention for disposal or demolition**

#### 6.3.1 Context – intent:

As part of the TB policy requirement that departments respect and conserve the heritage character of federal buildings throughout their life cycle, departments must consult the FHBRO when disposal or demolition is proposed for a classified or recognized federal heritage building. They must also make “best efforts” to arrange for appropriate alternative uses first within, then outside the federal government. Protection of heritage character may also include post-ownership protection in the form of provincially or municipally administered designations or heritage easements. These requirements apply to both “routine” and “strategic” disposals as defined in the TB *Directive on the Sale or Transfer of Surplus Real Property*.

Demolitions are considered equivalent to disposals, and given that they represent a destruction of heritage character a similar process of demonstrating best efforts must be reviewed by the FHBRO.

The intent of the following disposal or demolition process is to ensure that:

- a) When the disposal of an RPB designated heritage building is being considered, the review by the FHBRO is planned, implemented and reported against in a nationally consistent manner
- b) When the demolition of an RPB designated heritage building is being considered, the review by the FHBRO is planned, implemented and reported against in a nationally consistent manner

The **Regional Heritage Coordinator** is to be contacted once a building has been declared excess to program requirements in order to determine if any regionally-specific processes apply. The **Regional Heritage Coordinator** maintains a list of potential disposals and demolitions, and provides a copy to the **National Heritage Coordinator**.

See also Appendix D: Guidelines to making best efforts in the disposal process.

### 6.3.2 Disposals:

All disposals of federal heritage buildings, whether considered routine or strategic, must be submitted to the FHBRO for review. In order to facilitate consultations with the FHBRO and to promote a consistent departmental approach to disposals, it is recommended that real estate advisers consult with the **Regional Heritage Coordinator** prior to notifying the FHBRO that a building has been declared excess to program requirements.

In executing their best efforts to explore appropriate alternative new uses, real estate advisers should consult with the **Regional Heritage Coordinator**, who can provide additional background material on the building, act as liaison with other jurisdictions, and suggest appropriate post-ownership protection mechanisms. It is recommended that the FHBRO also be consulted throughout this process in order to explore possible options.

Prior to making a final decision on the nature and level of post-protection to be provided, real estate advisers are to submit for review by the FHBRO a summary of:

- The consultations undertaken with other departments, jurisdictions and the FHBRO regarding possible alternative uses and level of significance of the building
- The options considered for post-ownership protection
- The nature and level of any post-ownership protection that RPB proposes for inclusion in the sales agreement

A copy of this summary is also sent to the **Regional Heritage Coordinator**.

If the disposal will not follow the recommendations of the FHBRO, RPB's position should be documented and endorsed by the appropriate delegated authority. This justification should be provided to the FHBRO and the **Regional Heritage Coordinator**.

Real estate advisers are also to notify the FHBRO and the **Regional Heritage Coordinator** once the building has left the federal inventory, including the date of sale and name of the new owner. The **Regional Heritage Coordinator** advises the **National Heritage Coordinator** of the change to the inventory.

### 6.3.3 Demolition:

In cases where the demolition of a designated heritage building is being considered, the FHBRO must be consulted as early as possible in the process to review all reasonable options to be considered.

The process to identify and evaluate these options should include:

- A detailed understanding of the physical condition of the building
- A thorough assessment of potential alternative investment or redevelopment strategies
- A consideration of "mothballing" as an option
- Consultations with communities of interest

It is highly recommended that the **Regional Heritage Coordinator** be consulted to determine if any regionally-specific processes apply, and for guidance on consultations with the FHBRO.

The results of the consultations undertaken and a summary of the options and alternatives considered must be submitted for review by the FHBRO. This summary must also provide a clear justification for the final decision to demolish. Although this submission is prepared by the project manager, it is highly recommended that it first be reviewed by the **Regional Heritage Coordinator**, who may request the input of the **Regional P&T Heritage Conservation Expertise**.

Note that some level of heritage recording must be undertaken prior to the demolition; **Regional P&T Heritage Conservation Expertise** can provide advice on the appropriate level of recording.

Confirmation of the completed demolition must be sent to the FHBRO and to the **Regional Heritage Coordinator**.

## **6.4 Monitoring, reporting and setting objectives**

### 6.4.1 Context – intent:

The TB policy requires that departments have an appropriate management framework in place, which includes a regular and systematic assessment of performance. While the TB policy does not specify the nature or scope of these performance indicators nor the mechanism for reporting or setting objectives, heritage conservation obligations are understood to be included in the policy's intent.

The intent of the following procedure is that:

- a) The monitoring of compliance activities (as described in sections 6.1, 6.2 and 6.3 of this procedure) is systematically reported at the national level
- b) National level activities to support compliance, including the establishment of appropriate objectives, is systematically planned and implemented

### 6.4.2 National roll-up of compliance activities:

As described in this procedure, the **Regional Heritage Coordinator** is responsible to monitor a number of compliance related activities (see also Appendix C: Terms of reference for Regional Heritage Coordinators for a summary of these responsibilities). The lists of planned evaluations, intervention reviews and disposals, as well as a year-end report which summarizes the completed activities, are provided to the **National Heritage Coordinator**.

The **National Heritage Coordinator** prepares an annual report on these RPB heritage compliance activities, and submits the report to **RPB FHBRO Representative** who circulates it as appropriate within the National Accommodation and Portfolio Management Sector.

### 6.4.3 National activities to support RPB compliance:

The **National Heritage Coordinator** is responsible for planning and overseeing national activities to support RPB compliance to the TB policy. These activities are based on input from the **Regional Heritage Coordinators**, a representative of the **Regional P&T Heritage**

**Conservation Expertise** for each region, the **RPB FHBRO Representative**, and, as appropriate, representatives of other RPB sectors.

These activities may include, but are not limited to:

- Establishing appropriate objectives for RPB compliance activities
- Monitoring the effectiveness of and recommending improvements to the *Policy on the Stewardship of Federal Heritage Buildings* and this procedure
- Developing and delivering internal RPB training specific to compliance obligations
- Development of additional tools, processes and practices to improve RPB compliance activities

## **7. Scope:**

This procedure and the associated policy apply to all RPB employees involved in the management of Crown-owned buildings in the custody of the Minister of PWGSC, including those buildings managed by a third party.

**8. Definitions:** Refer to Appendix A: Definitions.

**9. Responsibilities:** Refer to Appendix B: Summary of roles and responsibilities

## **10. References:**

Treasury Board [\*Policy on Management of Real Property\*](#)

Treasury Board [\*Directive on the Sale or Transfer of Surplus Real Property\*](#)

Treasury Board [\*Guide to the Management of Real Property\*](#)

Parks Canada [\*Standards and Guidelines for the Conservation of Historic Places in Canada\*](#)

## **11. Attachments:**

Appendix A: Definitions

Appendix B: Summary of roles and responsibilities

Appendix C: Terms of reference for Regional Heritage Coordinators

Appendix D: Guidelines to making best efforts in the disposal process

## **12. Inquiries:**

Please direct inquiries about this procedure to the Director, Heritage Conservation Directorate, Professional and Technical Service Management.

## Appendix A: Definitions

**Classified building:** The highest level of designation for a federal heritage building. Custodial departments must consult the FHBRO regarding proposed alterations.

**Disposal:** In the context of the heritage obligations of the TB policy, a disposal is defined as a transaction that alienates real property from a department's inventory to a non-department (as defined under Section 2 of the [Financial Administration Act](#)), to the Provincial Crown, or to private interests.

**Federal heritage building:** Any federal building, which has been evaluated by FHBRO and designated classified or recognized for its heritage significance.

**Federal Heritage Buildings Committee (FHBC):** An interdepartmental committee, chaired by the manager, FHBRO, which evaluates potential heritage buildings for the purpose of identifying their heritage character, recommending their designation to the Minister of Environment, and reviews interventions to designated heritage buildings. Committee membership is a mix of professional real property specialties and custodial department representation.

**Federal Heritage Buildings Review Office (FHBRO):** The interdepartmental advisory body, which resides in Parks Canada Agency to recommend heritage designation and to advise custodial departments on protecting the heritage character of the heritage buildings in their care.

**Heritage character:** Those attributes of a building, which communicate its cultural value and significance. Heritage character might include physical elements, stylistic characteristics, plan, spaces and less tangible attributes like historical associations. The character defining features of a federal heritage building are described in its heritage character statement.

**Intervention:** Any action, which may have an impact on the heritage character of a building including alteration, demolition or disposal.

**Potential federal heritage building:** Any building owned by the federal government, which is at least forty-years-old and has not been evaluated by the FHBRO.

**Recognized building:** The second level of designation for a federal heritage building. Custodial departments are required to seek appropriate conservation advice regarding proposed alterations.

**Register of federal heritage buildings:** A list of all buildings (maintained by FHBRO) that have been designated as federal heritage buildings.

## Appendix B: Summary of roles and responsibilities

### RPB FHBRO Representative

This role is located with National Accommodation and Portfolio Management (NAPM). It represents RPB for all strategic communications with the FHBRO and TB<sup>1</sup> in matters related to heritage conservation. For matters of TB policy compliance, the RPB FHBRO Representative is advised by the National Heritage Coordinator.

The specific responsibilities of the RPB FHBRO Representative include:

- Participating in internal policy development
- Participating on the FHBRO Committee for evaluations and “formal” reviews of intervention as one of three departmental representatives
- Receiving the annual compliance report prepared by the National Heritage Coordinator, and distributing as appropriate within NAPM
- Participating in the strategic national compliance activities led by the National Heritage Coordinator (such as establishing appropriate national compliance objectives, recommending improvements to compliance monitoring and reporting, etc.)

### National Heritage Coordinator

This National Heritage Coordinator supports RPB relations at headquarters level, advising the RPB FHBRO Representative, providing leadership to the Regional Heritage Coordinators, monitoring and reporting on compliance activities at the national level, and planning and overseeing national activities to support RPB compliance with the *TB Policy on the Management of Real Property*.

The specific responsibilities of the National Heritage Coordinator include:

- Coordinating RPB representation on the FHBRO Committee for evaluations or “formal” reviews of intervention
- Advising the RPB FHBRO Representative on strategic and technical heritage conservation matters
- Establishing appropriate conservation objectives (based on consultations with the RPB FHBRO Representative and the Regional Heritage Coordinators), and monitoring progress with their achievement
- Establishing the format and producing an annual report on compliance activities (based on information provided by Regional Heritage Coordinators) for submission to NAPM
- Facilitating communication between Regional Heritage Coordinators and coordinating their contribution to the development of additional implementation tools and best practice
- Monitoring the effectiveness of and recommending improvement to the *Policy on the Stewardship of Federal Heritage Buildings* and this procedure
- Coordinating the development and delivery of training on the implementation of this procedure, the *Policy on the Stewardship of Federal Heritage Buildings*, and the *TB Policy on the Management of Real Property*

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<sup>1</sup> The PWGSC FHBRO Representative will respect the established protocols for communication with TBS, and thus involve the Program Management (PM) Sector.

### **Regional Heritage Coordinator**

For a complete description of this role, refer to Appendix C: Terms of Reference for Regional Heritage Coordinators.

### **Regional Professional and Technical Heritage Conservation Expertise**

This role is located with Professional and Technical Services in each region, and provides advisory services to operational staff and the Regional Heritage Coordinator, mostly in the context of reviews of intervention. While it is recommended that one individual per region be identified as the main contact person for communication with the Regional Heritage Coordinator, it is understood that the nature of the advisory services will involve expertise from the required disciplines as needed.

The specific responsibilities of Regional P&T Heritage Conservation Expertise include:

- Providing professional and technical advisory services to the Regional Heritage Coordinator to identify projects requiring internal or FHBRO reviews, and in the case of recognized buildings, to establish the appropriate level of review
- Participating in regionally-specific procedures
- Conducting project reviews for recognized buildings and providing written comments and recommendations to the project manager; this may also be deemed appropriate for certain interventions to classified buildings prior to submission to the FHBRO for review
- Participating in the national compliance activities led by National Heritage Coordinator and the Regional Heritage Coordinator (possibly including regional training for RPB employees)

### **Regional Heritage Committee**

While not mandatory, a Regional Heritage Committee may be established to support the compliance activities of the Regional Heritage Coordinator and Regional P&T Heritage Conservation Expertise. The specific mandate and membership of the committee is determined by regional portfolio priorities.

### **Implementation roles**

The responsibility for the operational implementation of compliance activities is shared by several positions within the Branch. These individuals do so when buildings are submitted for evaluation and interventions are submitted for review. They use the procedure and the roles described above. The roles below apply both internally and to AFD service providers.

### **Project managers and asset managers**

These individuals are responsible to follow this procedure to ensure buildings are evaluated, projects requiring review are identified and that their review is undertaken and documented. They ensure consultants are aware of and are provided with documentation regarding the heritage status of the building and the review process to be followed.

### **Real estate advisers**

Real estate advisers are responsible for adhering to the protocols for demonstrating “best efforts” in the disposal process, and to document all consultations with FHBRO in the disposal and acquisition processes.

## **Appendix C: Terms of reference for Regional Heritage Coordinators**

These terms of reference represent the *minimum* responsibilities assigned to the Regional Heritage Coordinators. Regional variations to supplement these responsibilities are encouraged to meet regional conditions and objectives.

As detailed in this procedure, the Regional Heritage Coordinators administer a number of policy compliance activities in their region, represent their region's interests in dealings with the FHBRO and the National Heritage Coordinator, and coordinate the establishment of any required regionally-specific procedures (in consultation with the appropriate regional authorities).

In the context of building evaluations, the Regional Heritage Coordinators:

1. Develop and maintain a prioritized list of buildings requiring FHBRO evaluation
2. May assist, or at a minimum will review for discrepancies, omissions or issues, the information package assembled by the asset manager (or real estate adviser in the case of acquisitions) which will be submitted to the FHBRO for evaluation
3. May represent RPB as one of the three departmental representatives at the FHBRO evaluation meeting
4. Verify that the facilities inventory system (FIS) has been updated to reflect the result of evaluation, and that the heritage character statement has been made available to the appropriate property and project management staff

In the context of reviews of interventions, the Regional Heritage Coordinators:

1. Produce a list of planned projects that will require review by the FHBRO (for classified buildings) or an internal RPB review (for recognized buildings) (this is done in consultation with the appropriate asset or project management employees, and with the assistance of Regional P&T Conservation Expertise), and provide the National Heritage Coordinator with a copy of this list
2. May manage or participate in any regionally-specific process established for the review of projects to classified or recognized buildings
3. Provide guidance to project managers when submitting information to the FHBRO for projects to classified buildings
4. May represent RPB as one of the three departmental representatives on the FHBRO Committee for "formal" reviews of intervention (only if they are not directly involved with the project)
5. Coordinate the review of projects on recognized heritage buildings by the appropriate conservation expertise

In the context of disposals or demolitions, the Regional Heritage Coordinators:

1. Maintain a list of designated heritage buildings in their region planned for disposal
2. May manage or participate in any regionally-specific process established for the review of projects to dispose or demolish designated buildings
3. Provide guidance to real estate advisers in their consultations with the FHBRO regarding demonstration of best efforts in the disposal process

As part of the PWGSC Heritage Network, the Regional Heritage Coordinators:

1. Submit to the National Heritage Coordinator the lists of planned evaluations, reviews and disposals for their region and provide a year-end report of completed activities
2. Participate in national functional initiatives for improvements to RPB compliance activities
3. Participate in the establishment of appropriate departmental objectives for heritage conservation activities
4. May participate in the development and delivery of internal RPB training specific to heritage conservation

## Appendix D: Guidelines to making best efforts in the disposal process

These guidelines are not intended to be prescriptive for every disposal involving a classified or recognized building since each disposal is unique, requiring a specific approach, which may involve additional steps.

The three steps have been identified below in order to help real estate advisers meet the intent of the TB policy in the disposal process. They are based on past consultations with the FHBRO, whose objective is to ensure that the protection of heritage character is appropriately considered when selling designated federal heritage buildings and that options to protect heritage character are adequately explored.

As described in the TB *Directive on the Sale or Transfer of Surplus Real Property*, disposals may be either “routine” or “strategic.” These guidelines apply to both, however “strategic” disposals follow a somewhat different process since the Canada Lands Company executes the actual disposal. In strategic disposals, RPB must outline the steps it would normally take, and recommend to CLC that they be explored before any final decision regarding the future of the building is made.

### Step 1. Gather information (understanding the building)

1.1 Once RPB has declared a designated building excess to program requirements, the real estate advisers should notify the FHBRO (after prior consultation with the Regional Heritage Coordinator), thereby initiating the consultations that will continue throughout the disposal process. Note: all correspondence with the FHBRO should reference the FHBRO file number for the building.

1.2 Through the Regional Heritage Coordinator, real estate advisers should obtain a copy and read:

- **Heritage character statement:** contains the reasons for designation and, most importantly, the character-defining elements that should be protected or respected
- **Building evaluation record:** is the rating sheet containing the “scores” that the building received at the time of evaluation – higher level scores indicate stronger heritage value or character
- **FHBRO building report:** is the report used by the FHBRO to evaluate the building; it provides historic and current building and site information based on the ten FHBRO evaluation criteria against which buildings are scored
- **Reviews of intervention** or other reports on past interventions to the building
- Reasons for designation as a National Historic Site (if applicable)

These documents should be retained for potential use by other government departments, other levels of government or organizations that have demonstrated an interest in the building.

1.3 When determining whether other federal departments have an interest in acquiring administration of the property, real estate advisers should determine if their proposed use is suitable to ensure the protection of the heritage value of the building.

1.4 Real estate advisers should confirm whether the building is already subject to designations by other jurisdictions (either the province or municipality).

Step 2. Explore options (protecting heritage character)

Real estate advisers should (after consultation with the Regional Heritage Coordinator):

2.1 Contact both the provincial and municipal heritage agencies to discuss:

- The heritage significance of the building within the province and municipality
- If the province, its heritage foundation or trust, or in some jurisdictions, the municipality, is able to enter into a conservation easement agreement (i.e., be the easement holder) with a potential purchaser, or if there is an outside organization that could fulfill this role
- Whether they would consider the building for designation under their legislation (in some jurisdictions, both levels of government can designate the same building and may wish to do so)
- The existence of actual or potential local heritage interest groups or “friends of,” especially if major rehabilitation of the property is under consideration
- If any financial incentives or technical assistance are available to a potential purchaser
- If any municipal planning flexibility (e.g., contract zoning, transfer of development rights) could be applied to protect heritage character

2.2 Consult with the FHBRO to discuss:

- The results of provincial and municipal consultations
- The possible disposal scenarios or options for the property reuse or rehabilitation, and whether such uses are appropriate
- The nature and level of protection (e.g., easement, designation) that would adequately protect heritage character (this will be based, in part, on the disposal options for the property and its level of designation (i.e., classified or recognized)
- If there is no local heritage significance or interest, what nature and level of protection would be appropriate
- What level of heritage recording would be appropriate prior to the disposal

2.3 Submit for review by the FHBRO (with a copy to the Regional Heritage Coordinator), a written summary of the “best efforts” taken including:

- The results of consultations undertaken within PWGSC, with other departments, other jurisdictions and with the FHBRO
- The options considered for post-ownership protection
- The proposed nature and level of any post-ownership protection that RPB will include in the sales agreement

### Step 3. Make a decision

- 3.1 Based on the “best efforts” undertaken, the recommendations received from the FHBRO and all other disposal considerations, make a final decision on the nature and level of protection for the building’s heritage character. If the disposal will not follow the recommendations of the FHBRO, RPB’s position should be documented and endorsed by the appropriate delegated authority. This justification should be provided to the FHBRO and the Regional Heritage Coordinator.
- 3.2 Arrange for the appropriate protection mechanism to be applied to the property either before or at the time of sale.
- 3.2 Notify the FHBRO and the Regional Heritage Coordinator of the date of sale and name of the purchaser so that FHBRO can update its file and remove the building from the Register of Federal Heritage Buildings.