

Knowledge and Enhancement of Heritage Buildings

3.3.

February 28, 2023
2022 Annual Report
Auditor General of
the Ville de Montréal

Knowledge and Enhancement of Heritage Buildings

Background

The heritage of the Ville de Montréal (the City), widely recognized, consists of municipal and private buildings that are of heritage interest because of their architectural, historic, landscape, urban or archeological value. This heritage is governed by municipal provisions, such as the *Cultural Heritage Act* (CHA), which are aimed at ensuring its knowledge, protection, enhancement and transmission. Added to this are new provisions of the CHA (2021) that require the City, by 2026, to adopt an inventory of heritage buildings (HB) constructed before 1940. Despite existing frameworks, several factors, in particular the lack of maintenance, can threaten the preservation of HB. In the 2005 *Heritage Policy* (Policy) and its 2017–2022 *Heritage Action Plan* (HAP), the municipal administration committed to act in an exemplary fashion towards its heritage.

Purpose of the audit

To ensure that the City has sound knowledge of the HB on its territory and that it enhances them adequately.

Results

The City does not have complete, centralized knowledge of the HB on its territory or of their preservation status. While an action plan was defined for the adoption of an inventory of HB constructed prior to 1940, its implementation would not eliminate this knowledge gap because no provision was made to integrate the inventory data into the tools used by the City. Incomplete knowledge also limits the scope of the enhancement measures the City can take, measures which are already insufficient for the identified HB. Not only are the Preventive Maintenance Programs (PMPs) not fully implemented, but they do not provide for specific maintenance work on HB, in accordance with the HAP. As for private HB, the measures deployed by the City are insufficient to ensure that their owners maintain them in good condition. Consequently, the enhancement of HB is not fully assured by the City, which exacerbates the issue of vulnerable HB. This underscores the consequences of the investment deficit that results in the partial, if not total, demolition of some HB being the best alternative. In summary, several actions in the Policy and the HAP, aimed at increasing knowledge and enhancement of HB, remain to be completed. The absence of a follow-up of these actions prevents the Direction générale from adequately regulating issues related to the HB on its territory.



Main Findings

Knowledge of Heritage Buildings

- The City has not implemented the actions set out in the Policy, which is aimed at increasing the knowledge and enhancement of HB.
- Municipal and private HB located on the territory of the City have not all been identified.
- The City does not have a centralized picture of the HB identified on its territory. They are spread out across various tools, consisting of data that is neither comprehensive nor accurate.
- The methodology and terminology used to designate the heritage interest of HB is not consistent across the City.
- The methodology used to assess the state of preservation and the investment deficit is not consistent or applied to all municipal HB.

Inventory of Heritage Buildings Constructed Prior to 1940

- The planning and methodology for drawing up the inventory of HB constructed prior to 1940 have been well established and communicated to the agglomeration's stakeholders.
- The inventory process will not, however, eliminate all the gaps in the knowledge of HB.

Enhancement of Municipal Heritage Buildings

- Standards for the upkeep and maintenance of the condition of the HB are not defined or reflected in the PMPs, as stipulated in the Policy.
- The PMPs (regular and safety) that apply to all municipal buildings are only programmed for 68% of HB and only partially completed.
- The investment deficit for municipal HB has been growing for several years, which notably reflects a high number of important HB left vacant or abandoned.

Enhancement of Private Heritage Buildings

- Follow-up inspections of projects under way and upon completion are not carried out systematically to ensure that the work complies with the permits issued and conditions established by the authorities and to avoid the potential and irreversible alteration of HB.
- The methods deployed for rapid repairs to vulnerable HB by their owners are insufficient, leading to increasingly profound deterioration of their state, if not their potential demolition.

In addition to these results, we formulated various recommendations to the business units, which are presented on the following pages.



List of Acronyms

CC

city council

CDN-NDG

Côte-des-Neiges–Notre-Dame-de-Grâce borough

CHA

Cultural Heritage Act

City

Ville de Montréal

CPM

Conseil du patrimoine de Montréal

CRV

current replacement value

HAP

2017–2022 Heritage Action Plan

HB

heritage buildings

MCC

Ministère de la Culture
et des Communications

MP

Master Plan (2004)

PMP

Preventive Maintenance Program

PMR (le)

Le Plateau-Mont-Royal borough

Policy

Heritage Policy

PUM

2050 Land Use and Mobility Plan

SGPI

Service de la gestion et de la planification
des immeubles

SIGI

Système intégré de gestion des immeubles

SUM

Service de l'urbanisme et de la mobilité

VM

Ville-Marie borough



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1. Background

As the Ville de Montréal (the City) celebrates 380 years¹ since its founding, several elements serve as a testament to its origins and are of heritage interest because of their architectural, historic, landscape, urban or archeological value. This concentration of heritage elements, exceptional in Québec and in Canada, make Montréal a city recognized for its historic character.

Cultural heritage (see Appendix 5.1.), comprised of a multitude of properties and elements of various natures, such as historic buildings, has a high emblematic value specific to the community from which it evolved, requiring its transmission to future generations.

Heritage buildings (HB)² contribute to the development of the economy and tourism, to the revitalization of some neighbourhoods, and to various dimensions (social, economic and environmental) of sustainable development.

Legislative Framework Governing Heritage

Cultural Heritage Act

The protection of Québec's cultural heritage is regulated by the *Cultural Heritage Act* (CHA),³ which came into effect in 2012, with the specific objective (see Figure 1) of promoting knowledge, protection, enhancement and transmission of cultural heritage. Each of these involve implementation methods.

¹ Year of the founding of Montréal: 1642.

² HB are buildings that are of interest because of their archeological, architectural, artistic, emblematic, ethnological, historic, landscape, scientific or technological value.

³ The CHA was passed on October 19, 2011, and came into effect on October 19, 2012.

FIGURE 1 | PURPOSE OF THE CULTURAL HERITAGE ACT AND IMPLEMENTATION METHODS



KNOWLEDGE

Knowledge tools

- ◆ Inventory
- ◆ Preservation status
- ◆ Directories
- ◆ Interactive maps
- ◆ Heritage statement



PROTECTION

Protection mechanisms

- ◆ Status under the *Cultural Heritage Act* (declaration, classification)
- ◆ Master Plan (2004) (MP)
- ◆ Local by-laws (e.g., land use development, maintenance, demolition)



ENHANCEMENT

Enhancement methods

- ◆ Maintenance
- ◆ Renovation/ Restoration/ Preservation
- ◆ Requalification



TRANSMISSION

Transmission methods

- ◆ Dissemination aids (e.g., videos, apps, channels)
- ◆ Data sources on sites and buildings of heritage interest, among others

Source: Figure produced by the Bureau du vérificateur général (BVG) based on the definitions presented in the CHA.

Act to Amend the Cultural Heritage Act and Other Legislative Provisions

The *Act to amend the Cultural Heritage Act and other legislative provisions*⁴ (SQ 2021, c.10), passed on March 25, 2021, aims primarily to amend the CHA and the *Act respecting land use planning and development*.⁵

Among the new provisions,⁶ the urban agglomeration councils have the obligation to adopt, between now and April 1, 2026, an inventory of buildings constructed prior to 1940 that are located on their territory and have heritage value. The objectives of this inventory are:

- ◆ To create better transparency regarding the protection mechanisms for heritage immovable;
- ◆ To implement protection and maintenance mechanisms and regulations for the demolition of these buildings;
- ◆ To promote improved protection and enhancement of these buildings.

Inventoried HB are subject to specific municipal provisions under the *Règlement de démolition* and the *Règlement sur l'occupation et l'entretien*.

⁴ The majority of the provisions in the *Act to amend the Cultural Heritage Act and other legislative provisions* (SQ 2021, c. 10) came into effect on the date of its approval, April 1, 2021.

⁵ The *Act respecting land use and development*, which has a direct impact on the built framework, including the protection and management of heritage, is defined in several ways at the municipal level, including by-laws.

⁶ The two other provisions are: that regulations governing demolition must, before April 1, 2023, include criteria for the evaluation of requests for the demolition of HB; and that the future *Règlement sur l'entretien et l'occupation des bâtiments* must, between now and April 1, 2026, contain standards that require their owners to protect them from weather damage and preserve their structural integrity.

3.3. Knowledge and Enhancement of Heritage Buildings

As the central municipality, the City⁷ is responsible⁸ for coordinating this inventory for the agglomeration's entire territory and for submitting it to the urban agglomeration council for adoption.

The City recognizes the value and benefits of its heritage and is committed to ensuring its preservation, including through the Charter of the Ville de Montréal, metropolis of Québec, its *Heritage Policy* (Policy) and the 2017–2022 Heritage Action Plan⁹ (HAP).

In May 2005,¹⁰ city council (CC) adopted the Policy to organize and guide the actions of the City and of its partners. The intended objective is to encourage the development of a collective vision and shared responsibility for Montréal's heritage, whose enhancement is seen as a cultural, social and economic lever.

In 2017, the Policy's directions were deemed to be adequate and relevant. In line with this, the HAP, which is essentially a series of priority actions (see Appendix 5.2.), was implemented to regulate issues that engage Montrealers and that require immediate action by the City, including:

- ◆ Preserving and enhancing vacant buildings;
- ◆ Maintaining public and private buildings;
- ◆ Sustainably managing buildings and places;
- ◆ Developing knowledge of the elements that make up the urban identity.

The HAP reiterates the City's commitment, stated in its Policy, to act as the exemplary property owner and manager of the preservation and enhancement of its heritage.

Stakeholders in the Ville de Montréal's Heritage

The knowledge, protection, enhancement and transmission of HB (municipal and private) on the City's territory involve stakeholders from various business units, as well as private owners where applicable, as shown in the following table.

⁷ Division du patrimoine of the Service de l'urbanisme et de la mobilité (SUM).

⁸ The City is responsible for drawing up the inventory for the agglomeration, in compliance with section 17 of the *Act respecting the exercise of certain municipal powers in certain urban agglomerations*.

⁹ The HAP was established following a public consultation before the Commission municipale sur la culture, le patrimoine et les sports, and passed in August 2017.

¹⁰ CM05 0356 – May 30, 2005 – Adoption of the Policy.

TABLE 1 | STAKEHOLDERS IN THE VILLE DE MONTRÉAL'S CULTURAL BUILDINGS

STAKEHOLDER AND RESPONSIBILITIES	HERITAGE BUILDING		OBJECTIVE OF THE CULTURAL HERITAGE ACT			
	Municipal	Private	Knowledge	Protection	Enhancement	Transmission
Service de l'urbanisme et de la mobilité (SUM) Directs and coordinates actions related to heritage, including the Policy and the HAP. Responsible for the City's Land Use and Mobility Plan ^[a] .	X	X	●	●	●	●
Service de la gestion et de la planification des immeubles (SGPI) Manages (maintenance, renovation, restoration and construction) the building inventory of the City operated by the central services and those of Ville-Marie borough (VM), in addition to maintaining buildings under some other boroughs.	X		●		●	
Service de la stratégie immobilière Manages building transactions that include emphyteutic leases ^[b] .	X				●	
Boroughs Contribute to the knowledge, protection (by-laws), enhancement and transmission of municipal HB under their responsibility and private HB on their territory.	X	X	●	●	●	●

^[a] The MP, passed by CC on November 23, 2004, is the municipality's most important official document regarding land use planning on its territory, establishing the guidelines for the organization of the City's space and physical features (*Règlement d'urbanisme 04-047*). The SUM is preparing the 2050 Land Use and Mobility Plan (PUM), scheduled to be adopted in 2023.

^[b] "Emphyteusis is the right which, for a certain time, grants a person the full benefit and use of an immovable owned by another provided he does not endanger its existence and undertakes to make constructions, works or plantations thereon that increase its value in a lasting manner." (*Civil Code of Québec, CCQ-1991, c. 64, s. 1195*).

STAKEHOLDER AND RESPONSIBILITIES	HERITAGE BUILDING		OBJECTIVE OF THE CULTURAL HERITAGE ACT			
	Municipal	Private	Knowledge	Protection	Enhancement	Transmission
<p>Conseil du patrimoine de Montréal (CPM) Advisory body on heritage, named by the City’s CC, whose role and mandate are to comment on and make recommendations to CC to inform position statements and decision-making on projects affecting HB and sites.</p>	X	X	●	●	●	●
<p>Owners of private buildings Under municipal by-laws, owners must maintain their buildings in good condition and ensure that the maintenance work required for the preservation and conservation of their buildings is performed. Under the <i>CHA</i>, owners have the obligation to preserve the heritage value of their classified or recognized heritage properties.</p>		X			●	

Source: Table produced by the BVG based on information collected during the audit.

Knowledge of Heritage Buildings

The City’s territory includes a significant number of municipally and privately owned heritage sites and HB,¹¹ some of which enjoy protected status (see Table 2) granted by the government (called a declaration), the Ministère de la Culture et des Communications (MCC) (called a classification) or the City (called a recognition), recognizing their heritage value (see Appendix 5.3.).

¹¹ Private buildings include vernacular, industrial and institutional buildings.

TABLE 2 | HERITAGE STATUS UNDER THE *CULTURAL HERITAGE ACT*

CULTURAL HERITAGE ELEMENT	DECLARATION (GOVERNMENT OF QUÉBEC)	CLASSIFICATION (MINISTÈRE DE LA CULTURE ET DES COMMUNICATIONS)	RECOGNITION (VILLE DE MONTRÉAL)
Heritage site [a]	●	●	●
Heritage building		●	●

[a] A heritage site is a place, a group of immovables or, in the case of a heritage site declared by the government, a land area, that is of interest for its archaeological, architectural, artistic, emblematic, ethnological, historical, identity, landscape, scientific, social, urbanistic or technological value.

Source: Table produced by the BVG based on definitions presented in the CHA.

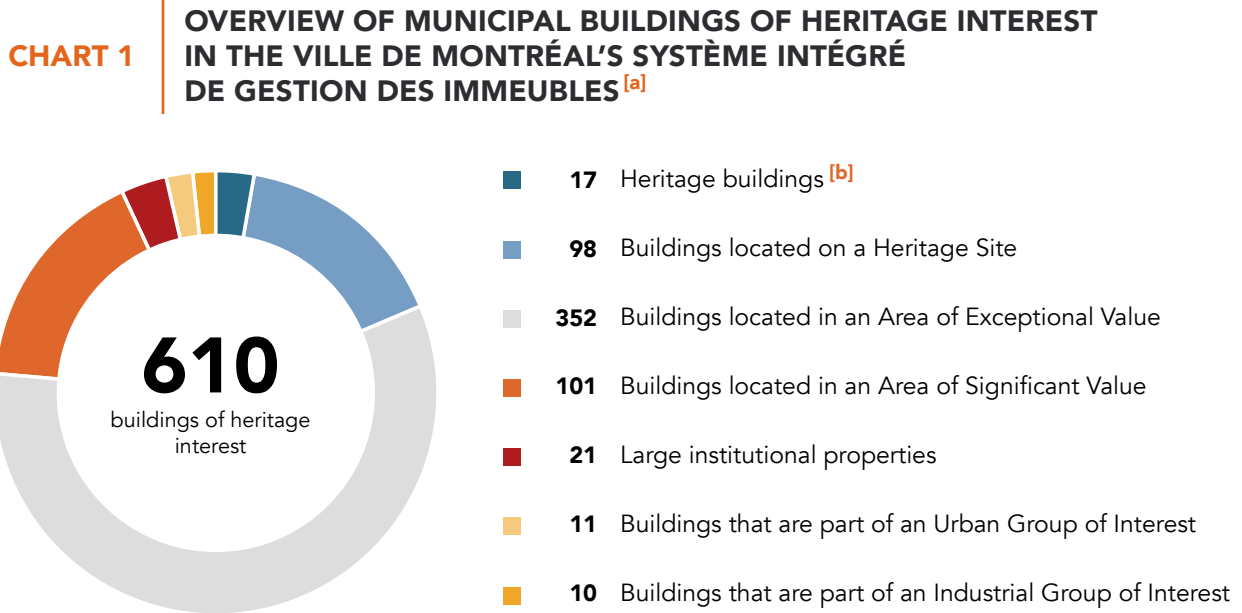
In addition, in its MP, the City uses two further designations: buildings and areas " ... of exceptional value" and "...of significant value". These have been selected on the basis of criteria such as, in particular, their ability to reflect a theme or historical event, their architectural quality or their participation in the quality of urban life and of the landscape.

These sectors and HB, recognized by the CHA and in the UP, are the subject of regulatory measures (Protection) aimed at providing a framework for construction, renovation or landscaping work. The objective is to preserve their architectural characteristics and their transmission to future generations.

In this report, the term HB is used to encompass HB under the CHA and other buildings designated as being of heritage interest in the MP or by the boroughs.

Enhancement of Municipal Heritage Buildings

The City aims to ensure the exemplary nature of its practices and interventions on its municipal heritage properties, especially through maintenance or renovation and restoration projects aimed at preserving the value of municipal HB, presented below:



^[a] SIGI is the City's *Système intégré de gestion des immeubles*, operated by the SGPI and the boroughs, in particular for the inventory and management of building maintenance programs.

^[b] Buildings having a status under the CHA (classified and recognized buildings).

Source: Chart produced by the BVG based on excerpts from the *Système intégré de gestion des immeubles (SIGI)* municipal works inventory.

The SGPI is responsible for maintaining just over 600 of the 1,300 buildings that make up the City's building stock, which includes HB. This involves buildings operated by the central departments and those operated by the boroughs created out of the former City.¹² Major restoration or renovation projects are the responsibility of either the SGPI or the boroughs themselves. The boroughs created out of the former suburbs¹³ independently manage the maintenance of buildings under their jurisdiction and related projects.

The integration of the heritage dimension into the framework of municipal projects is set out in the *"Guide concernant la gestion de projets de rénovation et de restauration d'immeubles patrimoniaux"*.

Note that, between 1974 and 2018, the City entered into emphyteutic leases ranging from 25 to 75 years for 302 municipal buildings, 163 of which are of heritage interest. These leases contain obligations for the beneficiary (lessee), including the restoration of the building and maintaining it in good condition, and fines in the event of default.

¹² Ahuntsic-Cartierville, Côte-des-Neiges–Notre-Dame-de-Grâce (CDN-NDG), Le Plateau-Mont-Royal borough (Le PMR), Le Sud-Ouest, Mercier–Hochelaga-Maisonneuve, Rivière-des-Prairies–Pointe-aux-Trembles, Rosemont–La Petite-Patrie, Ville-Marie and Villeray–Saint-Michel–Parc-Extension boroughs.

¹³ Anjou, Lachine, LaSalle, Montréal-Nord, Outremont, Pierrefonds-Roxboro, Saint-Laurent, Saint-Léonard, Verdun and Île-Bizard-Sainte-Genève boroughs.

Enhancement of Private Heritage Buildings

The boroughs are responsible for applying the by-laws that regulate the work of private owners to ensure that the original characteristics (e.g., architectural components and materials) of buildings of heritage interest on their territory are preserved. The City's by-laws also include the obligation for owners to maintain their HB in good condition, as stipulated in the CHA.

Heritage Issues

The news regularly mentions the loss of HB. One need only think of the Redpath Mansion, a bourgeois home built in 1886. In 1986, the City accepted its demolition by a new owner, to construct an apartment building. The demolition began in 1987 at the back of the house and was interrupted following an injunction by an outside organization. All that was left was the facade. Abandoned and unprotected, it deteriorated from exposure to the elements. The house was destroyed on March 19, 2014, despite several attempts to save it.

Despite existing by-laws and frameworks (e.g., implementation and architectural integration plans and maintenance by-laws), the City estimates that several factors can threaten the integrity of HB,¹⁴ including:

- ◆ Lack of knowledge of the heritage interest of these buildings;
- ◆ Pressure from real estate development and densification, leading to partial preservation ("Facadism"),¹⁵ if not, demolition;¹⁶
- ◆ Lack of funds of owners wishing to do work.

The CPM is also concerned about the deterioration of municipal and private HB, especially those that are abandoned to the point that they are almost beyond repair.

Given that, in adopting the Policy, the municipal administration committed to acting in an exemplary manner toward its heritage, and that knowledge of HB is an essential prerequisite for an enlightened decision about their future (protection, enhancement or official recognition by the City), the choice was made to examine the knowledge and enhancement of the municipal and private HB on its territory.

¹⁴ HAP, page 32.

¹⁵ The term "facadism" is used to designate a project that [TRANSLATION] "consists of the demolition of a building and the preservation of its facade, which is integrated into a new construction. Secured to a new structure, it becomes a reminder, an artifact within the new project" (CPM).

¹⁶ Source: Report of the CPM "Les défis du façadisme – Réflexion et prise de position", November 2021.

2. Purpose and Scope of the Audit and Evaluation Criteria

2.1. Purpose of the Audit

Pursuant to the provisions of the *Cities and Towns Act*, we conducted a performance audit of the knowledge and enhancement of HB. We conducted this audit in accordance with the Canadian Standard on Assurance Engagements (CSAE) C3001 of the *CPA Canada Handbook – Assurance*.

The purpose of this audit was to ensure that the City has sound knowledge of the HB on its territory and that it adequately enhances them.

2.2. Evaluation Criteria

Our evaluation was based on the following criteria that we deemed to be valid under the circumstances, i.e., that the City:

- ◆ Has the required and ongoing knowledge of the municipal and private HB on its territory;
- ◆ Has developed an action plan that ensures the adoption of the inventory of the agglomeration's HB within the timelines prescribed by the CHA;
- ◆ Has put mechanisms in place to ensure the enhancement of its municipal HB;
- ◆ Deploys measures to ensure the enhancement of private HB.

The City's Auditor General is responsible for providing a conclusion on the objective of the audit. To this end, we collected sufficient and appropriate evidence to arrive at our conclusion with a reasonable degree of assurance.

The City's Auditor General applies Canadian Standard on Quality Management 1, *Quality Management for Firms that Perform Audits or Reviews of Financial Statements, or Other Assurance or Related Services Engagements*. This standard requires the City's Auditor General to design, implement and operate a system of quality management, including policies or procedures regarding compliance with ethical requirements, professional standards and applicable legal and regulatory requirements. In addition, it complies with the independence and other ethical requirements of the Code of ethics of chartered professional accountants, which are founded on fundamental principles of integrity, professional competence and due diligence, confidentiality and professional conduct.

2.3. Scope of the Audit

Our audit work covered the period from January 1, 2017, to September 30, 2022, but, for certain aspects, earlier data was also considered. The audit was conducted primarily between the months of February and November 2022. We also took into account information that was sent to us up to February 28, 2023.

This work primarily involved the following business units:

- ◆ the Service de l'urbanisme et de la mobilité (SUM);
- ◆ the Service de la gestion et de la planification des immeubles (SGPI);
- ◆ the Service de la stratégie immobilière;
- ◆ Côte-des-Neiges-Notre-Dame-de-Grâce (CDN-NDG) borough;
- ◆ Ville-Marie (VM) borough;
- ◆ Le Plateau-Mont-Royal (Le PMR) borough.

Our audit was limited to the objectives of knowledge and enhancement of HB. We thus excluded from the scope of our work activities related to protection and transmission, which are two other objectives of the CHA.

Upon completing our audit, we submitted a draft audit report to the managers concerned in the audited business units and to the Direction générale for discussion purposes. The final report was then forwarded to the management of each of the business units concerned, as well as to the City's Direction générale, to obtain action plans and timelines for implementing the recommendations. A copy of the final report was also forwarded to the non-audited boroughs, the Direction générale adjointe de l'urbanisme, de la mobilité et des infrastructures, the Direction générale adjointe du Service aux citoyens, the Direction du Service de concertation des arrondissements and the Direction générale adjointe de l'économie et du rayonnement de la métropole.

3. Audit Results

3.1. The Ville de Montréal does not have a Complete Picture of the Municipal and Private Heritage Buildings on its Territory

Knowledge of the composition and condition of HB is a basic foundation for effective and efficient management of the City's work for their protection, enhancement and transmission. A comprehensive inventory is necessary to validate the heritage character of a given building, identify vulnerable ones, plan work on municipal HB, or guide decisions to issue work permits. Through its Policy, the City plans to increase knowledge of Montréal's heritage and put in place methods to foster its sharing and dissemination.

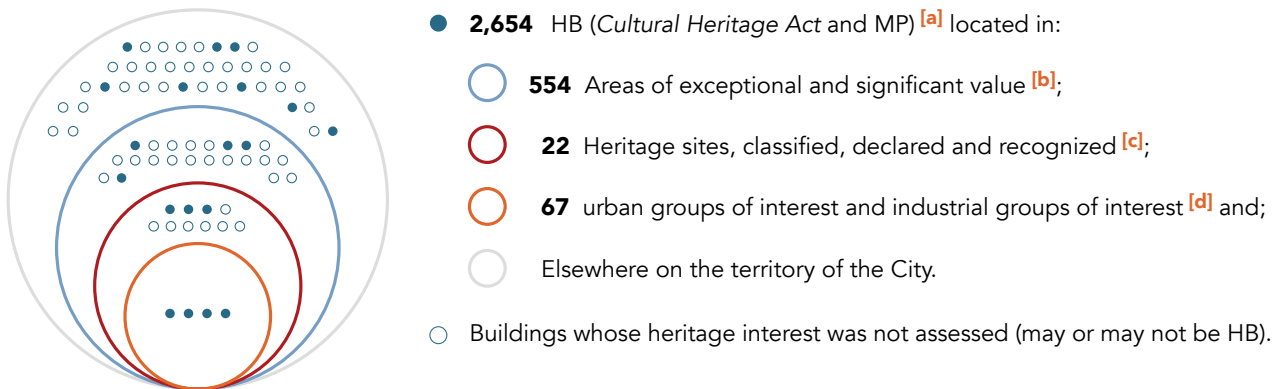
3.1.1. Gaps in Knowledge of Heritage Buildings

Not all Heritage Buildings are Identified

Currently, knowledge of the City’s HB comes from the work of identifying urban heritage established within the framework of the MP. This knowledge is presented in the form of lists of individually identified buildings and maps defining areas of interest, within which buildings may or may not have heritage value (see Figure 2).

Given their unduly high number, only buildings of exceptional and interesting value located outside areas of interest were listed individually. Accordingly, the heritage value is presumed for all the other buildings without a heritage designation that are located in an area of interest.

FIGURE 2 | **OVERVIEW OF HERITAGE BUILDINGS, AREAS AND SITES IDENTIFIED ON THE TERRITORY OF THE VILLE DE MONTRÉAL WITHIN THE FRAMEWORK OF THE MASTER PLAN (2004)**



[a] Municipal and private HB¹⁷ (e.g., No. 37 Firehall, Outremont Theatre).

[b] Areas of exceptional and significant value (e.g., Ancien-Village-du-Sault-au-Récollet heritage site).

[c] Heritage sites (e.g., Mount Royal heritage site, Old Montréal heritage site).

[d] Groups of interest (e.g., former Montréal General Hospital consisting of several buildings).

Source: Figure produced by the BVG based on data provided by the SUM.

In 2005, the City planned in its Policy to refine knowledge of its heritage, but little progress has been made since then. Among the three audited boroughs, VM borough is the only one to make provision for ongoing identification of new buildings of heritage interest. In fact, 73 buildings were added in February 2020 to the list presented in the borough’s *Règlement d’urbanisme*. CDN-NDG and Le PMR boroughs did not carry out a characterization of their territory beyond the UP.

¹⁷ Private buildings include vernacular, industrial and institutional buildings.

The SUM's Division du patrimoine estimates that, to date, the data identified within the framework of the MP remains the primary source of knowledge of HB. The City thus does not have a complete inventory of the HB on its territory.

Knowledge has not been Established Based on a Common Methodology and Terminology

Beyond designations required under the CHA and those retained in the UP, the boroughs use other designations (see Table 3) to qualify buildings of interest.

TABLE 3

HERITAGE DESIGNATIONS UNDER THE CULTURAL HERITAGE ACT, HERITAGE QUALIFICATIONS OF THE MASTER PLAN (2004) AND OTHER DESIGNATIONS FOR BUILDINGS OF HERITAGE INTEREST

STATUS OF THE CULTURAL HERITAGE ACT (DESIGNATIONS)	MASTER PLAN (2004) (QUALIFICATIONS)	OTHER IDENTIFIED DESIGNATIONS (BY-LAWS, COMMUNICATION TOOLS, INVENTORIES)
<ul style="list-style-type: none"> • Heritage site (declared, classified and recognized). • Classified heritage building. • Recognized heritage building. 	<ul style="list-style-type: none"> • Area of exceptional heritage value. • Area of significant heritage value. • Building of exceptional heritage value. • Building of significant heritage value. • Urban group of interest. • Industrial group of interest. 	<ul style="list-style-type: none"> • Significant area subject to standards or criteria. • Significant architectural example. • Place of worship of interest. • Large institutional property. • Buildings of heritage and architectural interest. • Significant building. • Buildings of interest. • Vernacular heritage. • Shoebox house.

Source: Table produced by the BVG based on information identified during the audit.

Some other labels arise out of a designation specific to the borough, or from simple local vocabulary, as seen in the following:

- ◆ Le PMR borough identifies "significant architectural examples" based on criteria such as rarity, authenticity, integrity, age or innovation.
- ◆ VM borough uses a methodology aimed at refining knowledge of the HB on its territory, based on their year of construction and architectural characteristics. The result is three designations: "*vernacular heritage*", "*buildings of interest*" and "*shoebox houses*".
- ◆ CDN-NDG borough assigns the designation "*significant building*" to the HB already identified in the UP.

3.3. Knowledge and Enhancement of Heritage Buildings

Given the proliferation of terms assigned to the identified HB and the absence of a common methodology and terminology supporting these designations, one has to wonder about the possibility of differences in dealing with buildings that have the same heritage interest depending on the importance afforded to heritage by each borough. This does not ensure coherent and consistent recognition of the City's HB, regardless of their location.

Shortcomings in the Comprehensiveness and Accuracy of Data on Heritage Buildings Available in the Tools

The data on buildings and areas of heritage interest arising out of the MP is recorded in different tools, such as Internet directories, the MapInfo system and interactive maps (see Table 4) made available to the City's stakeholders. This data is useful in managing the maintenance of municipal HB and projects involving HB as well as processing permit applications for work on HB. However, not all these tools are integrated, as shown below.

TABLE 4

SHORTCOMINGS IN THE COMPREHENSIVENESS AND ACCURACY OF INVENTORY DATA ON IDENTIFIED MUNICIPAL AND PRIVATE HERITAGE BUILDINGS

INVENTORY TOOLS	CONTENT	USEFULNESS	SHORTCOMINGS IN THE COMPREHENSIVENESS OF DATA	SHORTCOMINGS IN THE ACCURACY OF DATA
Heritage directories [a] Users: <ul style="list-style-type: none"> SUM; SGPI; Boroughs. 	Files of areas of heritage value and certain HB identified within the framework of the MP.	Makes it possible to determine the heritage interest or protected status of a building when processing work permit applications.	✘	✘
(SIGI) Users: <ul style="list-style-type: none"> SGPI 	Inventory of municipal buildings: <ul style="list-style-type: none"> Indicates the protected status or heritage interest of municipal HB concerned. 	Reference tool for property managers: <ul style="list-style-type: none"> Inventory; Maintenance programs; Management of restoration, renovation and construction projects. 	✘	✘
MapInfo Users: <ul style="list-style-type: none"> Boroughs 	Geomatics app that contains certain information about HB, including the heritage designation, legal protection status, building's location in an area of interest, or the owner's name.	Makes it possible to determine the heritage interest or protected status of a building when processing work permit applications.	✘	✘
Interactive maps of the boroughs [b] Users: <ul style="list-style-type: none"> Boroughs 	Data related to urban planning and development of the territory.	Makes it possible to locate certain HB.	✘	✘

[a] The three directories (website) are: L'inventaire des propriétés municipales d'intérêt patrimonial, Le Grand répertoire du patrimoine bâti and Le répertoire du patrimoine du Vieux-Montréal. These directories are accessible to the public.

[b] The interactive maps present data that is accessible to the public. Their content and the way the information is organized differ from one borough to the next (e.g., the inventory of all the identified HB is not systematically reflected).

✘ Shortcomings found.

Source: Table produced by the BVG based on information identified during the audit.

3.3. Knowledge and Enhancement of Heritage Buildings

The Policy considers the directories to be a source of knowledge and sharing of Montréal's heritage. In this sense, they were meant to continue to be developed to improve the inventory of HB. However, since their creation some 20 years ago, no new HB have been added. Only an update of those already identified has been done when required (e.g., change of the protection status). The databases of these directories are also aging and are no longer supported by the Service des technologies de l'information, which can result in loss of the data in these directories. The willingness to modernize the directories or develop a single digital inventory platform was raised in the HAP and during the preparation of the inventory process for buildings constructed prior to 1940 but has never materialized to date.

To ensure that all work is effective and efficient, the SIGI, MapInfo and interactive maps of the boroughs must show all the City's HB, or at least reflect the HB identified to date. We found that the data presented in these tools can be repetitive without being comprehensive in any one of the tools. For example:

- ◆ Among the 90 HB of VM borough that have heritage status under the CHA, 82 are identified in MapInfo, and the other 8 only on the borough's interactive map;
- ◆ Only 16 of the 19 private HB of CDN-NDG borough that have heritage status under the CHA, according to the directory, are presented in MapInfo. The 3 that are missing are not found either on the borough's interactive map.

In addition, differences were found in the data on municipal HB between the SIGI and the heritage directories:

- ◆ The protection status in the SIGI differs from that shown in the directories for 21% (38/183)¹⁸ of municipal HB. For example, the Biosphere is shown as a recognized heritage site in the SIGI but has no legal protection in the City's directories;
- ◆ The Bibliothèque Maisonneuve, the Bain Morgan and the former Marché Maisonneuve were classified by the MCC in March 2021, without this status being reflected in the SIGI;
- ◆ No. 2 Firehall, ceded in emphyteusis, is wrongly identified as a municipal property in the directory of municipal properties of heritage interest;
- ◆ The Maison du Meunier bears work number 8661 in the SIGI, whereas the heritage directory shows work number 3281 for the same building.

Documenting the main heritage characteristics (e.g., materials and components) of buildings is good practice for refining and sharing heritage knowledge. Nevertheless, only VM has established files detailing the components and materials of interest present on the facades of its vernacular heritage. This enables it to have information that it can quickly use when making decisions about issuing permits for these HB.

Validating the heritage character of the identified HB requires consulting various non-integrated tools, whose data does not always match, which is inefficient and fails to ensure that the available information is accurate.

¹⁸ HB of heritage value in both the directories and in the SIGI.

3.1.2. Status quo Despite the Inventory Project of Heritage Buildings Constructed Prior to 1940

To meet the provisions of the amended CHA, the Division du patrimoine produced various documents aimed at defining, planning and regulating the steps leading to the adoption of an inventory of HB constructed prior to 1940 on the agglomeration's territory between now and 2026. This includes:

- ◆ Governance of the project, established and communicated to the boroughs and related municipalities;
- ◆ Deliverables, defined in the stocktaking methodology;
- ◆ Completion timeline, established for the stocktaking phase (planning of the "inventory adoption" phase is expected to proceed progressively as stocktaking is completed);
- ◆ A budget (\$10 million), 50% of which comes from the MCC, specifically for stocktaking (professional and technical service fees). However, the internal resources needed to coordinate the next phases of the process (the Division du patrimoine, boroughs and related towns) have not yet been determined.

The SUM first began with two pilot projects (Saint-Laurent borough and the City of Hampstead) to hone its methodology and to confirm it with the MCC, since the latter had not yet issued definitive instructions on an inventory methodology.

The inventory process steered by the SUM provides for an individual survey of HB, which represents progress compared with the way the knowledge of HB is currently organized. The number of HB (constructed prior to 1940) to be inventoried is estimated at 87,842 (see Figure 3), compared with 2,654 identified within the framework of the UP.

FIGURE 3 | **RELATIONSHIP BETWEEN BUILDINGS OF INTEREST CONSTRUCTED PRIOR TO 1940 AND HERITAGE BUILDINGS IDENTIFIED ON THE TERRITORY OF THE VILLE DE MONTRÉAL**



- HB identified within the framework of the MP (2004).
- Buildings of interest constructed prior to 1940 targeted by the inventory (2026).

[a] Estimate made by the SUM of the number of buildings of interest constructed prior to 1940 on the City's territory.

Source: Figure produced by the BVG based on data provided by the SUM.

The MCC was to create a platform to enter inventory data from all of Québec that, at the time of the drafting of this report, was still not available. Since the City does not have a centralized tool for the inventory of HB, data from the pilot projects is recorded on a temporary computer platform. Knowing that the tool to come from the MCC is only intended for data collection, the City should acquire its own unique centralized tool, that it controls, to manage its HB.

While this process is an opportunity for the City to refine knowledge of its HB and make more complete and consistent data available to the stakeholders concerned, its aim is solely to meet the obligation of the new CHA.

Consequently, the knowledge gaps exposed previously, resulting from the absence of a complete inventory tool and the inconsistent designation of HB, are likely to remain. Given that tens of thousands of HB will be added to those already identified and that they will be subject to occupancy, maintenance and demolition by-laws,¹⁹ it is imperative that the City's stakeholders have tools to help easily distinguish buildings of interest from those that are not. This would make it possible to take appropriate measures to enhance HB.

RECOMMENDATION
3.1.2.A.

We recommend that the Service de l'urbanisme et de la mobilité, in collaboration with Côte-des-Neiges–Notre-Dame-de-Grâce, Le Plateau-Mont-Royal and Ville-Marie boroughs and the Direction générale, standardize citywide the designations of buildings of heritage interest on the territory so that all buildings with similar characteristics have the same designation.

¹⁹ *Règlement municipal relatif à l'occupation et à l'entretien des bâtiments*, as well as the by-law pertaining to the demolition of buildings.

RECOMMENDATION
3.1.2.B.

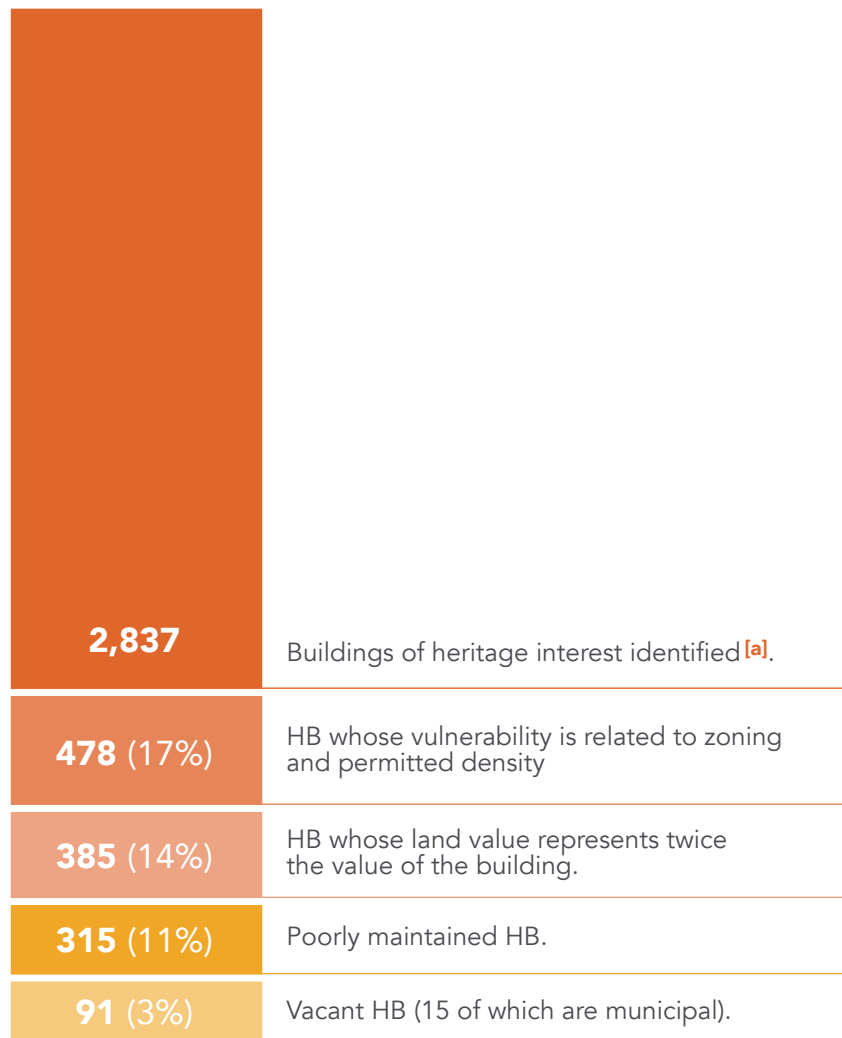
We recommend that the Service de l'urbanisme et de la mobilité have and make accessible to all the concerned stakeholders of the Ville de Montréal a consistent and centralized inventory of municipal and private heritage buildings, integrating all the data required to facilitate their identification and preservation, and that it continually add to it, including with data from the 2026 census, so that all the stakeholders have access to the same data.

3.1.3. Lack of Knowledge of the Condition of all the Heritage Buildings on the Territory of the Ville de Montréal

In 2014, following the demolition of the Redpath Mansion and the tabling of a motion by CC, the Direction générale mandated the boroughs, in collaboration with the SUM, to identify buildings of heritage interest on the territory, whether public or private property, and those that were vacant, at risk of being demolished or whose future was uncertain. Through this mandate, which was aimed at preventing new cases of HB deteriorating or being demolished, the Direction générale also expected that it would receive recommendations regarding necessary amendments to the by-laws to ensure the effective protection of vulnerable HB.

This study helped identify vacant HB and those possibly vulnerable based on four vulnerability criteria (see Figure 4).

FIGURE 4 | **OVERVIEW OF VULNERABLE HERITAGE BUILDINGS IN 2015**



^[a] List of HB on the territory drawn up based on existing data and tools within the City in 2015 (SGPI and boroughs).

Source: Figure produced by the BVG based on data provided by the SUM.

Since this overview was compiled, the process has been interrupted. The HAP only took up the issue again two years later, including through actions aimed at the implementation of a vulnerability register and a maintenance and vacancy register. However, these actions have not been completed to date.

Preservation Status is not Established Reliably for all Municipal Heritage Buildings

Knowing the condition of buildings makes it possible to identify their defects and determine maintenance priorities to ensure their optimal functioning and preservation and thus prevent avoidable costly repairs.

Currently, the condition of municipal buildings (heritage or not) relies on audits that consist in a visual and qualitative inspection of the various systems present (e.g., the architecture, structure, and civil, mechanical and electrical systems), aimed at identifying all defects and estimating the cost of the work required and prioritizing it. Formerly carried out by an outside firm (2009–2015), the task of auditing municipal buildings was returned in 2020 to the SGPI for both the buildings under it and those of certain boroughs. Only the audits conducted internally since 2020 provide an assessment of the heritage elements of the buildings concerned. These audits carry a warning, nevertheless, specifying that the scope and seriousness of the defects may be greater than that observed.

Buildings Under the SGPI

Based on these audits, the SGPI refined the assessment of the condition of buildings (54) under its authority. Their investment deficit is determined using modelling²⁰ of the disrepair of their components (e.g., foundation) that cannot be identified by visual inspection (audit). This modelling also takes into account deficits arising from former audits and the current replacement value (CRV),²¹ which is assessed using a new methodology specific to the SGPI that provides a markup of 30% to account for the additional cost attributable to the heritage elements of buildings under its responsibility. The investment deficit amounting to \$501 million (see Table 5) for the 54 HB of the SGPI, i.e., work equivalent to 47% of their value, is only a fraction of the total deficit of HB citywide.

TABLE 5

INVESTMENT DEFICIT [a] OF HERITAGE BUILDINGS HAVING HERITAGE STATUS UNDER THE CULTURAL HERITAGE ACT OR LOCATED IN A PROTECTED AREA UNDER THE SERVICE DE LA GESTION ET DE LA PLANIFICATION DES IMMEUBLES

HERITAGE BUILDINGS UNDER THE SERVICE DE LA GESTION ET DE LA PLANIFICATION DES IMMEUBLES	
Number	54
Current replacement value	\$1,073 million
Investment deficit	\$501 million
Physical disrepair index [b]	47%

[a] The physical disrepair index is the result of the relationship between the investment deficit and the current value of replacing the building (CRV).

[b] Investment deficit at the end of 2021, established through modelling of the data from audits and the CRV.

Source: Table produced by the BVG based on data provided by the SGPI.

²⁰ Modelling consists of complex calculations based on hypotheses of the deterioration of the buildings' components according to their useful lifespan and indexed value, which take into account investments made and work done in the past and currently under way.

²¹ The CRV (cost of the construction project) represents all the expenses that the City would have to assume to replace a property asset.

Buildings under the Boroughs

Regarding the HB under the audited boroughs, the SGPI affirms that audits were done for all of them. However, while some of these audits were done in 2020 or more recently, others go back to between 2009 and 2015, a time when audits did not take into consideration the condition of heritage elements. Without knowing precisely the investments made by the boroughs in their buildings, the SGPI considers that the value of the investment deficit it calculated is not sufficiently reliable to be used to manage its assets. It was impossible, therefore, to draw a picture of the investment deficit for the audited boroughs.

Thus, the boroughs' knowledge of the condition of its HB is limited to audits, unlike those of the SGPI, for which the investment deficit is established through modelling that also considers completed investments. The use of different methodologies does not ensure an accurate picture of the condition of all HB to assess the scope of the investments and prioritize them. In addition, estimates of the investment deficit do not reflect the marked increase in the cost of the work on the construction market, noted by the SGPI through its recent projects.²²

In short, the SGPI and the boroughs have an inventory that gives them limited knowledge of the condition of the identified municipal HB, making it riskier to determine investment priorities to preserve the integrity of the HB.

Considering that the heritage value of all the buildings located in areas of interest will be refined by the inventory process (HB constructed prior to 1940 and earlier), implementing a strategy to prioritize the assessment of the condition of municipal HB is necessary to increase knowledge.

Furthermore, the City continues to have a vacancy problem in some of its buildings, whose conservation status has seriously deteriorated over time. The SIGI identifies 82 vacant and surplus municipal buildings, 46% of which are HB, including:

- ◆ The former Craig pumping station, abandoned since 1987;
- ◆ The Hélène-de-Champlain Pavilion, vacant since 2009;
- ◆ Fort-Lorette, a building located on a site classified as a historic monument, sold to a real estate developer for a condominium project in 2017 and bought back by the City in 2018.

Limited Knowledge of Vulnerable Private Heritage Buildings

Currently, each of the audited boroughs has drawn up a list of vacant buildings based on inquiries (citizens' reports) or observations made by inspectors of the built framework during other work. Nevertheless, this knowledge remains limited since none of the audited boroughs has monitored the condition of private HB on its territory or updated the study of vulnerable HB since 2015. The boroughs should have an ongoing picture of vulnerabilities (vacant buildings or ones that are not being maintained) on their territory to ensure that appropriate measures are taken with the owners.

The absence of such a practice prevents borough stakeholders from having a complete picture of vulnerable HB to be able to target appropriate work to encourage their preservation.

²² Average increase of 49% in the cost of work in 2022.

RECOMMENDATION
3.1.3.A.

We recommend that the Service de la gestion et de la planification des immeubles, in collaboration with Côte-des-Neiges–Notre-Dame-de-Grâce, Le Plateau-Mont-Royal and Ville-Marie boroughs and the Direction générale, develop a common methodology to assess the condition of municipal heritage buildings, establish a calendar for the work to be done, and demonstrate that implementation has begun.

RECOMMENDATION
3.1.3.B.

We recommend that the Direction générale, in collaboration with the Service de l'urbanisme et de la mobilité and Côte-des-Neiges–Notre-Dame-de-Grâce, Le Plateau-Mont-Royal and Ville-Marie boroughs, maintain a directory of vulnerable municipal and private heritage buildings to establish and deploy measures to encourage their preservation.

3.2. The Mechanisms in Place do not Ensure the Enhancement of all the Municipal and Private Heritage Buildings on the Territory of the Ville de Montréal

3.2.1. Absence of Guidance for Projects to Preserve the Facade of Heritage Buildings

According to the CPM, some preservation practices of HB could prove harmful for heritage, especially some projects that only preserve the facade of buildings, called "facadism".²³ Concerned about the issue that this practice represents, the CPM, in its advisory role, gave itself the mandate to study this practice, which is gaining in momentum on the City's territory.

In 2019, it formed a working committee, composed of professionals from the boroughs and central services, to identify why some projects were able to preserve only the facade of HB and to establish the criteria for a successful "facadism" project. In April 2020, the committee issued its recommendations to the City to include its vision of "facadism" within its MP and to develop prevention and guideline measures beforehand to avoid arriving at the need for such demolition projects. The City has still not commented on these recommendations.

In the absence of guidelines to inform decision-making on the acceptability of projects for both private and municipal HB, these projects run the risk that vital heritage characteristics will be altered, if not destroyed. The City is thus compromising efforts already undertaken to ensure compliance with its commitment (Policy and HAP) to the preservation of its HB.

²³ The term "facadism" is used to designate a project that [TRANSLATION] "consists of demolishing a building and conserving its facade, which is integrated into a new construction. Affixed to a new structure, it becomes a reminder, an artifact within a new project." (CPM).

RECOMMENDATION

3.2.1.A.

We recommend that the Service de l'urbanisme et de la mobilité provide guidance on the practice aimed at preserving only the facade of municipal and private heritage buildings to optimize the heritage value preserved within the framework of the projects.

3.2.2. Shortcoming in the Maintenance and Preservation of Municipal Heritage Buildings

The CPM identifies the lack of maintenance of HB as one of the main reasons for their demolition. Likewise, the vacancy of the buildings has serious consequences for their condition. Given the importance of the integrity of heritage components, carrying out regular inspections and maintenance protects the character of HB and reduces the need for more costly repairs in the long term.

Concerned with preserving the value of its municipal HB, the City provided in its HAP for the establishment of a Preventive Maintenance Program (PMP) that would take into account the distinctive features of heritage sites and prioritize the work (e.g., major components of a building, typical problems of deterioration). Such a PMP would make it possible to schedule the regular work required to preserve the condition and heritage value of HB.

Preventive Maintenance Programs Specific to Municipal Heritage Buildings are not Established

Like the various electromechanical and architectural systems, safety devices or other systems, heritage components require the implementation of a PMP.

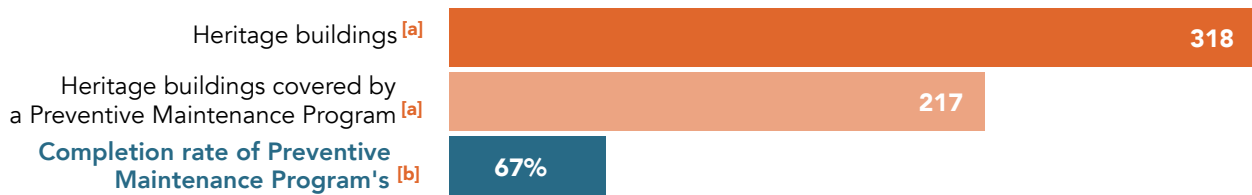
Existing PMPs are aimed at maintaining the proper operation of the buildings' equipment and components, independent of their heritage character. Among these PMPs are regular PMPs (e.g., inspection and maintenance of roofs and heating equipment) and regulatory PMPs (e.g., inspection and maintenance of elevators, plumbing equipment and panels and fire alarms).

The preventive elements specific to HB (e.g., maintenance of the masonry) have not been determined. Consequently, the maintenance program stipulated in the HAP, which would take into account the distinctive features of HB, has not been implemented to date.

Of the 318 HB²⁴ under the SGPI and those of the audited boroughs whose maintenance was delegated to it, PMPs are programmed for only 217 (68%). We have no proof that PMPs were implemented for these HB. However, between 2017 and 2022, only 67% of the PMPs were completed, on average, for all buildings combined (see Figure 5). Not only do HB not all have PMPs, but the implementation of these PMPs is incomplete.

²⁴ Buildings that have a status under the CHA or are located in a (declared or recognized) heritage site, protection area or area of interest.

FIGURE 5 | **IMPLEMENTATION OF PREVENTIVE MAINTENANCE PROGRAMS FOR MUNICIPAL HERITAGE BUILDINGS[A] BETWEEN JANUARY 2017 AND JUNE 2022**



[a] HB under the SGPI and those under the audited boroughs whose maintenance is delegated to the SGPI.

[b] Completion rate of PMPs for all buildings combined.

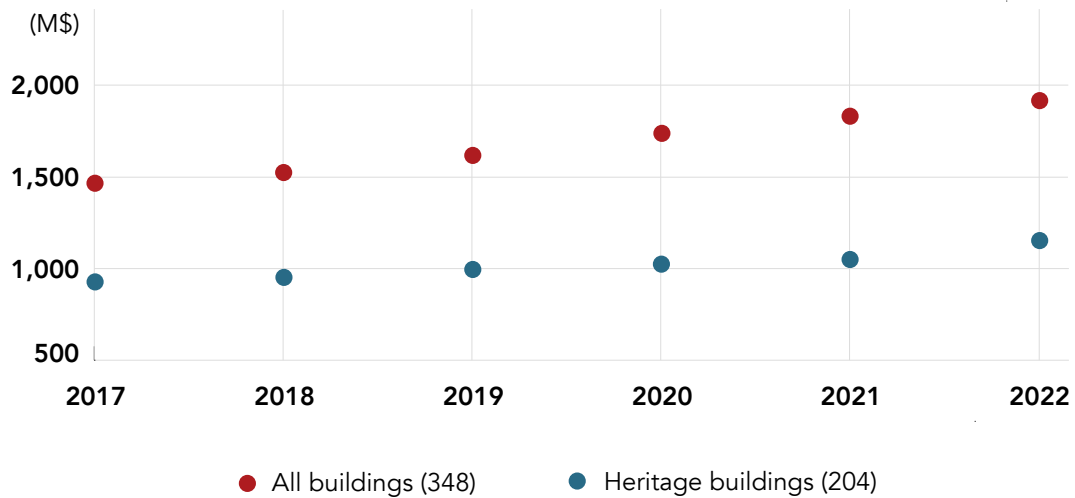
Source: Graph produced by the BVG based on information provided by the SGPI.

For several years now, the City has faced underfunding of its building maintenance budget. Based on industry practices, to maintain the condition, comfort and value of their building stock, owners must have an annual budget equivalent to 5%²⁵ of its CRV. The average annual budget dedicated to maintenance by the SGPI is approximately 2.5%. It is clear that the investment deficit in the buildings under the SGPI has increased since 2017, from approximately \$1,500 to \$2,000 million in 2022 (see Chart 2). HB, especially the vacant and surplus buildings, are not immune to this situation, accounting for almost 60% of the total deficit. This lack of maintenance affects the state of preservation and value of the City’s building stock, which will require greater and more costly restoration work in the future. In the end, this lack of maintenance will also impact the transmission of HB to future generations.

²⁵ The annual budget equivalent to 5% of the CRV of buildings comprises 2% maintenance, 2% protection and 1% modernization.

CHART 2

GROWTH OF THE INVESTMENT DEFICIT OF 348 BUILDINGS UNDER THE SERVICE DE LA GESTION ET DE LA PLANIFICATION DES IMMEUBLES BETWEEN 2017 AND 2022 (IN MILLIONS OF \$)



Source: Graph produced by the BVG based on data provided by the SGPI.

Issue of Vacant and Surplus Municipal Heritage Buildings

Like lack of maintenance, vacancy carries many risks that worsen with time, both for the building and for its environment (e.g., deterioration, fire, vandalism and, ultimately, demolition). As the building's architectural and heritage value decreases, it becomes more and more difficult to restore its condition.

To address the issue of vacant and surplus municipal buildings (heritage or not), the City put in place the *Programme d'urbanisme transitoire* in 2021, intended to find temporary uses for them while they await a new vocation. It is not possible to assess the benefits of the pilot project²⁶ currently under way.

The CPM is deeply concerned that the City is slow to act in limiting the lack of maintenance or the prolonged vacancy of its vacant and surplus HB. The Cité-des-hospitalières was the focus of a pilot project in 2021, more than four years after its acquisition (2017), at which time it was already in poor condition.

In the meantime, in the case of vacant and deteriorated buildings that are more vulnerable to the risk of accidents or fire, the SGPI has only secured the premises to limit access (e.g., by squatters) and to ensure that they are protected against inclement weather (e.g., bricks do not fall off).

²⁶ The pilot projects under way are aimed at the transitory uses of the following HB: Craig Station, No. 14 Firehall, Fort-Lorette, and Cité-des-Hospitalières.

Failing adequate maintenance, partial, or in some cases, total demolition remains the only alternative justified by an advanced state of disrepair. Such is the case with the former Craig pumping station, built in 1887, which is an outstanding testament to the history of the neighbourhood and the management of the City's water supply and sewer system, and one of the oldest pumping stations of its kind in North America. Abandoned since 1987, and therefore not maintained for almost 40 years, its poor condition led to a project costing an estimated \$9 million and scheduled to end in 2031. Phase 1 of the project consists of dismantling, securing and protecting the remains (\$3 million). Phase 2 will be focused on identifying a new vocation for what remains of the building and new construction (\$6M).

Absence of any Follow-up of Heritage Buildings Ceded in Emphyteusis

In leasing HB, the City expects that emphyteutes (organizations) will invest in the building and maintain them in good condition. The SGPI's stakeholders estimate that leased buildings, of which 163/302 (54%) have heritage value, are more prone to the deterioration of their condition because some emphyteutes do not have the means to ensure their maintenance or repair, regardless of the specific clauses contained in agreements with the City.

Despite this, neither the SGPI nor the Service de la stratégie immobilière has established follow-up mechanisms to ensure that the buildings are maintained in good condition and that insurance is taken out on them. Furthermore, the Service de la stratégie immobilière was unable to provide proof of any follow-up on the emphyteutes' obligation to carry out construction in the years following the transfer of property.

Yet the main interest in leasing HB for a nominal fee is that the new owners will make the necessary investments to preserve them. While the emphyteutic leases also contain clauses for the upkeep of the ceded building and maintaining them in good condition, the City does not conduct any follow-up to ensure that this is being done.

In the absence of such follow-up, the City is unable to determine the condition of the leased HB or to enforce the emphyteutes' obligations. It is therefore impossible for the City to foresee the use to which it might put these buildings once the property is handed back to it, nor plan the work and budgets required for their preservation.

In short, despite the City's commitment to be exemplary in the management of its heritage, current practices fail to ensure appropriate enhancement of municipal HB. In an environment in which available resources are limited, the efficient management of maintenance work on HB is vital to avoid their premature deterioration and loss.

RECOMMENDATION 3.2.2.A.

We recommend that the Service de la gestion et de la planification des immeubles determine the maintenance work specifically required for municipal heritage buildings, reflect it in Preventive Maintenance Programs and implement these to ensure that the buildings' heritage value is preserved.

RECOMMENDATION
3.2.2.B.

We recommend that the Direction générale, in collaboration with the Service de la gestion et de la planification des immeubles and Côte-des-Neiges–Notre-Dame-de-Grâce, Le Plateau-Mont-Royal and Ville-Marie boroughs, prioritize the actions aimed at restoring the condition of the vulnerable municipal heritage buildings already identified

RECOMMENDATION
3.2.2.C.

We recommend that the Service de la stratégie immobilière define the mechanisms for conducting a periodic follow-up of emphyteutes' compliance with the obligations set out in the leases and seek the recourse provided for in the event of default to ensure that heritage buildings are maintained in good condition.

3.2.3. Shortcoming in the Enhancement of Private Heritage Buildings

In the case of private HB, under the CHA, owners are responsible for their preservation. And the City is responsible, through regulatory mechanisms, for ensuring that the HB are maintained in good condition by their owners. The CHA enables CC to issue orders when it believes that a heritage property is threatened with deterioration. Added to this is the *Règlement sur l'entretien des bâtiments*, which prohibits anyone from causing or allowing a building to deteriorate due to lack of maintenance. Penalties are provided in the event of default, such as requiring the owner to perform certain specific work to restore the condition of the private HB.

In order for these by-law provisions to be applied to all HB in a neglected state, the boroughs must have a continuous picture of the vulnerabilities on their territory. We found that the condition of private HB was not being monitored systematically to ensure that all the vulnerable HB were identified.

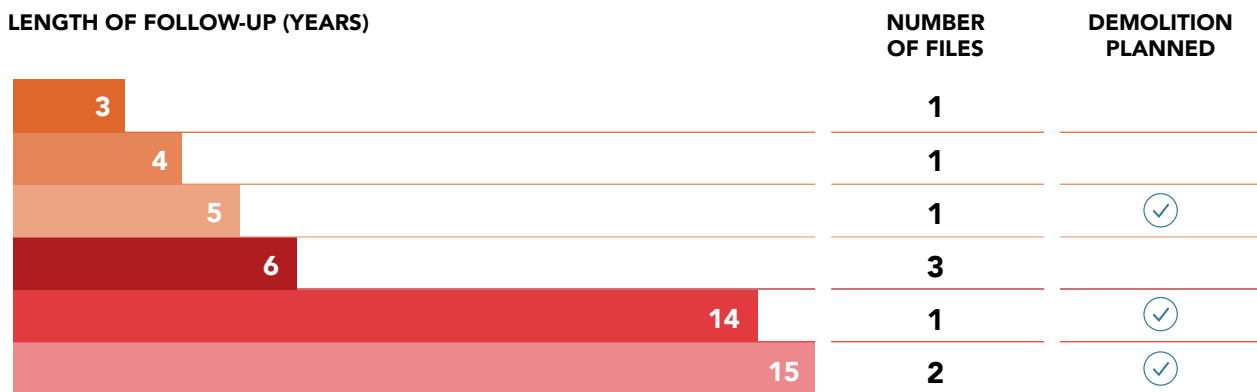
Nevertheless, a follow-up mechanism is in place for the vacant private HB identified by the audited boroughs. Upon receipt of an inquiry (e.g., report by a citizen, borough stakeholder or the Service de sécurité incendie de Montréal), an inspection is carried out to confirm the condition of the building. As required, a notice of failure to comply with the maintenance by-law is issued to the owner requiring work to be done to correct the condition observed. This follow-up is intended solely to notify owners of the safety defects so that measures can be taken²⁷ (e.g., barricading the access points, securing the bricks or ledges that threaten to fall) and not to see that work is done to preserve the building's heritage interest.

Faced with inaction by the owner after issuing a notice, the boroughs can secure the premises themselves (e.g., by installing a safety perimeter).

These follow-up measures taken by the boroughs span a broad timeframe (see Figure 6), ranging from 3 to 15 years for the sample examined, during which the HB are progressively deteriorating to the point that some HB are targeted for demolition.

²⁷ [TRANSLATION] "The owner of a vacant building must shutter it to prevent access through any of its openings, such as a door, window, roof access, trapdoor, or chimney." R.07-034, s.16.

FIGURE 6 | **LENGTH OF FOLLOW-UP OF WORK ON VACANT PRIVATE HERITAGE BUILDINGS IN THE AUDITED BOROUGH**



Source: Graph produced by the BVG based on information taken from the Système de gestion des demandes de permis pour travaux (Permis GT).

Despite numerous findings of the degradation of private HB on their territory, the boroughs stated that they had never issued an order (under sect. 148 of the CHA) against the owners. In addition, the boroughs found it challenging to apply the *Règlement sur l’entretien des bâtiments*, especially because the stipulated fines are minimal in relation to the cost of the work to restore the condition of the HB. In the case of private individuals, the maximum fine is \$2,000 for the first offence and \$10,000 for a repeat offence versus a maximum of \$4,000 and \$20,000 respectively for corporate entities. This by-law is currently being revised by the SUM as part of the formulation of the 2024–2050 Land Use and Mobility Plan (PUM).

In short, the methods currently being deployed are insufficient to ensure the enhancement of private HB and fail to limit the risk of their demolition due to poor maintenance. In the meantime, vacant or abandoned HB negatively impact the aesthetics of their environment and the quality of life of the neighbourhood. Added to this are the costs associated with numerous follow-up measures, inspections, notices and safety measures taken by the City.

RECOMMENDATION
3.2.3.A.

We recommend that the Service de l’urbanisme et de la mobilité, in collaboration with Côte-des-Neiges–Notre-Dame-de-Grâce, Le Plateau-Mont-Royal and Ville-Marie boroughs and the Direction générale work to prevent the loss of private heritage buildings by:

- ◆ Developing a methodology to take more effective steps regarding identified vulnerable heritage buildings;
- ◆ Deploy actions adapted to the various vulnerable conditions (e.g., vacancy, poor maintenance, development pressure).

RECOMMENDATION

3.2.3.B.

We recommend that the Service de l'urbanisme et de la mobilité, in collaboration with Côte-des-Neiges–Notre-Dame-de-Grâce, Le Plateau-Mont-Royal and Ville-Marie boroughs and the Direction générale, especially as part of the review/improvement of the *Règlement sur l'entretien des bâtiments* currently under way, increase the ability of the boroughs to deploy measures aimed at maintaining the value of private heritage buildings.

3.2.4. Absence of Documentation Related to Issuing Permits, and Gaps in Following up on Work Permits

Issuing and following up on permits for work on municipal and private HB must ensure compliance with regulatory requirements (Protection):

- ◆ *Règlement d'urbanisme;*
- ◆ *Règlement sur les plans d'implantation et d'intégration architecturale;*
- ◆ *Règlement de démolition.*

The process for authorizing work permit applications depends on:

- ◆ The type of project (e.g., work visible from the street, modification or construction);
- ◆ The location of the building that is the subject of the work (e.g., in an area of architectural value);
- ◆ The heritage interest and status of the building that is the subject of the work (declared, classified or recognized building).

Under the CHA, work on classified or declared HB must be submitted for approval to the SUM.²⁸ In the case of other HB, work visible from the street requires authorization from the Urban Planning Advisory Committee²⁹ of the borough concerned. These authorities can authorize work under certain conditions (e.g., type of materials, other work, warranties).

Issuing of Permits

Although the audited boroughs deploy measures to ensure that the work being done on HB is compliant and that the required authorizations have been obtained before permits are issued, none of the boroughs had documented the procedure involved. This could compromise consistent processing of applications, regardless of the participant involved in the file.

Gaps were also found in the documentation for three of the nine permits delivered by Le PMR borough, for which the required authorizations from the Urban Planning Advisory Committee and the CPM were not accounted for.

²⁸ The MCC delegated to the City (SUM) its power to authorize work on declared and classified HB.

²⁹ The boroughs' Urban Planning Advisory Committees are mandated by CC to issue notices regarding land use planning and development.

In the absence of such documentation, the participants involved do not have the requirements accompanying the work authorization issued by the authorities, where applicable.

Follow-up of Permits Issued

The boroughs must inspect the work after permits are issued to ensure that it is being done in accordance with the authorizations and in compliance with the conditions established by the authorities.

The follow-up done by the audited boroughs shows shortcomings in 39% (12/31) of permits examined for work done on private and municipal HB:

- ◆ Among the 12 permits examined for CDN-NDG borough, four³⁰ were not inspected to assess the compliance of the work;
- ◆ In Le PMR borough, there was no documentation of inspections for one of the nine issued permits that were analyzed;
- ◆ Among the 10 permits examined for VM borough, five were not inspected to assess the work's compliance. For another permit, the inspection was not performed in a timely manner.

The absence of follow-up of work under way or after completion does not make it possible to detect non-compliant work, exacerbating the risk that the heritage character of the HB is irreversibly altered. In addition, in cases in which the work is non-compliant, the absence of detailed documentation of the follow-up performed could limit the actions (recourses and notices of violation) that can be taken against the owners involved.

RECOMMENDATION 3.2.4.A.

We recommend that Côte-des-Neiges–Notre-Dame-de-Grâce, Le Plateau-Mont-Royal and Ville-Marie boroughs establish a procedure to process requests for permits for work on municipal and private heritage buildings and document their processing to ensure that all the required authorizations have been obtained to enable sufficient follow-up of the work for which the permits were issued and the related requirements, where applicable.

³⁰ Inspections were carried out for the eight other permits. For one of these permits, the inspection revealed non-compliance with the approved plans, which was corrected after a notice of corrections was issued by the City. In the case of another permit, however, results of the inspection of the work were not recorded. It was impossible, therefore, for the BVG to determine whether the inspection was actually performed and whether the work done complied with the conditions of the permit.

RECOMMENDATION

3.2.4.B.

We recommend that Côte-des-Neiges–Notre-Dame-de-Grâce, Le Plateau-Mont-Royal and Ville-Marie boroughs ensure that work does not alter the heritage value of municipal and private buildings by:

- ◆ Clearly establishing the requirements for follow-up and documentation of the work's compliance after permits are issued;
- ◆ Systematically following up on and documenting the permits issued.

3.3. The Ville de Montréal has not Implemented all the Actions set out in its *Heritage Policy* or 2017–2022 *Heritage Action Plan*

The municipal administration has primary responsibility for implementing the Policy, in which it committed to act in an exemplary manner by obtaining the necessary tools to "preserve and enhance the elements of Montréal's identity." Yet 17 years after the Policy was drawn up, four of the nine actions aimed at encouraging the development of knowledge remain incomplete.

Up until 2010, implementation of the actions contained in the Policy³¹ was assessed through a status report. Only seven years after the last report did the HAP confirm the Policy's directions, always deemed sufficient, by prioritizing actions that addressed the current issues and challenges. However, the bases for completing and following up the HAP's actions, i.e., budget, persons responsible for ensuring the actions, timelines and performance indicators, were not established. In addition, the HAP, which is set to expire in 2022 and whose actions remain unfinished to date, will not be recreated, resulting in the City losing its Policy's implementation tool.

While knowledge gaps persist, illustrated by the absence of a picture of HB and of their condition, the creation of an inventory of HB constructed prior to 1940, in accordance with the Act amending the CHA, represents a significant challenge. Added to that are major shortcomings in the enhancement of municipal and private HB, which underscores the risk of their condition deteriorating, or even their loss.

Considering the many issues that threaten the HB and that have been continually raised by the CPM in recent years, it seems necessary for the City to monitor the achievement of the directions and commitments of its Policy to preserve the HB on its territory.

RECOMMENDATION

3.3.1.A.

We recommend that the Direction générale establish accountability mechanisms to enable it to follow up the implementation of the commitments stipulated in the 2005 *Heritage Policy* regarding the knowledge and enhancement of heritage buildings, and take measures to achieve them.

³¹ The last status report of the Policy was prepared on December 2, 2010, and presented to CC in April 2021.

4. Conclusion

We conclude that the Ville de Montréal (the City) has incomplete knowledge of the composition and condition of the heritage buildings (HB) on its territory. Added to this are insufficient enhancement interventions to ensure the preservation of all the HB.

In fact, not all HB are identified or described in a consistent manner throughout the City. This limitation is also valid for the state of preservation of municipal HB, which is not established consistently, to determine and prioritize the required conservation work. As for vulnerable private HB (e.g., vacant, poorly maintained), in the absence of monitoring, the City cannot be certain of having identified them all. The project aimed at adopting, between now and 2026, the inventory of the agglomeration's buildings of heritage interest constructed prior to 1940, as set out in the *Act to amend the Cultural Heritage Act*, was planned by the Service de l'urbanisme et de la mobilité (SUM). However, while it is an opportunity to increase the comprehensiveness and consistency of the data that the City's stakeholders have, there is no plan for this within the framework of the project.

This incomplete knowledge limits the scope of the enhancement work carried out by the City, which is already insufficient. Not only are there no maintenance standards or Preventive Maintenance Programs (PMPs) specific to the HB, although this is set out in the 2017–2022 Heritage Action Plan (HAP), but the other standard PMPs are not fully completed. Consequently, even the non-heritage components of HB may not be properly maintained, contributing to the disrepair of the buildings. As for the private HB, measures taken by the City to ensure that their owners maintain them in an appropriate state of preservation are limited. The issue of vulnerable buildings, both municipal and private, whose deterioration has been worsening for many years, reflects the inadequacy of the measures taken by the City to preserve them.

Several actions in the *2005 Heritage Policy* (Policy) and in the HAP, aimed at increasing the knowledge and enhancement of HB, have not been completed. In the absence of any follow-up of these actions, the Direction générale cannot take adequate steps to solve the issues related to the HB on its territory.

More specifically, below are the major findings that we drew from these evaluation criteria:

Evaluation Criterion – Ongoing Knowledge of Municipal and Private Heritage Buildings on the Territory of the Ville de Montréal

- ◆ Since knowledge is mainly organized by area of interest, only a portion of HB is identified individually. The identified HB are not all reflected in the City's tools, which contain inaccurate data.
- ◆ The state of preservation of all municipal HB and their investment deficit are not assessed using a consistent methodology. The actual market cost of the work to be done to restore the HB to good condition is not taken in consideration.
- ◆ The boroughs have a list of vacant private HB identified during other work or reporting, but they do not have any assurance that all the vulnerable private HB have been identified. The picture of vacant and vulnerable HB created in 2015, at the request of city council (CC), has not been updated since then.

Evaluation Criterion – Action Plan for the Adoption of the Agglomeration’s Inventory of Heritage Buildings Within the Prescribed Deadline

- ◆ The SUM established, and communicated to the agglomeration’s stakeholders, the planning and methodology to adopt the inventory of buildings of heritage interest constructed prior to 1940.
- ◆ No provision was made, however, to use the data from this process to supply the City’s tools with more comprehensive and consistent data or to deploy a centralized HB inventory tool. As requested, the City plans to forward the information collected in this way to the Ministère de la Culture et des Communications (MCC), without using it to update its knowledge base.

Evaluation Criterion – Enhancement of its Municipal Heritage Buildings

- ◆ The PMPs specific to HB, provided for in the Policy, have not been implemented. Added to this is the absence of standards, which prevents the scheduling of the required work to maintain the condition of HB. The regular and safety PMPs, which apply to all municipal buildings, are programmed for only 68% of the HB. In addition, these PMPs are not fully carried out.
- ◆ For several years, municipal HB have incurred a growing investment deficit, which is reflected in the high number of important HB left vacant or abandoned. This represents more than half of the investment deficit of all the buildings that fall under the Service de la gestion et de la planification des immeubles (SGPI).

Evaluation Criterion – Enhancement of Private Heritage Buildings

- ◆ Follow-up inspections on projects under way or upon completion of projects, which help detect actions that alter HB, are not systematically carried out to ensure their compliance with the permits issued and the conditions set out by the authorities.
- ◆ The methods deployed are inadequate to ensure prompt maintenance of vulnerable HB by their owner. This applies to vacant HB over a period of up to 15 years, during which time the boroughs have identified increasing deterioration. For some of these buildings, this ends with a planned demolition.

5. Appendices

5.1. Cultural Heritage According to the Ministère de la Culture et des Communications

CULTURAL HERITAGE ^[a]		
TANGIBLE HERITAGE		INTANGIBLE HERITAGE
Heritage property Heritage immovable <ul style="list-style-type: none"> • Archeological heritage • Heritage property (Document, object) 	Heritage site <ul style="list-style-type: none"> • Archeological site • Protected area • Historic site 	<ul style="list-style-type: none"> • Cultural landscapes • Historic figures, events and sites

^[a] Definition of cultural heritage elements taken from the *Cultural Heritage Act*.

Source: Table produced by the Bureau du vérificateur général (BVG) based on the definitions presented in the *Cultural Heritage Act*.

5.2. Summary of the 2017–2022 Heritage Action Plan

ACTIONS AND SUB-ACTIONS OF THE 2017–2022 HERITAGE ACTION PLAN		
ACTION 1 – ACT AS AN EXEMPLARY PROPERTY OWNER AND MANAGER		
	1.1	Framework for municipal heritage projects
	1.2	Municipal properties
	1.3	Archeological resources
ACTION 2 – ENSURE THAT VERNACULAR HERITAGE IS APPRECIATED		
	2.1	Enhancement of private heritage buildings
	2.2	Maintenance and vacancy
	2.3	Financial assistance and tax measures
	2.4	Vulnerability register
ACTION 3 – SUPPORT THE TRANSFORMATION OF EMBLEMATIC HERITAGE COMPLEXES		
	3.1	Institutional heritage
	3.2	Religious heritage
	3.3	Site of the Religious Hospitallers of Saint Joseph
ACTION 4 – DISSEMINATE KNOWLEDGE AND ENCOURAGE RECOGNITION		
	4.1	Digital tools
	4.2	Municipal framework for commemorative action
	4.3	Visibility in the place names of groups that have contributed to forging Montréal's identity
	4.4	Celebration of heritage and recognition of exemplary actions

■ Actions identified by the BVG involving immovables.

Source: Table produced by the BVG based on the HAP.

5.3. Protection Status of the Ville de Montréal's Heritage Buildings Under the Cultural Heritage Act

STATUS	PROVINCIAL	MUNICIPAL	EXAMPLES
<p>Classified heritage property (121 classified properties in Montréal)</p> <p>All immovables of interest for their heritage value(s), including a building, structure, vestige or land area. The classification of a property is done by the minister.</p>	×		<ul style="list-style-type: none"> • Bibliothèque Saint-Sulpice • Corona Theatre • Saint Patrick Basilica • Maison Nivard-De Saint-Dizier
<p>Classified heritage site (11 classified sites in Montréal)</p> <p>A place or group of immovables of interest for its heritage value(s). The classification of a site is done by the minister.</p>	×		<ul style="list-style-type: none"> • Birthplace of Montréal • Le Ber-Le Moyne site • Église-des-Saints-Anges-de-Lachine archeological site
<p>Declared heritage site (3 declared sites in Montréal)</p> <p>A land area that is of interest for its heritage value(s). The declaration of a site is done by the government since the elements that make up such a land area (larger than a classified site) can involve several government departments.</p>	×		<ul style="list-style-type: none"> • Montréal (Old Montréal) • Mount Royal • Bois-de-Saraguay
<p>Protection area (28 areas in Montréal)</p> <p>An area surrounding a classified heritage immovable, defined by the minister to protect the immovable.</p>	×		<ul style="list-style-type: none"> • Mount Stephen Club protection area • Église du Sault-au-Récollet protection area
<p>Recognized heritage property (45 buildings recognized in Montréal)</p> <p>All immovables of interest for their heritage value, especially a building, structure, vestige or land area. The recognition of an immovable is done by CC through a by-law.</p>		×	<ul style="list-style-type: none"> • Blumenthal Building • Maison Brignon-dit-Lapierre • Former LaSalle City Hall
<p>Recognized heritage site (8 sites recognized in Montréal)</p> <p>A place, a group of immovables or a land area that is of interest for its heritage value. The recognition of a site is done by CC through a by-law.</p>		×	<ul style="list-style-type: none"> • Vieux-Village-de-Rivière-des-Prairies • Site of the Église-Saint-Esprit-de-Rosemont

Source: Translation of excerpts from the "Mémoire de la Ville de Montréal sur le projet de loi 69" – Presentation to the table of the heads of the Division en urbanisme.