

STAFF REPORT



TO Council Planning

SERVICE AREA Planning, Building, Engineering and Environment

DATE June 9, 2014

**SUBJECT Brooklyn and College Hill Heritage Conservation District -
Draft Plan and Guidelines**

REPORT NUMBER 14-30

EXECUTIVE SUMMARY

PURPOSE OF REPORT

To release the draft Brooklyn and College Hill Heritage Conservation District Plan and Guidelines for review and comment by Council and the public.

The June 9 Council Planning meeting is the statutory public meeting for the HCD required under Part V the Ontario Heritage Act. The purpose of this report is to summarize the key components of the draft HCD Plan and Guidelines and to describe the next steps in the HCD designation process.

KEY FINDINGS

- The conservation and celebration of cultural heritage resources is a key element of Guelph's sustainable community vision and can contribute to the social and economic vitality of the city;
- The establishment of heritage conservation districts is a proven approach to determining and conserving areas of municipalities with distinctive and cohesive cultural heritage characteristics and has been used successfully throughout Ontario;
- Initiation of a Heritage Conservation District Study for the Brooklyn and College Hill area was identified as a priority in the Old University and Centennial Neighbourhood Community Improvement Plan due to the desire of the local community to maintain the heritage character of the area and manage change in a sensitive manner;
- If established for the Brooklyn and College Hill area, a HCD Plan and Guidelines would have multiple benefits, including:
 - developing an understanding and appreciation of the cultural heritage resources within the HCD area;
 - recognizing and commemorating the values that can sustain a sense of place for Brooklyn and College Hill into the future;
 - establishing clear objectives and guidelines regarding the conservation of cultural heritage resources within the HCD providing certainty and guidance regarding future change in the area to property owners, businesses and residents.

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FINANCIAL IMPLICATIONS

The project is funded through Planning Services approved Capital Budget. The financial implications directly associated with the designation of Brooklyn and College Hill as a heritage conservation district will be assessed and included in the final report to Council for the HCD in Q3 2014.

ACTION REQUIRED

Council will hear public delegations on the draft HCD Plan and Guidelines, ask questions for clarification and identify issues. The draft Brooklyn and College Hill Heritage Conservation District Plan and Guidelines is to be received and no decisions are to be made at this time.

RECOMMENDATION

1. That Report 14-30 from Planning, Building, Engineering and Environment, dated June 9, 2014 regarding the draft Brooklyn and College Hill Heritage Conservation District Plan and Guidelines be received.

BACKGROUND

Value of Cultural Heritage and Heritage Conservation Districts

There are good reasons and strategies to conserve cultural heritage resources. As the roots of the community, cultural heritage resources (buildings, structures or cultural heritage landscapes) help to paint the history of the city. The Ontario Heritage Act along with the Provincial Policy Statement and the City's Official Plan encourage the use of heritage conservation districts and their accompanying policies and guidelines as a tool to identify and designate such resources. The HCD as a strategy for heritage conservation has become widely and successfully used in Ontario municipalities with at least 113 approved HCD Plans currently in place.

The positive effect and success of heritage district designation in Ontario municipalities has been researched by Dr. Robert Shipley of the University of Waterloo's Heritage Resources Centre in a well-known study titled "Heritage Districts Work!". Links to this research and to the Province's Heritage Tool Kit guide to district designation under the Ontario Heritage Act are located in the Attachments section of this report.

A Heritage Conservation District (HCD) is an area that is protected by a municipal designation by-law passed by City Council, under Part V of the Ontario Heritage Act (OHA). District designation enables Council to manage and guide future change in the district, through adoption of a district plan with policies and guidelines for conservation, protection and enhancement of the area's special character.

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In designating the Brooklyn and College Hill Heritage Conservation District, a key objective is to maintain and conserve the heritage character of the Brooklyn area, the Gordon Street Corridor, the Speed and Eramosa Riverscapes and Royal City Park. The Brooklyn and College Hill area contains a number of distinctive features and cultural heritage attributes including the nationally recognized McCrae House, distinctive bridges, numerous vernacular heritage residences, Royal City Park, the Speed and Eramosa waterway and the historical Dundas Road (Gordon Street). These features have unique historical associations with transportation routes, community growth, city beautification and institutional development.

Within the HCD area the valley lands have been extensively designed and used as public open space and parkland. Portions of these lands and outwash slope are also distinguished by a structured grid of generally low profile residential forms from the 1850s to the 1950s along Gordon Street and with the Brooklyn area. All provide a distinct sense of time and place.

Rationale for Brooklyn and College Hill HCD and Process to date:

The heritage attributes of the Brooklyn and College Hill HCD are a landscape of distinctive character that separates it from the University campus to the south, the commercial and downtown core to the north, the golf course to the east and the mid-twentieth century residential suburb to the west.

One of the significant outcomes of the Old University and Centennial Neighbourhood Community Improvement Plan (OUCN CIP) (received by City Council on August 21, 2006) was a recommendation that a study be undertaken to determine the feasibility of a heritage district designation in the Brooklyn and College Hill area. The CIP's recommendations included the following:

- There is a strong desire from both the City of Guelph and residents to conserve heritage resources and the historic fabric of the area;
- Future development in the OUCN area should respect the heritage character of the area;
- The best method to protect clusters/groupings of heritage properties and ensure that compatible development occurs is to designate a heritage conservation district through the Ontario Heritage Act.

Based in part on research material provided in Heritage Guelph's *Brooklyn and College Hill Conservation District: Background Research Report* (August 2006) the OUCN CIP identified the Brooklyn and College Hill area as an excellent candidate for HCD study area for the following reasons:

- It has a high percentage of individual heritage resources currently designated under the Ontario Heritage Act;
- It represents a distinctive time and character in Guelph's history;
- It contains architectural, natural, and cultural resources that are of significant importance to the community;

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- It has been identified through a comprehensive Community Improvement Plan process, which included extensive public engagement, as being an area under pressure for change and therefore, in need of planning measures in order to preserve its historic character.

Typically, the heritage district designation process involves two phases.

Phase 1 - The Brooklyn and College Hill Heritage Conservation District Study process began in 2011, when the City of Guelph retained MHBC Planning to undertake the project on their behalf. Public meetings were held in November 2011 and January 2012 regarding the project and findings to date. MHBC released the final draft of the Heritage Conservation District Study (Heritage Assessment Report) in February 2012 for public review and comment. The findings of the Heritage Assessment Report, including the recommended Heritage Conservation District boundary, were considered by City Council in April 2012. At that meeting, there were concerns raised regarding the proposed boundary, and Council provided a timeframe for the public to further comment on the boundary. Following this consultation period, City staff recommended further refinement to the HCD boundary which was considered by Heritage Guelph and then approved by City Council in December 2012. The Council resolution also authorized MHBC to undertake the second phase of the process, involving the preparation of the Heritage Conservation District Plan.

Phase 2 - City staff and MHBC held discussions regarding the district plan content through the HCD Technical Advisory Committee, and the HCD Community Working Group in the Spring and Summer of 2013. Further community consultation occurred at a Community Focus Workshop held on 2 October 2013. The public was invited to attend the workshop to receive information on how heritage conservation district plans are used to guide development and change while conserving cultural heritage value. Participants were asked at the Focus Workshop through break-out group discussions and also through an online survey about "key topics" associated with the heritage district area and the policies and guidelines that may be recommended for the district. The consultants considered the feedback received in the preparation of the draft HCD Plan and Guidelines.

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MHBC Planning (the consultants) have produced a draft HCD Plan and Guideline document that, if approved, would be used to implement a heritage conservation district designation by-law. The consultants have reviewed various City policies and by-laws, and made recommendations to assist in implementation of the heritage district. The HCD Plan would provide detailed guidance provided to property owners and tenants who wish to undertake modifications to their properties. The document establishes those types of changes requiring a heritage permit and those that do not, as well as providing guidance for the various types of potential new development within the proposed District.

Objectives of Proposed HCD

- To maintain the primarily residential character of the District.
- To conserve the heritage attributes of individual properties and their contribution to the collective heritage attributes of the character of the District.
- To avoid the loss or attrition of the Brooklyn and College Hill Heritage Conservation District character by permitting only those changes that are complimentary and undertaken in the least destructive manner and in a way that, if such alterations were removed in the future, the form and integrity of the heritage property would generally remain unimpaired.
- To permit only those alterations, new construction or demolitions that conform to the goals, objectives, policies and guidelines of the Brooklyn and College Hill Heritage Conservation District Plan.

Content of the Draft HCD Plan and Guidelines

The Brooklyn and College Hill Heritage Conservation District Plan and Guidelines document is divided into parts A and B, each with a number of sections.

Part A – HCD Plan and Guidelines

Part A contains the HCD Plan and Guidelines, with the following six sections:

Section 1 - explains the provisions of the *Ontario Heritage Act* and contains those provisions that are legally required to be fulfilled, notably a statement of objectives, a statement of cultural heritage value and a description of the District's heritage attributes.

Section 2 - provides a statement of intent for the heritage conservation district and recognizes roles and responsibilities in the management of the District.

Section 3 - provides a short statement of conservation principles, goals and objectives.

Section 4 - provides the key guidelines for managing changes to property and includes:

- Information regarding the heritage permit process and how it applies to various properties within the Brooklyn and College Hill Heritage Conservation District;
- Conservation guidance on appropriate changes to heritage fabric and features;
- Design guidelines for alterations and additions to existing buildings and new construction and infill development on vacant lots;
 - landscape conservation guidelines for private property owners; and,
 - guidance on alterations and additions within the public realm.

Section 5 - provides a description of those alterations and classes of alterations that are exempt from regulation under Part V of the *Ontario Heritage Act*.

Section 6 - provides recommendations regarding a regular review process for the Brooklyn and College Hill Heritage Conservation District Plan and Guidelines.

The HCD Plan and Guidelines are intended to provide an objective minimum level of appropriateness for physical change over the coming years. The reader will find important introductory information in Section 4 and specifically "Who should use these guidelines?" and the heritage permit process. Following in the same section are guidelines for alterations and additions to heritage properties and non-heritage properties – and all interventions that would require a heritage permit. Section 5 outlines those alterations that are exempt from heritage permit approvals.

Figure 1.2 (in Part A, Section 1) of the HCD Plan and Guidelines shows the heritage district location and boundary as well as the properties and streets that are adjacent to the HCD. Appendix A opens with a map that identifies heritage and non-heritage properties within the HCD boundary. These maps are included in Attachments 2 and 3 to this report. Properties that contribute to the cultural heritage value of the district are heritage properties. Non-heritage properties may not have cultural heritage value but are geographically within the HCD. More terms and definitions are found in Section 1.6.

Part B - Implementation of the HCD

Implementation of the HCD and the management of change within the district are typically achieved through the review and approval of heritage permit applications. However, successful implementation also relies on other initiatives and planning policies to support or provide a framework for conservation efforts.

Part B provides recommendations for implementation including considerations for matters such as Official Plan policy, Zoning By-law regulations, property standards, and financial incentives. The recommendations for implementation include:

- Setting a maximum building height for the HCD;
- Developing a process for the review for site plan approval applications and heritage permit applications to ensure that there is no duplication;
- Monitoring property standards issues related to properties designated under the Heritage Act and implementing an enhanced property standards by-law if required;
- Regulating the removal and cutting of trees larger than 20cm in diameter (at 1.4m above the ground) through the heritage permit process;
- Establishing a grants program for the HCD with a program schedule, levels of funding and eligibility criteria;
- Preparing a heritage permit application form for use by the City for Parts IV and V of the Heritage Act and that no fee be charged for processing heritage permit applications;
- Enacting a delegation by-law to delegate approval authority for the granting of permits for the alteration of property within the HCD to an employee or official of the City;

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- Confirming that the Municipal Heritage Committee (Heritage Guelph) is the primary heritage advisor to Council in providing comments on recommendations on matters relating to the management of the HCD and to the consideration of heritage permit applications (except where authority delegated to staff);
- Considering implementation of a streetscape management plan for Gordon Street.

Implementation items such as the heritage permit process and regulations and guidance for protection of trees would be included in the designation by-law. The other recommendations would be considered by staff for inclusion in the Planning Services and Heritage Guelph work plans for further study and future recommendations to Council.

Next Steps in the Heritage District Designation Process

Before Council can pass a by-law to designate an HCD area or to adopt an HCD Plan, a statutory public meeting must be held to give opportunity for persons who may wish to raise objection or make oral representations or written submissions regarding the HCD Plan. The 9 June 2014 meeting of Council functions as the statutory meeting required under Section 41.1 of Part V of the Ontario Heritage Act. Public notice of the statutory meeting to discuss the proposed heritage conservation district plan must be given at least 20 days before the date of the meeting. Planning staff advertised the statutory meeting in the Citynews section of the Guelph Tribune on Thursday, May 15. The Draft HCD Plan and Guideline was made available to the public on the City's website on the same day - Thursday, May 15. Notice of the June 9 Council meeting has also been mailed to property owners within the proposed district and those within 120 metres of the HCD boundary. The proposed heritage conservation district plan has been made available for viewing during regular office hours and on the City website.

Following the statutory meeting on June 9, commentary and feedback on the draft is welcomed from Council, the public and the commenting groups that have been assisting the HCD designation process. These groups are the HCD Community Working Group, Heritage Guelph, the River Systems Advisory Committee as well as staff members participating in the HCD Technical Steering Committee. A Public Open House will be held by Planning staff at City Hall in late June as an opportunity for further public discussion or commentary on the draft HCD Plan and Guidelines.

Resulting comments and feedback will be considered and may influence revisions to the plan's content before the final HCD Plan and Guideline is brought back to Council during the third quarter of 2014 for consideration.

CORPORATE STRATEGIC PLAN:

Strategic Direction 3.1: Ensure a well designed, safe, inclusive, appealing and sustainable City.

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FINANCIAL IMPLICATIONS:

- The project is funded through Planning Services approved Capital Budget.
- The HCD Plan and Guidelines contains a number of implementation recommendations that will be considered and evaluated by staff. Where appropriate, recommendations may be considered for approval along with the approval of the HCD (e.g., heritage permit process) and others will be brought forward to Council for future decisions (e.g., financial incentives).
- The implementation of a new heritage permit system will be reviewed. Staff's preliminary assessment concludes that the system can likely be accomplished with existing staff resources. The final HCD report to Council will include an analysis of the permit process including any cost implications and recommendations for Council's consideration.
- Heritage Incentives are included in the consultant's recommendations. The review of financial mechanisms to support the maintenance and restoration of heritage properties was directed by Council through a resolution dated 24 Sept 2012. While this review was included in the HCD Plan and Guidelines, the recommendation is intended to be considered on a city-wide basis for individually designated properties and the HCD. Planning staff and Heritage Guelph will review and assess best practices from other municipalities and provide a report for Council's consideration separate from the HCD process.

September 24, 2012 Council Resolution:

1. THAT the Planning, Building, Engineering and Environment report 12-58, regarding the Heritage Planning: Annual Activity Report and Four Year Work Plan Update, dated September 17, 2012, be received;
 2. AND THAT Heritage Guelph be requested to report to Council on financial mechanisms utilized in other communities best practices to support the maintenance and restoration of heritage properties;
 3. AND THAT staff be directed to conduct an orientation session for Council in consultation with Heritage Guelph.
- Part B of the HCD Plan also contains a number of additional potential complementary implementation initiatives, such as the preparation of a Streetscape Management Plan (Section 13.0), which if pursued, could have financial implications. These have been identified by the consultant as potentially complementing the HCD but they are not necessary to implement the HCD Plan and Guidelines. The value and relative priority of such initiatives will be evaluated by Planning staff through the Planning Services work plan for future study and Council consideration.

DEPARTMENTAL CONSULTATION:

The following Service Areas/Departments were involved in the internal review of the preliminary review of the Draft HCD Plan and Guidelines:

Planning Services

Building Services

Engineering Services

Community and Social Services (Community Engagement, Parks and Recreation)

Corporate and Human Resources (Legal Services).

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COMMUNICATIONS:

The heritage conservation district designation process (both the study and plan stages) have involved an extensive amount of public engagement and communications as described in the background section of this report. Phase 1 of the Brooklyn and College Hill HCD process involved one Open House, one HCD Newsletter with an informal questionnaire, two Public Meetings and two Council meetings. To date, Phase 2 of the HCD process has had two Council meetings and a Community Focus Workshop described in the Phase 2 Newsletter. Both the HCD Technical Advisory Committee and the HCD Community Working Group have met twice during Phase 1 and once in Phase 2.

Notices of meetings have been published in the City News section of the Guelph Tribune and related information has been made available to the public through the HCD project webpage on the city website. The Senior Heritage Planner has been available throughout to discuss with staff and the public, to answer questions and provide guidance regarding the proposed heritage conservation district, its recommended policies and guidelines. Discussion of key issues regarding the proposed district has occurred with the HCD Community Working Group, comprised of members from the public from within the HCD and representatives from Heritage Guelph and the River Systems Advisory Committee.

ATTACHMENTS

- Attachment 1 Link to HCD Plan and Guidelines document on City website
http://guelph.ca/wp-content/uploads/HCD_Plans_Guidelines_Draft.pdf
- Attachment 2 HCD Boundary and adjacent properties
- Attachment 3 Heritage and non-heritage properties within the HCD boundary
- Attachment 4 Link to:
Heritage Conservation Districts: A Guide to District Designation under the Ontario Heritage Act (a booklet from the Ontario Heritage Tool Kit)
http://www.mtc.gov.on.ca/en/publications/Heritage_Tool_Kit_HCD_English.pdf
- Attachment 5 Link to:
Ministry of Tourism, Culture and Sport - webpage on heritage conservation districts
http://www.mtc.gov.on.ca/en/heritage/heritage_conserving_districts.shtml
- Attachment 6 Link to: "Heritage Districts Work!" (Architectural Conservancy of Ontario with the Heritage Resources Centre, University of Waterloo, May 2009)
<http://uwaterloo.ca/heritage-resources-centre/sites/ca.heritage-resources-centre/files/uploads/files/HCDStudySUMMARYREPORT.pdf>
- Attachment 7 Brooklyn and College Hill Heritage Conservation District - FAQs

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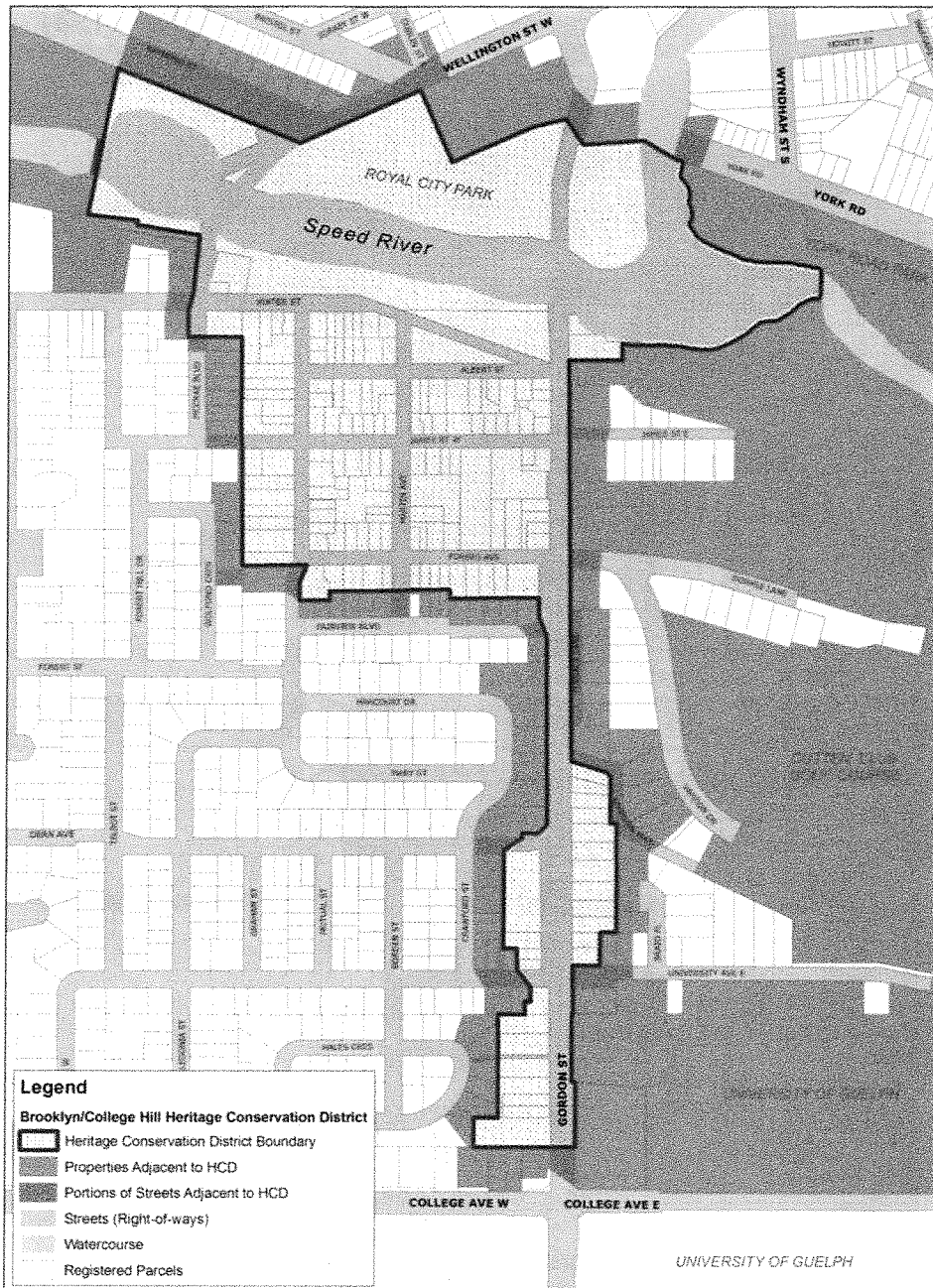
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Attachment 2- HCD Boundary and adjacent properties



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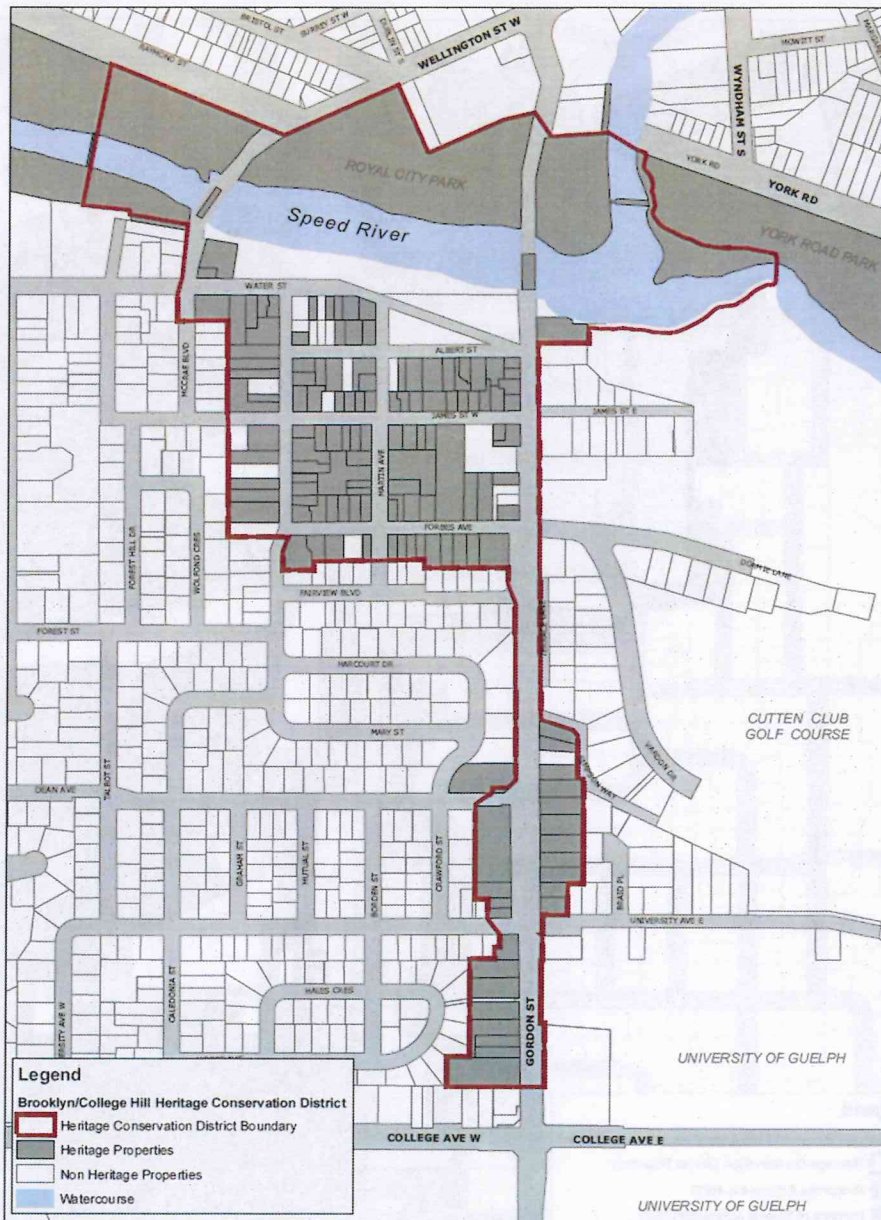
Produced by the City of Guelph
Development Planning
September 2013

**Boundary Approved by Council for the
Brooklyn and College Hill
Heritage Conservation District
with adjacent lands**

Making a Difference

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Attachment 3 – Heritage and non-heritage properties within the HCD boundary



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1:4,000

Produced by the City of Guelph
Development Planning
March 2014

Heritage Status of Properties within the
Brooklyn and College Hill
Heritage Conservation District Area

CITY OF **Guelph**
Making a Difference

BROOKLYN AND COLLEGE HILL HERITAGE CONSERVATION DISTRICT

FREQUENTLY ASKED QUESTIONS:

1: There are many areas in Guelph that would qualify for study as a Heritage District. Why was Brooklyn and College Hill chosen as the place to start?

One of the recommendations of the Community Improvement Plan prepared for the Old University and Centennial neighbourhoods in 2006 was that the Brooklyn and College Hill area should be considered as a future Heritage Conservation District (HCD). At the time, there were many development pressures on this area, and residents proposed that an HCD would be a good vehicle to recognize the history of this early part of Guelph, as well as a means of addressing the development pressures. Because of this community initiative and support, the area was chosen as the first HCD to be studied.

2: What is an HCD?

An HCD is normally defined as being a group of properties that are linked through the historical development of a municipality or with people or events that are of historical importance. These areas can vary in size and scale. They might contain residential, commercial, institutional and landscape elements. In order to meet these criteria, a study is usually conducted to determine whether an area would qualify as a HCD.

3: What is the HCD Study recommending?

The Brooklyn and College Hill HCD Study report recommended a proposed HCD boundary. We are now in phase two of the HCD process – the creation of the draft HCD Plan and Guidelines.

The draft HCD Plan and Guidelines is now released for public comment. The Plan outlines the reasons why the district is of importance, and recommends policies and guidelines to help guide future developments and initiatives for the area which would be in keeping with the cultural heritage values of the area.

4: Why an HCD?

There are over 4,000 properties in Guelph that have been identified as having some level of cultural heritage value. Only 96 of the most significant properties have, to date, been individually designated under Part IV of the Ontario Heritage Act (OHA). Wherever there are clusters of identified properties in parts of a municipality, it is more effective to employ Part V of the OHA to designate the area as a Heritage District. While it is still possible to designate individual properties within a District, Part V designation allows many properties to be recognized, and it also has the advantage of providing for a plan and guidelines to be adopted to guide future changes and development in the district.

5: What is the benefit of an HCD?

The immediate benefit of HCD designation is a planning process that helps to guide development in a way that respects a community's history and identity. Designation allows a community to recognize and celebrate what it values within an area that contributes to its sense of place.

District designation enables Council to manage and guide future change in the area, through adoption of a district plan with policies and guidelines for conservation, protection and enhancement of the area's special character.

6: Are there other Heritage Conservation Districts in Ontario?

Across Ontario, over the last 40 years, more than 100 HCD's have been established in approximately 50 municipalities. These vary quite considerably in their nature and size. Examples would include downtown areas (Galt, Peterborough, Collingwood), historical squares (Goderich and Kingston), historical villages, either stand-alone or within larger cities (Ottawa and Kingston), distinct neighbourhoods (Cabbagetown, Toronto, Village of Rockliffe Park, Ottawa, St Mary's District in Kitchener), mixed neighbourhoods (Waverly Park in Thunder Bay), and even such areas as the pioneer oil fields in Petrolia.

7: What impact will an HCD have on the value of my property and municipal taxes?

Studies conducted recently by the University of Waterloo and others have shown that HCD's have minimal impact on property values. HCD's generally bring stability to an area, which in turn is reflected in stable house values.

Since property taxes are tied to property values and municipal budgets, any increase or decrease will be primarily be driven by these factors, and not by the establishment of an HCD.

8: My house is not an old house. Why is it included with the other properties in the heritage conservation district?

Nearly all HCD's which cover medium to large areas have a variety of building types and ages, with a wide mix of materials and styles. Inevitably, some buildings, particularly newer ones, might not be viewed as "heritage".

The solution to address the mix of properties is to craft policies and guidelines that vary depending on the nature of the property. Clearly, for buildings which have been identified as having high heritage significance, the policies and criteria will be more precise to ensure that destructive changes do not occur (as is the case for individually designated properties), but for more recent buildings, the policies will likely allow a greater range of alterations.

**9: How will the HCD Plan and Guidelines impact properties within the district?
Will I be able to make changes to my property, such as renovations or additions?**

A property within an HCD will be subject to the policies and guidelines set out in the HCD Plan. These policies will act as guidelines for ensuring that future change within a district will be in keeping with the district's heritage character. Demolitions, new construction, alterations and other changes to property will continue to be allowed subject to other regulations which pertain to virtually every property in Guelph such as zoning and property standards by-laws, and the Ontario Building Code.

The policies will most likely focus on protecting and enhancing the streetscape – the presence of the property as viewed from the street. The parts of properties which are not visible from the street will likely not be of concern.

As is the case in other municipalities, a permit system will be established to allow the City authorities to evaluate the proposed changes. Experience in other municipalities has shown that the processing of applications for such things as additions or alterations does not add extra cost or processing time, and the public has been pleased with the guidance and advice they have received. The policies will most likely provide that minor alterations and upgrades, such as roof replacements, repairs to masonry, etc. will be exempt from the need to obtain a permit.

10: Will I be required to bring my house up to heritage standards?

Contrary to a common misunderstanding, HCD's do not require property owners to restore their properties to "heritage standards".

11: Will the City be subject to the HCD policies?

Yes, the City will be required to follow the policies contained in the Plan. Should the City undertake improvements to the public realm, such as street maintenance, tree maintenance, or park landscaping, it will need to follow the HCD Plan and Guidelines. It is quite likely that the Plan will recommend actions that the City can take to improve the district.

12: Will there be any financial incentives for property owners within the HCD?

When a heritage district is in place, Provincial legislation allows municipalities to establish financial incentives to encourage and support property owners in achieving the objectives of the district plan. Such incentives might come in the form of property tax relief, loans and/or grants. The consultants have been asked to make recommendations on this, and it will be up to City Council to decide what to do.