

To: COUNCIL

Meeting Date: 5/28/2024

Subject: Updated Heritage Impact Assessment (HIA) Terms of Reference

Submitted By: Joan Jylanne, Manager of Policy Planning

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Report No.: 24-069-CD

File No.: R01.06

Wards Affected: All Wards

RECOMMENDATIONS:

THAT Report 24-069-CD - Updated Heritage Impact Assessment (HIA) Terms of Reference - be received;

AND FURTHER THAT Council approve the updated HIA Terms of Reference, which also includes terms of references for a conservation plan, and documentation and salvage plan.

EXECUTIVE SUMMARY:

Purpose

This report has been prepared to receive Council approval of the Heritage Impact Assessment (HIA) Terms of Reference that was prepared by WSP dated June 29, 2023.

Key Findings

- The HIA Terms of Reference was last updated in 2012 and does not reflect current best heritage industry practices for HIAs compared to other local municipalities such as the City of Kitchener and the City of Waterloo.
- Conservation Plan, and Documentation and Salvage Plan Terms of References were also produced for inclusion in the City's HIA Terms of Reference as the City of Cambridge did not have Terms of References for these types of plans.

Financial Implications

The cost of preparing a Heritage Impact Assessment, Conservation Plan, and/or a Documentation and Salvage Plan is the responsibility of the property owner/developer. The cost of updating the HIA Terms of Reference was \$3,328 which was covered by the Provincial Streamline Development Approval Fund (SDAF).

STRATEGIC ALIGNMENT:

Strategic Action

Objective(s): Not Applicable

Strategic Action: Not Applicable

OR

Core Service

Program: Community Development

Core Service: Heritage Conservation

BACKGROUND:

As per Section 4.10 of the Official Plan, a Heritage Impact Assessment (HIA) is required for a development application on, or adjacent to, a property on the Heritage Register, whether designated or listed. An HIA may also be requested, at the discretion of the City, for a designated property on the Heritage Register that is undergoing significant alterations that would require the designation by-law to be revised. A HIA may also be required to justify the demolition of any property on the Heritage Register, whether designated or listed. The HIAs are submitted to the Municipal Heritage Advisory Committee (MHAC) for review and are made public through the MHAC agenda.

Updating the HIA Terms of Reference is one of the actions the city pursued as part of the City's Housing Pledge to the Province to meet the targeted goal of supplying 19,000 new homes in the City of Cambridge by 2031. Specifically, the City's housing pledge action is to simplify development approvals and reduce processing time by updating Development Agreements, Terms of References for required studies, and template development conditions. The City used funding from the Province through the Streamline Development Approval Fund (SDAF) to produce the HIA Terms of Reference as a tool to help support improvements to the planning process.

ANALYSIS:

The Ontario Heritage Act does not mandate the requirement for heritage impact assessments (HIAs), conservation plans, or documentation and salvage plans. These assessments and plans are built into a municipality's Official Plan. The City of Cambridge has mandated the requirement for HIAs in the Official Plan since before 2012, when the current HIA Terms of Reference was created. Section 4.10.7 of the Official Plan states the HIA Terms of Reference for HIAs are approved by Council with input from the MHAC.

In the Fall of 2022, heritage planning staff identified the need to update the 2012 HIA Terms of Reference to bring it in line with current industry best practices. A heritage planning consultant from WSP Group was retained to research the HIA Terms of Reference from local area municipalities and prepare an updated terms of reference, which would also include terms of references for preparing conservation plans, and documentation and salvage plans, which the City did not have. Conservation plans, and documentation and salvage plans are common appendices of modern HIAs. City staff had noticed that increasing numbers of HIAs submitted for review with development applications had started including plans for conservation, and/or documentation and salvage of heritage features on a property. Therefore, staff felt it was necessary to also prepare a terms of reference which included conservation plans, and documentation and salvage plans.

Local municipalities consulted for their HIA terms of reference included the Cities of Kitchener, Waterloo, and Hamilton. The attached Terms of Reference for HIAs, Conservation Plans, and Documentation and Salvage Plans (**Appendix 1**) closely aligns with what other municipalities in the Region of Waterloo have regarding their HIA Terms of Reference. Streamlining HIAs across the Region would help simplify the HIA process for developers and property owners if the guidelines were similar in each community.

The updated Terms of Reference will bring HIAs in the City of Cambridge in line with other area municipalities in terms of industry best practices.

EXISTING POLICY / BY-LAW(S):

City of Cambridge Official Plan (2018)

4.10 Cultural Heritage Impact Assessment

- 1). A Cultural Heritage Impact Assessment shall be required for a development proposal or Community Plan that includes or is adjacent to a designated property or cultural heritage landscape, or that includes a non-designated resource of cultural heritage value or interest listed on the Municipal Heritage Register. The

potential impacts could be direct, such as demolishing or altering a structure on a designated property, or indirect such as changes to the streetscape of lands adjacent to a cultural heritage resource. A Cultural Heritage Impact Assessment may include the following elements:

- a) identification and evaluation of the cultural heritage resource;
 - b) graphic and written inventory of the cultural heritage resource;
 - c) assessment of the proposal's impact on the cultural heritage resource;
 - d) means to mitigate impacts, in accordance with the cultural heritage resources priorities established in Policy 4.2.1 of this Plan;
 - e) alternatives to the proposal; and
 - f) identification of and justification for the preferred option.
- 2). The City will determine the need for a Cultural Heritage Impact Assessment in consultation with the owner/applicant. The City will refer the completed Cultural Heritage Impact Assessment to MHAC when the development is major in nature or where the City believes there will be a detrimental impact to the cultural heritage resource.
 - 3). A Cultural Heritage Impact Assessment shall be undertaken by a professional who is qualified to evaluate the cultural heritage resource under review.
 - 4). Additional information may be required by the City, particularly depending on the nature and location of the proposal. The City shall make available any relevant information that it maintains, including archival records.
 - 5). A completed Cultural Heritage Impact Assessment will first be submitted to the MHAC for review and the recommendation of MHAC will be forwarded to Council for consideration with the proposal. A Cultural Heritage Impact Assessment may be scoped or waived by either Council or MHAC.
 - 6). The City will, and the Region is encouraged to, give consideration to the impact of modifications to Regional or City arterial and major collector roads and other road improvements in general, including re-alignment and road widening, on cultural heritage resources. Conservation of the cultural heritage resource, especially in relation to the character of streetscapes and major crossroads or intersections, shall be encouraged.
 - 7). A Cultural Heritage Impact Assessment will be conducted in accordance to Council approved guidelines.

- 8). Where a Cultural Heritage Impact Assessment relates to a cultural heritage resource of Regional interest, the City will ensure a copy of the assessment is circulated to the Region for review. In this situation, the Cultural Heritage Impact Assessment submitted by the owner/applicant will be completed to the satisfaction of both the City and the Region.
- 9). Where a development application includes, or is adjacent to, a cultural heritage resource of Regional interest which is not listed on the City's Register of Cultural Heritage Resources, the owner/applicant will be required to submit a Cultural Heritage Impact Assessment to the satisfaction of the Region.

FINANCIAL IMPACT:

The property owner/developer is responsible for any costs associated with submitting a Heritage Impact Assessment (HIA) to the City. The cost of updating the HIA Terms of Reference was \$3,328 which was covered by the Provincial Streamline Development Approval Fund (SDAF).

PUBLIC VALUE:

Transparency

The Council agenda is posted on the City's website as part of the reporting process.

ADVISORY COMMITTEE INPUT:

Staff consulted with the Municipal Heritage Advisory Committee on April 18, 2024 through report 24-011(MHAC) and the Committee passed the following recommendations to Council:

THAT Report 24-011(MHAC) – Updated Heritage Impact Assessment (HIA) Terms of Reference - be received;

AND FURTHER THAT the Municipal Heritage Advisory Committee recommends that Council approve the updated HIA Terms of Reference, which also includes terms of references for a conservation plan and documentation and salvage plan.

PUBLIC INPUT:

Meetings of the MHAC are open to the public and are livestreamed to the City's YouTube channel. No one from the public delegated on this item.

INTERNAL / EXTERNAL CONSULTATION:

Heritage planning staff liaised with the consultant and Regional staff on the process of updating the Heritage Impact Assessment (HIA) Terms of Reference. Both Regional

staff and the consultant advised on including conservation plans, and documentation and salvage plans in the terms of reference to be included in all HIAs where relevant.

CONCLUSION:

For the reasons outlined in this report, heritage planning staff recommends that Council approve the updated Heritage Impact Assessment (HIA) Terms of Reference.

REPORT IMPACTS:

Agreement: **No**

By-law: **No**

Budget Amendment: **No**

Policy: **No**

APPROVALS:

This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:

Director

Deputy City Manager

Chief Financial Officer

City Solicitor

City Manager

ATTACHMENTS:

1. 24-069-CD: Appendix A Heritage Impact Assessment Terms of Reference prepared by WSP Group, June 2023.