

**To:** COUNCIL

**Meeting Date:** 4/29/2025

**Subject:** Housekeeping Updates to the Cultural Heritage Impact Assessment Terms of Reference

**Submitted By:** Melissa Aldunate, Manager of Policy Planning

**Prepared By:** Jeremy Parsons, Senior Planner - Heritage

**Report No.:** 25-030-CD

**File No.:** R01

**Wards Affected:** All Wards

### **RECOMMENDATION(S):**

THAT Report 25-069-CD, Housekeeping Updates to the Cultural Heritage Impact Assessment Terms of Reference, be received;

AND THAT Council approve the updated Cultural Heritage Impact Assessment Terms of Reference outlined in Appendix A, which also include terms of reference for conservation plans and documentation and salvage plans.

### **EXECUTIVE SUMMARY:**

#### **Purpose**

This report has been prepared to receive Council approval on a housekeeping update to the City's Cultural Heritage Impact Assessment (CHIA), Conservation Plan, and Documentation and Salvage Plan Terms of Reference (TOR).

#### **Key Findings**

- A City retained consulting firm, WSP, to draft new TOR in 2023 to update the previous 2012 document.
- After using the TORs for over a year, staff are recommending policy updates, requirements for independent and impartial studies, as well as typographical and other minor edits to enhance our strategic action of enjoying built and natural heritage (2024-2026 Strategic Plan).

## Financial Implications

There is no cost to update the TOR. The cost of the 2023 TORs drafted by WSP was \$3,328 which was covered by the Streamline Development Approval Fund (SDA).

## STRATEGIC ALIGNMENT:

☒ Strategic Action

**Objective(s):** PLACEMAKING - Promote and create a wide range of destinations and activities that capitalize on the beauty of the rivers and heritage buildings

**Strategic Action:** Enhance opportunities to enjoy built and natural heritage

OR

☐ Core Service

**Program:** Not Applicable

**Core Service:** Not Applicable

## BACKGROUND:

The City of Cambridge's first terms of reference (TOR) for Cultural Heritage Impact Assessments (CHIAs) were completed in 2012. In the Fall of 2022, Heritage Planning staff identified the need to update the 2012 Terms of Reference to bring it in line with current industry best practices. WSP was retained to complete a new TOR, submitted July 5, 2023. The TORs were reviewed by MHAC on April 18, 2024, through Report 24-011 (MHAC). On May 28, 2024, the TORs were approved by Council through Report 24-069-CD.

The City's Official Plan enables it to require CHIAs for development proposals or community plans being carried out on, or adjacent to, properties on the Heritage Register, whether designated or listed, or cultural heritage landscapes. CHIAs may also be required, at the discretion of staff, for proposed alterations or demolitions as part of Heritage Permit applications or accompanying proposed demolitions for listed properties on the Heritage Register.

## ANALYSIS:

The framework for the requirement of CHIAs, Conservation Plans, and Documentation and Salvage Plans is taken from the Provincial Planning Statement (PPS) (2024), under the Planning Act. Section 4.6.1 of the PPS states that "Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved." The PPS (2024) defines "conserved" as being achieved by "the

implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker.”

The authority to require such assessments and plans are built into the City’s Official Plan. Section 4.10.7 of the Official Plan also states the CHIA TOR are approved by Council with input from the MHAC.

To incorporate this new PPS as well as other housekeeping updates, the following proposed changes to the existing CHIA TOR are recommended:

- Updated references to new policy documents including the new PPS (2024);
- Updated references to the Official Plan to reflect accurate wording;
- The inclusion of onsite or adjacent cultural heritage landscapes as triggers for CHIAs, as per Section 4.10 of the Official Plan;
- The inclusion of a paragraph on accessibility and AODA legislation;
- A section noting that those preparing the CHIAs, Conservation Plans, or Documentation and Salvage Plans be impartial and objective;
- The requirement that CHIAs include a summary of any consultation or engagement carried out for the studies; and,
- Typographical and other minor edits.

## **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 with 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.

## Chapter 13: Glossary of Terms

**Cultural Heritage Impact Assessment** – a study to determine if cultural heritage resources will be negatively impacted by a proposed development or site alteration. It can also demonstrate how the cultural heritage resource will be conserved in the context of development or site alteration. Mitigation or avoidance measures or alternative development approaches may also be recommended. (ROP)

### Provincial Planning Statement (2024)

#### 4.6 Cultural Heritage and Archaeology

(1) Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.

(2) Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.

(3) Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.

(4) Planning authorities are encouraged to develop and implement:

- (a) archaeological management plans for conserving archaeological resources; and
- (b) proactive strategies for conserving significant built heritage resources and cultural heritage landscapes.

(5) Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing archaeological resources, built heritage resources and cultural heritage landscapes.

### 8 Definitions

**Conserved:** means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches should be included in these plans and assessments.

## **FINANCIAL IMPACT:**

The property owner/developer is responsible for any costs associated with submitting a CHIA to the City. There is no cost to update the TORs and was included in the staff work plan. The cost of the 2023 TORs drafted by WSP was \$3,328 which was covered by the Streamline Development Approval Fund (SDA).

## **PUBLIC VALUE:**

### **Transparency:**

To ensure transparency, MHAC meeting agendas are posted on the City's website.

## **ADVISORY COMMITTEE INPUT:**

Heritage Planning staff consulted with the Municipal Heritage Advisory Committee on February 20, 2025, through report 25-006 (MHAC) and the Committee provided the following recommendations to Council:

THAT Report 25-006 (MHAC) Updated Cultural Heritage Impact Assessment (CHIA) Terms of Reference – be received;

AND THAT the Municipal Heritage Advisory Committee recommends that Council approve the updated CHIA Terms of Reference, which also includes terms of reference for Conservation Plans and Documentation and Salvage Plans.

## **PUBLIC INPUT:**

Meetings of MHAC and Council are open to the public and are livestreamed to the City's YouTube channel.

## **INTERNAL / EXTERNAL CONSULTATION:**

Heritage Planning staff have drafted the proposed changes internally and consulted within Policy Planning Division.

## **CONCLUSION:**

For the reasons outlined in this report, Heritage Planning staff recommend that Council approve the updated Cultural Heritage Impact Assessment (CHIA) 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. 25-030-CD Appendix A – Updated Cultural Heritage Impact Assessment Terms of Reference