

**To:** SPECIAL COUNCIL

**Meeting Date:** 2/15/2022

**Subject:** 22-015-CD Request to Designate a Property of Cultural Heritage Value Under Part IV of the Ontario Heritage Act, Relocate the Stone Tower, and Permit Demolition of Secondary Buildings – 171 Guelph Avenue (Forbes Estate)

**Submitted By:** Lisa Prime MCIP RPP, Chief Planner

**Prepared By:** Abraham Plunkett-Latimer, Senior Planner - Heritage

**Report No.:** 22-015-CD

**File No.:** N/A

**Wards Affected:** Ward 1

**RECOMMENDATION(S):**

THAT Report 22-015-CD Request to Designate a Property of Cultural Heritage Value Under Part IV of the Ontario Heritage Act, Relocate the Stone Tower, and Permit Demolition of Secondary Buildings – 171 Guelph Avenue (Forbes Estate) be received;

AND THAT Council authorizes the Clerk publish a Notice of Intention to Designate the main house and its associated land as identified as Lot 8 in Figure 7 in this report on part of the property municipally known as 171 Guelph Avenue because of its cultural heritage significance, in accordance with Part IV of the Ontario Heritage Act;

AND THAT Council approves the request to relocate the Rubble Stone Wall at 171 Guelph Avenue to a line closer to the main house, according to the process described in Appendix C of this report, by a qualified stone mason with experience with historic dry stack stone construction at the developer's cost;

AND THAT Council approves the request to relocate the Stone Tower at 171 Guelph Avenue to a City-owned site in Hespeler, according to the process described in Attachment 4 by a qualified stone mason using traditional mass masonry construction at the developer's cost subject to detailed specifications for the cataloguing, storage, reconstruction methods, and mortar materials being submitted to City to the satisfaction of the chief planner as outlined in Report 22-015(CD);

AND THAT approval of the relocation of the stone tower be subject to the owner entering into a development agreement with the City of Cambridge to the satisfaction of

the Chief Planner detailing the financial responsibilities of the owner and the City of Cambridge regarding the relocation and restoration of the stone tower as outlined in Report 22-015(CD).

AND THAT Council endorses Jacob's Landing Park as the preferred location for the relocation of the stone tower subject to receiving the required approvals as outlined in Report 22-015(CD);

AND THAT after relocation of the Stone Tower a report be prepared for the Municipal Heritage Advisory Committee and Council's recommending designation of the tower in the new location;

AND THAT Council approves the request to demolish all the other buildings and structures on the property at 171 Guelph Avenue under the condition that a salvage plan is provided for the demolition of the north garage and portions of the rubble stone wall that are to be demolished and that both structures are thoroughly documented with photographs and measured drawings prior to a demolition permit being granted.

AND FURTHER THAT Council directs staff to update the Heritage Properties Register listing for the remainder of the property at 171 Guelph Avenue after the designation for the main house on the property is registered on title.

## **EXECUTIVE SUMMARY:**

### **Purpose**

Council approval is requested to initiate the heritage designation of the main house at 171 Guelph Avenue, to permit the relocation of the stone tower and low stone wall, and approve the demolition of the other buildings and structures on the property.

This report provides an update to Report 21-120 which Council considered on July 13 2021. At that time Council deferred making a decision until further information was provided. This report is intended to provide the supplementary information that was requested and outline additional detail regarding the reasons for staff and the Municipal Heritage Advisory Committee's recommendations that were previously considered by Council.

### **Key Findings**

- The property located at 171 Guelph Avenue is listed on the City of Cambridge's heritage register as a non-designated property of cultural heritage value or interest.
- The owner is proposing to redevelop the property as a residential subdivision requiring demolition or relocation of structures on the property.

- Council approval is required to permit the demolition or relocation of a structure on a property listed on the heritage register.
- The property has been evaluated and it has been determined to contain cultural heritage resources including the individual resources of the main house and the stone tower. The main house is proposed to be designated under the Ontario Heritage Act. The significance of the main house would be conserved by designating it on a 0.44-hectare (1.08-acre) lot and permitting the redevelopment of the rest of the property.
- The stone tower is proposed to be relocated to public lands and designated under the Ontario Heritage Act in its new location. The significance of the stone tower would be maintained if it were relocated.
- The other structures on the property have not been found to hold cultural heritage value or interest and are recommended to be demolished.
- The Municipal Heritage Advisory Committee recommended approval on August 20, 2020 and endorsed a tree management plan on December 17, 2020.
- A previous report regarding this property was considered by Council on July 13, 2021. Council requested that staff provide additional information before making a decision. Heritage staff have reviewed new information since the report was previously considered by Council. This new information does not substantially impact the report's recommendations.

### **Financial Implications**

- There is no fee for designating a property in Cambridge. The City will pay for publishing the Notice of Intention to Designate in the Cambridge Times in the corporate advertisement and for sending the notice to the owner. The City does provide and pay for the installation of a heritage landmark plaque if the owner desires one, at a cost of approximately \$500.
- The owner is assuming all costs of the proposed work at the heritage property, including the relocation of the low rubble stone wall.
- The owner will also assume the costs of dismantling, documenting, storing, obtaining approvals, and reconstructing the Stone Tower at the destination location. The preliminary cost estimate of this work is \$420,000 based on 2022 costing. In addition to this amount for the relocation of the Stone Tower, the owner will also project manage the adaptive re-use construction to repurpose the structure.
- At this preliminary stage, the stone tower is proposed to be adaptively reused as an observation tower with accessibility features. A preliminary estimate for the

cost to the City to adaptively reuse the tower as an observation tower, is approximately \$350,000 based on 2022 costing.

- If Council approves the proposed relocation, detailed plans and costing would be prepared as next step for the tower's re-use. A firm estimate for the required work would be determined and presented for Council's consideration when plans for adaptive reuse are finalized. The adaptive re-use costs will be the responsibility of the City, with some shared costs between the developer and owner for items required by both parties (e.g. roof). This work would be funded as a future item through the capital budget process. The project would fall within the scope of the Core Areas Transformation Fund program, which may be considered for supplemental funding.
- If Council does not approve the adaptive reuse of the tower, the owner would be responsible for the cost of reconstructing the tower as-is. The City would be responsible for assisting with obtaining the required permits and preparing the new location for the tower at a cost of approximately \$100,000 based on 2022 costing, to be funded as a future item through the capital budget process.
- Timing of the reconstruction work would be dependant on finalizing designs, securing funding, obtaining the required permits, and preparing the new site for the tower relocation. To facilitate the tower's adaptive reuse, it is recommended that the work required to make the tower accessible be undertaken during reconstruction.
- Draft conditions of subdivision were recommended regarding the relocation of the stone tower and outlined in Report 21-037(CD). These conditions outline in more detail the financial responsibilities of the owner and City regarding the relocation of the tower. These conditions are included as **Appendix E** of this report. As a condition of approval for the relocation of the stone tower, the owner is requested to enter into a detailed agreement with the City accepting responsibility for the owner's portion of the shared costs of relocating and restoring the tower in the new location.

#### **STRATEGIC ALIGNMENT:**

- Strategic Action; or
- Core Service

**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

**Program:** Choose a Program

**Core Service:** Choose a Core Service

The proposed development would ensure the long-term conservation of the Forbes house in the Town of Hespeler and would maintain the character of Guelph Avenue by retaining approximately forty percent of the existing property's frontage along with its mature trees and stone fence.

Relocating and adaptively reusing the stone tower on public property would create opportunities for the public to engage with, learn about, and celebrate the history of the Town of Hespeler and would provide an opportunity to positively contribute to placemaking.

### **BACKGROUND:**

171 Guelph Avenue is a 5.4-hectare (13.3 acre) property containing a main house and accessory buildings. A low stone fence runs along the property line fronting onto Guelph Avenue and there are many mature trees on the property. It is accessed via a driveway fronting onto Guelph Avenue. The accessory buildings are accessed via internal lanes.

The property is listed on the City of Cambridge's heritage register as a non-designated property of cultural heritage value or interest.

The property was previously the site of an agricultural complex owned by Jacob Hespeler, who was a key individual in the development of the Town of Hespeler, and was later the home of the Forbes family, who were prominent local industrialists and political figures. The property is the last remaining portion of a much larger estate that has over time been subdivided.

The property includes the Forbes House, a large masonry dwelling constructed in 1912. The Forbes House is bordered to the north by a line of trees that previously separated the current Forbes House from an earlier estate house on the same property that was demolished in 1949 **Figure 3**. It is accessed by a formal driveway from Guelph Avenue. The edge of the property is demarcated on Guelph Avenue by a low rubble stone wall **Figure 4**.

The property contains a number of outbuildings including a north garage, which was associated with the earlier residence on the property, and a stone tower associated with a nineteenth-century agricultural complex developed by Jacob Hespeler **Figure 5** and **Figure 6**. The property also contains two garages dating to the second half of the twentieth century and an additional dwelling built in the Edwardian foursquare style at 155 Guelph Avenue.



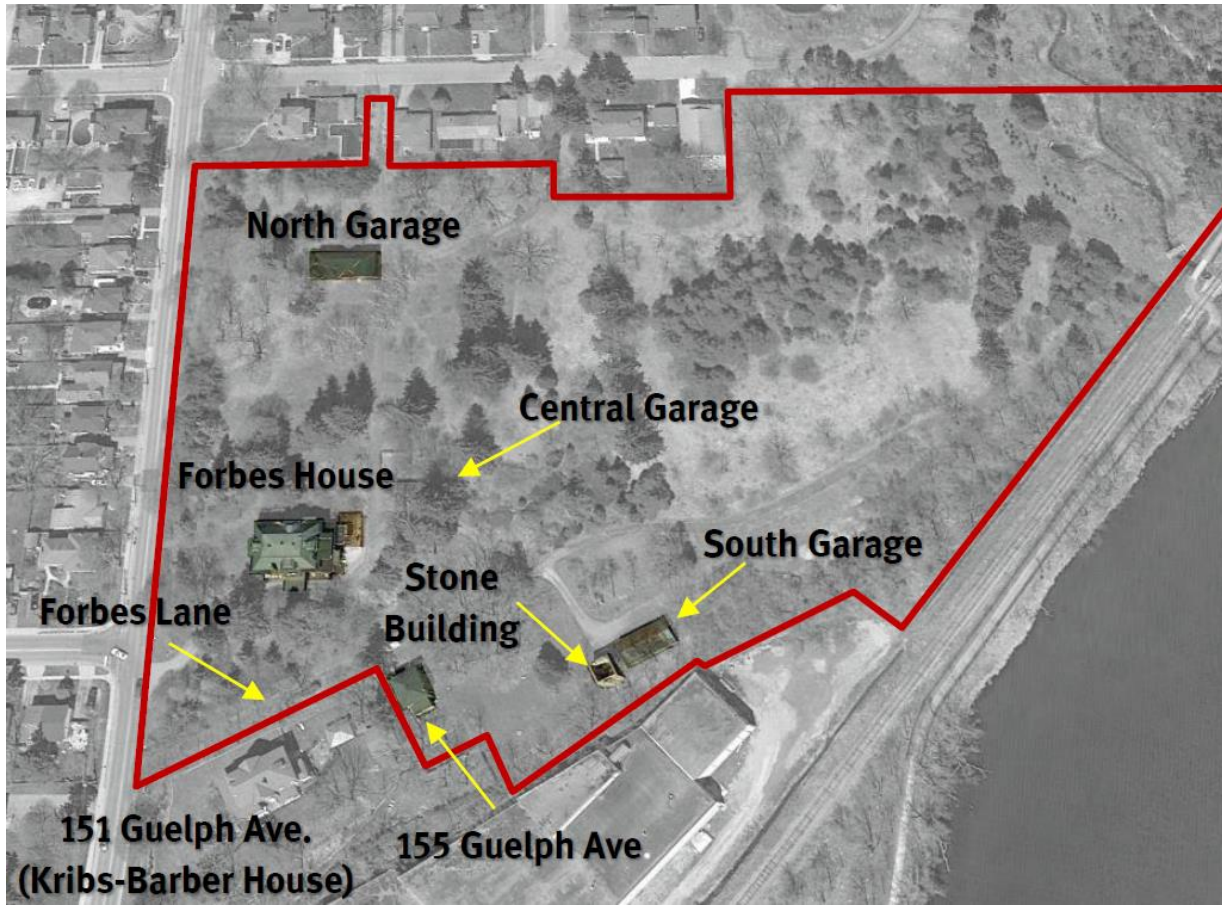


Figure 1: Site Map Showing Location of Structures, Image Provided by ASI Heritage 2020. The “stone building” indicated in this image is referred to as the “stone tower” in this report.





Figure 2: Forbes House Front Elevation, 2020.



Figure 3: Trees demarcating boundary, August 13 2021.



Figure 4: Stone wall adjacent to Guelph Avenue, August 13, 2021.





Figure 5: North Garage, August 13 2021





Figure 6: Stone Tower, 2020.

In 2018 an application was received for Draft Plan of Subdivision Approval and a Zoning By-law Amendment to permit the redevelopment of the property. The proposal has evolved since 2018 in response to comments from municipal and regional staff and the public. The applicant is now proposing to construct a residential infill development consisting of 37 Single detached dwellings (7 freehold and 30 condominium), 12 townhouse units and up to 132 stacked townhouse units.

To permit the redevelopment of the property the Forbes house is proposed to be retained on a severed lot within the subdivision which will include a portion of the stone wall, the formal driveway, and line of trees demarcating the northern boundary of the yard. The stone tower is proposed to be relocated to City property. All other buildings and structures are proposed to be demolished.

A Cultural Heritage Impact Assessment (CHIA) prepared by ASI Heritage was provided to the City to evaluate the impacts of the proposed alteration to the property in September 2018. This CHIA was revised in February 2020 to address comments from City staff and an independent peer reviewer retained by the City. The CHIA is included

as **Appendix A**. The CHIA was deemed complete by City staff and the independent peer reviewer in 2020.

An earlier version of this report, 21-120(CD), was presented to Council on July 13, 2021 recommending designation of the Forbes house and relocation of the stone tower. This was presented in conjunction with report 21-037(CD) which was a report from Development Planning staff regarding the proposed draft plan of subdivision and zoning by-law amendment applications. Council deferred making a decision on both reports and requested that staff provide more information to address concerns that were raised at the July 13, 2021 Council Meeting.

Since July 13, 2021 heritage staff have received an additional source regarding the historical use of the stone tower entitled Hespeler New Hope – Canada West, written by Winfield Brewster and published in 1951. The relevant excerpt from this book is included as an attachment in Appendix B to this report. This document describes that the stone tower was previously used to house pigeons, poultry, and ducks prior to the 1950s.

Staff have also met with the developer and representatives from the Architectural Conservancy of Ontario Cambridge Branch. City staff contacted sources provided by the Architectural Conservancy of Ontario Cambridge Branch. This information included an opinion from a heritage building specialist who suggested that the stone tower's physical characteristics were consistent with dovecotes he had previously encountered in his work. The additional information gained from this research was provided to ASI Heritage with a request for comments.

ASI Heritage has reviewed this additional information and has determined that the new information does not substantially change the recommendations of the February 2020 CHIA. The owner has also provided an additional memorandum prepared by Owen Scott regarding the additional research. Both memos are included as **Appendix B**.

The additional information gathered has been considered in formulating this report.

## **ANALYSIS:**

### **Designation of the Forbes House and Relocation of Stone Wall:**

The Forbes house has been found to hold cultural heritage value or interest because of its design value, its associative value, and its contextual value. The house was constructed in 1912 and is a rare and representative example of an estate-like Edwardian Classical Revival residence.

A number of landscape elements have also been identified as contributing to the property's significance as an estate-like property including the rubble stone wall that is located along the property's edge on Guelph Avenue, the line of trees separating the

main house from the north garage, and the formal driveway approaching the porte cochere.

The Forbes house is proposed to be retained within the proposed subdivision on a 0.44-hectare (1.08 acre) lot with a 77.69 (254.88 foot) frontage on Guelph Avenue. This configuration has been proposed to conserve the identified significant landscape elements as outlined in **Figure 7**. The lot would conserve approximately 39% of the existing frontage along Guelph Avenue, including a line of mature trees, and approximately one third of the existing rubble stone wall.

The stone wall is currently located in the City's right of way and is proposed to be documented, dismantled, and reconstructed several metres back on the severed lot so that it will not be damaged by future road widening.

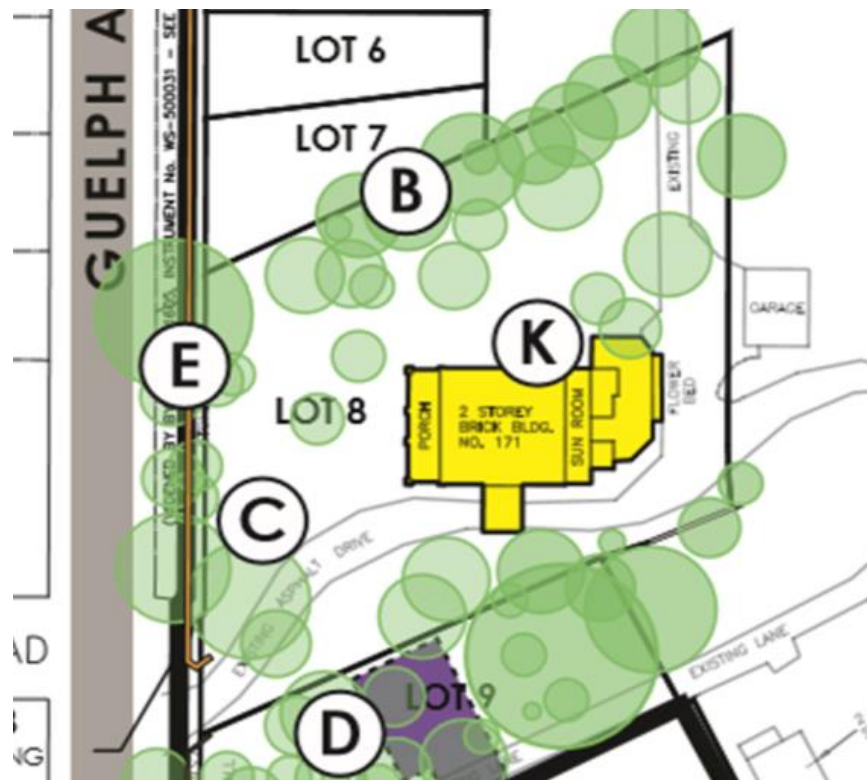


Figure 7: Figure 1: Part of property to be designated, 171 Guelph Avenue, showing “Lot 8” with approximate boundaries: K=Estate House, B=Tree row north side, C=Driveway to porte-cochere, E=Rubble stone wall.

Staff is satisfied that the designation of the Forbes house on a 0.44-hectare lot would protect the property's key heritage attributes as outlined by the Cultural Heritage Impact Assessment prepared by ASI Heritage and revised February 2020.

Staff is requesting that Council direct staff to issue a Notice of Intention to Designate the Forbes house and associated yard as an individual resource. The designation would be



intended to apply only to the 0.44-hectare (1.08-acre) lot and not the Forbes property as a whole.

### **Relocation of the Stone Tower:**

The stone tower has been identified as holding cultural heritage value or interest because of its design or physical value and its associative value. The structure is an early and rare example of a stone agricultural building in the town of Hespeler and shows a high degree of craftsmanship.

The stone tower also has value because of its association with Jacob Hespeler, who contributed significantly to the early development of the Town of Hespeler.

The Cultural Heritage Impact Assessment for the property identifies that the tower was originally constructed as part of an agricultural complex for Jacob Hespeler, which included a stone barn (Figure 8).

It has been suggested that the original purpose of the tower was a dovecote, defined as a structure for housing pigeons or doves. As indicated above, the Winfield Brewster document from 1951 describes that the tower was divided into three levels. The upper floor housed pigeons, the middle floor housed poultry, and the lower floor housed ducks.

Evaluation by ASI Heritage and Owen Scott has suggested that there are, however, some structural differences between the stone tower and two known dovecotes that are still standing in Ontario at Dundurn Castle and Auchmar Estate which suggest that the tower may not have been purpose-built to house pigeons or doves. These confirmed dovecotes display steeply pitched roofs and openings through which pigeons were able to access roosts. This analysis is included as **Appendix B**. In a photograph of the stone tower dating from approximately 1908, a low-pitched roof can be observed **Figure 8**.



Figure 8: Stone Tower c. 1908, Courtesy of the City of Cambridge Archives.

Staff is of the opinion that a definitive identification of the stone tower as a dovecote would not change staff's recommendations. Regardless of its original purpose, staff has identified that the structure is significant because of its physical and design value and its association with Jacob Hespeler and should be conserved.

### **Conservation Options**

Given the significance of the tower, the heritage staff have considered two options for its conservation: retaining the tower in its current location and relocation to public lands.

#### **Retaining in the Current Location**

Heritage staff have evaluated the potential to retain the stone tower in its existing location either as part of a future condominium or as a public park as part of the proposed development of the property and have determined that there are a number of constraints that may impact the tower's long-term conservation and limit the viability of this option.

The tower is located in a largely inaccessible location on its current lot and is largely not visible except in its immediate surroundings. The tower is located at the rear of the current property approximately 12 metres from the adjacent industrial property without easy access or visibility from Guelph Avenue or Shaw Avenue East **Figure 9**. It is separated from the public walking trails along the Speed River both by the adjacent industrial building, a creek, and by train tracks **Figure 10**. The tower is also located at the low point of the property, which is at bottom of a slope approximately four metres below the street level at Guelph Avenue. These physical characteristics would discourage the general public from accessing the tower if it were retained in its current

location and may encourage misuse or vandalism due to it being sheltered from public view.



Figure 9: Location of Stone Tower with Reference to the Adjacent Industrial Site, August 13 2021.





Figure 10: The Stone Tower (circled) Viewed from Public Walking Trails Adjacent to the Speed River, August 13 2021.

The owner has not agreed to convey the lands on which the tower is located to the City. If the tower were retained on its current lot as part of the proposed subdivision, it may therefore be located on private property or within a small parkette primarily for use of the subdivision residents. Without access points from Guelph Avenue, it would be accessed only through the subdivision and would not be visually prominent in its low and sheltered location. The physical barriers outlined above would likely discourage the general public from learning about or accessing the tower.

If the tower were retained in its current location, it would also require substantial reconstruction to be accessible to the public which would change its current appearance. The tower is currently unstable and the rear wall has failed **Figure 11**. The tower would likely require portions of the rear wall to be reconstructed, the entirety of the structure to be repointed, and the structure to be stabilized and protected from further deterioration by constructing a new roof and floor joists.



Figure 11: Stone Tower Rear Elevation, August 13, 2021

It is heritage staff's opinion that retaining the structure in its current location is not ideal for its long-term conservation due to these constraints outlined above and may result in the tower further deteriorating or being damaged over time

### **Relocate to Public Lands**

The owner of 171 Guelph Avenue has agreed to cover the cost to relocate the stone tower to City property. The City has proposed that the structure be relocated to a location approximately 400 metres to the south east of its current location to a location adjacent to the Speed River in Jacob's Landing Park **Figure 12**. Parks staff have proposed that the tower could be adaptively reused, potentially as a viewing tower overlooking the mill pond. Two possible locations approximately 50 metres apart have been proposed within Jacob's Landing Park with the final location to be determined in Site Plan Review. The proposed location is within lands regulated by the Grand River Conservation Authority (GRCA). Reconstruction in this location would require GRCA approval.



In the proposed location, the tower would be visually prominent in the landscape, forming a key part of views of the Speed River from Guelph Avenue and from both riverbanks **Figure 13**.



Figure 12: Two Approximate Locations Proposed for the Location for the Relocated Tower.





Figure 13: Approximate Proposed Location for Relocated Stone Tower viewed from Guelph Avenue.

Relocation carries risk of taking away from a structure's heritage value by removing it from its context. In this case, it is staff's opinion that relocation of the tower to Jacob's Landing Park would not take away from the structure's contextual value and may help to strengthen its association with Jacob Hespeler.

It was identified in the February 2020 Cultural Heritage Impact Assessment regarding 171 Guelph Avenue that the stone tower was constructed as part of an agricultural complex owned by Jacob Hespeler which pre-dates the Forbes House by approximately 40 years. Its associative value was identified due to its connection with Jacob Hespeler, and not the Forbes house or family.

In the nineteenth century when the tower was constructed, Hespeler's estate included all of the lands comprising Jacob's Landing Park and 171 Guelph Avenue and extended westward to his home on the west side of Guelph Avenue as one continuous estate. Hespeler was also involved in the damming of the Speed River and the creation of the Mill Pond.

Although the tower was originally constructed as part of an agricultural complex with which it had an immediate contextual relationship, none of those buildings with which it was originally constructed are still standing. Its significance is therefore linked at this time to the broader context of the Hespeler lands rather than to its immediate context, which has been significantly altered since it was constructed.

It is heritage staff's opinion that the tower's association with Jacob Hespeler would be preserved and potentially strengthened by relocating it to Jacob's Landing Park which already commemorates Hespeler's role in the development of the Town of Hespeler. Locating the tower in this location would allow for opportunities for programming and interpretation creating opportunities for the public to learn about and celebrate its significance to the community and better understand the tower's contextual relationship to other structures constructed for Jacob Hespeler such as the mill at 19 Guelph Avenue.

It is anticipated that the prominent placement of the tower in Jacob's Landing Park would contribute to placemaking by inviting the community to learn about and take pride in its past. It would strengthen the identity of the former Town of Hespeler, contribute to its sense of place, and could make the tower a destination within the community.

Prior to the tower being adaptively reused, the Municipal Heritage Advisory Committee and Council would have the opportunity to approve finalized plans.

## Relocation Process

The stone tower has been evaluated by structural engineers who have recommended that it be relocated by being dismantled and reconstructed in its new location rather than being moved in one piece. This approach is outlined in **Appendix D**. There is risk for loss of integrity when a structure is dismantled and reconstructed.

In order to maintain the structure's integrity, heritage staff is recommending that detailed specifications for the cataloguing, storage, reconstruction methods, and mortar materials be submitted to the City to the satisfaction of the Chief Planner prior to any work being undertaken.

Staff is recommending that these specifications include at minimum:

- Thorough documentation of the existing tower by a qualified heritage professional including labeling important stones and documenting original construction methods;
- Preparing a keyed map and storage plan for individual significant stones so they may be reconstructed in similar order and location;
- Documenting and recording mortar colour, composition, average joint size and style for reconstruction:
- Documenting and recording joist pockets and other elements in the walls in detail so that they can be reconstructed accurately;
- Documenting wood locations, species, and sizes;
- Storing significant stones in the same order on individual pallets as they were originally installed;
- Adequately storing all materials to avoid theft or damage;
- Reconstructing the structure in the new location on a new foundation using appropriate heritage methods and mortar types and reconstructing in accordance with the detailed documentation.
- Ensuring that all deconstruction and reconstruction work is undertaken by qualified heritage stone masons.

The owner has agreed to pay for the careful dismantling of the stone tower and storing of materials until approvals for the reconstruction destination site are obtained by the owner. Conditions of approval on the associated planning application outline the owner's and City's responsibilities. An example of a similar relocation project is attached as **Appendix F**.

Heritage staff are satisfied that relocation of the stone tower is an appropriate conservation approach because it would maintain the tower's associative value with Jacob Hespeler and its general context. Careful documentation and storage would ensure that the tower could be dismantled and rebuilt with minimal loss to its integrity.

Regarding timing of work, it is anticipated that the tower would be dismantled and safely stored off site until plans for adaptive reuse have been finalized. After the required funding and approvals for adaptive reuse of the tower have been obtained, the tower would be reconstructed in its new location. The timing of the reconstruction work would be determined by the City of Cambridge finalizing plans for reuse and obtaining the required funding and permits.

If the tower were retained in its current location there may be significant challenges for its future conservation including its location on private property, substantial restoration required, grading, and low visibility and public access. Therefore, heritage staff is recommending that Council approve the relocation of the tower subject to the conditions outlined in Report 22-014(CD). If Council does not approve the relocation of the stone tower, Council has the option to designate the structure under the Ontario Heritage Act in its current location to prevent its demolition or relocation. The designation may be appealed to the Ontario Land Tribunal.

### **Demolition of Other Buildings:**

The Cultural Heritage Impact Assessment identified that the other buildings and structures on 171 Guelph Avenue were not of such significance to recommend their preservation. For properties such as this one, which is listed as a property of interest (not designated) on the Heritage Properties Register, Council is given the opportunity to object to demolition by initiating designation. Individual assessments of these structures are included in **Appendix A**. Staff agrees with the Cultural Heritage Impact Assessment and is recommending Council approve demolition of the remaining structures.

Staff is recommending that given the age of the north garage and the rubble stone wall, both structures should be thoroughly documented through photographs and scaled drawings, and salvage plans should be submitted to the satisfaction of the Chief Planner prior to a demolition permit being issued.

Council has the option to designate the other buildings, thus preventing demolition. A notice of intention to designate would be issued, followed by the other procedures identified above for the main house. Objection and appeal procedures to the Ontario Land Tribunal are outlined in the Ontario Heritage Act. Since the other buildings are located within the proposed streets, a modification to the draft plan of subdivision would be needed to keep them.

### **Cultural Heritage Landscape Evaluation**



At the July 13, 2021 Council meeting, Council requested that additional information be provided regarding analysis of the property as a Cultural Heritage Landscape. The property was evaluated as a Cultural Heritage Landscape as part of the Heritage Impact Assessment (CHIA) prepared by ASI Heritage and dated February 2020.

“Cultural Heritage Landscape” is a concept derived from the Provincial Policy Statement (2020) which is used to evaluate contextual relationships between buildings and/or other landscape elements. Cultural Heritage Landscapes can be protected through designation under Part IV or Part V of the Ontario Heritage Act or through Official Plan policies.

The authors of the CHIA indicated that while the property does not meet Waterloo Region’s Implementation Criteria for Cultural Heritage Landscapes, several of the property’s landscape elements have been identified as significant because they contribute to its value as a rare example of an estate-like property in Cambridge. Elements contributing to the estate-like quality that were identified in the CHIA were the rows of vegetation demarcating boundaries within the property, the former orchard, the rubble wall, and the formal driveway. With the exception of the orchard, which is now overgrown, substantial portions of these landscape attributes are proposed to be conserved by the proposed development including approximately 40% of the existing frontage along Guelph Avenue including the row of trees, the row of trees separating the Forbes house from the north garage, the portion of the formal driveway accessing the Forbes house, and approximately one third of the rubble stone wall.

No contextual relationship was identified in the CHIA between the remaining structures on site, including the stone tower, the house at 155 Guelph Avenue, and the remaining garages.

Heritage staff is satisfied that the cultural heritage landscape evaluation conducted by ASI Heritage has identified significant landscape attributes and that these attributes will be adequately conserved.

#### **EXISTING POLICY / BY-LAW(S):**

##### **Ontario Heritage Act**

Part IV Section 29 (1) of the Ontario Heritage Act provides municipalities in Ontario the ability to designate individual properties that are shown to have cultural heritage value to a community.

Section 30 (1) provides that permits for altering the property become void when a Notice of Intention to Designate is served. (They may be issued after heritage approvals.)

##### **Cambridge Official Plan**

Section 4.1 of the Official Plan includes Objective a) to “support the conservation, restoration and prominence of the city’s-built heritage as a key identifying feature of the community”.

Section 4.2 of the Official Plan discusses the priorities for cultural heritage resources in the City. Section 4.2.1 states:

1. When development is proposed, the City will encourage the conservation of cultural heritage resources in the following order of preference:
  - a) incorporation of cultural heritage resources and their surrounding context into development applications in a manner which does not conflict with the cultural heritage resource; ...
  - b) promotion of the use of scale and design which blends harmoniously with existing cultural heritage resources when development occurs; and
  - c) preservation and adaptive re-use of buildings of cultural heritage significance for compatible residential intensification and/or for other appropriate and compatible uses is encouraged.

#### **FINANCIAL IMPACT:**

- There is no fee for designating a property in Cambridge. The City will pay for publishing the Notice of Intention to Designate in the Cambridge Times in the corporate advertisement and for sending the notice to the owner. The City does provide and pay for the installation of a heritage landmark plaque if the owner desires one, at a cost of approximately \$500.
- The owner is assuming all costs of the proposed work at the heritage property, including the relocation of the low rubble stone wall.
- The owner will also assume the costs of dismantling, documenting, storing, obtaining approvals, and reconstructing the Stone Tower at the destination location. The preliminary cost estimate of this work is \$420,000 based on 2022 costing. In addition to this amount for the relocation of the Stone Tower, the owner will also project manage the adaptive re-use construction to repurpose the structure.
- At this preliminary stage, the stone tower is proposed to be adaptively reused as an observation tower with accessibility features. A preliminary estimate for the cost to the City to adaptively reuse the tower as an observation tower, is approximately \$350,000 based on 2022 costing.

- If Council approves the proposed relocation, detailed plans and costing would be prepared as next step for the tower's re-use. A firm estimate for the required work would be determined and presented for Council's consideration when plans for adaptive reuse are finalized. The adaptive re-use costs will be the responsibility of the City, with some shared costs between the developer and owner for items required by both parties (e.g. roof). This work would be funded as a future item through the capital budget process. The project would fall within the scope of the Core Areas Transformation Fund program, which may be considered for supplemental funding.
- If Council does not approve the adaptive reuse of the tower, the owner would be responsible for the cost of reconstructing the tower as-is. The City would be responsible for assisting with obtaining the required permits and preparing the new location for the tower at a cost of approximately \$100,000 based on 2022 costing, to be funded as a future item through the capital budget process.
- Timing of the reconstruction work would be dependant on finalizing designs, securing funding, obtaining the required permits, and preparing the new site for the tower relocation. To facilitate the tower's adaptive reuse, it is recommended that the work required to make the tower accessible be undertaken during reconstruction.
- Draft conditions of subdivision were recommended regarding the relocation of the stone tower and outlined in Report 21-037(CD). These conditions outline in more detail the financial responsibilities of the owner and City regarding the relocation of the tower. These conditions are included as **Appendix E** of this report. As a condition of approval for the relocation of the stone tower, the owner is requested to enter into a detailed agreement with the City accepting responsibility for the owner's portion of the shared costs of relocating and restoring the tower in the new location.

## **PUBLIC VALUE:**

### **Leadership:**

This project is contributing to residents' pride of place by conserving significant heritage resources and making opportunities for the public to learn about and enjoy them. Relocating the stone tower to public lands will give the City opportunity to take an active role in improving access to the community's past and celebrating Cambridge's unique areas.

## **ADVISORY COMMITTEE INPUT:**

On August 20, 2020 MHAC passed this resolution:



THAT Report 20-016 (MHAC) – Request to Designate a Register-Listed Property – 171 Guelph Avenue (Forbes Estate House), Remove the Stone Tower for Conservation and Demolish Other Buildings and Structures – be received;

AND THAT the Cambridge Municipal Heritage Advisory Committee (MHAC) receives the Heritage Impact Assessment about 155 and 171 Guelph Avenue, prepared by ASI and dated February 19, 2020, included as Attachment 1;

AND THAT the MHAC recommends to Cambridge City Council that the Clerk be authorized to publish a Notice of Intention to Designate the main house and its associated land on the property municipally known as 171 Guelph Avenue because of its cultural heritage significance, in accordance with Part IV of the Ontario Heritage Act;

AND THAT the MHAC recommends that Council approve the request to relocate the Rubble Stone Wall at 171 Guelph Avenue to a line closer to the main house, according to the process described in a letter in Attachment 2 by a qualified stone mason with experience with historic dry stack stone construction at the developer's cost.

AND THAT the MHAC recommends that Council approve the request to relocate the Stone Tower at 171 Guelph Avenue to an offsite location, preferably on City-owned property if possible, according to the process described in a letter in Attachment 3 by a qualified stone mason using traditional mass masonry construction at the developer's cost;

AND THAT the MHAC recommends that Council approve the request to demolish all the other buildings and structures at 171 Guelph Avenue, as depicted in the Heritage Impact Assessment (HIA) provided by ASI dated February 2020;

AND THAT the MHAC recommends that a conservation plan for the main house be prepared by a qualified heritage professional, as depicted in the HIA provided by ASI on February 19, 2020, and submitted to MHAC for endorsement before a subdivision plan is registered for the site;

AND THAT the MHAC recommends that the tree management plan be submitted to the MHAC for endorsement before a subdivision plan is registered for the site.

AND FURTHER THAT the MHAC recommends that Council direct staff to update the Heritage Properties Register listing for the remainder of the property of 171 Guelph Avenue after the designation of the main house is finalized.

The requested tree management plan (next-to-last paragraph) was received by staff in November 2020 and submitted to MHAC the next month. On December 17, 2020 MHAC passed this resolution:

THAT Report 20-037 (MHAC) – Tree Management Plan – 171 Guelph Avenue, Forbes Estate – be received;

AND THAT the Municipal Heritage Advisory Committee (MHAC) receives for endorsement the Tree Management Plan (TMP) and its findings as prepared by Dougan & Associates, dated November 3, 2020, and included as Attachment 1 to Report 20-037;

AND THAT MHAC encourages the proponent to plant exclusively a diverse array of native species.

The tree management plan was also submitted to Development Planning staff for inclusion in the site plan process. The report will be made available upon request. City staff advised MHAC on December 17, 2020 that the City's practice is to require native plantings where possible through review and approval of site plan applications. If the development planning application is eventually approved, a site plan application will need to be finalized for the project prior to construction occurring on the site.

#### **PUBLIC INPUT:**

Consultation has been undertaken as part of the Draft Plan of Subdivision and Zoning By-law Amendment applications.

Posted publicly as part of the report process.

#### **INTERNAL / EXTERNAL CONSULTATION:**

Heritage Planning staff consulted with Development Planning staff, Parks Planning staff, Legal staff, Regional Heritage Planning staff, the property owner, representatives of the Architectural Conservancy of Ontario, and interested community members.

#### **CONCLUSION:**

The main house on the Forbes Estate property at 171 Guelph Avenue is a significant heritage resource and should be designated following the processes of the Ontario Heritage Act. Retaining the house on a 0.44-hectare (1.08-acre) lot would conserve not only the home, but also landscape elements that contribute to its significance as an estate-like property. Heritage staff is recommending that Council approve the request to Designate the house and its immediate yard as an individual heritage resource.

The stone tower is also a significant heritage resource that should be conserved. Staff is recommending that relocation of the tower be permitted in accordance with the conditions outlined in Report 22-014(CD). Heritage staff is of the opinion that relocating the stone tower 400 metres to the south east to Jacob's Landing Park would not only ensure that the tower is conserved, but also would create opportunities for the community to learn about, engage with, and celebrate its significance.

Staff is satisfied that the remaining structures on the property have been evaluated and have not been found to hold cultural heritage value or interest. Staff is recommending that they be permitted to be demolished in accordance with the conditions outlined in Report 22-014(CD).

### **REPORT IMPACTS:**

Agreement: Choose an item

By-law: **Yes**

Budget Amendment: Choose an item

Policy: Choose an item

### **APPROVALS:**

**This report has been reviewed by the Chief Financial Officer and City Solicitor.**

**It has been reviewed and approved by the Director, Deputy City Manager and City Manager.**

### **ATTACHMENTS:**

**When naming attachments please use the following format:**

1. 22-015(CD) Appendix A – Cultural Heritage Impact Assessment 155 and 171 Guelph Avenue, ASI Heritage, February 2020.
2. 22-015(CD) Appendix B – Supplementary Evaluations by ASI and Owen Scott, January 19, 2022.
3. 22-015(CD) Appendix C – Memorandum Regarding Relocation of Stone Wall, Tacoma Engineers, June 19, 2020.
4. 22-015(CD) Appendix D – Memorandum Regarding Relocation of Stone Tower, Tacoma Engineers June 19, 2020.



5. Report 22-015(CD) Appendix E – Stone Tower Relocation Reuse City and Owner Responsibilities.

6. Report 22-015(CD) Appendix F – Photographs of Relocation of Potter Foundry, Elora Ontario.