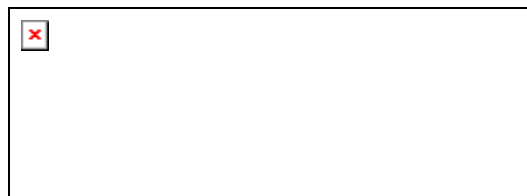


City of Cambridge

Official Plan Review

**Heritage Resources Policies Discussion
Paper**



January 2010

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1.0 Introduction

The City of Cambridge Official Plan (OP) was last updated in the mid-1990s, adopted by City Council in September 1997 and approved by the Regional Municipality of Waterloo in July 1999. The policies in that plan reflect the direction of the 1996 Provincial Policy Statement and the 1995 Regional Official Policies Plan. Since that time, a new Provincial Policy Statement (PPS) was issued in 2005 and a new Regional Official Plan (ROP) was approved by Regional Council in 2009. Other provincial legislation has been passed, including changes to the Ontario Heritage Act in 2005, which provide further direction to cultural heritage planning in Ontario.

This discussion paper reviews the existing heritage conservation policies within the OP and the changes to cultural heritage resources policy framework in Ontario since the mid-1990s. The 1997 Cambridge OP contains policies to preserve, protect and enhance the City's built heritage resources. The City has the advantage of recently completing its Heritage Master Plan, approved by City Council in September 2008. The Heritage Master Plan assessed the effectiveness and relevance of the City's Built Heritage Policies and recommended no major changes to the existing policies. There will, however, be areas that will need to be updated to ensure compatibility with the Regional Official Plan and the Ontario Heritage Act.

2.0 Current Cambridge Official Plan (OP)

Heritage is addressed in each of the four sections in the current OP. The General Development Concept for the current Cambridge OP (Section 1) presents the overall guiding statements regarding heritage conservation (Appendix A). In Section 2, General Development Policies, Chapter 5 presents the Built Heritage Resources policies (Appendix B). Section 3, Land Use Policies and Designations, encourages the integration of heritage resources into development proposals. In Section 4, Supplementary Policies, heritage resources are acknowledged in policies regarding holding provisions and parking facilities.

In the 1980s and 1990s Official Plans tended to focus on "built" heritage resources including archaeology. The concept of what constitutes heritage resources has evolved since that time and been expanded at all of the Federal, Provincial and municipal levels. The City's recently approved Heritage Master Plan acknowledges that need for a broader interpretation of heritage resources and provides description and context for heritage policy development.

The following section summarizes the existing policies in the Official Plan.

2.1 *Priorities for Heritage Resources* (Section 5.1 – Appendix “B”)

The conservation of built heritage resources is addressed through policies encouraging the integration of built heritage resources into development applications and the use of the Ontario Heritage Act to designate as significant either individual properties or districts.

2.2. *Inventory of Heritage Resources* (Section 5.2 - Appendix “B”)

The identification of built heritage resources is addressed through the policies requiring the preparation, publication and update of an inventory of the City’s built heritage resources. Properties included on the inventory will be described, illustrated and evaluated and not limited to those properties designated under the Ontario Heritage Act.

2.3 *Heritage Evaluation Criteria* (Section 5.3 – Appendix “B”)

The policies for determining the significance of built heritage resources for inclusion on the inventory or for designation in accordance to the Ontario Heritage Act include both historic and or architectural value or interest. In order to qualify for inclusion on the inventory or for designation, a property must satisfy at least two of a possible twelve criteria.

2.4 *Designation of Heritage Properties* (Section 5.4 – Appendix “B”)

The policies to control as fully as possible the demolition, removal or inappropriate alteration of buildings included on the inventory include passing by-laws in accordance to the Ontario Heritage Act, passing by-laws providing for the acquisition of designated properties, disposal of designated properties through sale, lease or other method and the ability to enter into easement or restoration agreements.

2.5 *Designation of Heritage Conservation Districts* (Section 5.5 – Appendix “B”)

The conservation of a collection of built heritage resources is achieved through the policies of identifying future areas as Heritage Conservation Districts in accordance to the Ontario Heritage Act. The policies include consultation with the heritage advisory committee and the property owners.

2.6 *Heritage Impact Assessments* (Section 5.6 – Appendix “B”)

These policies require that when a development proposal or community plan potentially impacts a built heritage resource, a Heritage Impact Assessment is required. The Heritage

Impact Assessment is to identify the potential impact to the built heritage resource and propose mitigation of any negative impacts.

2.7 Partnerships (Section 5.7 – Appendix “B”)

This policy encourages partnerships between a variety of stakeholders including community-based advocacy groups, property owners and development interests.

2.8 Funding (Section 5.8 – Appendix “B”)

This policy encourages the restoration or rehabilitation of privately-owned properties designated pursuant to the Ontario Heritage Act by making a grant or loan available to assist in the work.

2.9 Archaeological Resources (Section 5.9 – Appendix “B”)

The conservation of archaeological sites is addressed through policies requiring the property owner to carry out studies to assess the value of the archaeological resource and protect such resources.

2.10 Burial Places (Section 5.10 – Appendix “B”)

This policy requires that when burial places are encountered during any excavation, the Cemeteries Act prevails.

3.0 Legislative and Policy Changes Since Approval of the Cambridge Official Plan

The conservation of significant heritage resources is not new since the approval of the Cambridge OP in the mid – 1990s, but is strengthened by the direction provided through a new Provincial Policy Statement (PPS) issued in 2005 and a new Regional Official Plan (ROP) approved by Regional Council in 2009. These land use planning policy documents reflect a maturation of heritage conservation policies in Ontario. For the first time since the Ontario Heritage Act was introduced in 1975, comprehensive amendments were made in 2005 to bring Ontario’s heritage legislation in line with other jurisdictions in Canada and elsewhere.

3.1 Provincial Context

3.1.1. Provincial Policy Statement 2005

The policies in the PPS 2005 are similar to the 1997 PPS with the addition of the section regarding the requirement to evaluate development and site alteration on properties adjacent to protected heritage properties and the conservation of the heritage attributes.

Excerpt from the 2005 Provincial Policy Statement

2.6 Cultural Heritage and Archaeology

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.6.2 Development and site alteration shall only be permitted on lands containing archaeological resources or areas of archaeological potential if the significant archaeological resources have been conserved by removal and documentation, or by preservation on site. Where significant archaeological resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site may be permitted.

2.6.3 Development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration.

3.1.2 Ontario Heritage Act 2005

The amendments to Ontario Heritage Act reflect an increased awareness in the importance of heritage conservation in the Province and include:

Giving the province and municipalities new powers not only to delay but to stop demolition of heritage sites. Enhanced demolition controls are balanced with an appeals process to respect the rights of property owners.

Further expanding the province's ability to identify and designate sites of provincial heritage significance.

Providing clear standards and guidelines for the preservation of provincial heritage properties.

Enhancing protection of heritage conservation districts, marine heritage sites and archaeological resources.

3.2 Regional Context

3.2.1 Regional Official Plan 2009

Regional Council approved a new Regional Official Plan in June 2009. There have been significant changes to the built heritage policies (see Appendix C) since the 1995 Regional Official Policies Plan.

3.2.1.1 Cultural Heritage Landscapes

The Region of Waterloo has added Cultural Heritage Landscapes and indicated Regional Implementation Guidelines will be prepared. The Region has defined Cultural Heritage Landscapes as:

... “a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping (s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts.”

The purpose of this policy is to further conserve groupings of cultural heritage resources that together have greater heritage significance.

3.2.1.2 Heritage Planning Advisory Committee

The Region of Waterloo has established this Committee to advise the Region on the implementation of the heritage policies in the ROP.

3.2.1.3 Cultural Heritage Impact Assessment

The Region of Waterloo has added this policy which is consistent with the policies currently in place in the City of Cambridge Official Plan. This policy requires the submission of a Heritage Impact Assessment when a proposed development is adjacent to a designated property or a property listed on the local Municipal Heritage Register.

3.2.1.4 Scenic Roads

The Region of Waterloo through this policy acknowledges the scenic value of many Regional Roads and states it will endeavour to protect and/or enhance the scenic value. This policy also encourages Area Municipalities to protect the scenic values of roads under their jurisdiction.

3.3 Local Context

3.3.1 Heritage Master Plan

Cambridge Council adopted the recommendations of the Heritage Master Plan in September 2008 and established a Heritage Master Plan Implementation Committee responsible for carrying out the recommendations. The Plan states that the City of Cambridge has some of the best Official Plan heritage policies of the municipalities reviewed. The Plan does, however, encourage “heritage to be more fully integrated within the municipal planning process and not seen as an afterthought or obstacle to local development.” The Plan suggests additions to the Official Plan including:

1. policies allowing for the creation of Special Policy Areas or Secondary/Neighbourhood Plans;
2. policies allowing for the re-development on flood plains;
3. policies which enhance the existing tourism section to include product development and marketing and partnerships with other municipalities and agencies.

4.0 Conclusions/Issues

1. focus has been on built heritage resources to the exclusion of other types of heritage resources;
2. policies are dispersed and therefore may not always be referenced when a development application is being considered;
3. heritage resources chapter – what other policy areas do we need to include as a reference;
4. heritage policies put the resources on the defense – we need to be more proactive on the positive qualities and importance of all heritage resources.
5. Heritage Character Areas may be preferable to Heritage District Designations for some areas of the City,.

5.0 Policy Areas Requiring Minor Updates

There are several changes in terminology required in order to be consistent with the both the Province and Region. The first, built heritage resources should be referred to as cultural heritage resources which are defined in the Regional Official Plan as including but not limited to the following:

- buildings;
- cultural heritage landscapes;
- structures;
- monuments;
- archaeological resources;
- cemeteries;
- scenic roads;
- vistas/viewsheds;
- culturally significant natural features;
- movable objects; and
- cultural traditions.

The second change is amending the name of the existing “Inventory” to “Registry”. And lastly, changing the name from “Local Architectural Conservation Advisory Committee (LACAC)” to “Municipal Heritage Advisory Committee (MHAC)” to be consistent with the Ontario Heritage Act.

The City of Cambridge, through its Heritage Advisory Committee, administers a Technical Consulting Programme. This programme provides funding to projects where the scope of the work is beyond the expertise of both heritage planning staff and members of this advisory committee and requires the services of a professional such as a geotechnical or structural engineer. Section 5.8 regarding funding should be expanded to include a description of this existing programme.

6.0 Possible New Policy Directions

Chapter 5 of the Cambridge Official Plan (1997) provides policies designed to protect the City’s built heritage resources. Two areas of policy change since adoption of the 1997 OP include Heritage Character Areas and Cultural Heritage Landscapes. The Heritage Master Plan recommends adding policies which would allow for the identification and protection of heritage character areas. These are areas and landscapes of special heritage character that may not be determined appropriate for designation as a district under the Ontario Heritage Act but may be recognized for their specific heritage character. The Regional Official Plan has included policies for Cultural Heritage Landscapes and encourages area municipalities to include similar policies.

Another area of policy change could be with respect to the protection of heritage trees. The Regional Official Plan sets a target of 30% region wide forest cover. These policies may provide an opportunity to partner with various groups and agencies to identify and protect significant heritage trees. The Ontario Heritage Act provides further protection of trees by enabling municipalities to designate trees individually under Part IV of the Act or as part of a Heritage Conservation District (Part V). Cambridge does have one tree, the Grand Oak in the Sculpture Garden, designated under Part IV.

7.0 Summary

Since approval of the 1997 Official Plan there has been increased awareness in the importance of including heritage resources in land use planning decisions. The review of the current Official Plan is an opportunity to bring the plan into alignment with the Provincial Policy Statement, the Region of Waterloo Official Plan and the Ontario Heritage Act. Possible new policy directions included Heritage Character Areas, Cultural Heritage Landscapes and protection of heritage trees.