

# Staff Report



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To	<b>City Council</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, June 14, 2021
Subject	<b>Notice of Intention to Designate the Ontario Reformatory at 785 York Road under Section 29, Part IV of the Ontario Heritage Act and Recommendation to List Cultural Heritage Resources at 110 Dunlop Drive and 328 Victoria Road South</b>

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## Recommendation

1. That the City Clerk be authorized to publish and serve notice of intention to designate the property known as the Ontario Reformatory at 785 York Road pursuant to section 29, Part IV of the Ontario Heritage Act.
  2. That the designation by-law for the Ontario Reformatory at 785 York Road be brought before City Council for approval if no objections are received within the thirty (30) day objection period.
  3. That the potential built heritage resources within the property at 785 York Road as identified on Attachment 7 to this report be listed (as non-designated) on the Municipal Register of Cultural Heritage Properties pursuant to Section 27, Part IV of the Ontario Heritage Act.
  4. That the potential cultural heritage resources known as the Reformatory quarry area within 110 Dunlop Drive and the Reformatory wooden trestle railway bridge on the Eramosa River, north of Stone Road East, be listed (as non-designated) on the Municipal Register of Cultural Heritage Properties pursuant to Section 27, Part IV of the Ontario Heritage Act.
  5. That the potential built heritage resource known as the G. M. Frost Centre located at 328 Victoria Road South be listed (as non-designated) on the Municipal Register of Cultural Heritage Properties pursuant to Section 27, Part IV of the Ontario Heritage Act.
  6. That the City Solicitor be directed to prepare a comprehensive Heritage Conservation Easement Agreement to the satisfaction of the General Manager of Planning and Building Services and the City Solicitor to be entered into by the City of Guelph with all future owners of any portion of the real property known as 785 York Road immediately following the sale of the subject property by the Province of Ontario's Ministry of Infrastructure.
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# **Executive Summary**

## **Purpose of Report**

The purpose of this report is to recommend that Council publish its intention to designate the Ontario Reformatory at 785 York Road according to provisions of section 29, Part IV of the Ontario Heritage Act as described in the Statement of Cultural Heritage Value and the list of heritage attributes included in this report.

The designation is intended to protect the heritage attributes of the property identified by Infrastructure Ontario as having Provincial cultural heritage significance as well as interior heritage attributes identified by the City as contributing to the cultural heritage value of the Ontario Reformatory cultural heritage landscape (CHL). Planning Services has received written confirmation of the Province's requirements for the property to have appropriate long-term heritage protection mechanisms in place to ensure conservation of its Provincial cultural heritage value before the future sale of the subject property. The Province has requested that 785 York Road be designated under Part IV of the Ontario Heritage Act.

Staff recommendations in this report are the first steps and not the final form of conservation of all extant elements of the Ontario Reformatory cultural heritage landscape. It is understood that there are some buildings within and structures/landscapes adjacent to the subject property (785 York Road) that are related to the Ontario Reformatory but that have not been identified as heritage attributes in the notice of intention to designate. These cultural heritage resources are proposed to be listed on the Municipal Register of Cultural Heritage Properties as an interim measure so that more informed decisions regarding their ultimate conservation can be made through the Block Plan process guided by the implementation of the cultural heritage policies of the Official Plan and Guelph Innovation District Secondary Plan.

## **Key Findings**

A property may be designated under section 29, Part IV of the Ontario Heritage Act if it meets one or more of the criteria used to determine cultural heritage value or interest as set out in Ontario Regulation 9/06.

The legal owner of the subject property at 785 York Road is the Province of Ontario through Infrastructure Ontario, on behalf of the Ministry of Government and Consumer Services. The owner has requested, and is supportive of staff's recommendation, that Council protect the property through designation under section 29, Part IV of the Ontario Heritage Act.

A statement of significance including proposed heritage attributes of the former Ontario Reformatory at 785 York Road is set out in Attachments 3 and 4. The heritage attributes of the subject property meet all three criteria used to determine cultural heritage value or interest as set out in Ontario Regulation 9/06 under the Ontario Heritage Act and, therefore, the property merits individual heritage designation under the Ontario Heritage Act.

## **Financial Implications**

No costs are associated with a notice of intention to designate. Future studies to satisfy the requirements of the Guelph Innovation District Secondary Plan policies

as part of the Block Plan and development approvals process are the responsibility of the proponent. No additional costs to the City are required to implement staff's recommendation as outlined in this report.

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## **Report**

The property boundary of 785 York Road is shown in Attachment 1 and is described specifically in Reference Plan 61R-21959 as being Part Lots 1, 2, 3, and 4, Concession 2, Division C and Part Lots 4 and 5, Concession 1, Division C in the City of Guelph (see Attachment 1).

The subject real property is part of a larger block that was the original Ontario Reformatory (OR) lands at Guelph and consists of approximately 90 hectares. The property includes a set of buildings constructed in the 1910s and 1920s for operations, detention, industrial activities and farming. The property contains many extant elements of its original ornamental and working landscapes.

The subject property is referred to by Infrastructure Ontario (IO) as the former Guelph Correctional Centre and is part of lands managed by IO under title to the Ministry of Infrastructure. A large portion of the subject property was recognized by the Ministry of Infrastructure (MOI) as a Provincial Heritage Property of Provincial Significance (PHPPS) under the Part III.1 of the Ontario Heritage Act in June 2008. The cultural heritage landscape of Provincial significance is indicated in yellow on the plan of survey in Attachment 1 and as the "Designed Landscape" in Infrastructure Ontario's map (Attachment 2) from their Strategic Conservation Plan for the Guelph Correctional Centre.

This same area has also been identified in the City of Guelph's approved Cultural Heritage Action Plan as the Guelph Correctional Centre cultural heritage landscape (CCHL-27). The CHAP has recommended that given the Province's imminent plans to dispose of the property it has been assigned a high priority for the Ontario Reformatory's significant heritage attributes and heritage character-defining elements to be conserved.

## **Statement of Significance and Heritage Attributes**

A statement of significance based on the Strategic Conservation Plan for the Guelph Correctional Centre developed by Infrastructure Ontario is included in Attachment 3. The proposed heritage attributes of the former Ontario Reformatory at 785 York Road are described in Attachment 4 and illustrated with photos in Attachment 5. It is important for the statement of cultural heritage value and the description of heritage attributes be read together in order to have a full appreciation of what is being recommended for protection. Also, the photos in Attachment 5 only show a selection of the heritage attributes described in Attachment 4. They have been chosen to depict all of the built heritage resources numbered 1-12 (on Attachment 4) including interior heritage attributes as well as representative highlights of the ornamental landscape.

During the preparation of the Guelph Innovation District (GID) Secondary Plan, potential cultural heritage resources not yet listed on the heritage register within and adjacent to the GID were identified in consultation with Heritage Guelph. Appendix A of the GID Secondary Plan (Attachment 6) shows the heritage status of these cultural heritage resources: the boundary of the provincially significant

cultural heritage landscape is a dotted yellow line and all built heritage resources listed by the Province are yellow. The cultural heritage resources listed on the Municipal Register of Cultural Heritage Properties are shown in blue while the potential (non-listed) built heritage resources are identified in green. All other building footprints indicated on the map have no heritage status. The GID Secondary Plan policies require that studies be completed for the conservation of cultural heritage resources through the Block Plan process. More information about these requirements is outlined in Attachment 9.

The potential cultural heritage resources labeled A through H in Attachment 7 as well as the G. M. Frost Centre at 328 Victoria Road South all have local cultural heritage value. These cultural heritage resources are proposed to be listed on the Municipal Register of Cultural Heritage Properties as an interim measure so that more informed decisions regarding their ultimate conservation can be made through the Block Plan process guided by the implementation of the cultural heritage policies of the Official Plan and GID Secondary Plan. The reasons for listing the Reformatory quarry area at 110 Dunlop Drive (H on Attachment 7), the Reformatory railway bridge (G on Attachment 7), and the G. M. Frost Centre are described in Attachment 8. The quarry area located on City property at 110 Dunlop Drive is also subject to a cultural heritage resource impact assessment and an environmental impact study as part of the City's ongoing work related to the Centralized Operations Campus. As this area is designated within the Natural Heritage System, no development is permitted within the quarry area. Listing of this heritage element on the municipal register recognizes the cultural heritage significance of the quarry in addition to its natural heritage significance as an Area of Natural and Scientific Interest.

### **Strategic Conservation Plan**

A Strategic Conservation Plan has been developed by Infrastructure Ontario with Stevens Burgess Architects and advice from the Ministry of Culture to provide guidance on conserving the cultural heritage value of the property leading up to and during the proposed disposition of the property. The role of this Strategic Conservation Plan is to establish an overall heritage framework for the continuous conservation of the property's cultural heritage value and heritage attributes, both while under and upon leaving provincial title and beyond. The proposed disposition will provide for a continued care and maintenance of the property with the key goal: to extend the lifespan of the property while conserving and celebrating its cultural heritage value or interest.

Several key issues have shaped the conservation strategies outlined within the Strategic Conservation Plan, primarily that the property has been declared surplus and there is no identified provincial program use for the property. All buildings on the property are currently vacant and coupled with the size of the property, pose challenges with relation to security and safety. The continued use of the GCC grounds, primarily the walking trails, by the public as park lands is supported by the conservation strategies while the property remains in Provincial ownership. Lastly, the strategies outlined within the SCP are centered on the decision to dispose of the property to address the lack of provincial use compared to the cost to maintain the property while vacant.

The SCP ensures and directs the conservation strategy for the property is in alignment with the April 2018 Management Board of Cabinet's Realty Directive, specifically; the overarching conservation strategies for the GCC are as follows:

- As per applicable law, directives and policies: Maintain all identified heritage building and landscape attributes in a mothballed state;
- As per principles and planning processes: Reduce liability wherever possible through environmental remediation and demolitions, as appropriate or required;
- As per supporting provincial interests: Consider the potential for realty to be used to support community use and community hubs, wherever possible; and
- As per disposition of realty and open market sales process: Prepare the property for disposition through circulation and sale, including establishing appropriate long-term heritage protection mechanisms to ensure conservation of its cultural heritage value after sale.

The Strategic Conservation Plan has confirmed the cultural heritage landscape and heritage attributes of Provincial significance within the subject property.

### **Recommendation for Designation**

The heritage attributes of the subject property described in Attachment 4 meet all three criteria used to determine cultural heritage value or interest as set out in Ontario Regulation 9/06 under the Ontario Heritage Act and, therefore, the property merits individual heritage designation under the Ontario Heritage Act.

Staff recommend that 785 York Road be designated under section 29, Part IV of the Ontario Heritage Act with a conservation easement agreement to be entered into with future property owner(s). This recommendation respects the landowner's request, implements Council's approved GID Secondary Plan policies for the conservation of cultural heritage resources, provides for the designation and protection of individual heritage attributes and features, is expedient and protects the property in a timely manner with the full support of the property owner.

Individual property designation under Part IV of the Act, coupled with a heritage conservation easement agreement, provides a higher level of protection of the heritage attributes of a property as the easement agreement contractually commits property owners to protect the defined heritage attributes of the property in perpetuity.

### **Financial Implications**

No costs are associated with a notice of intention to designate. Future studies to satisfy the requirements of the Guelph Innovation District Secondary Plan policies as part of the Block Plan and development approvals process are the responsibility of the proponent. No additional costs to the City are required to implement staff's recommendation as outlined in this report.

### **Attachments**

Attachment-1 Location and Plan of Survey for Subject Property

Attachment-2 Heritage Attributes of Provincial Significance

Attachment-3 Statement of Cultural Heritage Value and Provincial Significance

Attachment-4 Heritage Attributes to be Protected by the Intention to Designate

Attachment-5 Primary Built Heritage Resources and Cultural Heritage Landscape within 785 York Road

Attachment-6 Guelph Innovation District Plan Appendix A and Schedules

Attachment-7 Cultural Heritage Resources Recommended to be listed on the Municipal Register

Attachment-8 Recommendation for Listing Cultural Heritage Resources within The Guelph Innovation District

Attachment-9 GID Secondary Plan and Consideration of Ontario Heritage Act Part IV and Part V

## **Consultations**

Heritage Guelph has been consulted regarding Planning staff's intended recommendations to Council and passed motions at their meeting of [April 12, 2021](#). Planning staff have provided a response to Heritage Guelph's first motion in Attachment 9. In addition to this, Heritage Guelph conducted a tour of the property with staff from Infrastructure Ontario in September 2020. Heritage Guelph received presentations and discussed the Reformatory CHL heritage attributes and the province's request for designation at their meetings of [February 8](#) and [March 22](#), 2021.

City staff have consulted with staff from Infrastructure Ontario on an ongoing basis with respect to designation of the property commencing in July 2020 when the initial request to proceed with designation was communicated to staff.

Infrastructure Ontario has confirmed that they have conducted consultation with Indigenous communities regarding matters of archaeological, cultural heritage and environmental assessment related to 785 York Road. This consultation included consideration of Indigenous artwork found on interior walls of the Ontario Reformatory. The Province is required to complete their duty to consult with First Nations and the Indigenous community to satisfy requirements leading to divestiture of the provincially owned lands.

The City conducted consultation with Indigenous communities during the preparation of the GID Secondary plan. This included the identification of cultural heritage resources related to the Ontario Reformatory. Further consultation is required by proponents involved in the GID Block Plan process and in subsequent development applications within the GID Secondary Plan area.

## **Strategic Plan Alignment**

### **Priority**

Building our Future

### **Direction**

Continue to build strong, vibrant, safe and healthy communities that foster resilience in the people who live here

**Alignment**

The conservation of cultural heritage resources is aligned with building and maintaining vibrant and resilient communities

**Departmental Approval**

Melissa Aldunate, MCIP, RPP, Manager, Policy Planning and Urban Design

**Report Author**

Stephen Robinson, Senior Heritage Planner

**This report was approved by:**

Krista Walkey, MCIP, RPP

General Manager, Planning and Building Services

Infrastructure, Development and Enterprise Services

519-837-5615, extension 2395

krista.walkey@guelph.ca

**This report was recommended by:**

Jayne Holmes, P.Eng., PMP

Deputy Chief Administrative Officer

Infrastructure, Development and Enterprise Services

519-822-1260 extension 2248

Jayne.holmes@guelph.ca