

Attachment 9

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

This attachment provides information about:

- the Guelph Innovation District Secondary Plan and how it applies to the Ontario Reformatory (Guelph Correctional Centre) lands;
- Ontario Heritage Act Part IV and Part V designation; and
- implications of proceeding with a Part V designation rather than the recommended Part IV designation.

Guelph Innovation District Secondary Plan and Cultural Heritage

The staff recommendation implements the Council approved policy framework for the conservation of cultural heritage resources within the Guelph Innovation District (GID) Secondary Plan area including conservation of the Ontario Reformatory complex. Objectives of the secondary plan ensure that significant built heritage resources and significant cultural heritage landscapes are conserved.

Appendix A of the GID Secondary Plan (Attachment 6) provides the inventory of cultural heritage resources for illustrative purposes and highlights the interconnections between the Natural Heritage System, cultural heritage resources and public views referred to in the Secondary Plan policies. A cultural heritage landscape with built heritage resources in the historic Reformatory Complex are identified.

As identified on GID Schedule B (Attachment 6), the former Guelph Correctional Centre lands are designated as Adaptive Re-use. The Adaptive Re-use designation includes provincially significant cultural heritage resources where the conservation, rehabilitation, restoration, maintenance and re-use of built heritage resources and cultural heritage landscapes will serve as the focal point of new development. This designation permits a mix of uses including institutional, educational, commercial, office, light industrial and open space and park in a form that respects the existing built heritage form, cultural heritage landscape features, as well as the relationships between cultural heritage resources considered for adaptive reuse and redevelopment.

Land uses within the cultural heritage landscape boundary are subject to the following provisions of the Cultural Heritage Resource policies of the Official Plan.

- Development within the GID, on lands designated as Adaptive Re-use and/or adjacent to cultural heritage resources, should adopt an architectural vocabulary and design elements that are compatible with and respectful of the cultural heritage value and heritage attributes of the cultural heritage resources on site.
- Cultural heritage resources including all features identified as provincially significant shall be conserved through long term protection mechanisms (e.g. heritage conservation easements).

- A Cultural Heritage Resource Impact Assessment and/or Conservation Plan will be required as part of a complete application to ensure that the cultural heritage resources within the site will be conserved.
- All land uses within the GID are subject to the provisions of the Cultural Heritage Resource policies of the Official Plan.
- It is the intent of this Secondary Plan to conserve cultural heritage landscapes, such as the area delineated as the historic Reformatory Complex on Appendix A that have been modified by human activities and are valued by the community.
- Cultural heritage landscapes and visual relationships to built heritage resources shall be conserved and monitored to allow for meaningful interpretation.
- Development will respect the existing cultural heritage resources and important public views and public vistas in site design.

Through the Block Plan process and/or the development approvals process, the mix of uses, zoning categories and appropriate regulations will be established to permit and control uses within the Adaptive Re-use designation.

Block Plan areas are identified on Schedule D (Attachment 6). The purpose of a Block Plan is to establish an appropriate physical form of proposed development for the Block Plan area that demonstrates how the Official Plan policies for the Guelph Innovation District (GID) Secondary Plan will be addressed. Information about the Block Plan process and the terms of reference are included in the City's [Guidance for Preparation of Block Plans](#), 2019. Cultural Heritage Resource Evaluation Reports (CHRRER) are required as part of the Block Plan process. A CHRRER will confirm the identified and potential cultural heritage resources within the Block Plan area including the cultural heritage landscape and heritage attributes shown on GID Appendix A (Attachment 6).

Development is not permitted within the Block Plan Areas until Council has approved the Block Plan. Subsequent development applications will require the preparation of a Cultural Heritage Resource Impact Assessment (CHRIA) by the proponent in accordance with the findings of the CHRRER as part of the development approval processes. A CHRIA will provide recommendations on mitigation measures that would avoid or minimize negative impacts to cultural heritage resources in the development area. Conservation recommendations will be incorporated into the relevant development approval processes.

Staff's recommendations to Council represent what is required to satisfy the request made by the Province of Ontario to designate the property known as 785 York Road, the former Ontario Reformatory at Guelph under Part IV of the Ontario Heritage Act. The recommendations provided by staff to designate 785 York Road under Part IV of the Ontario Heritage Act and to list related built heritage resources on the heritage register represent positive first steps in satisfying the Council approved policies for the conservation of cultural heritage resources within the Guelph Innovation District (GID) Secondary Plan.

Ontario Heritage Act: Part IV and Part V

The Ontario Heritage Act provides for protection of cultural heritage properties either as an individual property under Part IV or to larger areas under Part V as heritage conservation districts.

Part IV applies to an individual property and the designation bylaw would list the attributes and features of the property that are to be protected. This may include buildings, grouping of buildings, structures, natural features, cultural landscapes or landscape features, ruins, archaeological resources, etc. The bylaw sets out the description of the property and the features to be protected. A heritage permit is required when change is proposed to the property to a designated attribute or feature.

Part V applies to larger areas and may be an area with a group or complex of buildings or a larger area with many buildings and properties. The process involves a study to determine the boundary and then the preparation of a plan and guidelines to manage change. Individual buildings and features are not protected in their own right within a Heritage Conservation District, rather the character of the area is established and guidelines are established to protect the cultural heritage value of the district. Heritage permits may be required when change is proposed with requirements for permits set out in the heritage conservation district plan.

Guelph has protected some of its significant cultural heritage landscapes through individual designation by-laws using section 29, Part IV of the Ontario Heritage Act. These include the Marcolongo Farm CHL and the Homewood Healthcare Centre: Therapeutic Landscape CHL, Homewood Ancillary CHL and the Riverslea Estate CHL.

Designating 785 York Road now under Part IV does not preclude the possibility in future to include that individually designated property in a heritage conservation district designation of a larger area following approval of or as a recommendation of the Block Plan.

Implications of Proceeding with a Heritage Conservation District Study (Part V)

Proceeding with a Heritage Conservation District Study under Part V of the Ontario Heritage Act prior to designation of the property under Part IV, as resolved by the Heritage Guelph Committee, has the following implications:

- Does not satisfy the province's request
- It is not in keeping with Council's approval of the Cultural Heritage Action Plan which set out the priorities for HCD studies
- The process is considerably longer than Part IV designation. For reference, the Heritage Conservation District Study, Plan and Guidelines for Brooklyn and Collee Hill took approximately four years to complete. Having heritage protections in place prior to the property being sold is best accomplished through Part IV designation.
- The process is costly and there is no budget or staff resources to undertake the study. The GID Secondary Plan Block Plan policies and process intends

for the owner of the property/proponent to undertake further study for conservation of cultural heritage resources on the site and assume this cost.

- The process is not in conformity with the policies of the GID Secondary Plan and would require an Official Plan Amendment to revise the Block Plan policies for Block 4 to recognize the HCD study and set out revised requirements for Block 4
- The policy framework and land use designations of the GID did not contemplate an HCD study. The studies set out in the Block Plan policies would be required to be completed to support the preparation of an HCD plan and guidelines (e.g., marketing study to determine future use of property and adaptive re-use for the existing buildings, consideration of transit connection to the west side of the Eramosa River, lot and circulation plan, architectural design controls, EIS to set the development limits, etc.)
- If Council resolves to proceed with an HCD study for the Ontario Reformatory, Council would need to reconsider their motion of January 25, 2021 directing that a heritage conservation district study be initiated for the Ward West candidate cultural heritage landscape (CCHL-23) to redirect capital funds and staff resources from that study to undertake an HCD Study for the Ontario Reformatory lands.