

# Conservation Plan

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## Study Description:

A Conservation Plan (CP) addresses how identified cultural heritage resources and associated heritage attributes will be conserved. The cultural heritage resource and attributes may be identified through existing designation by-laws, Heritage Conservation District Plans, or previous associated studies such as an approved Heritage Impact Assessment. The Conservation Plan will identify conservation principles appropriate for the type of cultural heritage resource/attributes being conserved; provides detailed documentation of the resource and its heritage attributes ; includes an assessment of current conditions and deficiencies; and recommends conservation measures and interventions in the short (pre-construction), medium (during and immediately after construction) and long term (including but not limited to regular maintenance after construction) to ensure preservation of the property's cultural heritage significance.

## Purpose:

The purpose of this Terms of Reference ("TOR") is to establish clear expectations and requirements for the preparation of a Conservation Plan submitted to the City of Kitchener. Compliance with these guidelines will help to expedite review times and mitigate the need for further revisions and submissions. Failure to satisfy the requirements set out in this TOR may result in an application being deemed incomplete. If an application is deemed incomplete it will be returned to the applicant to satisfy the necessary submission requirements.

## When is it Required:

A Conservation Plan may be required for the following applications, or when deemed necessary by the City's Heritage Planner:

- A Draft Plan of Subdivision
- A Draft Plan of Vacant Land Condominium
- A Site Plan Application
- A Zoning By-Law Amendment Application
- An Official Plan Amendment Application
- All other applications as in when required by the City's Heritage Planner

The City may scope the requisite information to be contained in the Conservation Plan on a case-by-case basis, and in consultation with any applicable external agencies through the pre-consultation process.

**Qualified Person:**

A Conservation Plan should be prepared by or under the direction of a professional who demonstrates a level of professional understanding and competence in the field of heritage conservation and who is registered with the Canadian Association of Heritage Professionals (CAHP) and in good standing. The CAHP that has authored or overseen the report shall take professional responsibility for its contents and the accuracy of the information contained therein. The report will also include a reference for any literature cited, and a list of people contacted during the study and referenced in the report.

**Applicable Legislation:**

Section 2 of the Planning Act indicates that Council shall have regard to matters of Provincial interest including the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest. Section 3 of the Planning Act requires that decisions of Council shall be consistent with the Provincial Policy Statement.

Policy 4.6.1 of the Provincial Policy Statement requires that protected heritage property which may contain built heritage resources of cultural heritage landscapes, shall be conserved. The Provincial Policy Statement also encourages planning authorities to develop and implement proactive strategies for the conservation of significant built heritage resources and cultural heritage landscapes. The Provincial Policy Statement defines a built heritage resource as a building, structure, installation or any manufactured or constructed part of remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an indigenous community. Conserved is defined as meaning 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 under the Ontario Heritage Act. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, heritage impact assessment, and/or other heritage studies. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

**Required Contents:**

The CP shall include, but is not limited to, the following sections/information.

**A. Introduction**

- ☐ Ownership/applicant information.
- ☐ Party/firm retained to write the report.
- ☐ Purpose of the Conservation Plan.
- ☐ A description of the location of the site and its municipal and legal property address.
- ☐ A summary of the development proposed, including alterations, new buildings or structures to be constructed, buildings or structures to be removed, and land uses.
- ☐ The identification and summary of baseline documentation or other heritage studies which informed the completion of the Conservation Plan.

## **B. Heritage Context Analysis:**

- ☐ Identification and description of all cultural heritage resource(s), including the cultural heritage value or interest and associated heritage attribute(s) of the resource(s).
- ☐ An assessment of the current physical condition and integrity of the cultural heritage resource(s) and heritage attribute(s), with a view toward making recommendations regarding appropriate repair and maintenance, in keeping with good conservation practice.
- ☐ Identification of the conservation principles and guidelines to be applied for the type of heritage resource/attributes being conserved and the specific conservation work being undertaken to repair, maintain, and protect the heritage resources and attributes. These conservation principles and guidelines may be found in publications such as: Parks Canada – Standards and Guidelines for the Conservation of Historic Places in Canada; Eight Guiding Principles in the Conservation of Building Heritage Properties, Ontario Ministry of Citizenship and Multiculturalism; and the Ontario Ministry of Citizenship and Multiculturalism's Ontario Heritage Tool Kit (all available online). They should also consider Heritage Conservation District Plans, where applicable.
- ☐ Visuals (including but not limited to a site location map, aerial photography/imagery, photographs)

## **C. Measures and Implementation**

- ☐ Identification of the short (prior to construction) medium (during and immediately after construction) and long-term conservation measures to be applied to the subject property and cultural heritage resource(s) and attribute(s). Such measures shall describe the documentation, stabilization, repair, monitoring, and maintenance strategies required to be undertaken for each term and shall reference the qualification of anyone responsible for undertaking such work.
- ☐ Short-term conservation work shall include but is not limited to:
  - Documentation (through detailed description and photographs) of heritage attributes proposed to be demolished, removed, salvaged or otherwise irreversibly damaged.
  - Description and specifications for work required to be undertaken to conserve heritage attributes in need of immediate repair and stabilization to prevent further deterioration, damage and the potential loss of such attributes.
  - Monitoring strategy to protect the property from vandalism or fire (e.g. methodology for monitoring; frequency of monitoring; and process to address issues that arise through monitoring).
- ☐ Medium-term conservation work shall include but is not limited to:
  - Description and specifications for work required to be undertaken to heritage attributes as part of the proposed development and/or rehabilitation (to include demolition, removal and salvage of heritage attributes; the stabilization, repair and cleaning of heritage attributes; and the reconstruction or replacement of heritage attributes). Such work may be divided into phases.

- Any protective mitigation measures that might need to be implemented including but not limited to protective fencing, vibration monitoring, submission and approval of a hoarding plan.
- Long-term conservation work shall include but is not limited to:
  - Identification of a monitoring program addressing appropriate measures for the ongoing maintenance of the heritage resources and attributes, post development/rehabilitation.
  - Provide a recommended schedule for conservation work, inspections, monitoring, maintenances, and phases (short, medium, and long-term).
- Identification of measures to be applied in case unwanted damage does happen to heritage resources during construction.
- The proposed or anticipated schedule for the phases of work and the associated conservation measures being applied.
- A cost estimate of the conservation work to be undertaken in the short-term to heritage resource(s) or attribute(s) in need of immediate repair and stabilization to prevent further damage and deterioration. Such cost estimate must be prepared by a qualified individual or consultant and be to the satisfaction of the City's Heritage Planner. In order to ensure implementation of the Conservation Plan, the City may require the owner to post a Letter of Credit equal to the value of the short-term conservation work as a condition of the approval of the subject application.
- A cost estimate of the conservation work to be undertaken in the medium-term to heritage resource(s) or attribute(s) to be protected/conserved during the construction process. Such cost estimate must be prepared by a qualified individual or consultant and be to the satisfaction of the City's Heritage Planner. In order to ensure implementation of the Conservation Plan, the City may require the owner to post a Letter of Credit equal to the value of the medium-term conservation work as a condition of the approval of the subject application.

#### **D. Conclusions & Recommendations**

- Concluding statement regarding the adherence of the proposal with best heritage conservation practices and principles.
- Summary of recommended conservation measures to be implemented.

#### **Approval Process**

One (1) digital pdf copy shall be provided to Heritage Planning staff. The CP will be reviewed by Heritage Planning staff and a recommendation will be made to the Director of Development and Housing Approvals. Approval of the CP by either the Director of Development and Housing Approvals or the Heritage Planner is required prior to issuance of approval of the application.

## **Additional Information**

1. City staff reserve the right to require a peer review of submitted material, to be conducted by a qualified heritage consultant at the expense of the applicant. The applicant will be notified of staff's comments and acceptance, or rejection of the report. An accepted CP will become part of the further processing of a development application under the direction of the Planning Division. The recommendations within the final approved version of the CP may be incorporated into development related legal agreements between the City and the proponent at the discretion of the municipality.
2. Deeming an application complete does not guarantee that the contents of the study are acceptable to City staff and/or that the application will be approved.
3. If a request for a CP is not made at an earlier stage in the development process, this does not preclude the City from requesting a CP at a later stage. Once an application has been deemed "complete", the City may require additional information, reports, and/or studies following a more detailed review to assess the implications of an application for approval.
4. The City of Kitchener is committed to complying with the Accessibility for Ontarians with Disabilities Act (AODA). In our everyday work with businesses institutions, and community partners we anticipate the same commitment to AODA compliance. Therefore, the CP must be AODA compliant and must meet the current provincial standard for compliance. '
5. The City reserves the right to request an updated study, or an addendum thereto, should staff determine that changes in the development proposal or changes to legislation warrant further/modified planning analysis.
6. Documents and all related information submitted to the City as part of a complete development application are considered public documents once submitted.
7. This Terms of Reference document is intended to be used for guideline purposes only and will be used to provide technical direction throughout the planning and development process. Completion of a report in alignment with the requirements of this Terms of Reference will not guarantee approval of the development application in question.
8. This TOR is relevant at the time of publishing and will be updated as necessary to reflect current policy, best practices, and accepted standards. It is the applicant's responsibility to ensure the report is prepared in accordance with the most recent version of the TOR issued by the City.