

Relocation Plan

Study Description:

A Relocation Plan addresses how identified cultural heritage resources and associated heritage attributes will be moved and conserved. The cultural heritage resources 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 Relocation Plan shall describe the methodology proposed to move a heritage resource, including any short-term work required to the site or the building in preparation of the move, and the medium-term work required during the move of the structure and immediately following the relocation. It will also outline emergency procedures and responses to be implemented in the case where unintended damage or destruction occurs during the moving process.

Purpose:

The purpose of this Terms of Reference (“TOR”) is to establish clear expectations and requirements for the preparation of a Relocation 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 Relocation Plan could be incorporated within a Conservation Plan or be created as a standalone document. The City may scope the requisite information to be contained in the Relocation Plan on a case-by-case basis, and in consultation with any applicable external agencies through the pre-consultation process

Qualified Person:

A Relocation 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.

The Relocation Plan should be prepared in consultation with the qualified person(s) or company completing the moving of the cultural heritage resource (the “Mover’s”). The qualifications and background of the Movers should be included within the report, including a portfolio of past experiences/projects.

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 Relocation Plan 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 Relocation Plan.
- ☐ A description of the location of the site and its municipal and legal property address.
- ☐ A summary of the development proposed, including new buildings or structures to be constructed, buildings or structures to be moved or removed, and land uses.

- ☐ The identification and summary of baseline documentation or other heritage studies which informed the completion of the Relocation Plan.

B. Existing Conditions:

- ☐ Identification and description of all cultural heritage resources, including the cultural heritage value or interest and associated heritage attributes of the resources.
- ☐ 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. The assessment should confirm that the heritage resource is structurally stable / a good candidate for relocation.

C. Relocation Strategy

- ☐ Brief description detailing the suitability of the proposed new location (receiving site), including how the lot is appropriate for and supports a continued viable use of the heritage resource after relocation and how the relocated heritage resource fits into the overall development and/or neighbourhood.
- ☐ Description and specifications for **site preparation** work to be undertaken prior to the relocation of the heritage resource, such as:
 - Grading of the receiving site
 - Establishment of a receiving foundation.
- ☐ Description and specifications for **heritage resource** preparation work required prior to the relocation of the heritage resource, such as:
 - Work 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.
 - Any structural framework which may need to be established in order to facilitate the moving of the heritage resource.
- ☐ Description of the methodology proposed to complete the physically moving of the structure. This may include but is not limited to:
 - How the heritage resource is to be separated and lifted from its existing foundation.
 - Identification of the system which will be used in the relocation.
 - Identification of the proposed haul route.
 - Identification of how the heritage resource will be reestablished in the receiving site and repaired / rehabilitated. Any associated structural or engineered drawings related to the move.

- ☐ Identification of measure to be applied in case unwanted damage does happen to heritage resources during construction.
- ☐ Provide a recommended or anticipated schedule for the phases of the move.
- ☐ Provide a recommended communication strategy between the applicant/qualified professional(s) completing the work and the City's Heritage Planning staff outlining how and when notice to the City will be provided prior to the commencement of significant phases of work.

D. Relocation Strategy

- ☐ The Relocation Plan must include a cost estimate of the conservation work to be undertaken in the short-term to heritage attributes in need of immediate repair and stabilization to prevent further damage and deterioration as well as the medium-term work to be undertaken during and immediately following the relocation process. Such cost estimate must be prepared by a qualified individual or consultant. In order to ensure implementation of the Conservation and Relocation Plan, the City may require the owner to post a Letter of Credit equal to the value of the short and medium-term conservation work as a condition of the approval of the subject application. The Letter of Credit does not need to cover the cost of the move but is intended as security to pay for damages and remediation that may be required as a result of the proposed development/relocation.

E. Conclusions

- ☐ Concluding statement regarding the adherence of the proposal with best heritage conservation practices and principles.

Approval Process

One (1) digital pdf copy shall be provided to Heritage Planning staff. The Relocation Plan will be reviewed by Heritage Planning staff and a recommendation will be made to the Director of Development and Housing Approvals. Approval of the Relocation Plan 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 Relocation Plan 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 Relocation Plan 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 Relocation Plan is not made at an earlier stage in the development process, this does not preclude the City from requesting a Relocation Plan 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 Relocation Plan 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.