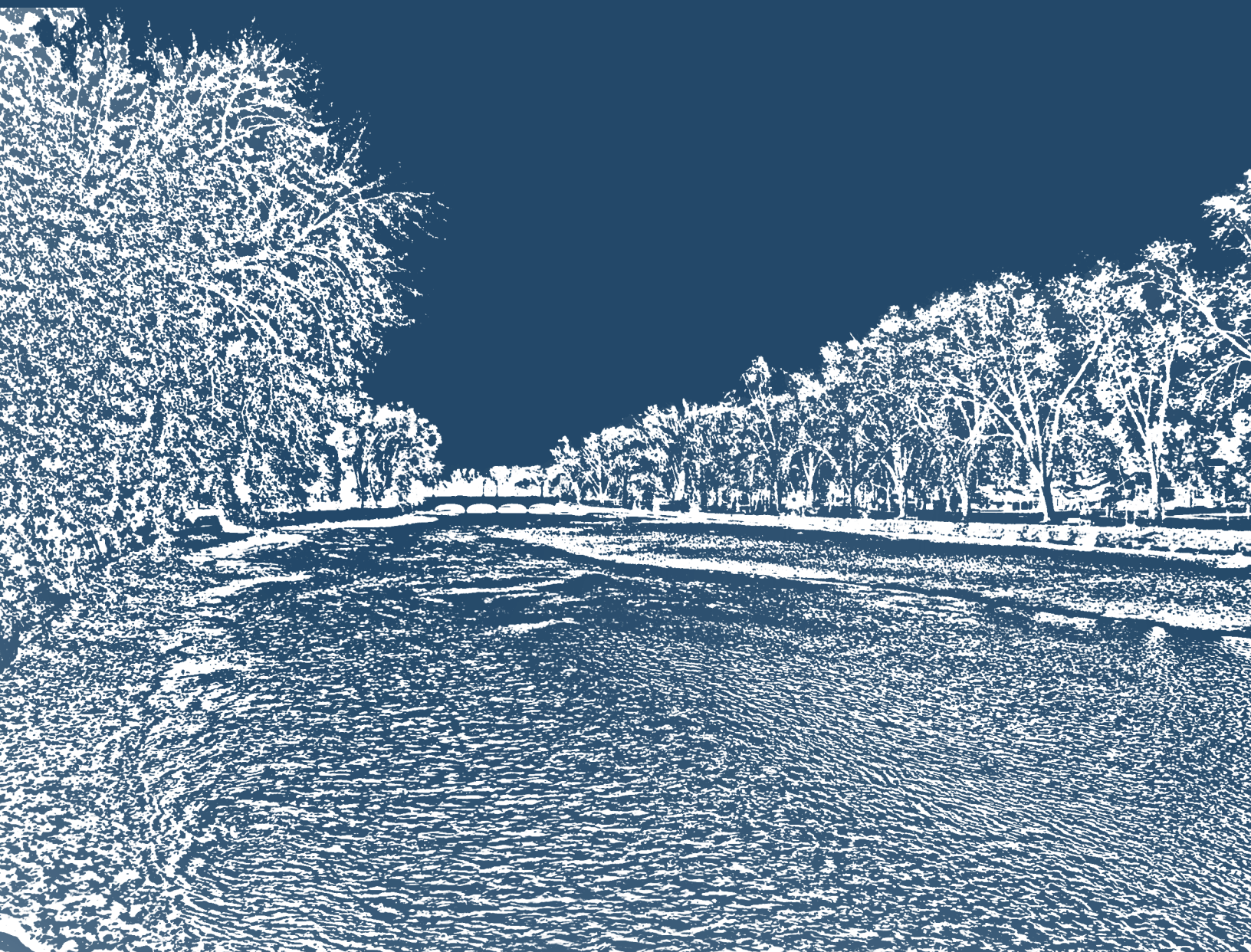
Brooklyn and College Hill Heritage Conservation District Study

Plan and Guidelines
Draft for Public Review

Prepared for City Of Guelph
April 2014



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Prepared for:

The City of Guelph
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MHBC
In association with
George Robb Architect

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1.0 INTRODUCTION

1.1 Purpose and format of the District Plan and Guidelines

The Brooklyn and College Hill Heritage Conservation District Study originated as an outcome of the City of Guelph's Community Improvement Plan (CIP) for the Old University and Centennial Neighbourhoods area. The CIP, finalized in 2006, identified a potential area suitable for study under Part V of the Ontario Heritage Act generally including the banks of the Speed River to the north and lands adjacent to Gordon Street.

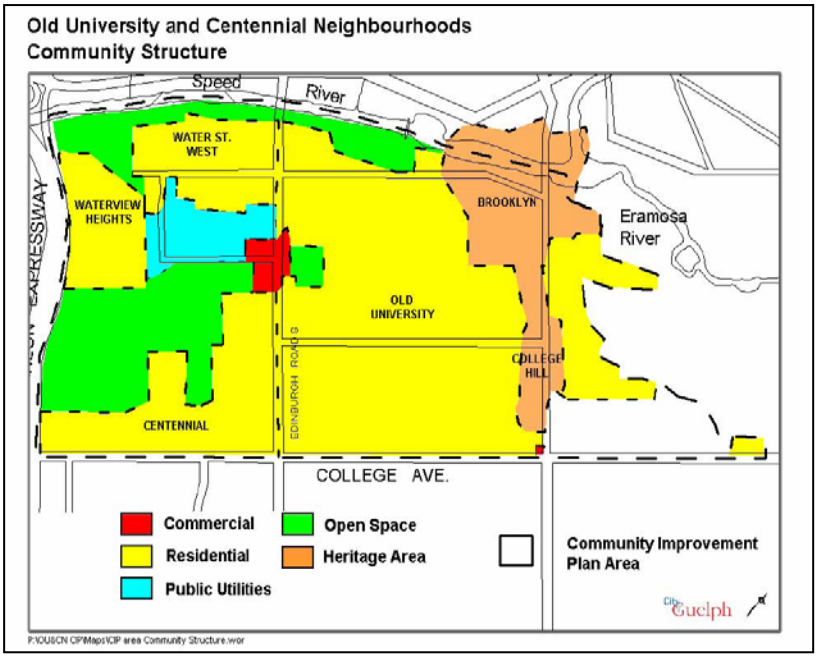


Figure 1.1: Extract from Old University and Centennial Neighbourhoods Community Improvement Plan

Following the CIP process, the City of Guelph retained MHBC Planning to prepare a Heritage Conservation District Study and Plan and Guidelines for the Brooklyn and College Hill area. The Heritage Conservation District Study (Heritage Assessment Report) was finalized in February 2012 and adopted by City Council in April 2012. The Heritage Assessment Report examined the character and history of the study area, and found that a portion of the Brooklyn and College Hill area met the Provincial guidelines for designation as a heritage conservation district. The report provided a rationale for the designation of this area, and identified a boundary for the proposed Heritage Conservation District. The Council resolution also authorized MHBC to undertake the second phase of the process, which is the preparation of the Heritage Conservation District Plan.

Concerns were raised regarding the proposed boundary at the Council meeting, so additional time was provided for the public to further comment on the boundary. Following this consultation period, City staff recommended further refinement of the HCD boundary, which was considered by Heritage Guelph and approved by City Council in December 2012 (see Figure 1.2 on following page).

The Brooklyn and College Hill Heritage Conservation District Plan and Guidelines provides guidance in the management, care and protection of the heritage character of the District, notably the Speed and Eramosa riverscapes and associated open space, the Gordon Street corridor and buildings fronting onto the street, and the residential areas of Brooklyn and College Hill. For the purposes of the Plan and Guidelines, properties have been divided into heritage properties and non-heritage properties (as shown in **Appendix A**), which is reflective of whether or not properties contain heritage building fabric. The District Plan is also accompanied by a separate report entitled Municipal Implementation (Part B) which provides a number of recommendations for action by the City of Guelph. These actions are related to refinements to the Official Plan, Zoning By-law and other municipal actions as well as guidance on a funding program and streetscape improvements in the public realm.

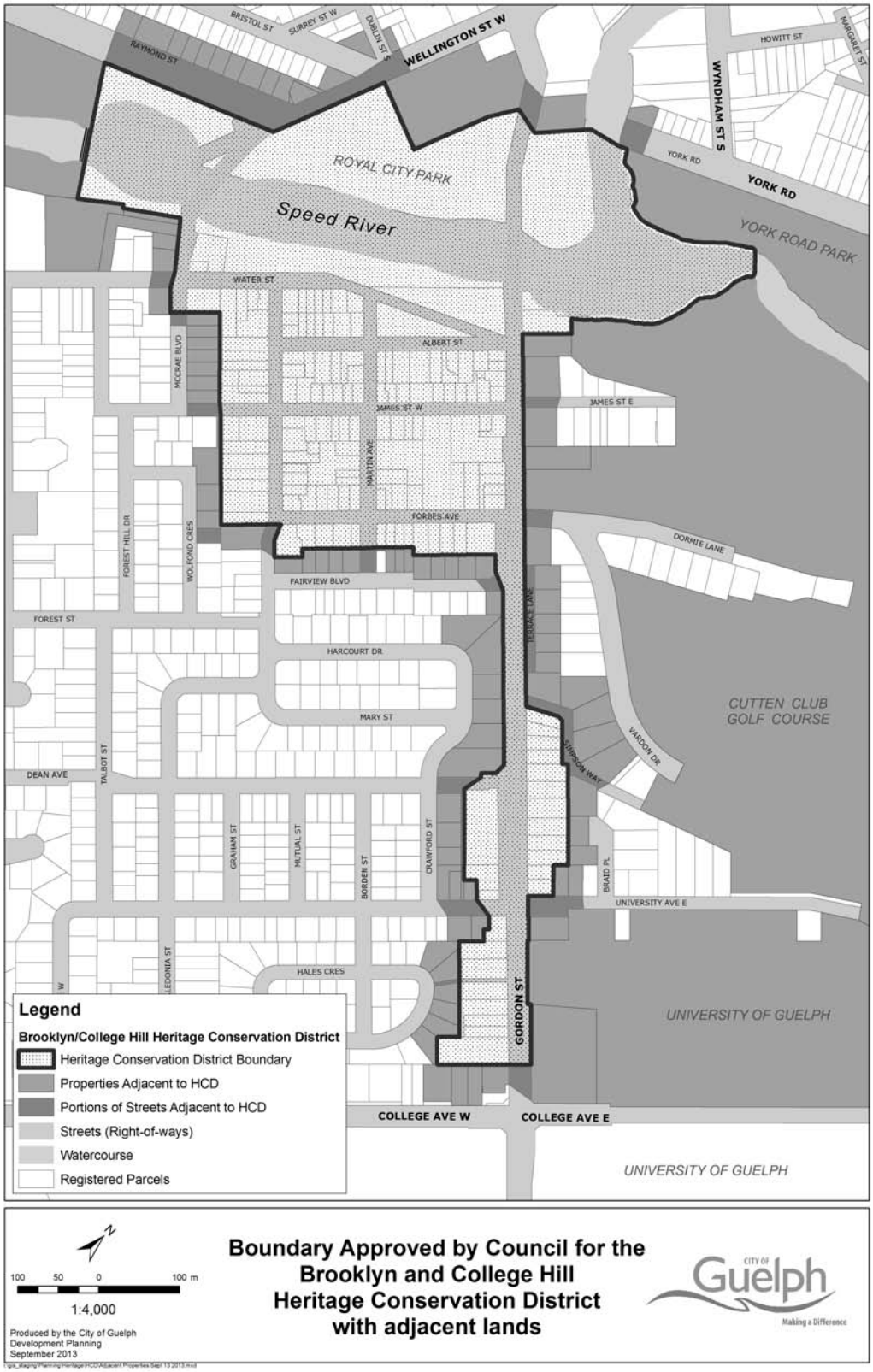


Figure 1.2: Council approved Brooklyn and College Hill HCD boundary.

The Brooklyn and College Hill Heritage Conservation District Plan and Guidelines is divided into a number of sections as follows:

Section 1 explains the provisions of the *Ontario Heritage Act* and contains those provisions that are legally required to be fulfilled, notably a statement of objectives, a statement of cultural heritage value and a description of the District's heritage attributes.

Section 2 provides a statement of intent for the heritage conservation district and recognizes roles and responsibilities in the management of the District.

Section 3 provides a short statement of conservation principles, goals and objectives.

Section 4 provides the key guidelines for managing changes to property and includes:

- information regarding the heritage permit process and how it applies to various properties within the Brooklyn and College Hill Heritage Conservation District;
- conservation guidance on appropriate changes to heritage fabric and features;
- design guidelines for alterations and additions to existing buildings and new construction and infill development on vacant lots;
- landscape conservation guidelines for private property owners;
- guidance on alterations and additions within the public realm; and
- guidance on accessible barrier-free alterations.

Section 5 provides a description of those alterations and classes of alterations that are exempt from regulation under Part V of the *Ontario Heritage Act*.

Section 6 provides recommendations regarding a regular review process for the Brooklyn and College Hill Heritage Conservation District Plan and Guidelines.

It must be emphasized that the Plan and Guidelines are intended to provide an objective minimum level of appropriateness for physical change over the coming years. The guidelines are not prescriptive in determining specific design solutions for each building or lot. This must be left to the property owner, their builders, architects, landscape designers, planners and engineers, as advised by City staff and committees reporting to Council in the implementation of these guidelines.

The Heritage Conservation District Plan and Guidelines make every effort to steer away from providing direction on or determining those matters which may be considered to constitute "architectural taste", particularly with respect to new building construction. Taste is inevitably subjective in nature and tends to relate to what people "like" based on past experience and associated comfort levels with the known and familiar. When new construction does occur within the District it is expected that these changes should represent the best of contemporary design skills and use of materials that the current era can contribute to this important area of Guelph.

1.2 Provisions of the *Ontario Heritage Act*

The *Ontario Heritage Act* is a prescriptive piece of legislation that provides very clear requirements for the content of heritage conservation district plans. Subsection 41.1 (5) of the Act provides that a heritage conservation district plan shall include:

"*(a) a statement of the objectives to be achieved in designating the area as a heritage conservation district;*

(b) a statement explaining the cultural heritage value or interest of the heritage conservation district;

(c) a description of the heritage attributes of the heritage conservation district and of properties in the district;

(d) policy statements, guidelines and procedures for achieving the stated objectives and managing change in the heritage conservation district; and

(e) a description of the alterations or classes of alterations that are minor in nature and that the owner of property in the heritage conservation district may carry out or permit to be carried out on any part of the property, other than the interior of any structure or building on the property, without obtaining a permit under section 42. 2005, c. 6, s. 31."

The following subsections 1.3, 1.4 and 1.5 contain the required plan components provided for in (a), (b) and (c). The requirements set out in (d) are found in Sections 3 and 4 and those in (e) are described in Section 5.

1.3 Statement of Objectives of proposed designation for the Brooklyn and College Hill Heritage Conservation District

In designating the Brooklyn and College Hill Heritage Conservation District, a number of key objectives are sought as follows:

- To maintain and conserve the heritage character of the Brooklyn area, the Gordon Street corridor, the Speed and Eramosa Riverscapes and Royal City Park.

- To protect and enhance heritage property in both the public and private realm including existing heritage residential buildings, institutional structures, road bridges, parks and open spaces, riverscape corridors and associated trees and vegetation.

- To avoid the loss or removal of heritage buildings, heritage structures and heritage landscape fabric, and encourage only sympathetic changes that are undertaken in a manner that if such alterations were removed in the future, the essential form and integrity of the heritage property, materials and fabric would remain unimpaired.

- To encourage property owners to make continuing repairs and undertake maintenance of their property in order to conserve the overall character and appearance of the District.

- To support the continuing care, conservation and maintenance of heritage properties wherever appropriate by providing guidance on sound conservation practice and encouraging applications to funding sources for eligible work.

- To encourage the maintenance and protection of the public realm of the District, as well as avoiding or minimizing adverse effects of public undertakings.

- To manage trees, treelines and grass boulevards that contribute to the cultural heritage value of the District.

- To protect, maintain and enhance parkland to the east and west side of Gordon Street by encouraging changes that respect the open space and the vegetative character of the public realm.

- To protect and maintain the Speed and Eramosa Riverscapes as cultural heritage places particularly the retention of an open body of water and associated embankments and seek a balance with natural heritage regeneration objectives and initiatives for these sensitive spaces.

- To encourage the maintenance of a low profile residential environment within the Brooklyn area of the District

- To support existing uses and adaptive re-uses wherever feasible within the existing building stock.

- To prevent the establishment of those land uses and associated built forms and features which would be out of keeping with or have negative impacts upon the residential and open space character of the District.

- To avoid the demolition of existing heritage buildings or structures and their replacement with incompatible new development

- To permit new development that respects or otherwise complements the prevailing character of the existing heritage buildings and landscapes within the District.

- To encourage public realm improvements within the Gordon Street corridor that respect the historical associations of this early transportation route as well as promote a pedestrian friendly environment that links Downtown Guelph, Royal City Park and the University of Guelph campus.

- To examine funding sources and adopt appropriate funding programs within the City of Guelph's capability to provide ongoing support to District property owners.

1.4 Brooklyn and College Hill Heritage Conservation District: Statement of cultural heritage value

The Brooklyn and College Hill area contains a number of distinctive features and attributes. Key among these are the Speed and Eramosa Riverscapes and the Gordon Street corridor. The riverscapes have their origins rooted in the post glacial landscape created 10,000 years ago but which have been substantially modified by human activity, specifically within the past two hundred years. Similarly, the Gordon Street corridor is a historical transportation route that has been instrumental in providing an early nineteenth century connection over the Speed River since 1827, linking Guelph with Dundas as a former head-of-the-lake port. Together these linear corridors in the landscape have developed as organizing spines around which a variety of diverse activities, spaces and buildings have located from the nineteenth century to the present day.

This early nineteenth century crossing area also became the location for early milling activity attracting the interest of miller Peter Gow who constructed a retaining dam, mill pond, head and tail races as well as manufacturing buildings along the Speed. The material remains of these milling operations no longer exist, however it is now the associated residential and later institutional and commercial structures that have important associations with these former historical activities and related people. The growth of the compact settlement around Water, Albert, James, Ann (now Martin Avenue) and Mary Streets resulted in a variety of stone, frame and brick residential structures together with a number of supporting community buildings such as Sunday schools. Adjacent to the banks of the Speed River, both to the north and south a system of park land also slowly evolved as milling activities declined and slowly vanished from the landscape. By the mid-1990s the Speed and Eramosa rivers (as tributaries of the Grand River) had been recognised as part of the federal and provincial Canadian Heritage River System due to both outstanding human heritage features and values, as well as the excellence of recreational opportunities.

1.5 Brooklyn and College Hill Heritage Conservation District: Description of the District's heritage attributes

The boundary of the Brooklyn and College Hill Heritage Conservation District encompasses a number of distinctive cultural heritage attributes (as shown on Figure 1.2 and in **Appendix A**), notably:

A concentration of heritage resources

The proposed Heritage Conservation District contained within this boundary meets a number of those characteristic identified by the Ministry of Tourism, Culture and Sport (MTCS). The area contains a concentration of heritage buildings, sites, structures, designed and natural landscapes. These include the nationally recognised McCrae House, distinctive bridges, numerous vernacular heritage residences, Royal City Park, the Speed and Eramosa waterways and the historical Guelph and Dundas Road (Gordon Street). These features also have unique historical associations with transportation routes, community growth, City beautification and institutional development.

A framework of structuring elements

The proposed District is also distinguished by a framework of structuring elements. In the north are the underfit former glacial stream channels of the Speed and Eramosa Rivers, now occupying broad and expansive valley lands. Gordon Street, a historic transportation corridor

with its origins in the 1820s, comprises the main spine of the District and carves out a route from the valley lands to the north, up the former glacial outwash slope to the table lands of the Wentworth Till plain in the south, at the intersection with College Avenue.

Visual coherence
The framework of structuring elements also provides a considerable degree of visual coherence through the layering of human activities and designs on the landscape. The valley lands have been extensively designed and used as public open space and parkland. Portions of these lands and outwash slope are also distinguished by a structured grid of generally low profile residential forms from the 1850s to the 1950s along Gordon Street and within the Brooklyn area. All provide a distinct sense of time and place.

A distinctive character
All the above attributes result in an area and landscape of distinctive character that separates it from the University campus to the south, the commercial and downtown core to the north, the golf course to the east and the mid-twentieth century residential suburb to the west.

1.6 Terms and definitions

The following comprises a list of some of the more commonly used terms and definitions in this District Plan. Sources are sometimes indicated to show where the term has been derived,

Adjacent lands means:
For the purpose of designated property or protected heritage property, any parcel of land that:

i) shares a boundary with a parcel containing a designated property or protected heritage property;

ii) is separated from a designated property or protected heritage property by a right–of-way (e.g., road) and within the span of the extended lot lines of the parcel containing a designated property or protected heritage property or is located at a corner opposite a corner property that is a designated heritage property or protected heritage property;

iii) is within 30 metres of a designated heritage property or protected heritage property in instances where a designated heritage property or protected heritage property is within a right-of-way (e.g. bridge) or located on a parcel 2.5 hectares in area or greater.

(City of Guelph Official Plan – OPA 48)

Adverse effects include those conditions resulting in the attrition of heritage properties and include: the destruction, loss, removal or incompatible alteration of all or part of a heritage property; the isolation of a heritage property from its surrounding streetscape or setting; or the introduction of physical, visual, audible or atmospheric elements that are not in character with a heritage property and/or its setting.

Alter means to change in any manner and includes to restore, renovate, repair or disturb and "alteration" has a corresponding meaning (*Ontario Heritage Act*).

Beneficial effects include those conditions resulting in: the protection of heritage properties from demolition or removal; the retention of a heritage property in situ in a structurally stable and sound condition or state of repair; accurate restoration of a heritage property; the sympathetic alteration or repair of a heritage property to permit an existing or new use; enhancement of a heritage property by accommodating compatible new development; or maintenance of a heritage property through the repair and replacement of worn-out components and using compatible materials and techniques.

Character means the collective qualities and characteristics that distinguish a particular area or neighbourhood.

Compatibility/compatible means development or redevelopment which may not necessarily be the same as, or similar to, the existing development, but can co-exist with the surrounding area without unacceptable adverse impact. *(City of Guelph Official Plan – OPA 48)*

Conserved *(and* ***conservation***) means: in regard to cultural heritage resources, the identification, protection, use and/or management of cultural heritage resources and archaeological resources in such a way that their heritage attributes and integrity are retained. This may be addressed though a cultural heritage conservation plan or cultural heritage resource impact assessment. *(City of Guelph Official Plan – OPA 48)*

Cultural heritage landscape means groups of features made by people. The arrangement of features illustrates noteworthy relationships between people and their surrounding environment. They can provide the contextual and spatial information necessary to preserve, interpret or reinforce the understanding of important historical settings and changes to past patterns of land use. Cultural heritage landscapes include such groups of features as neighbourhoods, townscapes and farmscapes. ***(****City of Guelph Official Plan).*

Cultural heritage resources include buildings, structures and properties designated or listed under the *Ontario Heritage Act*, significant built heritage resources, and significant *cultural heritage landscapes* as defined and interpreted by the applicable (*Provincial Policy Statement).*

Designated property means property designated under Part IV and / or Part V of the *Ontario Heritage Act.*

Heritage attributes means, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest. (*Ontario Heritage Act*).

Heritage fabric means all those historical physical building, landscaping, and construction materials of the heritage property.

Heritage building means a building that generally exhibits their historic form or architectural style and heritage building fabric.

Listed property means property listed as a non-designated in the Municipal Register of Cultural Heritage Properties

Non-heritage building means a building that was either constructed since approximately 1970, or a building constructed prior to 1970 that has undergone extensive modifications removing much of the heritage fabric or altered the historic form.

Property means real property and includes all buildings and structures thereon. (*Ontario Heritage Act*).

Protected heritage property means real property designated under Parts IV, V, or VI of the *Ontario Heritage Act;* heritage conservation easement property under Parts II or IV of the *Ontario Heritage Act;* and property that is the subject of a covenant or agreement between the owner of the property and a conservation body or level of government, registered on title and executed with primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss. (City of Guelph Official Plan – OPA 48)

Restoration means to return a heritage property to a known earlier form, by the reassembly and reinstatement of lost features or attributes, and/or by the removal of features that detract from its heritage values, attributes and integrity.

2.0 STATEMENT OF INTENT

Given the diverse interests and values that may exist within the heritage conservation district plan area, it is important to recognize in a formal statement of intent the key assumptions that are to be sought in conserving, protecting and managing the heritage conservation district. These are contained in the following subsections and are intended to provide guidance to property owners, tenants, Council, the City of Guelph municipal heritage advisory committee (Heritage Guelph), City staff and others who have interests in the District.

2.1 Overall intent

Within the Brooklyn and College Hill Heritage Conservation District it is the intent of Council to guide and manage physical change and development within the District by:

- Adopting the Brooklyn and College Hill Heritage Conservation District Plan and Design Guidelines;

- Making decisions about heritage permit applications for alterations, demolitions and new construction under Part V of the Ontario Heritage Act according to the Brooklyn and College Hill Heritage Conservation District Plan and Guidelines;

- Initiating appropriate public works, improvements and financial incentives to conserve and enhance the character of the Brooklyn and College Hill Heritage Conservation District within the financial capabilities of the City of Guelph; and

- Complementing these actions by making appropriate amendments to Official Plan policies, the City's Zoning By-law and other relevant City by-laws.

2.2 Heritage interests, property owner interests and community interests

Council recognizes that within the Brooklyn and College Hill Heritage Conservation District there may be a number of diverse interests. In certain instances these interests may be complementary to each other; inevitably others may be in direct conflict. Some owners of heritage property will see themselves as custodians of the family's, community's and the province's heritage with a perceived responsibility to conserve and protect for future generations. Other property owner's may see it as their priority and role to provide comfortable and liveable domestic surroundings for themselves and their family regardless of heritage considerations.

Accordingly, Council:

- Seeks to ensure that any conflict among the community and individual interests is at best avoided or minimized at every opportunity.

2.3 Brooklyn and College Hill Heritage character

Council recognizes that:

- The Brooklyn and College Hill Heritage Conservation District comprises a distinctive ensemble of heritage buildings, streetscapes, open spaces and riverscapes that have resulted from over a century and a half of many natural, social, economic and physical changes;

- The Brooklyn and Gordon Street residential heritage character, diverse streetscapes and Speed Riverscape are to be conserved and protected in the process of future change.

- Change in the future is expected within the Brooklyn and College Hill Heritage Conservation District yet it must be carefully managed in a manner that does not adversely affect the distinctive heritage character of the District; and,

- Any proposed change within the District shall be considered within a number of Council approved conservation, design, landscaping and planning guidelines and with consideration of the individual merits of the proposed change.

2.4 City of Guelph conservation management approach

Council recognizes that:

- District designation under Part V of the Ontario Heritage Act, does not seek the prohibition of change or restoration of the district to a former past historical state, but simply establishes a mechanism for the municipal review and determination of heritage permit applications for changes to properties, both public and private within the district.

- It cannot compel, nor does it seek to compel, the restoration of heritage properties within the District.

2.5 Custodial responsibility

Council recognizes that:

- Owners of heritage property are considered to be the prime custodians of the Brooklyn and College Hill Heritage Conservation District.

2.6 Alteration of properties

Council recognizes that:

- Property owners may wish to add on to buildings and structures, alter building and landscapes or otherwise change their property to accommodate required living space or new facilities and Council may permit such work provided it is in conformity with the applicable guidelines contained in the District Plan.

2.7 Restoration of heritage properties

Council recognizes that:

- Property owners may wish to restore heritage properties and Council may encourage such work by making grants available for eligible work and ensuring conformity with the applicable guidelines in the District Plan.

2.8 Fair and equitable consideration

Council will undertake to ensure that:

- All residents and property owners within the Brooklyn and College Hill Heritage Conservation District shall be afforded fair and equitable consideration in the determination of heritage permit applications within the District.

3.0 CONSERVATION PRINCIPLES AND GOALS

3.1 Introduction

The intention of the Brooklyn and College Hill Heritage Conservation District Plan is to ensure the wise management of physical change and development in order to conserve the unique character of the District and its component properties, buildings, structures, works and spaces. It is expected that most conservation issues will be addressed through the application of the policies and guidelines of the District Plan contained in the following Sections 4 and 5.

The following principles, goals and objectives form the broad framework for considering alterations to heritage properties and their defining attributes. These principles are based upon a number of national and international charters or "declarations" respecting the management of cultural heritage resources.

Guidelines on alterations to heritage properties are addressed in Section 4. Every attempt has been made to be as comprehensive as possible, covering all aspects of potential alterations including minor changes such as attaching features to heritage buildings or cutting in new openings, more substantial changes such as constructing building additions or major changes including property demolition or removal.

Where a particular form of change or alteration has not been anticipated in the guidelines then the principles, goals and objectives in this section should form the basis for advice and decision making. Typically in such situations the questions posed and that should be addressed are:

- Does the alteration involve the loss of heritage materials, features or other forms of attributes?

- If it does not then the remaining matters to be addressed may be simply matter of design or "good fit" and a heritage permit may be approved or approved with conditions.

- If the alteration involves only the minor loss of heritage materials or attributes (and is considered to be a lesser matter in the overall scheme of alterations) and which would generally benefit the district by supporting a new or adaptive re-use or contribute to an improved building form or addition to the streetscape then again a heritage permit may be reasonably approved or approved with conditions.

- Where the alteration involves the substantial loss of heritage attributes, i.e., it is so overwhelming or flagrant that it would be considered to have adverse effects upon the property and District then it is reasonable to either refuse such proposed change or advise on a more appropriate and acceptable form of alteration.

Decisions may be guided by 8 principles which lay out a straightforward approach to planning for the conservation of historic structures. These principles are contained in a Ministry of Culture Information Sheet published in 2007:

1) ***Respect for documentary evidence:*** Do not base restoration on conjecture. Conservation work should be based on historic documentation such as historic photographs, drawings and physical evidence.
2) ***Respect for the original location:*** Do not move buildings unless there is no other means to save them. Site is an integral component of a building or structure. Change in site diminishes cultural heritage value considerably.
3) ***Respect for historic material:*** Repair/conserve -rather than replace building materials and finishes, except where absolutely necessary. Minimal intervention maintains the heritage content of the built resource.
4) ***Respect for original fabric:*** Repair with like materials. Repair to return the resource to its prior condition, without altering its integrity.
5) ***Respect for the building's history:*** Do not restore to one period at the expense of another period. Do not destroy later additions to a building or structure solely to restore to a single time period.
6) ***Reversibility:*** Alterations should be able to be returned to original conditions. This conserves earlier building design and technique, e.g. When a new door opening is put into a stone wall, the original stones are numbered, removed and stored, allowing for future restoration.
7) ***Legibility:*** New work should be distinguishable from old. Buildings or structures should be recognized as products of their own time, and new additions should not blur the distinction between old and new.
8) ***Maintenance:*** With continuous care, future restoration will not be necessary. With regular upkeep, major conservation projects and their high costs can be avoided.

3.2 Brooklyn and College Hill Heritage Conservation District: Conservation Principles

Any proposed property alterations within the Brooklyn and College Hill Heritage Conservation District will be considered with regard to the following principles:

a) All proposed alterations should be based upon and preceded by sufficient background information, site analysis and documentation to identify any heritage attributes that may be potentially affected by the proposed alteration.

b) Where heritage attributes may be affected by a proposed alteration it is intended that such attributes will be safeguarded to the extent possible and there shall be a presumption in favour of retaining the distinguishing attributes of a heritage property.

c) The destruction, loss or removal of heritage attributes, such as historical materials, architectural features or distinguishing landscaping shall be considered as the least desirable course of action.

d) The historic landscape features of the District, such as parks, open space, riverscapes and tree-lined streets shall be maintained, monitored and replaced where necessary in order to preserve the overall landscape character of the area.

e) Past alterations or changes to heritage properties may be of cultural heritage value or interest in their own right and may be protected in the consideration of any new alterations.

f) Heritage properties are to be retained and re-used and there shall be a presumption in favour of retaining the distinguishing attributes of a heritage property.

g) There shall be a presumption against the demolition, loss or removal of heritage buildings or structures unless deemed by the City of Guelph's Chief Building Official that such a property is unsafe and a threat to human safety.

h) Any alteration that proposes the repair of heritage attributes, or the replacement or restoration of missing heritage attributes, shall be informed by historical, pictorial or documentary evidence to provide an appropriate repair or replication.

i) The repair and maintenance of heritage attributes is preferred rather than replacement with new materials.

j) Where replacement of architectural features is unavoidable the new features should match the replacement in composition, design of heritage buildings, texture, colour size and level of craftwork as appropriate.

k) Surface cleaning of heritage properties should generally be avoided and shall only be permitted when accumulated dirt or related chemical and physical interactions have been demonstrated to be adversely affecting the patina or historical fabric of the property.

l) Any method of cleaning that is potentially capable of damaging heritage building materials shall be avoided including sandblasting, high pressure water washing, and strong chemical cleaning.

m) Appropriate test patches for any cleaning method may be undertaken provided that they are located in inconspicuous places on the property and subject to a heritage permit application

n) Alterations, including new additions to property may be permitted where they do not involve the excessive loss or removal of defining heritage attributes such as historical, architectural, streetscape or other cultural materials and features.

o) Contemporary design of alterations, including the addition of new buildings or structures to a property, may be permitted where they are of a size, location, and colour that is compatible with the prevailing character of the property, building, streetscape and District.

p) New construction comprising freestanding buildings will be encouraged to be of contemporary design and shall respect the prevailing character of adjacent properties, the streetscape, landscaping and existing grades. New construction shall be compatible with nearby properties in terms of location, size, height, setback, street orientation, materials, colour, roof and rooflines, and patterns of fenestration and entranceways.

3.3 Brooklyn and College Hill Heritage Conservation District: Conservation Goals

Aside from the identification of conservation principles, sound management of change within a heritage conservation district also relies on the expression of a clear statement of goals. Although goals are by their very nature general in scope they are of importance in providing overall direction for more detailed guidance and action, expressed later in this plan

3.3.1 General

a) To maintain the primarily residential character of the District.

b) To conserve the heritage attributes of individual properties and their contribution to the collective heritage attributes of the character of the District.

c) To avoid the loss or attrition of the Brooklyn and College Hill Heritage Conservation District character by permitting only those changes that are complimentary and undertaken in the least destructive manner and in a way that if such alterations were removed in the future the form and integrity of the heritage property would generally remain unimpaired.

d) To permit only those alterations, new construction or demolitions that conform to the goals, objectives, policies and guidelines of the Brooklyn and College Hill Heritage Conservation District Plan.

3.3.2 Heritage properties, streetscapes, land use and new development

a) To encourage the continuing maintenance and repair of heritage properties by property owners either under private or public ownership.

b) To support the continuing and appropriate conservation of heritage properties by providing guidance on sound conservation practice in the consideration of heritage permits under the *Ontario Heritage Act* and by encouraging applications to existing funding sources for eligible conservation work.

c) To encourage the maintenance and conservation of the predominant one to two-and-a-half storey streetscape character of the majority of the streets by accommodating required alterations that emphasise development in depth on a lot rather than by upper storey additions and increases in height.

d) To maintain and conserve individual trees and other substantial forms of vegetation where they form or contribute to character defining attributes of the Brooklyn and College Hill Heritage Conservation District.

e) To avoid or minimize any adverse direct or indirect effects of public undertakings on heritage properties and streetscapes.

f) To support the adaptive re-use of heritage properties where those uses contribute to the active conservation of heritage properties and do not result in any adverse effects to distinctive or valued building heritage fabric.

g) To discourage those land uses and associated built forms which would not be compatible with or that would have adverse effects upon the principal land uses within the Brooklyn and College Hill Heritage Conservation District and its component sub-districts.

h) To encourage new construction and development only when it does not involve the demolition of a heritage property.

i) To permit the construction of new buildings where they are compatible with heritage properties and streetscapes within the Brooklyn and College Hill Heritage Conservation District and where the introduction of long, linear blocks of unbroken or unarticulated façades are avoided.

4.0 GUIDELINES FOR MANAGING CHANGE TO PROPERTY

4.0.1 Introduction

The character of the Brooklyn and College Hill Heritage Conservation District is determined by its eclectic mix of building types and uses reflecting a rich history of industrial, commercial, residential, and recreational development and change over the past century and a half.

As noted in Section 3, the intent of the Brooklyn and College Hill Heritage Conservation District Plan and Guidelines is to ensure the management of physical change in the process of continuing development in a way that protects and conserves the unique character of the District.

The following sections have been arranged to address a variety of issues including advice on appropriate alterations to various types of buildings, as well as open spaces and vegetation. Guidance is also provided on building removal and demolition. With respect to the restoration of heritage properties, there is a wide variety of source material on the care and conservation of heritage building fabric available. Publications and web sites are now easily accessible to the public and rather than repeat this information, property owners are encouraged to review these sources in order to acquaint themselves with current building and landscape conservation best practices.

In Canada, the *Standards and Guidelines for the Conservation of Historic Places in Canada* (produced by Parks Canada) provides a sound reference document for initial guidance (available at: http://www.historicplaces.ca/en/pages/standards-normes.aspx). For further detail, a series of bulletins entitled *Preservation Briefs* (published by Technical Preservation Services, Heritage Preservation Services Division, US National Park Service) also address a comprehensive array of topics. Representative titles of interest to owners of property in the district include:

#2 Re-pointing Mortar Joints in Historic Buildings

#8 Aluminum and Vinyl Siding on Historic Buildings

#22 The Preservation and Repair of Historic Plaster

#32 Making Historic Properties Accessible

These papers (and others that may be of interest) are available at: http://www.nps.gov/tps/how-to-preserve/briefs.htm

Physical change within the Brooklyn and College Hill Heritage Conservation District is expected to fall into one of the following three categories:

- Alterations, which are essentially undertaken within the surface planes of buildings (such as the installation of doors, windows, skylights) or as additions to existing built forms that essentially add new forms and massing;
- New construction, notably through infill development or redevelopment of existing vacant properties; and
- Public works.

Most alterations are undertaken to update the appearance of a building or property, to enable the installation of modern facilities or additional space, or to reduce exterior maintenance and upkeep costs. Individually each of these actions may appear to be inconsequential on their own. Yet their cumulative impacts on the character of the Brooklyn and College Hill Heritage Conservation District have the potential over the long–term to create an overall attrition of the unique and distinctive heritage qualities that distinguish the District. In time, it is possible for all traces of earlier building forms and materials to be lost.

4.0.2 Format of guidelines

These guidelines are organized into seven key subsections that address contemplated or potential changes to property within the Brooklyn and College Hill Heritage Conservation District (**Appendix A** contains a listing of properties within the district and are classified as to whether they comprise primarily heritage building fabric or non-heritage building fabric). Each subsection addresses a number of guidelines that provide direction or advice on alterations to either heritage building fabric or non-heritage building fabric, as noted below.

- Alterations to heritage properties,
- Alterations to non-heritage properties,
- New building construction,
- Demolition of heritage properties,
- Demolition of non-heritage properties,
- Landscape conservation and design guidelines for the private realm, and
- Landscape conservation and design guidelines for the public realm.

Aside from providing guidance on generally accepted and sound building conservation practices (in order to assist in the determination of heritage permit applications anticipated under Part IV of the *Ontario Heritage Act*), additional guidance is also provided on matters relating to specific issues within the District.

4.0.3 Who should use the guidelines?

These guidelines are organized in a way to respond to those who are directly responsible for change in the Brooklyn and College Hill Heritage Conservation District, notably:

- Owners of heritage properties,
- Owners of non-heritage properties,
- Owners of vacant lots or land, and
- Municipal staff responsible for undertaking public work projects.

The guidelines are also to be used by the Municipal Heritage Committee (Heritage Guelph) and municipal staff in providing advice to Council of the City of Guelph in making decisions on heritage permits under Part V of the *Ontario Heritage Act*.

4.0.4 Heritage permit process

It is anticipated that most major changes to buildings, vegetation and spaces will be managed through the review and approval of heritage permit applications under Part V of the *Ontario Heritage Act*.

These permit applications will be considered in the context of the policies and guidelines in this document. It should be noted that these guidelines will also apply to properties located within the District that are also designated under Part IV of the *Ontario Heritage Act*.

Appendix A to the Brooklyn and College Hill Heritage Conservation District Plan and Guidelines contains a tabulated summary of heritage and non-heritage properties located within the Heritage Conservation District, as well as an accompanying map. These distinctions are useful because different types of guidelines will apply to heritage buildings (those that contain heritage fabric) and to non-heritage buildings (which may be contemporary buildings or older buildings where the heritage fabric has been significantly altered). For the purposes of applying these guidelines and managing change within the District, the critical focus is on protecting original heritage building fabric, materials and architectural features wherever they may exist in the district.

Every effort will be made by the City of Guelph to approve heritage permit applications or encourage property owners to make amendments to their applications so that they meet the intent of these guidelines. Where an application does not meet the intent of the policies and/or the guidelines the potential exists that the application may be refused by Council on the advice of Heritage Guelph and/or municipal staff. In certain instances, permits may be approved but with appropriate conditions that satisfy the intent of the District Plan and Guidelines.

4.1 GUIDELINES FOR ALTERATIONS TO HERITAGE BUILDINGS

Alterations to built heritage properties may take two fundamental forms. There are those alterations that are usually confined to the roof and wall planes of buildings, and include changes such as insulating wall surfaces, cutting new window openings, enlarging entrances and doorways and re-siding façades, for example. These are typically concerned with improving interior comfort levels or providing a new or fresh look to a building.

There are also those types of alterations that comprise changes to built form whereby extra building mass is added to a structure often involving substantial work that extends beyond the existing building envelope. Usually, additions are made to buildings to accommodate more business space in commercial enterprises or growing family needs, such as additional bedrooms, bathrooms, and living spaces in residential buildings.

Often an addition to an existing building is more cost-effective than acquiring new property, yet often has potential to damage built heritage fabric. Thus, a key objective to be achieved in the design of an addition is to ensure that new construction enhances the history and architectural detailing of the property and does not involve the loss of important heritage building materials and distinctive architectural features.

Accordingly, in any alteration requiring a heritage permit, the following principles will apply:

i) Design features of the heritage property, including buildings and surrounding lands should be maintained and enhanced with repair being preferable to replacement.

ii) Any potential change to a heritage property should be based upon a clear understanding of the specific problem or issue prompting the change.

iii) Proposed changes should be based on conservative or minimalist approaches that avoid the removal or loss of too much material, cleaning too vigorously or making buildings look inappropriately "historical".

iv) There will be a presumption in favour of keeping the distinguishing heritage characteristics of a heritage property intact. The loss or removal of historical building materials, architectural detailing and landscaping will be considered as the least appropriate form of alterations, and shall be avoided.

v) Alterations and changes that have occurred in the past may be of heritage value in their own right and add to the cumulative history and architectural value of a property and should be conserved.

vi) In considering alterations that involve the repair, replacement or restoration of missing heritage features, work shall be guided by historical, physical, graphic or documentary evidence. Guesswork, conjecture and speculation should be avoided and the use of new materials should match the existing composition, texture, size and level of craftwork as closely as possible.

vii) Cleaning the surfaces of heritage buildings should be undertaken using the least intrusive method as possible and avoiding any abrasive blasting techniques (e.g. sandblasting), high pressure water washing, and strong chemical cleaning.

viii) Contemporary design of alterations may be permitted where they:

- do not harm, damage or remove valued heritage property, features and other distinguishing historical, architectural, streetscape or cultural features, and
- are of size, location and material that is compatible with the character of the property, building, landscape or streetscape.

ix) Construction comprising new freestanding building masses within the heritage conservation district should fit with the prevailing character of adjacent properties, landscaping and existing grades and be compatible in design, size, location, height, setback, orientation to the street, materials, roof type, and fenestration.

x) Historical landscaping elements such as parks, open space, and streetscape vegetation shall be respected as an integral part of the Heritage Conservation District's character and will be conserved.

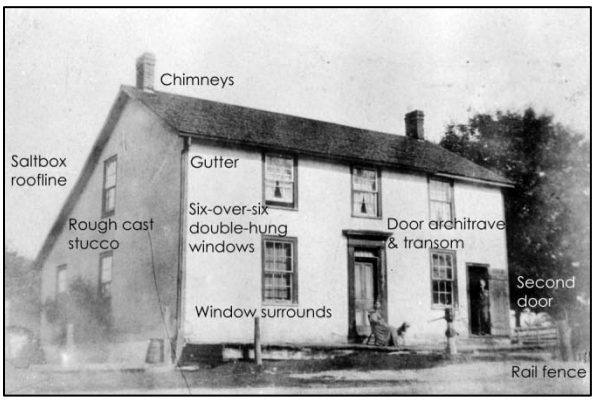
xi) The removal of structures from or relocating heritage structures into the Brooklyn and College Hill Heritage Conservation District shall be avoided.

4.1.1 Foundations and walls

Foundations of nineteenth century buildings were usually of stone or later brick. The early twentieth century saw the introduction of concrete block or concrete foundations. Early foundations are susceptible to water damage for a number of reasons. Lime-based mortars can be eroded by constant wetting. Ensure that surface drainage, especially from downpipes is directed away from foundation walls.

Protect original wall surfaces from cleaning methods that may permanently alter or damage the appearance of the surface or give a radically new look to the building. For example, sandblasting, strong chemical cleaning solutions or high pressure water blasting should be avoided.

Avoid the application of new finishes or coatings that alter the appearance of the original material, especially where they are substitutes for repair. Inappropriate materials include water repellant coatings, paint on brick or stone, aluminum or vinyl siding.



Retain, repair and maintain the original architectural detailing of the façade with particular attention to the cornice, fascia, window proportions and placement and window sash. Restore these elements when missing using historical photographs. Missing elements such as balconies should be restored where possible. Secondary entrances to upper floors should be differentiated from the primary entrance.

Brick and stone are the dominant wall finishes in the study area. Brick masonry requires re-pointing from time to time and this process should be undertaken by tradesmen with experience with nineteenth century construction. Generally, lime based mortar should be used and joints should replicate the original in finish, colour and texture.

Exterior Insulation and Finish Systems (EIFS) is strongly discouraged. EIFS is a late twentieth century acrylic substitute for plaster and has been known to promote mold growth and retain moisture in building fabrics that were intended to breathe. Its smooth sand finish and monolithic detailing is out of character in areas distinguished with durable natural materials (stone and brick) that demonstrate the patina of age.

4.1.2 Roofs

Decorative roof features and original roofing materials such as slate, wood shingles, copper, etc. on sloped roofs should be retained and conserved wherever possible.

Vents, skylights and other new roof elements should be sympathetic in type and material and that they are discretely placed out of general view from the street and public rights-of-way, whenever possible.

The addition of solar panels may be permitted on roofs, but should not damage or remove heritage fabric. Wherever possible, solar panels should be installed in places that are generally out of view from the public realm.

Roof drainage should be maintained and directed away from building foundations.

4.1.3 Windows

Protect and maintain original window openings as well as distinguishing features such as materials, surrounds (trim) frame, shutters, sash and glazing. Repair of original window materials and features is encouraged prior to replacement.

Modifications to the size, type or shape of window openings, removal of muntins, replacement of single glazing with insulated sealed units or covering of trim with metal or other material is discouraged.

Improvement in energy efficiency of single glazed units can be achieved with traditional exterior wood storm windows or contemporary interior magnetic storm glazing.

Avoid removing or blocking up window openings that are important to the architectural character and symmetry of the building.

Many of the original windows of buildings in the district have already been replaced. If replacing non-original windows, new windows that are compatible with the original in terms of proportions, rhythm and scale are encouraged; however, it is not necessary to replicate original windows in terms of historical details.

Storm windows can enhance the energy efficiency of wood windows

Blocking of window openings should be avoided

4.1.4 Entrances

Protect and maintain entrances on principal elevations where they are key elements in defining the character of a building. Recessed entrances should be maintained where they exist. Conserve important features such as doors, glazing, lighting, steps and door surrounds.

Where new entrances are required, they should be installed on secondary elevations.

Avoid removing or blocking up door openings that are important to the architectural character and symmetry of the building.

New doors that are compatible with the original in terms of material, proportions, rhythm and scale are encouraged; however, the new should not attempt to replicate the original in terms of historical details.

4.1.5 Features and spaces around buildings

Maintain traditional views of property by avoiding the masking or hiding of prominent building features.

Keep parking areas and outbuildings, utilities, such as heat pumps, air conditioners, and satellite dishes to the side or rear.

Maintain historic means of access including drives, walkways and doorways. It is encouraged that required new entrances be located on secondary elevations.

Maintain and repair historic outbuildings, such as carriage houses, where they exist. If alterations or extensions are needed, they should be sympathetic and subordinate to the original.

Maintain proper site drainage in any work so that water does not collect or drain toward foundation.

4.1.6 Signage

Address and name signage for residences should be modest in size and suitably scaled to the house and front yard.

4.1.7 Repair and removal of heritage fabric

Removal of heritage building fabric is discouraged. Where original material is removed for new openings, etc. it shall be kept on site and its original location documented.

Building fabric should be repaired wherever possible and not replaced. When undertaking repair, replacement or restoration, use the same materials as the original.

The patina of age or irregularities found in older work and materials should be respected and not covered up or obscured.

4.2 ADDITIONS TO RESIDENTIAL HERITAGE BUILDINGS

4.2.1 Removal of heritage fabric

Removal of heritage building fabric is discouraged. Where original material is removed for new openings, etc. it shall be kept on site and its original location documented.

Building fabric should be repaired wherever possible and not replaced. When undertaking repair, replacement or restoration, use the same materials as the original.

The patina of age or irregularities found in older work and materials should be respected and not covered up or obscured.

4.2.2 Location of additions

Exterior additions are encouraged to be located at the rear or on an inconspicuous side of the building, limited in size and scale to complement the existing buildings and neighbouring properties.

Multi-storey exterior additions are best set back as deeply as possible from the existing front wall plane in order to be unobtrusive in the streetscape and to differentiate the addition from the older structure.

4.2.3 Height of additions

The majority of buildings within the residential area are three storeys or less. To maintain this profile, the height of the roof ridge in new additions should not exceed the height of the ridge of the existing heritage building.

4.2.4 Width of additions

New additions should be designed in a building mass that extends rearward in depth on the lot rather than along the horizontal width.

4.2.5 Relation to street

Additions to heritage residential buildings are encouraged to be located at the rear or on an inconspicuous side of the building, limited in size and scale to complement the existing buildings and neighbouring properties.

4.2.6 Roofs

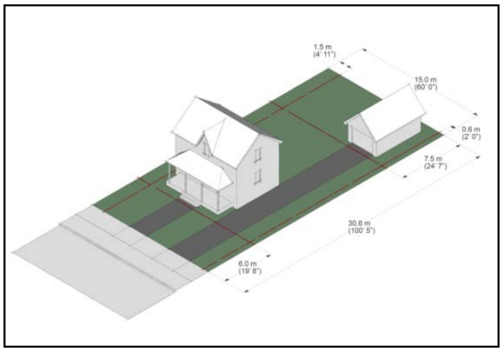
The original roof configuration should be maintained and not obscured by any addition. Similarly, roofing materials and associated features, such as fascias trim and brackets should be retained and not obscured.

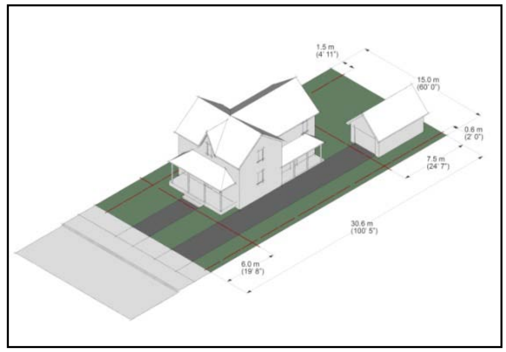
Roof types encouraged in new construction are front gabled, side gabled and hipped forms. Decorative roof features and original roofing materials such as slate, wood shingles, copper, etc. on sloped roofs should be retained and conserved wherever possible.

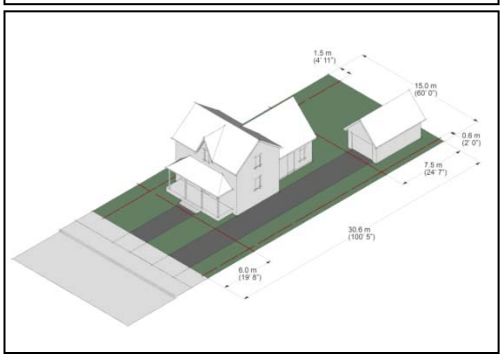
Ensure that vents, skylights and other new roof elements are sympathetic in type and material and that they are discretely placed generally out of view from the public realm.

The addition of solar panels may be permitted on roofs, but should not damage or remove heritage fabric. Wherever possible, solar panels should be installed in places that are generally out of view from the public realm.

Roof drainage shall be maintained and directed away from building foundations.







The above and left illustrations show acceptable locations and types for additions that are located to the rear of the building, and demonstrate appropriate setbacks. The drawings also illustrate potential acceptable locations for garage or ancillary structures, if they are to be replaced or constructed where such structures do not exist.

4.2.7 Windows and entrances

Protect and maintain original window openings as well as distinguishing features such as materials, surrounds, frame, shutters, sash and glazing.

Improvement in energy efficiency of single glazed units can be achieved with traditional exterior wood storm windows or contemporary interior magnetic storm glazing.

Avoid removing or blocking up window openings that are important to the architectural character and symmetry of the building.

New windows that are compatible with historic windows in terms of material, proportions, rhythm and scale are encouraged; however, it is not necessary to replicate original windows in terms of historical details.

Protect and maintain entrances on principal elevations where they are often key elements in defining the character of a building. Conserve important features such as doors, glazing, lighting, steps and door surrounds.

Where new entrances are required, they should be installed on secondary elevations.

4.2.8 Exterior cladding

The majority of heritage residential properties in the district are constructed with traditional materials such as brick or stone. These materials and other natural cladding materials such as wood or stucco are encouraged for new additions.

Synthetic materials such as vinyl or aluminum siding are strongly discouraged on heritage building façades facing the public realm. These materials and other such as concrete fibre board and synthetic wood products will be considered on a case by case basis for use on side or rear elevations.

4.3 ALTERATIONS AND ADDITIONS TO NON-HERITAGE RESIDENTIAL BUILDINGS

4.3.1 Guidance related to alterations

i. Alterations that attempt to create a sense of being "old" or adopting the appearance of historical building forms and features are not required and should be avoided. These include installing features such as non-operable shutters, synthetic muntins, decorative window surrounds, faux half-timbering and cupolas.

ii. Required windows and entranceways may use synthetic materials provided that the overall dimensions and appearance of the openings are in keeping with the overall character of window and door openings found in the District.

iii. Wall cladding on non-heritage properties may use synthetic materials (e.g., vinyl, aluminum, EIFS) but these should be used sparingly and in unobtrusive locations such as walls not facing a street wherever possible. Materials such as concrete fibre board and synthetic wood products can be considered.

iv. New skylights, roof vents, venting and extractor conduits, chimneys and dormers should be located at the side or rear of buildings and away from front façades and main elevations.

v. New garages, carports and other required parking areas or spaces should be located in unobtrusive areas wherever possible, and typically in the side or rear yards. A location behind the front wall of the building is desirable.

vi. Additions must be sensitive to adjacent or neighbouring building forms and features in both size and height with any upper story additions maintaining the height of established roof lines, predominant roof types and roof profiles.

4.3.2 Location of additions

Exterior additions are encouraged to be located at the rear or on an inconspicuous side of the building, limited in size and scale to complement the existing building and neighbouring properties.

4.3.3 Height of additions

The majority of buildings within the residential area are three storeys or less. To maintain this profile, the height of the roof ridge in new additions should not exceed the height of the ridge of the main building or structure to which it is being added.

4.3.4 Width of additions

New additions should be designed in a building mass that extends rearward in depth on the lot rather than along the horizontal width.

4.3.5 Setbacks

Existing residences have a variety of setbacks and vary from street to street. Accordingly, in streetscapes of similar building setbacks new construction should match existing setbacks. It may be appropriate that the setback be the average of the two abutting properties.

4.3.6 Roofs

Roof types encouraged in new construction are front gabled, side gabled and hipped. Asphalt, metal, slate or wood shingles are appropriate for new construction.

Roof vents, skylights, satellite dishes, metal chimneys and flues, other venting devices and roof features should be located to the rear of new additions.

The addition of solar panels may be permitted on roofs. Wherever possible, solar panels should be installed in places that are generally out of view from the public realm.

4.3.7 Windows and entrances

New windows that are compatible with the District in terms of material, proportions, rhythm and scale is encouraged; however, it is not necessary that the new windows on non-heritage buildings or new design replicate historic windows.

Entrances should be located on principal street elevations where they are often key elements in defining the character of a building. New entrances (e.g. second entrance, additions, etc) should be installed on secondary elevations wherever possible.

4.3.8 Exterior cladding

The majority of residential properties in the district are constructed with traditional materials such as brick or stone. These materials and other natural cladding materials such as wood or stucco are encouraged for new additions.

Synthetic materials such as vinyl or aluminum siding are discouraged on building façades facing the public realm. These materials and other such as concrete fibre board and synthetic wood products will be considered on a case by case basis.

4.4 INFILL DEVELOPMENT: NEW FREESTANDING BUILDING CONSTRUCTION

4.4.1 New freestanding construction

New freestanding construction will be required to be compatible with the character of adjacent properties and the streetscape. This means adhering to the general character of the surrounding neighbourhood with regards to heights, massing, setback, and exterior materials.

New construction should be a product of its own time and not pretend to be historic by incorporating historic detail that is inappropriate in contemporary construction such as multi-paned windows. Contemporary design is encouraged. New design may be a contemporary interpretation of historic forms and styles, but attempts at replicating historic buildings are discouraged.

Nineteenth century buildings have survived until today in large part due to their use of quality natural materials such as brick and stone. These materials will be encouraged in new construction.

Maintaining the height and rhythm of the existing streetscape, as described herein, will unify the District. Blank façades that face the street or are easily visible from the public realm are discouraged.

4.4.2 Design considerations in new residential construction

The visual relationships between an infill building, its neighbours and the streetscape should be reviewed carefully and used as the basis for new construction including the establishment of: building height, width, setbacks, roof shape, number of bays, and materials. Specific guidance is described below:

Height: The majority of buildings within the residential area are three storeys or less in height. Accordingly, to maintain this profile, new buildings should be no higher than three storeys, particularly if there are high basement and foundation walls. Required living space should be provided in a building mass that extends rearwards in depth on the lot rather than upwards in height.

Width: New dwellings should be designed in a manner that provides living space in a building mass that extends rearwards in depth on the lot rather than in horizontal width across the lot. Cross-gable or "L" plans may be used where appropriate.

Setback: Existing residences have a variety of setbacks and vary from street to street. Accordingly, in streetscapes of similar building setbacks new construction should match existing setbacks regardless of Zoning By-law provisions.

Where adjacent buildings are staggered from one another, the new intervening building façade should be:

- located so that it does not extend beyond the front façade of the forwardmost building, or
- located so that it does not sit behind the front façade of the rearward building.

It may also be appropriate that the setback be the average of the two abutting properties.

Proportion and massing: New infill should reflect pre-existing rectangular (vertical or linear) forms already present in the district. This may include features such as window and door patterns.

Roofs: Roof types encouraged in new construction are front gable, side gable, hipped and cross- or centre gable. Asphalt shingles or metal are appropriate for new construction. Concrete, clay tile, and composite materials are discouraged, but may be considered on a case by case basis.

Roof vents, skylights, satellite dishes, solar panels, metal chimneys and flues, other venting devices and roof features should be avoided on front facing roof planes and are best located to the rear of new buildings.

Cross or centre gables with windows may be appropriate in front elevations provided that they do not overpower the façade. Dormers should be encouraged at the rear or side elevations.

Materials: The majority of residential properties in the district are constructed with traditional materials such as brick or stone. These materials and other natural cladding materials such as wood or stucco are encouraged for new additions.

Synthetic materials such as vinyl or aluminum siding are discouraged on building façades facing the public realm. These materials and other such as concrete fibre board and synthetic wood products will be considered on a case by case basis.

Windows: A range of window and entrance types are evident in the existing late nineteenth and twentieth century architectural styles represented in the Brooklyn and College Hill Heritage Conservation District. The overall appearance of building façades is generally more wall surface (solids) than windows (voids). Generally window openings are vertical and rectangular. There are also examples of semi-circular, segmental and round headed openings. The windows are arranged in a variety of ways: individually, pairs, groups or composing a bay. New window designs that generally reflect vertical and rectangular dimensions are encouraged. On façades that face the street, windows should maintain proportions of neighbouring properties.

Entrances: Entrances are usually an important element of the principal elevation, frequently highlighted with architectural detailing such as door surrounds and porches and recessed or projected from the wall face for emphasis. Accordingly, full-size double doors and large amounts of glazing in entranceways should be avoided.

Garages and ancillary structures: Garages, carports and ancillary structures are best located away from the main façades of buildings and should be located in traditional areas for these functions, usually towards the rear of the lot and accessed by a driveway. Garages should not form part of the front façade of the main building and must be stepped back from the front façade the equivalent width of the garage.

The adjacent property demonstrates infill that is distingishable from historic residences, but is a contemporary interpretation of the historic forms, using similar or natural materials. The scale and setback are appropriate to the surrounding neighbourhood, and the garage is located towards the rear of the lot.

4.4.3 Design considerations in new non-residential construction

General factors governing design consideration for new commercial or institutional construction either as additions or freestanding buildings are similar to those for residences. The significant difference is one of size. Commercial or institutional infill or building additions are often larger than their residential counterparts. Issues relating to multi-storeys, long continuous façades, setbacks, roof shapes, multiple-bays, and variety of materials (glass, plastics and metals) are of key concern here. General guidance in this regard is described below:

- Placement of building mass on the street and setbacks should place emphasis on pedestrian rather than vehicular approaches and access.
- Parking and unloading spaces should be located at the rear of properties.
- Signage should be sympathetic in size, shape, materials, placement and lighting to traditional motifs.
- In multi-storey buildings, contrasts between street level (and hence pedestrian level) and upper façades should be emphasized through design treatments such as fenestration, floor to floor height and material selection.
- Roof forms that utilize gables in single or multiple forms are preferable to predominantly flat or low sloping roof forms.

Required mechanical equipment should be ideally placed well out of view from the public realm, either set back on roofs or at the rear of buildings, and suitably screened.

4.5 DEMOLITION AND REMOVAL OF BUILDINGS AND STRUCTURES

4.5.1 Demolition of heritage buildings and structures

The demolition of heritage buildings and structures (as outlined in **Appendix A**) shall not be permitted, except in extenuating circumstances such as natural disasters (e.g. fire, flood, tornado, or earthquake).

Extenuating circumstances shall generally constitute those situations where public health and safety is considered to be compromised and the City of Guelph's Chief Building Official has received a structural assessment advising that a building or structure is beyond repair and has been determined to be unsafe. The assessment must be prepared by a professional engineer with expertise and experience in heritage buildings and structures.

Where time is of the essence, the requirements for a heritage permit may be waived but it will be expected that in lieu of a heritage permit, the property owner shall retain an appropriately qualified heritage professional to record the building or the remains of the building through photography and/or measured drawings. Such recording shall be guided by existing structural conditions and the level of access that is considered by the Chief Building Official (or appropriate Emergency Responders) to be safe.

Where the property owner is unable to retain a heritage professional, heritage staff of the City of Guelph shall be accorded reasonable access to the property by the property owner to undertake appropriate recording.

It shall be required that once a building has been demolished and the property is considered to be in a stable and safe state the property owner shall submit a heritage permit application for a new building within six months of site clearance. Within two years of that submission, *or as mutually agreed upon by the property owner and City of Guelph,* new construction shall have been completed to the satisfaction of the City. If new construction has not been completed, the provisions of the *Ontario Heritage Act* shall apply with respect to contraventions of the Act.

4.5.2 Removal of heritage buildings and structures

The removal or re-location of heritage buildings and structures (as outlined in **Appendix A**) may be permitted with the submission and approval of a heritage permit application by City Council.

The removal or re-location of heritage buildings and structures shall be considered as an extraordinary and temporary measure and it shall be expected that any building façade included as part of a submitted heritage permit application shall be recorded, disassembled, stored in a climatically controlled and secure storage facility until such time that it is reassembled on-site in its original location.

The City shall require notification of the location of the storage facility or any changes in the location, access to the location if required by City staff and shall require these as part of any conditions of approval.

4.5.3 Demolition and removal of non-heritage buildings and structures

Demolition and/or removal of non-heritage buildings and structures (as outlined in **Appendix A**) may be permitted by Council upon the submission and approval of a heritage permit application provided it is accompanied with appropriate drawings and plans for a new building or structure that complies with the guidance in the Brooklyn and College Hill Heritage Conservation District Plan and Guidelines and other applicable City guidelines and standards.

Conditions of approval shall be attached requiring that any new building or structure permitted shall be constructed within two years of approval, *or as mutually agreed upon by the property owner and City of Guelph*. If new construction has not been completed the provisions of the *Ontario Heritage Act* shall apply with respect to contraventions of the Act.

Where the heritage permit application is for the demolition of a minor accessory or ancillary structure and there is no need or requirement to build a replacement structure, appropriate plans or drawings shall be submitted with the heritage permit application to show the finish surface treatments, fencing or plantings. Where such information is lacking the City may attach conditions requiring such matters to be addressed and subject to subsequent approval.

Site Plan approval under the *Planning Act* may also be required.

4.6 LANDSCAPE CONSERVATION AND DESIGN GUIDELINES FOR PRIVATE PROPERTY

These guidelines for the conservation and design of landscape features located on private property (including commercial and residential properties) within the Brooklyn and College Hill Heritage Conservation District shall promote the practice of:

- understanding the heritage resources;
- planning for appropriate planting and other landscape interventions or enhancements in such a way that the heritage building fabric is respected; and,
- undertaking work that will protect existing resources and making changes that are respectful of any the original landscape pattern while at the same time accommodating new initiatives.

The fundamental foundation for proposing any change should be an understanding of the earlier conditions of the property by using historical documentation to guide alterations. Historical documentation may consist of photographs, maps, sketches and other archived material that provide inspiration for proposed changes. The historical pattern of settlement that includes the street grid and the lotting pattern should also be a foundation for future conservation activities.

The landscape conservation guidelines recognize that there is a role for both restoration of historical features and the addition of complementary contemporary design that will add features that comply with current and future requirements. These include matters such as: ongoing initiatives to improve barrier-free access to buildings, and to provide for conversions of residences or other buildings to potentially accommodate new uses.

Contemporary initiatives can be used in such a way that the new design is compatible with the original and/or historic features and mainly achieved by being distinguishable from them, as well as subordinate to them. Subordinate in this case means 'designed in such a way that there is no distraction from original building features' (see also the S*tandards and Guidelines for the Conservation of Historic Places in Canada* for additional information). This overall philosophy should guide the integration of appropriate new features on properties within the Heritage District.

The purpose of these guidelines for private properties is to protect existing features which have cultural heritage value. The conservation guidelines also seek to ensure that the pedestrian environment remains richly detailed and comfortable while enhancing the vitality of the Heritage District. This will be accomplished with the encouragement of the addition of trees and other landscape features to be located along the edges of private property that will screen views of garbage and storage areas that detract from the visual character of the area. The guidelines focus on the area of the private realm which is visible from the street, and are intended to complement public realm enhancements.

4.6.1 Historical landscape features

In general, within the district, the lot coverage occupied by the building is a smaller percentage of the entire lot, leaving open space available for landscape treatments. While most historic landscape fabric has evolved or been removed from private property, there is frequently a green landscape space between the front of the building and the public sidewalk; parking was generally found in driveways, in garages or behind the front line of the building. The residential streets often included grassed boulevards between the street and sidewalks with (now mature) street trees.

The overall guidelines for private property are as follows:

a) There should be maximizing of soft landscapes particularly along the sidewalk frontages. This means that paved parking areas should be limited within the front yards, and that the front entranceway should remain visible from the street, following the historic pattern.

b) Trees may be added on private property along the frontage where there is no conflict with buildings or with servicing or overhead wires or street trees in the public right-of-way. This will enhance the pedestrian environment by providing more shade.


Soft landscaping and trees on private lots are part of this historic landscape tradition, and should be continued.

4.6.2 Fencing, walls and steps

a) Where possible, use historical photographs or documentation to guide the addition of these types of landscape features.

b) Where historical documentation cannot be found, similar patterns may be created by studying historical photographs of the adjacent residential areas for guidance and inspiration.

c) In order to define the edge of the property and separate private from public lands, ornamental wood fences (maximum 0.8 metres in height in front yard, and 1.2 metres in height in other yards) or hedging of deciduous shrub material are appropriate.


Property edges may be defined with appropriate plantings and fencing, as shown above.

4.6.3 Screening and buffering

a) Landscape components, such as ornamental wood fences or hedging of deciduous shrub material may be used to complete the screening or buffering of garbage storage areas or service areas that are visible from the public right-of-way.

b) Screening using fencing or evergreen material may be used to block the views whereas buffering is defined as allowing filtered views through the material such as deciduous shrub border or a partially enclosed fence (e.g. picket fencing).

4.6.4 Surface treatments

a) The selection of materials for walkways and driveways should be undertaken to enhance and complement the pedestrian environment.

b) Accessibility should be considered in the selection of materials and installation (refer to the Accessibility for Ontarians with Disabilities Act guidelines).

c) From the late-19th century onwards, concrete was a building material that was widely used for walkways and steps and is an appropriate material for current use. Other suitable materials include flagstone or pavers that do not overwhelm or compete visually with the cohesive appearance of the frontage of the structures.

4.6.5 Trees and other plant material

a) The damage or destruction of any tree greater that 20 centimetres in diameter at 1.4 metres above ground requires approval of a heritage permit if located within the front yard or exterior side yard and contribute to the heritage value or visual character of the Heritage Conservation District. Trees shall be cared for by residents and property owners. Dead or dying trees or trees that pose a danger to life or property are exempt from requiring a heritage permit.

   Often, native species are recommended by officials, however historical species (see below) should be given consideration within the district as well. All other applicable City standards for tree planting and other maintenance will be followed. Documents such as the Urban Forest Management Plan may also be applicable.

b) The conservation of all other mature trees with a diameter greater than 20 centimetres at 1.4 metres above ground is encouraged, where these trees contribute to the heritage value or visual character of the Heritage Conservation District (e.g. contributes to the tree canopy that overarches the public realm). A heritage permit is required for replacement planting of such trees.

c) In the past, there was a preference for non-native plant materials and very little consideration for using native plant material only. In the later 19th and early 20th centuries when many of these properties were developed, there was a widespread use of the latest horticultural introductions in the residential landscape. As a result, a variety of both native and non-native plant materials would be appropriate for replanting in the area. Potential species include: sugar maple, silver maple, mountain ash, Norway spruce, white spruce, catalpa, horse chestnut, honey locust, gingko, tulip tree, basswood and blue beech. Additional guidance regarding species may also be provided in City of Guelph documents, such as the Urban Forest Management Plan.

d) Additional plant material for residential properties should include a wide palette of species suitable for the narrower planting locations available. Hedging and shrub borders historically included a range of smaller plants. These include: lilac, various types of viburnum, fragrant currant, deutzia, mock orange, Japanese quince, rose of Sharon, smoke bush, spindle tree, weigela, dogwood, privet, alpine currant and flowering almond. Additional guidance regarding species may also be provided in City of Guelph documents, such as the Urban Forest Management Plan.

e) In addition to these trees and shrubs, a wide variety of perennials, bulbs and vines may be added to provide seasonal accents. This is in keeping with the late 19th and 20th century pattern of residential landscaping which celebrated a range of horticultural introductions.

f) The selection of trees should also be guided by current environmental considerations. For example, Norway maple and ash species are no longer planted because of the presence of the emerald ash borer and concerns about the spread of Norway maples into natural areas which has a potential to negatively impact native vegetation.

4.6.6 Amenity lighting

a) Historically, there was very little amenity lighting provided on residential properties. Notwithstanding the lack of historical precedents, amenity lighting is permitted within the Brooklyn and College Hill Heritage Conservation District to illuminate pathways, steps, verandahs and porches, and special landscaped areas as it does not have an overly negative impact on the character of the area.

b) The installation of new amenity lighting shall ensure that the heritage attributes of the property are not adversely affected, and that there is no light trespass or spillover towards adjacent properties and the public realm.

c) Replicas of historical light standards are discouraged, as installing replicas of a particular era contrasts with the variety of eras represented by the district resources. Contemporary light standards are appropriate.

4.6.7 Parking areas

Within the Brooklyn and College Hill Heritage Conservation District, there are a few locations where private properties are currently occupied in full or in part by asphalt parking lots.

Guidance on landscape design and treatments for large parking areas is provided in Section 4.7.4, as parking areas, whether in public or private ownership, tend to display similar characteristics. These should be consulted for the construction of parking areas on private property.

Parking areas associated with residences and other buildings with residential uses frequently have parking located within the lot. As these sites tend to be smaller, it is important that parking areas be accommodated as much as possible within the property behind the front wall of the building.

Parking areas should be located behind or set back from the building front, to allow for openness of the lot, rather than taking up traditional front yard space with parking areas.

4.7 LANDSCAPE CONSERVATION AND DESIGN GUIDELINES FOR THE PUBLIC REALM

The public realm within the District has undergone considerable change from the earliest period of settlement. As a result, there are no substantial above-ground remains of previous landscape and street features. Although there have been changes to the heritage fabric, building and property uses have remained constant, as has the original 1850's street grid. The road right-of-way has consistently accommodated sidewalks, providing a pedestrian focus and allowing pedestrians easy access to adjacent properties. The sidewalks have also served to separate pedestrians from vehicles using the travelled portion of the road.

It is important that any alterations or additions to the streetscape ensure that there is accommodation and safety for pedestrians, as well as for a wide variety of other users and in particular cyclists, people with mobility limitations and partial vision, and public transit.

Notwithstanding this strategic approach, there are potential improvements and enhancements that are reversible and could be included within the public realm with little challenge, such as the addition of bike racks, and improved medians with planting and defined by curbs and additional turning lanes. All of these are designed to ensure safety for the pedestrian, as well as accommodate through traffic.

Traditional road building and sidewalk materials used in the nineteenth century included plank construction for sidewalks and macadamised gravel and stone surfaces for road surfaces. These are unsuitable and inappropriate for today's traffic. For accessibility and maintenance reasons, the use of concrete is appropriate for pedestrian areas and asphalt is appropriate in the travelled portion of the road. Streetscape features, such as lighting standards, signage and street furniture may be added to District streets. These types of enhancements have a predictable life cycle. It is important that alterations or additions, including the removal of existing streetscape features, are undertaken so as to not detract from the overall cohesive streetscape character.

Improved separation between vehicles and pedestrians can be accommodated with the addition of crosswalks and bump-outs or islands that have a distinctive texture and colour and some amount of low contrast paving to assist people with partial vision and those in wheelchairs and scooters with crossing the street in safety. The intention of any additions or alterations to the streetscape is to support the pedestrian environment and not compete with the visual character of the district.

The development of any new streetscape plans should ensure the following:

- Urban design changes should ensure pedestrian comfort and interest through the use of building scale and provision of safe transition areas between the street and the sidewalk;
- Accommodation for pedestrians, vehicles, and cyclists should continue to be balanced so that each use is provided for separately;
- Street parking should continue to be provided;
- Imitation paving materials such as thermoplastic impressed asphalt or impressed concrete that mimics traditional paving are strongly discouraged.

4.7.1 Sidewalks

a) The underlying principle for additions and alterations to the sidewalks is that they should sustain accessibility and barrier free travel for pedestrians with a variety of challenges. Intersections may be altered with the addition of low contrast surface textures.

b) There is a balance to be made between the smooth surface required by mobility devices and the identification of landings at intersections for those with partial vision. It is important that the choice of materials for alterations or additions complements the traditional streetscape now found within the District. Concrete continues to be well suited for the continuation for sidewalks, curbs, landings and other features in the streetscape. Accents using decorate pavers is appropriate.

Concrete or brick pavers should continue to be used for accessible and neutral sidewalks

4.7.2 Street furniture

There is generally an absence of street furniture found within the pedestrian environment, such as benches, trash / recycling receptacles, bike racks, and information kiosks, other than in the Royal City Park. It is possible that street furniture may be added in the future, as streetscape plans are revisited and further developed.

a) Street furniture and other private addition, such as mailboxes and newspaper boxes may be present within the district. These will be permitted, subject to ensuring that there is minimal obstruction to pedestrian flow, and that visual clutter is not increased.

b) As part of the ongoing management of the streetscape and in the absence of a streetscape management plan, alterations and additions of contemporary street furniture should aim at creating a cohesive pedestrian environment using similar materials and colours in the choice of street furniture.

c) The placement of future street furniture should not impede pedestrian movement or block the entrances or façade signage of the adjacent buildings.

4.7.3 Signage

The limited commercial activity in the district results in a limited amount of signage, compared to areas with a high concentration of commercial properties. Existing signage within the district is generally limited to road and street signs, park signage, or signage relating to commercial establishments.

a) Pylon signs shall be prohibited within the District as they are visually intrusive and may limit the amount of pedestrian space.

b) Regulatory signs such as traffic control signs will be permitted within the District.

c) It is important that parking areas within the District continue to be identified with appropriate signage.

d) Additional signage that distinguishes the area as a Heritage Conservation District is encouraged.

4.7.4 Parking areas

There are relatively few public parking areas within the district. The existing parking areas are located near Royal City Park and the Speed River, to allow for access to the park and recreational trails.

a) If a parking lot requires lighting, it should be well lit with fixtures that are full cut off and night-sky friendly. Edges of parking lots should be clearly defined with hedges or low walls where practicable. Any additions to parking lots should consider introduction of pedestrian routes through the lot where a visitor can safely walk from their car to the nearest sidewalk.

b) As parking lots are improved in the future, the addition of sustainable design features should be considered, including infiltration beds and water quality improvements such as stormwater settlement chambers (storm scepters) where feasible.

c) Bicycle parking may be accommodated in the future, in locations where they are not intrusive to the pedestrian environment. If bicycle shelters are proposed, they would be better-suited to side streets or parking lots, due to their space requirements.

4.7.5 Traffic calming measures

There is increasing interest in municipal traffic management practices to provide for better pedestrian safety. Traffic calming features in the streetscape have dual purposes: one purpose is to introduce features or devices that require the motorist to reduce speed and the second purpose is to provide improved landings, bump-outs, medians, or cross walks that increase safety for pedestrians wishing to cross the street. These features did not traditionally form part of the historical streetscape.

Streetscape manuals are being prepared for some areas in Guelph as part of Secondary Plans. These may be considered in addition to the following guidelines:

a) Where traffic calming measures are to be installed in the road right-of-way, materials will be chosen such as concrete, to provide a neutral backdrop to the vitality of the neighbourhood.

b) Bump-outs may include the installation of planters and benches where pedestrian safety is not compromised.

c) The design of pedestrian crosswalks should be used consistently at all crossings and in materials that contrast with the road surface but avoid excessive colour schemes and imitating traditional paving materials.

d) Long-lasting, durable materials incorporating appropriate wayfinding motifs shall be encouraged.

4.7.6 Street lighting

The streetscape contains light standards designed for vehicular traffic as it moves through the District and is generally set at a high level.

a) In the future as part of any streetscape improvements, there may be an opportunity to introduce contemporary light poles that accommodate both high level street lighting and lower level pedestrian lights mounted on brackets.

b) Replicas of historic light standards should be avoided, as historical replicas of a single period would contrast with the varied eras represented by the district resources.

c) Street lighting, utility poles and overhead wiring should be maintained in conditions where they currently exist to provide a vertical element to the streetscape. Underground installation of utilities could be considered in some circumstances if appropriate.

Light standards should continue to be part of the streetscape, to provide pedestrian lighting and vertical elements. When replacement of existing light standards is required, contemporary forms are encouraged. Replicas of historic light standards should be avoided.

4.7.7 Street trees and boulevards

Historically, boulevards and the planting of street trees have enhanced the scenic value of the streetscape by providing greenery, visual interest, and variety. It is inevitable that street trees will require replacement because of life spans and the challenging growing conditions found within the urban environment. Many of the trees that do well in this environment are horticultural introductions rather than native species. They are tolerant of the heat in the summer and limited soil conditions, as well as pollution inherent in their road side location. They are also more resistant to salt which is frequently used on the sidewalks and roads.

Therefore, a mix of appropriate native and non-native trees may be added into the area. Where possible, the volume of soil that is provided for the root system should be generous and measures for

increased soil capacity or planting cells should also be included to encourage sustainability of the tree collection. In considering heritage permit applications, the following shall be considered:

a) Historically, trees were planted in groups along the street rather than uniformly spaced apart, as is the current practice. Over time, some form of spacing has been used within the District, which has helped to create interest in the streetscape. It is appropriate for both patterns to continue for the addition of street trees, depending on site specific circumstances.

b) Street trees should be monitored to ensure that they remain in healthy condition and when trees enter into a hazardous condition (e.g. trees that are dead / dying, or structurally compromised), they should be removed and replaced.

Street trees should be planted in regular intervals. Tree health should be monitored on a regular basis and dead wood removed to avoid the decay shown here.

c) It is important that dead trees be removed and replanted in prompt succession. This is to ensure that the vitality of the streetscape is maintained.

d) The damage or destruction of any tree greater that 20 centimetres in diameter at 1.4 metres above ground requires approval of a heritage permit if it contributes to the heritage value or visual character of the Heritage Conservation District (e.g. contributes to the tree canopy that overarches the public realm). Trees shall be cared for by property owners. Dead or dying trees or trees that pose a danger to life or property are exempt from requiring a heritage permit.

Often native species are recommended by officials, however historical species should be given consideration within the district. All other applicable City standards for tree planting and other maintenance will be followed. Documents such as the Urban Forestry Master Plan may also be applicable.

e) The conservation of all other mature trees with a diameter greater than 20 centimetres at 1.4 metres above ground is encouraged, where these trees contribute to the heritage value or visual character of the Heritage Conservation District. A heritage permit is required for replacement planting of such trees.

f) The enhancement of streets through increased street tree canopy is encouraged.

Boulevards that characterise the residential portions of the streetscape remain as important contributors to the texture and colour of the District and assist in defining edges of both sidewalks and travelled lanes. As with trees, it is important that:

g) Grassed boulevards along properties that currently have a building on them shall be retained.

h) Grassed boulevards should be monitored to ensure that they remain in healthy condition.

i) Grassed boulevards should be regularly inspected and maintained with any dead areas of grass removed and re-seeded or re-sodded promptly.

It should be noted that the City of Guelph is currently working on the preparation of a Tree Technical Manual, which will provide guidance regarding matters such as tree placement and soil conditions. This document may be relevant to work conducted within the District.

Grass boulevards are important elements of the streetscape and are to be protected.

4.7.8 Protection and enhancement of views

Views along Gordon Street include the Gordon Street Bridge, Royal City Park and the Church of Our Lady Immaculate (which is identified in the Zoning By-law). Views from the residential streets are generally terminated by residences or intersecting streets. Some streets terminate in views of Royal City Park.

a) Existing views to Royal City Park from Water Street and north-south streets with views terminating at the park should be retained and not obstructed.

b) The addition of street trees is an acceptable enhancement on the north - south streets, since once they are placed in the sidewalk right-of-way, they will frame the views.

c) The addition of streetscape elements that enhance the gateway entrances to the District are encouraged in order to frame the views. No enhancements should be undertaken that restrict or limit the views into and out of the area from the gateway area.



Views to the park should be maintained. Street trees that frame views are an appropriate addition.

4.7.9 Parks

Recreational use of the Speed River within the district began in 1876 with the establishment of a boathouse east of Gordon Street. In the 19th century, the lands of the former Gow estate were established as a park, examined and endorsed by noted Montreal Landscape Architect Frederick Gage Todd. The park and associated riverscape have been a designed landscape suitable for passive recreation since this time.

a) Passive recreational activities and gathering places (not requiring significant supportive infrastructure) should remain the primary use of the park, especially the area in close proximity to the river. The area is not suited to active recreational facilities, such as new ball diamonds, soccer fields and related infrastructure, because of the scale and openness of the park.

b) New accessory buildings may be constructed within the park where they are small in scale, and located such that they do not disrupt the open passive recreational area near the river. Aspects such as parking and loading should be located such that they are screened from view wherever possible.

c) The existing tree collection should be maintained, monitored and replaced when necessary with historic planting materials wherever feasible.

d) Views of the river are presently unobstructed by buildings and structures. Views of the river shall remain unobstructed by buildings and structures.

e) The existing unobstructed views from the bridges into the park shall remain unobstructed.

f) Views on both sides of the river and parkland from Gordon Street should be maintained, as they are important in providing a gateway and community identifier as one enters the core area of Guelph.

g) The stone walls lining the river corridor shall be conserved. These walls have historic associations with social history in the early 20th century of Guelph (related to civic beautification). While additional naturalization of the river corridor may be appropriate in other locations, it is not appropriate in the park setting within the District. The river, within the District, has been modified by human activity over the last 200 years, beginning with industrial activity in the 19th century and continuing with recreational and civic use in the 20th century.

h) The water levels and flow of the Speed River have changed over time, particularly with the construction of dams upstream and downstream from the heritage conservation district. Generally in the summer there is a basin with water that adds to the scenic value of the river, and is sufficient for recreational use. The historical water levels of the river should remain so that the long-established recreational activities can be continued, and the scenic value is maintained.

i) There is evidence of community value in the park with the installation of the reflection garden and commemorative public art pieces. This practice is encouraged to continue within the park.

Passive recreation should be continued in the park, but active recreational facilities that require large spaces and block views are not suitable. The stone/concrete walls lining the river corridor shall be maintained.

4.7.10 Entranceways

Currently there are no elements that enhance the gateway entrances to the District, which include entrances along Gordon Street. Gateway elements are encouraged in order to frame the views. No enhancements should be undertaken that restrict or limit the views into and out of the area.

4.7.11 Public art

Public art is an increasingly popular feature of downtown revitalization and streetscape improvements. There are opportunities for the addition of appropriate public art within the District. Public art should be strategically located at the entrances to the District and at public open spaces and where there are opportunities to add to encourage the sense of place of the commercial core. Any Municipal public art policies should also be referenced for guidance.

In reviewing heritage permit applications for public art, concern should be focused less with the form of the art and its artistic merit, but should focus on the following:

a) The placement of public art should be carefully planned so there is no visual intrusion that would disrupt the setting of a heritage property or directly affect heritage building fabric.

b) Materials that are selected should be durable and vandal resistant.

c) Pedestrian traffic flow is not impeded.

4.8 PROVISIONS FOR PEOPLE WITH DISABILITIES AND RENEWABLE ENERGY PROJECTS: SPECIAL CONSIDERATIONS

Two pieces of provincial legislation make provisions that potentially affect heritage permit applications under the *Ontario Heritage Act* are: The *Accessibility for Ontarians with Disabilities Act*, 2005, and *An Act to enact the Green Energy Act*, 2009 and associated regulations (*Ontario Regulation 359/09* and *Ontario Regulation 521/10*).

The *Accessibility for Ontarians with Disabilities Act* became law on June 13th, 2005. The Act's overall intent is to make the province accessible by 2025 through establishing a variety of accessibility standards, (i.e., mandatory rules), for customer service, transportation, information and communication, employment and the built environment. It is intended that accessibility standards will be phased in over time and are to be developed by people from the business and disability communities. The goal of the Accessibility Standards for the Built Environment is to remove barriers in public spaces and buildings. The standards for public spaces will only apply to new construction and planned redevelopment. It is anticipated that enhancements to accessibility in buildings will happen at a later date through Ontario's Building Code (released December 27th, 2013), which governs new construction and renovations in buildings.

The issue of compliance for heritage properties, specifically those designated under the *Ontario Heritage Act*, have yet to be addressed in legislation. Past practice suggests that greater accessibility must be met, but with a less rigorous standard for designated heritage properties. This is intended to take into account the value of heritage building fabric, historical spaces and architectural features. The Brooklyn and College Hill Heritage Conservation District Plan and Guidelines encourages accessibility to heritage properties, but attempts to ensure that, as with other alterations, there is minimal or no intrusion into heritage building fabric.

The *Act to enact the Green Energy Act* is focussed on promoting green energy projects and streamlining approval processes in order to expedite these projects. Certain exemptions are made to approvals and there are also procedures for self assessment. In seeking approvals under the *Green Energy Act* or related regulations, property designated under the *Ontario Heritage Act* retain their status and any proponent of an energy renewal project must satisfy the approval authority that they have all heritage permits and met any conditions issued by a municipality.

The Brooklyn and College Hill Heritage Conservation District Plan and Guidelines do not prohibit energy renewal projects. Installations, such as solar panels, are encouraged to be located in places that are generally out of view from the public realm and that do not involve the loss of or damage to heritage building fabric.

It is expected that in a 5- year review of this Plan some guidelines may have to be revised or modified to reflect changing legislative requirements.

5.0 EXEMPT ALTERATIONS AND CLASSES OF ALTERATIONS

5.1 Introduction

Under section 42 of the *Ontario Heritage Act,* a permit is required for the erection, demolition, removal or external alteration of a building or structure within a designated heritage conservation district. The Act defines the term "alter" as meaning *to change in any manner and includes to restore, renovate, repair or disturb. "Alteration"* has a corresponding meaning.

While the need to require a permit for demolition or the construction of a new building or structure is clear, the requirement for a permit for an alteration to an existing building may be less clear. Typically, alterations or changes for which a Section 42 permit is required are those types of alterations that would materially affect the character or external appearance of a building. Those types of physical alterations, additions and conservation work that generally require a permit are described in the body of the plan.

Subsection 41.1 (5) of the Act also makes provisions for exempting some forms of alterations from regulation by providing that a heritage conservation district plan shall include:

> *"(e) a description of the alterations or classes of alterations that are minor in nature and that the owner of property in the heritage conservation district may carry out or permit to be carried out on any part of the property, other than the interior of any structure or building on the property, without obtaining a permit under section 42. 2005, c. 6, s. 31."*

The following constitutes a description of those alterations that are considered to be "minor in nature" and that may be carried out without obtaining a permit under section 42 of the Act. In some instances and for the purposes of clarification, a note is included on exceptions where a heritage permit would be required. Regardless of exemption from regulation, the guidelines provided elsewhere in this Plan should still be consulted for direction on carrying out changes and using methods that are the least destructive or have the least impact on building fabric or valued heritage attributes. The exempted minor alterations have been guided generally by the principles of either being undertaken within a small area, confined to areas that are generally out of sight from public view, constitute routine maintenance or are easily reversible.

If there is any doubt about whether a heritage permit is required consultation with staff of the City of Guelph is recommended.

5.2 EXEMPTIONS FOR RESIDENTIAL PROPERTIES

Alterations that may be carried out without obtaining a permit under Section 42 of the Act are:

a) ***Interior modifications*:** The interiors of buildings or structures are not subject to regulation within the Heritage Conservation District, and no permit is required.

Exceptions:
Those interior features designated under Part IV of the *Ontario Heritage Act* or interior features that have an exterior presence, including but not restricted to windows and doors in building façades.

b) ***Roof materials:*** Replacement of existing roof materials in kind does not require a permit (for the purposes of this plan and guidelines, asphalt and metal roofing are considered to be in kind).

Exceptions:
Replacing or removing original roofing materials including metal, slates, tiles or wood shingles with other materials requires a permit.

c) ***Skylights:*** The installation of skylights located out of sight from street views and in the same plane as the roof (e.g. on the rear slope of a roof or on a flat or low pitched roof) would not require a permit.

d) ***Solar panels:*** The installation of solar panels located out of sight from street views and in the same plane as the roof (e.g., at the rear slope of a roof or on a flat or low pitched roof) would not require a permit.

Exceptions: freestanding panels on poles or those requiring a structural frame for support, located within view of the public realm, require a permit.

e) ***Satellite dishes:*** The installation of satellite dishes that are located in such a way that they are not visible from the street either at the front, side or rear of buildings does not require a permit.

f) ***Security lighting and alarm systems:*** The installation of security lighting and/or alarm systems does not require a permit.

g) ***Amenity lighting:*** The installation of porch lighting or other amenity or seasonal lighting does not require a permit.

h) ***Eavestrough and downspouts:*** The removal and/or installation of new eavestroughs and downspouts in the same material as the previously existing do not require a permit.

i) ***Landscaping, soft:*** The removal and/or installation of vegetative landscaping, such as planting beds, shrubbery and small ornamental trees and the pruning and maintenance of trees or the removal of dead branches or limbs do not require a permit.

Exceptions:
The removal and/or alteration of trees with anticipated mature diameter greater than 20 centimetres at 1.4 m above the ground requires a heritage permit (if located within the front yards or exterior side yards).

j) ***Landscaping, hard:*** The removal and installation of hard landscaping, such as driveways, entranceways, paths and parking areas in of the same area and dimension do not require a permit.

k) ***Fencing:*** The removal and/or installation of fencing in the rear yard of a property and behind the mid-point of the side façade of a building does not require a permit. Requirements of any municipal by-laws will also have to be met.

Exceptions:
The removal and/or installation of fencing in the front yard of a property requires a permit.

The removal and/or installation of fencing in the side yard from the mid-point of the side façade towards the front of a building requires a permit.

l) ***Porches, verandahs and decks:*** The installation and/or removal of single-storey porches, verandahs and decks located within the rear yard and away from views from the street do not require a permit.

Exceptions:
The removal and/or installation of porches, verandahs and decks in the front and side yards of a property require a permit.

m) ***Storm windows and doors:*** The seasonal installation and/or removal of storm windows and screen doors do not require a permit.

n) ***Stairs or steps:*** The removal of stairs or steps and replacement in kind (same dimensions and materials) do not require a permit.

o) ***Signage:*** The installation or removal of number and family or place name signage on building façades does not require a permit.

Exceptions:
Signs indicating bed and breakfast accommodations or home daycare centres will require heritage permit approval.

p) ***Maintenance or small repairs:*** Ongoing maintenance or small repairs to buildings, structures or small areas of paving that do not significantly affect the appearance of the outside of the property and do not involve the permanent removal or loss of heritage attributes do not require a permit.

Exceptions:
The removal and/or installation of any cladding material on the front façade requires a permit.

The cleaning of any building façade surface (using any method of cleaning such as sandblasting, chemical cleaning, and pressurized water) requires a permit.

Carrying out test patches in any location for any cleaning method requires a permit.

The removal of any paintwork from a masonry building façade surface requires a permit.

q) ***Painting:*** The painting of doors, window frames, muntins and mullions, trim, eavestroughs, downspouts and minor architectural detailing does not require a permit.

Exceptions:
The painting of any masonry materials requires a permit.

r) ***Canopies and awnings:*** The installation of new canopies and awnings that are replacing existing and are of the same material, size and scale does not require a permit.

Exceptions:
Canopies and awnings that are of a different material, or are larger or require additional fastenings to the building require a permit.

As with any modifications being contemplated, it is beneficial to contact City of Guelph Heritage Planning staff to discuss proposals before commencing work. Some of the above modifications may also require a Building Permit, and appropriate staff should be consulted.

5.3 EXEMPTIONS FOR INSTITUTIONAL PROPERTIES

Alterations that may be carried out without obtaining a permit under Section 42 of the Act are:

a) ***Interior modifications*****:** The interior of buildings or structures are not subject to regulation within the Heritage Conservation District, and no heritage permit is required.

Exceptions:
Those interior features designated under Part IV of the *Ontario Heritage Act* or interior features that have an exterior presence, including but not restricted to windows and doors in building façades.

b) ***Roof materials:*** Replacement of existing roof materials in kind does not require a permit (for the purposes of this plan and guidelines, asphalt and metal roofing are considered to be in kind).

Exceptions:
Replacing or removing original roofing materials including metal, slates, tiles or wood shingles with asphalt roof shingles or other materials requires a permit.

c) ***Skylights:*** The installation of skylights located out of sight from street views and in the same plane as the roof (e.g. on the rear slope of a roof or on a flat or low pitched roof) would not require a permit.

d) ***Solar panels:*** The installation of solar panels located out of sight from street views and in the same plane as the roof (e.g., at the rear slope of a roof or on a flat or low pitched roof) would not require a permit.

Exceptions: freestanding panels on poles or those requiring a structural frame for support, require a permit located anywhere on the property.

e) ***Satellite dishes:*** The installation of satellite dishes that are located in such a way that they are not visible from the street either at the front, side or rear of buildings does not require a permit.

f) ***Security lighting and alarm systems:*** The installation of security lighting and alarm systems do not require a permit.

g) ***Amenity lighting:*** The installation of porch lighting or other amenity or seasonal lighting does not require a permit.

h) ***Eavestrough and downspouts:*** The removal and/or installation of new eavestroughs and downspouts in the same material as previously existing do not require a permit.

i) ***Landscaping, soft:*** The removal and/or installation of vegetative landscaping, such as planting beds, shrubbery and small ornamental trees and the pruning and maintenance of trees or the removal of dead branches or limbs do not require a permit.

Exceptions:
The removal and/or alteration of trees with anticipated mature diameter greater than 20 centimetres at 1.4 m above the ground requires a heritage permit (if located within the front yards or exterior side yards).

j) ***Landscaping, hard:*** The removal and installation of hard landscaping, such as driveways, entranceways, paths and parking areas of the same area and dimension do not require a permit.

k) ***Signage:*** The installation of number signage on building façades or on free-standing supports does not require a heritage permit, but may require a sign permit.

l) ***Maintenance or small repairs:*** Ongoing maintenance or small repairs to buildings, structures or small areas of paving that do not significantly affect the appearance of the outside of the property and do not involve the permanent removal or loss of heritage attributes do not require a permit.

Exceptions:
The removal and/or installation of any cladding materials require a permit.

The cleaning of any building façade surface (using any method of cleaning such as sandblasting, chemical cleaning, and pressurized water) requires a permit.

Carrying out test patches in any location for any cleaning method requires a permit.

The removal of any paintwork from a masonry building façade surface requires a permit.

m) ***Painting:*** The painting of doors, window frames, muntins and mullions, trim, eavestroughs, downspouts and minor architectural detailing does not require a permit.

Exceptions:
The painting of any masonry materials or synthetic cladding materials requires a permit.

n) ***Canopies and awnings:*** The installation of new canopies and awnings that are replacing existing and are of the same material size and scale do not require a permit.

Exceptions:
Canopies and awnings that are of a different material, or are larger or require additional fastenings to the building require a permit.

As with any modifications being contemplated, it is beneficial to contact City of Guelph Heritage Planning staff to discuss proposals before commencing work. Some of the above modifications may also require a Building Permit, and appropriate staff should be consulted.

5.4 EXCEPTIONS FOR PUBLIC REALM PROPERTIES: These comprise lands that are primarily located in road rights-of-way, parking lots or lands associated with the publicly owned properties.

Alterations that may be carried out without obtaining a permit under Section 42 of the Act are:

a) ***Maintenance or minor repairs:*** Ongoing maintenance or minor repairs to road or sidewalks surfaces and areas of paving that do not significantly affect the appearance of the surface and that are exempt from review or approval under the Municipal Class Environmental Assessment do not require a permit.

Regular maintenance related to park facilities, would not require a permit.

Exceptions:
The installation of any traffic calming device (not including signage), new road or sidewalk surfaces, new crosswalk surfaces or motifs and new boulevards requires a permit.

b) ***Installation and/or repair of underground utilities or services:*** Subsurface excavation for the installation and repair of utilities (water, sewage, gas, or communications) does not require a permit.

c) ***Repair of above-ground utilities or services:*** Work undertaken for the repair of above-ground utilities (hydro, communications and lighting), including conduits, poles and associated boxes or covers and installation of non-permanent or non-fixed street furniture including but not restricted to seating, planters, tree grates, banners, hanging baskets, garbage receptacles and bike racks do not require a permit.

Exceptions:
The installation of any new luminaires and/or poles including any directional or warning signage for vehicular traffic or pedestrians requires a permit.

d) ***Landscaping, soft:*** The installation of any soft or vegetative landscaping confined to boulevard installation and / or planting beds do not require a permit.

Exceptions:
The removal and/or alteration of trees with anticipated mature diameter greater than 20 centimetres at 1.4 m above the ground requires a heritage permit (if located within the front yards or exterior side yards).

e) ***Landscaping, hard:*** The removal and installation of hard landscaping, such as driveways, entranceways, paths and parking areas of the same area and dimension do not require a permit.

As with any modifications being contemplated, it is beneficial to contact municipal staff to discuss proposals before commencing work.

5.5 EMERGENCY WORK: In some instances, emergency work may have to be carried out to public or private property without the benefit of a heritage permit or ascertaining whether such work is exempt from regulation.

Required emergency work may be permitted where the timing of repairs makes it impossible to consult with municipal staff regarding a heritage permit. Notwithstanding this provision, all work should be undertaken in a manner that does not destroy valued *heritage building fabric*. Photographs of 'before and after' should be taken to confirm the condition of the building or property and the nature of the finished repairs, and supplied to municipal staff as a record of the work.

6.0 HERITAGE CONSERVATION DISTRICT PLAN REVIEW PROCESS

6.1 INTRODUCTION

It is not unusual for municipal plans and guidelines to be reviewed from time to time. Some reviews are required by statute, while others are more informal and undertaken as good municipal housekeeping. The *Ontario Heritage Act* makes no specific requirements for formal review and update. For the Brooklyn and College Hill Heritage Conservation District, it is considered appropriate that a formal review be undertaken for this district in order to assess performance of the Plan and Guidelines and make potential revisions.

It is expected that over the next five years City staff will be monitoring activity within the District. In particular, the following should be subject to review:

- The number and type of heritage permit applications submitted, approved, and denied;
- The types of alterations that are occurring within the District (such as signage, additions, infill); and
- The number, type and value of funding applications for eligible conservation work;

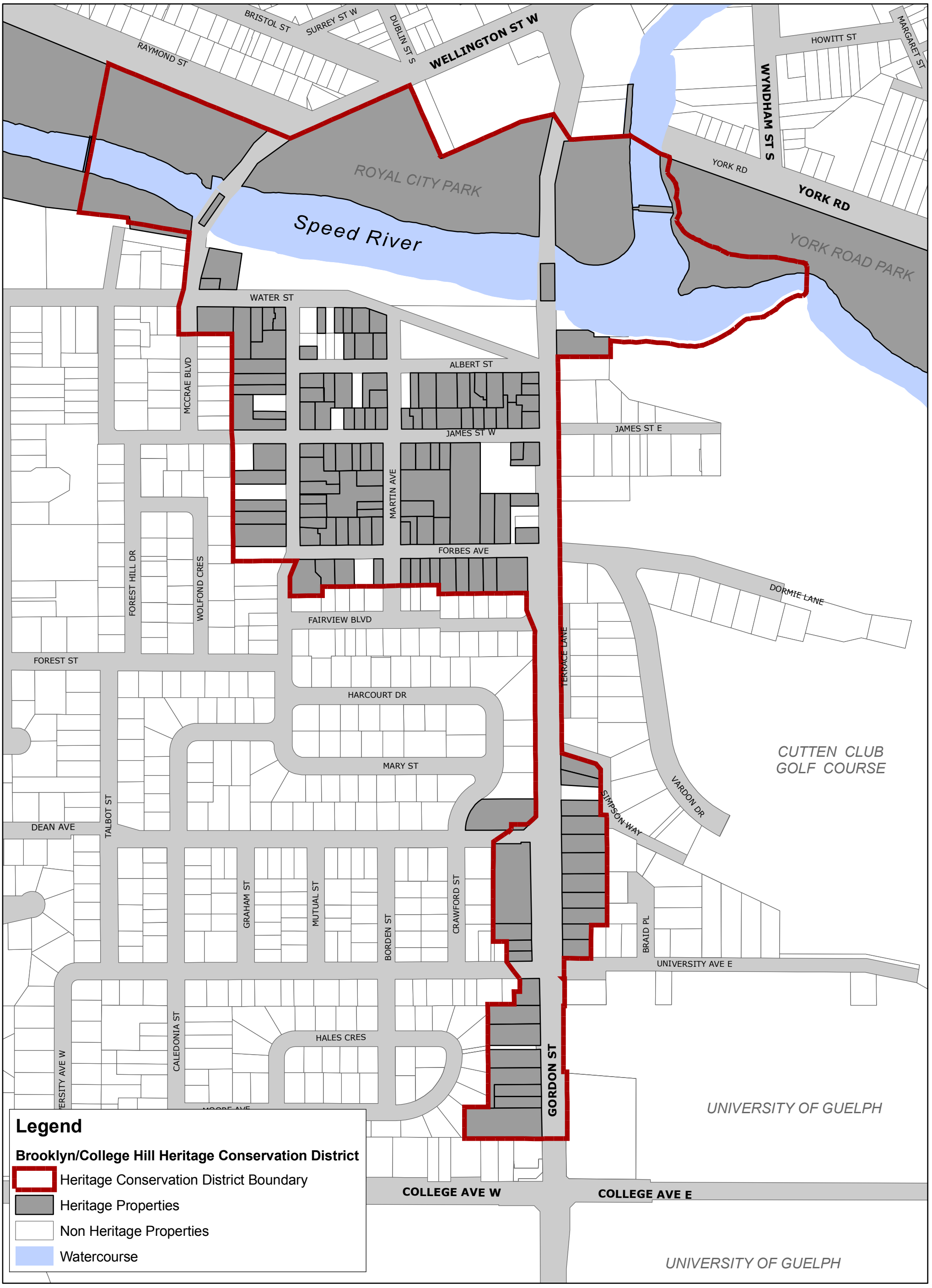
At the end of the monitoring period, the City should embark on a full scale review of the Brooklyn and College Hill Heritage Conservation District Plan, related heritage permit activity and other associated initiatives.

It is advised that the following activities should form part of the review:

- Formal engagement and dialogue with the property owners, community and all interested parties;
- Development of a "score card" to check on what objectives have been achieved and those that have not been fulfilled; and
- Recommendations for any potential revisions to the District Plan, based on past activities and heritage planning best practices.

It is recommended that the City of Guelph implement a 5-year review process related to the Heritage Conservation District Plan, in order to help ensure that the document remains up to date with current heritage planning best practices, and that it reflects the needs of the community.

Appendix A Description of properties within the Brooklyn and College Hill Heritage Conservation District



Legend

Brooklyn/College Hill Heritage Conservation District

- Heritage Conservation District Boundary
- Heritage Properties
- Non Heritage Properties
- Watercourse

100 50 0 100 m

1:4,000

Heritage Status of Properties within the Brooklyn and College Hill Heritage Conservation District Area

Produced by the City of Guelph
Development Planning
March 2014

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Description of properties within the Brooklyn and College Hill Heritage Conservation District

Abbreviations used

STYLES:	
G	Georgian
N	Neoclassical
R	Regency
GR	Gothic Revival
I	Italianate
SE	Second Empire
QA	Queen Anne Revival
EC	Edwardian Classicism
B-A	A Beaux-Arts Classicism
B	Bungalow
CR	Colonial Revival
PR	Period Revival
MM	Mid-Century Modern
C	Contemporary
V	Vernacular

ROOF TYPES:	
H	Hipped
FG	Front Gable
SG	Side Gable
CG	Cross Gable
G	Gambrel
M	Mansard
F	Flat

MATERIALS:	
ST	Stone
BR	Brick
SO	Stucco
CB	Concrete Block
SC	Stone Cladding
WS	Wood Siding
SI	Siding (metal or vinyl)

	Address	Style	Materials	# of Storeys	# of Bays	Roof Type	Building Fabric Classification
Albert Street	12	V	BR	2.5	2	FG	H
	16	V	BR	1	3	H	H
	20	G	ST	1.5	3	CG	H
	24	G	ST	2	3	CG	H
	26	G	ST	1	3	H	H
	30	V	BR	1	3	H	H
	30 (Outbuilding)	G	ST	1	3	SG	H
	40	N	ST	1.5	3	CG	H
	46	PR	BR	1.5	2	CG	H
	48	C	BR/SI	2	2	CG	NH
	49	N	ST/SI	1.5	3	SG	H
	55	MM	SC	1	4	H	H
	58	B-A	BR	1	>4	H	H
	60						vacant lot
	61	G	ST	1	3	H	H
	63	V	WS	1	3	H	NH
	64	G	ST	1	3	H	H
	67	C	BR/SI	2	3	FG	NH
	68	V	BR/SI	1.5	2	SG	H
	69	C	BR	2	3	H	NH
Dean Avenue	5	MM	BR/SC	1	>4	H	H
Forbes Avenue	1	C	BR	1	4	H	H
	14	GR	ST	1.5	3	SG	H
	15	EC	BR	2.5	3	H/CG	H
	16	EC	BR	2.5	2	H	H
	18	EC	BR	2.5	2	H	H
	20	EC	BR	2.5	2	FG	H
	21	G	ST	1	3	H	H
	27	I	BR	1.5	3	H/CG	H
	34	MM	BR/SC	1	4	H	H
	37	EC	BR	2.5	2	FG	H
	38	EC	BR	2.5	2	H	H

	Address	Style	Materials	# of Storeys	# of Bays	Roof Type	Building Fabric Classification
	39	EC	BR	2.5	2	H	H
	40	V	SO	1.5	3	SG	H
	43-45	EC	BR	2.5	4	H	H
	44	V	SC	3	2	H	H
	54	V	BR	1	3	H	H
	63	EC	BR	2.5	3	H	H
	64	C	BR/SI	1.5	>4	SG	NH
	65	EC	BR	2.5	2	H	H
	67	EC	BR	2.5	2	H	H
	69	EC	BR	2.5	2	H	H
	71	V	BR/SI	2.5	4	CG	H
	75	MM	BR	1	3	SG	H
	80	CR	BR	2.5	3	SG	H
	82	MM	BR/SI	1	4	CG	H
	84	I	BR	2	3	CG	H
Gordon Street	116 Boat House	V	WS	1.5	>4	H	H
	124 Covered Bridge						H
	176 Marianne's Park						H
	197	V	BR	2.5	2	FG	H
	201	V	BR	2.5	2	FG	H
	205	V	SC	1.5	4	SG	H
	209	V	SC	1.5	3	H/CG	H
	217-19	V	BR	2	>4	F	H
	239	QA	BR	2.5	4	FG	H
	241	C	BR	2.5	2	FG	NH
	243	C	BR/SI	2	2	H	NH
	314	PR	BR	2.5	3	SG	H
	316	CR	BR	2	3	H	H
	318	V	BR/WS	2	3	SG	NH
	322	EC	BR	3	3	M	H
	324	QA	BR	2.5	4	H/CG	H
	325	QA	BR	2.5	3	FG	H

	Address	Style	Materials	# of Storeys	# of Bays	Roof Type	Building Fabric Classification
	326	QA	BR	2.5	3	FG/CG	H
	329	QA	BR	2.5	>4	H/FG/TOWER	H
	330	QA	BR	2.5	>4	H/FG	H
	332	QA	BR	3	>4	H/FG	H
	334	EC	BR	2.5	2	SG	H
	335	EC	BR	2.5	3	H	H
	336	B	BR/ST/SO	2	3	CG	H
	337	EC	BR	2.5	2	FG	H
	338	EC	BR	2.5	2	H	H
	340	EC	BR	2.5	2	H	H
	341	V	SO	2	2	FG	H
	343	EC	BR	2.5	4	H	H
	345	QA	BR	2.5	>4	FG	H
	349	MM	BR	2	>4	F	H
	351	EC	BR	2.5	>4	H	H
	353	QA	BR	2.5	>4	FG	H
	355	V	BR	2.5	2	FG	H
	357	V	BR	2	2	FG	H
	359	V	BR	2	3	CG	H
James Street West	10	GR	SO	1.5	3	SG	H
	11	V	BR/SC	1.5	3	SG	H
	15	PR	BR/SI	1.5	3	FG	H
	16	MM	BR/WS	3		F	NH
	19	PR	BR/SI	1.5	3	FG	H
	21	B	BR	1	2	H	H
	31	V	BR/SC	1.5	3	FG	H
	33	V	SI	1.5	>4	SG	H
	34-36	V	SO	2.5	4	H	H
	39	V	SC/SI	2.5	3	FG	H
	40	EC	BR	2.5	2	FG	H
	44	V	BR/WS	2.5	2	FG	H
	45	V	BR	2	3	G	H

	Address	Style	Materials	# of Storeys	# of Bays	Roof Type	Building Fabric Classification
	46	V	BR	2	2	FG	H
	47	V	BR	2.5	4	H/FG	H
	48	V	BR	2	2	FG	H
	50	V	BR	2	3	FG	H
	52	V	BR	2	2	FG	H
	63	V	SO	2	2	FG	H
	65	C	SO	2.5	2	FG	H
	67	V	BR	2	2	FG	H
	69	V	BR/SC/SI	1.5	3	SG	NH
	73	V	BR	1	3	CG	H
	75	PR	BR	1.5	3	CG	H
	80	MM	SC/SI	2	3	SG	H
	81	MM	BR/SC	1	4	H	H
Martin Street	1	V	SI	1	3	SG	H
	21-23-25-27	V	SI	1	>4	CG	H
	31	SE	SI	1.5	3	H/M	H
	32	V	BR	2		H	H
	58	V	BR	1	3	H	H
	59	EC	BR	2.5	4	H	H
	60	V	BR	3	>4	F	H
	61	EC	BR	2.5	3	H	H
	63-65	V	SO	2.5	4	SG	H
	66	V	BR	1.5	3	H	H
	72	V	BR	1	3	CG	H
Mary Street	11	V	BR/SI	1.5	3	SG	H
	12	V	SI	1	2	SG	NH
	17	V	SI	3	3	SG	H
	18	V	WS	1.5	3	G/FG/tower with Octagonal Hip	NH
	21	EC	BR	2.5	2	FG	H
	25	B	BR	1.5	3	H	H
	26	V	BR	2	2	H	H
	27	B	BR	1	2	FG	H

	Address	Style	Materials	# of Storeys	# of Bays	Roof Type	Building Fabric Classification
	28	PR	BR	2.5	3	H	H
	31	V	BR	2	2	CG	NH
	33	V	BR	2.5	2	FG	H
	55	V	SI	1.5	4	CG	H
	56	EC	BR	2.5	2	H	H
	58	V	BR	2.5	3	CG	H
	61	V	BR	1	3	H	H
	62	EC	BR	2.5	2	H	H
	66	EC	BR	1.5	2	H	H
	65	C	SC/WS	2	3	H/CG	NH
	67	B	BR	1.5	3	SG	H
	68	V	BR/SI	2.5	3	CG	H
	69	V	BR	1.5	3	SG	H
	71	MM	BR	1	3	H	H
	74	MM	BR	1	2	FG	H
	75	V	WS	2	3	FG	NH
McCrae Boulevard	4	V	CB/SI	1.5	3	H	H
	Gow's Bridge	V	ST				H
	10 McCrae Memorial Gardens						H
Water Street	66	G	ST	1	3	H	H
	70-72	V	BR	1.5	>4	H	H
	76	V	SI	1	3	FG	NH
	80	V	BR	1.5	2	G	H
	82	C	BR/SC	1.5	3	H/CG	NH
	96-98	GR	ST	2	>4	CG	H
	100	V	SI	1.5	3	H	H
	105	MM	BR/SC	4	3	F	H
	108	G	ST	1.5	4	H/CG	H

Appendix B Results from online feedback form

Note: In order to help inform the community engagement process, the City of Guelph made an online feedback form available for members of the community to fill out. The form was available from October 2nd, 2013 through October 16th, 2013, and followed the community meeting held on October 2nd, 2013. This appendix includes the input received.

Brooklyn and College Hill Heri...

Survey Results

Question 01

How should the Heritage Conservation District guidelines address new construction within the District such as major additions and new buildings?

Answers **3** 75%

Skips **1** 25%

59,489,275	It should not.	Monday, Oct 14th 9:17PM
59,235,601	Yes - to ensure new building fit with the existing streetscape.	Friday, Oct 11th 5:38AM
59,015,772	This is a test for Question 1. SR	Tuesday, Oct 8th 1:50PM

Question 02

How should the guidelines of the Heritage Conservation District address the restoration and alteration of existing buildings?

Answers **3** 75%

Skips **1** 25%

59,489,275	It should not.	Monday, Oct 14th 9:17PM
59,235,601	Should provided brought directives with specific relevant examples of how things should be approached. In addition links to organizations, local designer, and contractors which specialize in this type of work and belong to recognized professional heritage conservation associations.	Friday, Oct 11th 5:38AM
59,015,772	This is a test for Question 2. SR	Tuesday, Oct 8th 1:50PM

Question 03

How do you think the Heritage Conservation District Plan should be implemented? What types of change should require an approval from the City? Should incentives be provided?

Answers **3** 75%

Skips **1** 25%

59,489,275	Implementation should be based on the acceptance of the plan by the residents directly affected. The City should not be able to control types of change and incentives need to be provided by the "marketplace".	Monday, Oct 14th 9:17PM
59,235,601	Any exterior changes and interior changes which affect architectural features should require approval from the City. I suggest various approval levels (ie. very minor (heritage planner), more significant (heritage committtee). Incentives should only be provided for special circumstances.	Friday, Oct 11th 5:38AM
59,015,772	This is a test for Question 3. SR	Tuesday, Oct 8th 1:50PM

Question 04

How should the Heritage Conservation District Plan and guidelines address changes to the public realm including changes to the streetscape (front yards and street trees) and open space (parks, rivers, urban forest)?

Answers **3** 75%

Skips **1** 25%

59,489,275	Changes need to relate to publicly owned property only and must primarily meet the needs/requests /values of those who own property on the street.	Monday, Oct 14th 9:17PM

59,235,601	Landscape Planner should provide input to clients on this. OTHER COMMENTS :I believe that the Heritage District should include the Central Business District!!!!! Otherwise what control does the city have on the crown jewel that they are focusing so much of there energies and financial resources on?	**Friday, Oct 11th 5:38AM**
59,015,772	This is a test for Question 4. SR	**Tuesday, Oct 8th 1:50PM**

Brooklyn and College Hill
Heritage Conservation District Study

Part B:
Heritage Conservation District Municipal Implementation

1.0 INTRODUCTION

Successful implementation of a heritage conservation district and the management of change within a district is typically achieved through the review and approval of heritage permit applications under Section 42 of the *Ontario Heritage Act*. There are other mechanisms, tools and actions both under the *Ontario Heritage Act* as well as other Ontario statutes, such as the *Planning Act*, that also can help complement municipal heritage initiatives. The successful implementation of the Brooklyn and College Hill Heritage Conservation District will rely on other initiatives and planning policies that directly support or provide a framework for focussing and implementing district conservation efforts.

The Heritage Assessment Report reviewed other local planning policies, by-laws and initiatives in order to determine if they complement, support, or provide an appropriate framework for the conservation measures anticipated by the Plan and Guidelines. In order to refine and direct conservation, change, and potential new development within the boundaries of the proposed Brooklyn and College Hill Heritage Conservation District, a number of matters were identified which require further consideration by City staff. These are outlined in the following sections.

2.0 PLANNING POLICIES AND ISSUES

2.1 Introduction

As part of the preparation of the Brooklyn and College Hill Heritage Conservation District Study a review was undertaken of municipal planning policies in order to identify any significant conflicts or inconsistencies between the conservation initiatives anticipated in the District Plan and those broader municipal objectives and strategies. The following section summarizes these findings, as well as provides any recommendations for further action.

2.2 City of Guelph Official Plan

The City of Guelph Official Plan policies were reviewed as part of Section 2.6.5 of the Heritage Assessment Report. The policies related to the Brooklyn and College Hill area are reflective of the current land uses present throughout the area, and do not allow for any major change to occur without an Official Plan Amendment or Zoning By-law Amendment. There are currently no major development applications within the District. The current Official Plan also contains policies regarding heritage conservation, and the revisions proposed through the Official Plan review process provide further detail regarding cultural heritage resources.

There are no changes recommended to these policies at this time. As part of any future five year review of the Official Plan, these policies should be reviewed and evaluated as to their effectiveness in protecting the character of the Brooklyn and College Hill Heritage Conservation District. It is advised that at the time of that review the City may wish to consider adding a schedule showing the delineation of the Brooklyn and College Hill Heritage Conservation District as well as including supporting policies that reflect the broad principles of the Brooklyn and College Hill Heritage Conservation District Plan.

2.3 City of Guelph Zoning By-law

The applicable regulations of the City of Guelph Zoning By-law were reviewed as part of Section 2.6.5 of the Heritage Assessment Report. The review did not reveal any major conflicts between the regulations of the Zoning By-law and the anticipated objectives for the Brooklyn and College Hill Heritage Conservation District, with the exception of building height. The current Zoning By-law permits a maximum of 8 storeys within portions of the area (see below), but sites zoned for this height currently have buildings with a height of 3-4 storeys.

The above figure shows that permitted building heights within a portion of the Brooklyn and College Hill area have the potential to disrupt the character of the neighbourhood (map source: City of Guelph staff).

It has been noted in the Heritage Assessment Report that the character of the study area is that of low profile built form. The majority of the buildings are less than 3 storeys in height:

- approximately twenty-one per cent (21%) are single-storey;
- approximately twenty-three per cent (23%) are one-and-a-half storeys;
- approximately nineteen per cent (19%) are two storeys;
- approximately thirty-one per cent (31%) are two-and-a-half storeys; and
- the tallest buildings in the area are four-storeys but account for one per cent (1%).

The *Ontario Heritage Act* (Subsection 41.2(1)(b)) provides that where a heritage conservation district plan is in effect the council of a municipality may not *"pass a by-law for any purpose that is contrary to the objectives set out in the plan"*. The Act also provides that where there is a conflict between a heritage conservation district plan and a municipal by-law that affects the designated district "the plan prevails to the extent of the conflict".

In an effort to ensure that there is no confusion or conflict with respect to building height within the district, the issue may be addressed in a variety of ways:

a) At the time of adopting the designating by-law and heritage conservation district plan it can be asserted that as of that date the maximum building height for all existing buildings and structures is the height of the buildings at the time of the passing of the by-law. No provisions would be made to allow any increase in height, whether it be through a variance, by-law amendment or a Council-approved heritage permit.

b) At the time of adopting the designating by-law and heritage conservation district plan it can be asserted that as of that date the maximum building height is that existing at the time of the passing of the by-law or only as later allowed through a Council approved heritage permit under Part V of the *Ontario Heritage Act* for such height increase but not to exceed 3 storeys or 9 metres.

2.4 Recommendation 1: Determining appropriate building height

It is recommended that when the designating by-law and heritage conservation district plan are adopted and approved by Council that the designating by-law shall state that the maximum building height within the Brooklyn and College Hill Heritage Conservation District shall be the existing height as of that date or only as later allowed through a Council approved heritage permit under Part V of the *Ontario Heritage Act* for such height increase but not to exceed 3 storeys or 9 metres.

3.0 ADJACENT LANDS TO A HERITAGE CONSERVATION DISTRICT

3.1 Introduction

Development adjacent to a heritage conservation district can be as important as development within a heritage conservation district. Adjacent lands may be of interest for future heritage designation, and unsympathetic development of lands adjacent to a district could affect the character of the district itself. Height, building type, use, and the protection of public views and vistas are all important potential considerations. It is important for development adjacent to heritage conservation districts to be sympathetic to the district itself, and one way to ensure this is to prepare an impact assessment statement (the City of Guelph refers to such studies as "Cultural Heritage Resource Impact Assessments") that describes the development, area potentially impacted, description of effects, and any necessary mitigation. This can be thought of as similar to the way in which environmental features are assessed as part of development proposals.

3.2 Adjacency as defined by the Provincial Policy Statement

Section 2.6.3 of the *Provincial Policy Statement, 2005*, (PPS) prepared pursuant to the *Planning Act* provides for the evaluation and assessment of development adjacent to designated property as follows:

> "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*."

Supporting definitions accompany the PPS that assist in the interpretation of these cultural heritage management policies and listed alphabetically are as follows:

> ***Adjacent lands:*** *means...*
>
> *b) for the purposes of policy 2.6.3, those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.*
>
> ***Heritage attributes:*** *means the principal features, characteristics, context and appearance that contribute to the cultural heritage significance of a protected heritage property.*
>
> ***Protected heritage property:*** *means real property designated under Parts IV, V or VI of the Ontario Heritage Act; heritage conservation easement property under Parts II or IV of the Ontario Heritage Act; and property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss*

The PPS direction contained in 2.6.3 can be summarized as requiring the following activities to be undertaken:

- An ***evaluation*** of the proposed *development* or site alteration that affects *protected heritage property* on *adjacent lands*;
- A ***demonstration*** that the *heritage attributes* of the *protected heritage property* will be *conserved* as part of the proposed *development* and site alteration; and,
- A commitment to ***mitigative measures*** **and/or alternative development** approaches in order to conserve the *heritage attributes* of the *protected heritage property* affected by the adjacent *development* or *site alteration*.

3.3 Adjacency as defined in the City of Guelph Official Plan

At the time the Heritage Assessment Report was prepared, the City of Guelph was proceeding through a review of the Official Plan. This amendment has since been adopted by City Council, approved by the Province (Ministry of Municipal Affairs and Housing), and is currently under appeal to the Ontario Municipal Board (OMB). The amendment (OPA 48) includes expanded policies related to the protection of cultural heritage resources, and also defines adjacent lands as it relates to the assessment of impacts on cultural heritage resources.

Section 4.8 of the revised City of Guelph Official Plan contains policies related to cultural heritage resources, and Section 4.8.4 addresses development and site alteration adjacent to protected heritage property (defined to include properties designated under Part IV or V of the *Ontario Heritage Act*). The policy notes that 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 that the heritage attributes of the protected heritage property will be conserved. It is further noted in Section 4.8.4 that a Scoped Heritage Resource Impact Assessment will be required to evaluate and demonstrate, to the satisfaction of the City in consultation with Heritage Guelph, that the heritage attributes of the designated heritage property will be conserved.

Adjacent lands are further defined in the Official Plan as follows:

For the purpose of designated property or protected heritage property, any parcel of land that:

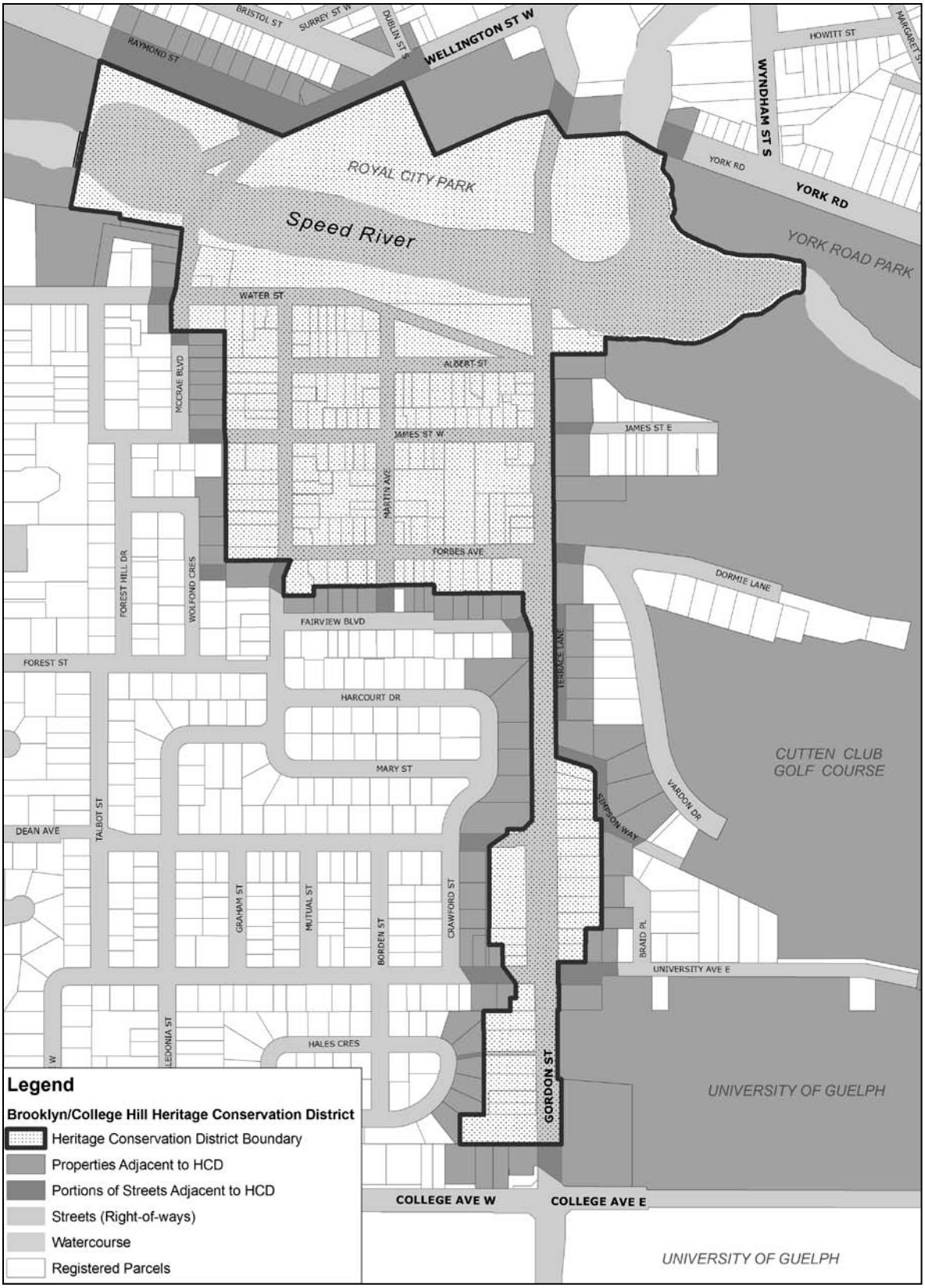
i. shares a boundary with a parcel containing a designated property or protected heritage property;

ii. is separated from a designated property or protected heritage property by a right–of-way (e.g., road) and within the span of the extended lot lines of the parcel containing a designated property or protected heritage property or is located at a corner opposite a corner property that is a designated heritage property or protected heritage property;

iii. is within 30 metres of a designated heritage property or protected heritage property in instances where a designated heritage property or protected heritage property is within a right-of-way (e.g. bridge) or located on a parcel 2.5 hectares in area or greater.

City of Guelph staff have prepared the map on the following page to illustrate this definition.

Given the above recognition of the importance of evaluating heritage resources on lands adjacent to properties designated under the *Ontario Heritage Act*, no further revisions are recommended to the City of Guelph Official Plan in order to address adjacent properties.



The above map illustrates properties adjacent to the Brooklyn and College Hill Heritage Conservation District (map source: City of Guelph staff).

4.0 PLANNING AND DEVELOPMENT APPLICATIONS

4.1 Introduction

In some instances Building Permits or heritage permits within the Brooklyn and College Hill Heritage Conservation District may be preceded by applications for a planning approval pursuant to the *Planning Act*, e.g., plans of subdivisions, severances, minor variances, etc. These planning applications may involve development that has the potential to affect the character of the district. It is important that appropriate heritage planning input be gained at the earliest opportunity, prior to any approvals that may compromise consideration of a heritage permit application, later in the approvals process.

4.2 Recommendation 2: Planning and development applications

It is recommended that where any application or proposal for one of the following is located within or partially within the Heritage Conservation District:

- a variance or a consent;
- a Plan of Subdivision;
- Zoning By-law amendment;
- Official Plan amendment, when combined with a Zoning By-law Amendment or Plan of Subdivision;
- road closure;
- road widening; or
- any public works and improvements by a municipal authority or local utility,

that the municipal heritage committee will be consulted and will provide advice on the appropriateness of the application given the intent of the Brooklyn and College Hill Heritage Conservation District Plan and Guidelines.

5.0 SITE PLAN CONTROL

5.1 Introduction

In some heritage conservation districts, it has become a standard practice to use Site Plan Control provisions authorized under the *Planning Act* to complement the development review mechanisms of the *Ontario Heritage Act*.

In some municipalities, any property designated under the provisions of the *Ontario Heritage Act* is subject to Site Plan Control pursuant to Section 41 of the *Planning Act*. Development which involves new construction, or making alterations or additions to an existing building or structure to allow a substantial increase in size or usability requires the approval of municipal Council (unless authority has been delegated).

Site Plan Control allows the municipality to require facilities or improvements to the subject site, and in particular address matters such as landscaping and architectural details in the development of a property.

Whereas heritage designation is concerned primarily with the details of changes to properties as a means to conserve the character of the property, site plan control seeks to ensure that an acceptable standard of site amenity and maintenance is achieved. Site Plan Control and heritage conservation district permits have considerable potential to complement each other, although procedures and differing time spans for processing applications may be considered cumbersome.

The entire City of Guelph is designated as a Site Plan Control area, but certain classes of development are exempt from Site Plan Control. These are:

- *"Low density residential, including single-detached dwellings and buildings or structures accessory thereto, but not including zero lot line dwellings, lodging houses, coach houses, garden suites, group homes or other residential care facilities;*
- *Farm related development including buildings and structures for agricultural use;*
- *Buildings or structures used for flood control or conservation purposes; and*
- *The working areas of licensed pits or quarries."*

Accordingly, properties and buildings within the Brooklyn and College Hill Heritage Conservation District that contain commercial uses, institutional uses, or residential uses that are not single-detached dwellings are already subject to Site Plan Control.

5.2 Recommendation 3: Site plan applications and heritage permits

In order to ensure that there is no duplication between site plan applications and heritage permit applications the following process for review is recommended:

i) applications for approvals under site plan control and permit approval under district designation should be treated as individual applications.

ii) wherever possible both applications should be submitted together at the same time and considered within the time period (or as otherwise extended and agreed to by the applicant) permitted under subsection 41 (12) of the *Planning Act*, (see also section vi below).

iii) an application under the provisions of the *Ontario Heritage Act* should address all matters relating to the detailed design, alteration and construction of buildings, structures and other property alterations.

iv) an application for site plan approval should address all matters relating to the conceptual design and specific location of buildings and structures and all other site considerations usually required by the City of Guelph.

v) both applications should be considered in the context of the policies and guidelines provided in the pertinent sections of this heritage conservation district plan and appropriate conditions applied to each application if necessary.

vi) if applications for site plan approval are submitted separately any requested permit under the *Ontario Heritage Act* should be determined first and the applicable site plans suitably annotated to include a note referencing the heritage permit number, date of approval and details of any granted alterations.

6.0 PROPERTY STANDARDS

6.1 Introduction

The City of Guelph currently has a Property Standards By-law (2000-16454), which provides general direction related to property maintenance. Various matters related to the interior and exterior of buildings are covered, including outdoor maintenance, structural, electrical, plumbing, heating, and elements such as porches and windows.

Some municipalities have specific property standards by-laws related to heritage buildings. Such provisions may cover matters with respect to the heritage attributes of buildings and property maintenance to ensure protection of the heritage attributes. Where a property does not comply with the standard, the City can require the property to be repaired and maintained to meet the standard.

Given the sound condition and generally good repair of properties within the proposed Brooklyn and College Hill Heritage Conservation District, the requirement to process such a by-law is not pressing. However, it is good practice for any municipality to provide itself with appropriate tools to manage the sensitive attributes of heritage properties.

6.2 Recommendation 4: Property standards

It is recommended that the City of Guelph continue to monitor any property standards issues related to properties designated under the *Ontario Heritage Act*, and implement an enhanced property standards by-law if required.

7.0 TREE PRESERVATION

7.1 Introduction

District designation under Part V of the *Ontario Heritage Act* now extends potential protection to trees and streetscapes as part of the definition of "property" contained in the Act. Clearly they are often significant features in the landscape and as worthy of conservation and management as the built environment.

The *Municipal Act* enables Councils to pass by-laws for the preservation of trees, and the City of Guelph has had such a By-law since 1986. The Tree By-law was updated in 2010, and provides for the protection of trees on private properties. On properties larger than 0.2 ha (0.5 ac), a permit is required to remove trees greater than 10 cm in diameter (at 1.4 m above the ground). There are exemptions listed in the By-law where a permit is not required, such as trees that are dead and dying.

Related to tree preservation, the City of Guelph also recently completed an Urban Forest Management Plan, and is working through implementation of that document. Initiatives arising from the plan may be relevant to the Brooklyn and College Hill Heritage Conservation District, and include the development of a Tree Technical Manual, the review of the City's Tree By-law for private property, and the development of a Tree By-law for public property.

There are a number of areas within the Brooklyn and College Hill Heritage Conservation District where trees are a distinctive landscape feature, and their loss would be detrimental to the area. Accordingly, potentially amending the Tree By-law to apply to smaller properties may be examined or adopting provisions deferring to the *Ontario Heritage Act* permit system for all approvals for tree removal or pruning.

Through discussions with City staff as part of the review process, it was recommended that trees larger than 20 cm in diameter (at 1.4 m above ground) be regulated through the heritage permit process, where they are located within the front or exterior side yard and contribute to the cultural heritage value and visual character of the area. An example would be street trees that contribute to the tree canopy that overarches the public realm.

7.2 Recommendation 5: Tree preservation

It is recommended that the City of Guelph regulate the planting, removal and cutting of trees larger than 20 cm in diameter (at 1.4 m above the ground) through the heritage permit process under Part V of the *Ontario Heritage Act*, where these trees are located within the front or exterior side yard and contribute to the cultural heritage value and visual character of the area.

8.0 HERITAGE CONSERVATION AND FINANCIAL INCENTIVES

8.1 Introduction

Typically heritage conservation activities in their most basic and fundamental form comprise two components: firstly, a system for regulating change to the cultural heritage resource usually through a formal process of designation and subsequent permit approval and secondly, a complementary program of financial assistance to assist in conserving valued heritage resource building fabric, features and materials. Balancing the "carrot and stick" approach to conservation is usually an uneven process with regulation remaining relatively consistent while financial incentives varying, usually being dependent on municipal or provincial budget commitments that may change from year to year.

The authority to provide financial incentives to heritage resource conservation is established under both the *Ontario Heritage Act* and the *Municipal Act*. Sections 39 and 45 of the *Ontario Heritage Act* provide that municipalities may establish by-laws to make grants or loans to owners of designated heritage properties, and Section 365.2 of the *Municipal Act* makes provisions for enabling municipal tax rebates to such properties. To date the City of Guelph has established a Heritage Redevelopment Reserve Fund intended to reduce the costs associated with the retention of heritage features during redevelopment projects that involve commercial or residential intensification.

8.2 Grants

Heritage grants are usually the most manageable of all financial incentives. Capital budget allocations are typically made in a municipality's budgeting process. Ideally a program commitment of at least three to five years is beneficial so that the local community and property owners can plan within a known framework. The start-up year is usually a slow year with the final year of the program typically witnessing a rush of applications and demand on funds. Municipal heritage grants can be focussed either on particular building types (residential, commercial industrial and so on), building features (roofs, foundations, or windows) or specific areas within a municipality such as brownfields or heritage conservation districts.

Total program commitments and grant amounts may vary depending on municipal priorities but they must be of a sufficient amount to make applying worthwhile and be of benefit to the property owner in addressing substantial conservation efforts such as a re-roofing project. Grants may be organized on a first come-first served basis or by way of an annual or semi-annual competition ideally synchronized with the relevant construction season.

8.3 Loans

Heritage loans may be organized and administered in a similar manner and under the same circumstances as grants. The fundamental difference is determining an appropriate interest rate (from interest free to a rate below that of current commercial interest rates) and establishing administration fees. The most notable disadvantage of a loans program is the internal administration costs of managing such a municipal initiative, often involving staff time of the legal and financial departments.

8.4 Municipal tax incentives

In 2001, the Province enacted legislation allowing municipalities the ability to provide property tax relief to heritage buildings. The program is discretionary (i.e., municipalities are not required to offer this type of property tax relief), however if established, the tax relief (which can be either in the form of a property tax reduction or refund) must be between 10 and 40 percent of the taxes levied on the property. The Province funds the education portion of the tax relief. The definition of an "*eligible heritage property*" as per section 365.2 of the *Municipal Act, 2001* is as follows:

A property or portion of a property,

- *a. that is designated under Part IV of the Ontario Heritage Act or is part of a heritage conservation district under Part V of the Ontario Heritage Act,*
- *b. that is subject to,*
  - *i. an easement agreement with the local municipality in which it is located, under section 37 of the Ontario Heritage Act,*
  - *ii. an easement agreement with the Ontario Heritage Foundation, under section 22 of the Ontario Heritage Act, or*
  - *iii an agreement with the local municipality in which it is located respecting the preservation and maintenance of the property, and*
- *c. that complies with any additional criteria set out in the by-law passed under this section by the local municipality in which it is located.*

The additional criteria as stated in (c.) could potentially include such matters as: the property must be in a sound and habitable condition (therefore excluding vacant/derelict properties), not subject to any municipal or provincial contraventions, work orders, outstanding municipal fines or tax arrears. The municipality may also apply different percentages of tax relief to different property classes or types of properties and may specify a minimum or maximum relief amount.

As the tax rebate or refund is only applicable to the portion of the property that is designated and has an easement, the Municipal Property Assessment Corporation (MPAC) would be required to determine the portion of the property's assessment that would be eligible.

In isolation, the Heritage Tax Rebate Program appears to be a useful tool to provide tax relief to owners of heritage properties, in recognition of the perceived added cost of conserving these valuable properties. Several municipalities have established this rebate program (e.g., Chatham-Kent, Cornwall, Kitchener, Kingston, Markham, Newmarket, Owen Sound, Peterborough, Sault Ste. Marie, Toronto, Whitby, and Windsor) Kingston, Toronto, Markham, Thunder Bay, Kitchener and Cornwall). Unless specifically included in the program criteria that the applicant must provide details on the anticipated work and a method by which to confirm this, there is no measurable way of ensuring that the tax rebate would be used to preserve the heritage features of the property.

Added costs in administering a heritage tax rebate program include negotiating individual heritage conservation easement agreements on a property by property basis, registering these on title, establishing a base year of building condition (usually by photographic and documentary recording) and subsequent yearly monitoring of conditions to ensure compliance with the easement agreement and consequent release of funds

8.5 Analysis

In comparing the benefits of tax incentives with those of grants or loans it is believed that heritage grants or loan programs that actually target preservation efforts are more effective at achieving the goal of protecting and conserving heritage properties. Moreover, for ease of municipal administration a grants program is measurably easier to manage and monitor than a loans program. Financial incentive programs provided in the form of a grant gives the municipality control in what type of work is "eligible" and that the actual work is completed (to the municipality's approval) and fully paid. Requiring the property owner to match (or be responsible for a percentage of the costs) also ensures the property owner's commitment. This measurable return on investment and control of the use of municipal funds is not present in a tax rebate program.

It is concluded that heritage grants are usually the most manageable of all financial incentives for the purposes of municipal implementation (Authority for establishing funding programs is found in Section 45 of the *Ontario Heritage Act* which requires the preparation of an enabling by-law). Typically, most programs rely on capital budget allocations being made in a municipality's budgeting process with a program commitment of at least three to five years in order that the local community and property owners can plan within a known framework of time. Projects and work schedules can then be carefully planned by private property owners.

Heritage grants or loans specifically target restoration and conservation efforts and are not intended to provide financial assistance for routine maintenance of these properties or for costs incurred that are not directly tied to the heritage features. It should not be the intent of the municipality to provide financial assistance to property owners for generally maintaining their property – as all properties, heritage or not, should be maintained in accordance with property standards.

8.6 Components of a heritage grants program

Establishing and administering the financial aspects of a heritage grants program should reside with an appropriate Department within the City. Planning staff or heritage committee members should typically be involved only with examining, reviewing and assessing the scope of project work to ensure that the work proposed is eligible for grant assistance and consistent with the District Plan and Guidelines. Review and co-ordination of whether such work requires the processing of a heritage permit application would also fall within the scope of planning staff interests.

The focus of a grants program should be intended to provide financial assistance for owners of heritage property contained within the Brooklyn and College Hill Heritage Conservation District. Although it is beyond the scope of the Heritage Conservation District Plan and Guidelines to provide a detailed guide to a grants program, the following are advised as components of a successful funding program:

- A clear objective to encourage continuing long-term economic and physical investments in the conservation of heritage fabric of designated properties
- An appropriate allocation of municipal funding should be made to assist heritage property owners in a meaningful way over a multi-year period, from three (3) to five (5) years;
- The determination of a maximum grant amount per property per year dependant on municipal financial resources.
- A municipal allocation of funds that provides for a multi-year program range (three (3) to five (5) years) with a minimum allocation for the first year; increased commitments for the intervening years; and a final allocation for the last year of the program.
- The program will be based on an annual competition to take place in the Fall allowing for Spring construction starts.
- Grant assistance will be based on a matching fifty per cent 50% grant for eligible heritage conservation work.
- Eligible work comprises any work that conserves or enhances heritage elements on identified heritage properties in the District Plan or in the accompanying designating by-laws for property designated under Part IV of the *Ontario Heritage Act*.
- Grants should not be available for any form of abrasive cleaning, (e.g., sandblasting) or high-pressure water cleaning.

- Grants supporting work necessary to restore a building to structural soundness should be considered as being eligible, e.g., the correction of serious structural faults that threaten the building's survival but should not include structural work to accommodate modern renovations or routine maintenance.
- All properties must be in conformity with relevant policy documents and by-laws of the Municipality, provisions of the Zoning By law, must not be in municipal tax arrears and must satisfy the municipality's property standards by-law.
- Grants can be awarded on an annual or semi-annual cycle following a request for applications with a deadline(s) to be established by the municipality.
- Municipal staff (e.g., a Building Inspector and Planner) should perform initial inspections and site visits of the heritage property intended to be conserved and subsequent final inspection to assure compliance with the original award of the grant and any permits pursuant to the *Ontario Heritage Act*.
- Proposed work should usually be completed within one (1) calendar year of the date of the Council award of a grant to be eligible for payment.
- Work completed must comply with estimates, and work proposed and identified within the application.

8.7 Eligible conservation work

If a grants program is initiated with appropriate levels of funding that Council has determined can be supported it is usual to establish in program guidelines clear descriptions respecting what constitutes eligible conservation work. Any work that conserves or enhances the heritage attributes of the District or identified in Part IV designating by-laws should be capable of being grant assisted.

8.8 Recommendation 6: A Brooklyn and College Hill Heritage Conservation District grants program

It is recommended that the City of Guelph establish a grants program for the Brooklyn and College Hill Heritage Conservation District with a program schedule, levels of funding and eligibility criteria to be determined by Council in the context of prevailing municipal budget commitments.

9.0 HERITAGE PERMIT APPLICATION FORM AND APPROVALS PROCESS

9.1 Introduction

The efficient administration of a heritage conservation district relies on both clear guidelines as well as a complementary system of processing heritage permit applications for alterations to property, the erection of buildings and structures and the demolition or removals of buildings and structures. Section 42 (1) of the *Ontario Heritage Act* requires that none of the foregoing may be undertaken "unless the owner obtains a permit from the municipality to do so".

Section 42(3) also requires that where Council receives such an application a notice of receipt shall be served on the applicant. Notice of receipt essentially starts the formal maximum 90 day review process during which a decision must be made by Council. Only with the adoption of a heritage permit application form can a permit be appropriately tracked and processed from submission to decision.

Additionally, Section 8 (2) (a) of the *Ontario Building Code Act* provides that the chief building official of a municipality shall issue a building permit under the Act unless: *"the proposed building, construction or demolition will contravene this Act, the building code or any other applicable law"*

Ontario Regulation 350/06 under the *Building Code Act* contains a series of provisions respecting the definition of applicable law and subsection 1.4.1.3(1)(xix) states that for the purposes of section 8 of the Act, *applicable law* means: *"Section 42 of the Ontario Heritage Act with respect to the permit given by the council of a municipality for the erection, alteration or demolition of a building,"*

This reinforces the concept of a heritage permit under the *Ontario Heritage Act* being distinct and separate from that of a building permit under the *Building Code Act*.

9.2 Recommendation 7: Heritage permit application forms

It is recommended that a heritage permit application form be prepared for use by the City of Guelph under both Parts IV and V of the *Ontario Heritage Act* to allow for traceable processing and determination of permits. It is also recommended that no fee be charged for processing heritage permit applications.

9.3 Delegated approval authority for alterations

Section 42 (16) of the *Ontario Heritage Act* provides for the delegation of Council's authority to grant permits for the alteration of property in a designated heritage conservation district to an employee or official of the municipality. The City of Guelph has not enacted such a by-law. The granting of permit approvals for alterations by municipal staff is considered to be a means of expeditiously processing permits and substantially reducing reports and reporting time to Council for decision making. Such action also assists in enhancing customer service and the provision of municipal services in an expeditious and efficient manner. It must be noted that delegation of approvals does not extend to the construction of new buildings or structures or the demolition of buildings and structures.

9.4 Recommendation 8: Enacting a delegation by-law for heritage permit approval

It is recommended that the City of Guelph enact a delegation by-law under the *Ontario Heritage Act*.

10.0 PROCESS AND THE CITY OF GUELPH MUNICIPAL HERITAGE COMMITTEE

10.1 Introduction

The *Ontario Heritage Act* enables municipalities to establish municipal heritage committees to advise on matters under the *Ontario Heritage Act*, amongst other things. Part IV of the Act which addresses the designation of individual properties and the management of change through the review and approval of heritage permit applications provides a specific role for a municipality's heritage committee both in the property designation process and in advising on applications for alterations and demolition.

In Part V of the Act which addresses the designation of heritage conservation districts the role of the municipal heritage committee is relatively restricted. Specific direction is given in the preparation of a heritage conservation district plan and the involvement of the municipal heritage committee, yet there is no specific requirement for heritage committee action in the processing and determination of permit applications for alteration under Part V of the Act. The Act does provide that a municipal heritage committee is to be consulted on all applications for demolition or removal.

The City of Guelph presently has a Municipal Heritage Committee (Heritage Guelph), (Heritage Guelph), which is made up of volunteers from the community appointed by Council and is supported by a City staff liaison and recording secretary. The Committee meets monthly, and advises Council on matters relating to the conservation of cultural heritage resources within the City.

10.2 The function and role of an advisory committee

Whether legislated or not, many municipalities utilise municipal heritage committees or sometimes purposefully created district advisory committees to provide expertise and to advise on heritage permit applications within Part V designated heritage conservation districts. It is also usual to try and ensure that collective interests within a designated district are somehow represented not simply the heritage interests alone, i.e., business interests, tourism, property owner interests and so on.

It is considered that the current municipal heritage committee continue as the primary adviser to Council (or its delegated authority) on the determination of heritage permit applications within the context of the previously recommended action in the preceding Section 9 of this report.

10.3 Recommendation 9: The role of Heritage Guelph

a) It is recommended that the City of Guelph's Municipal Heritage Committee, otherwise known as Heritage Guelph, assume the role of primary heritage adviser to Council in providing comments and recommendations on matters relating to the management of the Brooklyn and College Hill Heritage Conservation District and to the consideration of any heritage permit applications (except those where authority has been delegated to staff through a by-law).

b) It is recommended that the effectiveness of the Municipal Heritage Committee in assisting with the management of the Heritage Conservation District Plan be monitored to ensure that the interests of the Brooklyn and College Hill community are appropriately represented in its advisory role to Council. Consideration could be given to amending the Committee membership if deemed appropriate.

11.0 BED AND BREAKFAST ESTABLISHMENTS

11.1 Introduction

Many special heritage areas are attractive to visitors and often develop a variety of services and facilities to better serve the visiting clientele. This clearly creates business opportunities, boosts local employment and enhances economic growth and development. The establishment of "bed and breakfast" accommodations in historical settlements, particularly well-established residential areas in scenic settings, now play a significant role in providing an alternative to traditional hotel or motel accommodation and hence enhancing economic spin-off effects.

Bed and breakfast establishments are permitted within the R1 zoning that covers much of the proposed Brooklyn and College Hill Heritage Conservation District.

These establishments can be a benefit to an area by bringing more people to a neighbourhood and increasing heritage interest, but also need to be managed in such a way that they are not a detriment as well. Potential effects of bed and breakfast uses can include:

- perceived or actual increase in traffic and parking congestion;
- the loss of landscaping to provide additional parking; introduction of permanent signage into residential areas; and
- changes to the building fabric from the installation of features to accommodate a bed and breakfast establishment (such as additional entrances, larger windows, satellite dishes, etc).

It is not the intent of the Brooklyn and College Hill Heritage Conservation District Plan and Guidelines to halt or hinder the establishment of "bed and breakfast" facilities. Building and landscaping guidelines should be consulted with a particular view to providing required parking spaces at the side or rear of the dwelling with no major alterations being made to principal building façades and fabric in order to provide "bed and breakfast" facilities or services.

11.2 Recommendation 10: Bed and breakfast facilities

It is recommended that the City of Guelph monitor the establishment of "bed and breakfast" facilities, over the next five years, to identify and assess potential impacts on the individual character of buildings and the heritage character of individual streetscapes and amend the guidelines in the Brooklyn and College Hill Heritage Conservation District Plan and Guidelines if necessary through the regular review process.

12.0 HERITAGE TOURISM STRATEGY

12.1 Introduction

As part of the heritage conservation district study process, it was required that tourism promotion benefits of a heritage conservation district be identified as part of a broader heritage tourism program. This was reviewed in detail as part of the Heritage Assessment Report (Section 2.7), which examined the broader benefits of conservation, discussed conservation activities as a component of community development, and reviewed specific matters related to potential tourism benefits.

The analysis concluded that it would be prudent to approach heritage tourism by the promotion of a network of several conserved and enhanced cultural heritage assets, linked together by well-marked and welcoming routes through the Brooklyn and College Hill Heritage Conservation District. It was noted that a network provides enhanced variety in available visitor experiences, and also helps to achieve the objectives of sustainable tourism.

The Heritage Assessment Report noted that there are at least four potential sites or areas for heritage and community development to work together as a network in the Brooklyn and College Hill area. These include:

- The McCrae House, located on the banks of the Speed River is a well established nationally recognized historic site commemorating the birthplace of Lieutenant Colonel John McCrae the noted doctor, soldier and author of In Flanders Field. (This site can be found electronically in the *What to do? Heritage and History* link on: *http://visitguelphwellington.ca/*);
- The Boathouse Tea Room, "Where Guelph Gathers: The Boathouse Tea Room is Guelph's favourite spot for tea time, wholesome lunches, premium scooped ice cream and magical private events - all on the riverside." (This site can be found electronically in the *Where to eat? Bistros and Cafés* link on: *http://visitguelphwellington.ca/*);
- The Macdonald Stewart Art Centre "a public art gallery that annually presents 15 exhibitions of contemporary and historical art and craft drawn from regional, national and international sources. A major thrust of the program is to provide a rigorous, in-depth presentation of contemporary art practice in Canada". (This site can be found electronically in the *What to do? Arts and Culture* link on: *http://visitguelphwellington.ca/*); and
- The potential Brooklyn and College Hill heritage conservation district as an area for guided walking tours as all ready described in Brooklyn and College Hill published by the Guelph Arts Council.

As noted in the Heritage Assessment Report and evidenced above, none of these sites or areas is noted as being physically linked together as a network of resources. Each site is individually marketed either under "heritage-history", "bistros-cafés" or "arts-culture". The riverside setting of a museum and eating place linked to each other by a riverside park, in turn linked by an established walking tour to an important provincial gallery would seem to suggest obvious heritage tourism synergies.

12.2 Recommendation 11: Heritage tourism

It is recommended that as part of a City-wide and Wellington County heritage tourism strategy the City of Guelph pursue heritage initiatives that would include:

i) physically linking the Brooklyn and College Hill Heritage Conservation District with other sites in the area through a system of wayfinding techniques, e.g., directional signage, in order to create a network of sites that would attract and enhance the visitor and tourist experience to this area near Downtown Guelph; and

ii) develop a co-ordinated system of electronically linked web pages and social media that would connect and create a network of various disparate attractions, e.g., *What to do? Heritage and History, Where to eat? Bistros and Cafés, What to do? Arts and Culture*.

13.0 STREETSCAPE MANAGEMENT PLANS

13.1 Introduction

The Brooklyn and College Hill Heritage Conservation District is characterised by a variety of landscaping elements and features as well as a corresponding variety in more recent or contemporary design elements. An important consideration in any heritage conservation district that is diverse in its character is to co-ordinate public realm design initiatives within and along the various streets, roads, and pathways. One way of achieving a long term, co-ordinated strategy is by means of a streetscape management plan.

Streetscape management plans are used in many municipalities in Ontario as a means of providing a broad design strategy and context for future physical, above-ground, improvements in the public realm, i.e., the public road right-of-way and other publicly owned spaces. Usually management plans also contain urban design principles and guidance on design intent that together provide a bridge between the general policy provisions of the Official Plans and specific detailed design drawings and specifications necessary for implementation.

In addition to streetscape management plans, there are also a number of other singular "improvements" that can enhance the heritage setting of streets and their component buildings and spaces. Due to municipal priorities and constraints, however, and in the absence of a streetscape plan, programs for wayfinding, lighting strategies and street tree plantings can be pursued as important enhancement schemes in their own right.

13.2 Streetscape management plan

In the context of the Brooklyn and College Hill Heritage Conservation District, a streetscape management plan for the district and the broader community should be able to assist in complementing heritage conservation initiatives by:

- articulating a long-term vision for enhancing the pedestrian amenity and image of Guelph;
- strengthening linkages to Royal City Park and the Speed River from adjacent residential areas;
- identifying key civic spaces and priority areas for specific streetscape treatment in order to enhance the character and sense of place within Guelph; and
- establishing a high standard of design within public spaces as a model for private sector initiatives.

A key principle for considering municipal improvements as part of streetscape management plans that should drive and accompany most streetscape initiatives is the notion of undertaking streetscape improvements (typically above-ground work) in a co-ordinated manner at the same time as any required infrastructural improvements (under-ground work) or when other major public development is planned. This often assists in reducing implementation costs and unnecessary disruptions to adjacent property owners, vehicular traffic and pedestrians. Co-ordination of these activities should be typically undertaken as part of the City of Guelph's annual capital improvements budget process. Due to the long term horizon of most municipal budgeting processes, most streetscape management plans should also adopt a similarly longer-term approach.

A streetscape management plan is intended to serve as a design guide and future inspiration for preliminary, functional and detail design of most municipal capital projects within the community.

The guidelines and recommendations of a streetscape plan are to be carefully reviewed on a case-by-case basis in conjunction with all applicable provincial laws and City by-laws, policies and standards relating to the public road allowance. Additionally, some public improvements may have to fulfill requirements of Ontario's Municipal Class Environment Assessment processes and these are guided by costs and magnitude and scale of anticipated environmental effects.

Typically a streetscape management plan along a major corridor with adjacent residential uses should address a variety of matters that fall within the public realm including:

- the type, width and materials for use in road and sidewalk construction such as concrete, imprinted asphalt and pavers,
- the appropriateness of installing grassed boulevards,
- the type of light poles and luminaires, especially in the consideration of "standard" or "off the shelf" units or the installation of special, custom designed for signature locations either of contemporary design or heritage motifs,
- the appropriateness of planting in-ground street trees and installing tree grates especially in areas where underground services may be affected,
- installation of traffic calming devices such as bump-outs or speed humps,
- the appropriateness of guard-rails, pedestrian fences or other safety features,
- planters,
- street signage,
- kiosks,
- waste receptacles,
- bus shelters,
- bicycle racks,
- public art, and
- community mail boxes.

13.3 Recommendation 12: A Brooklyn and College Hill Streetscape Management Plan

It is recommended that the City of Guelph consider undertaking the implementation of a Streetscape Management Plan for the Gordon Street corridor as future municipal budgets allow.

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