

Appendix C – Policy Framework

City of Greater Sudbury Official Plan

The City of Greater Sudbury establishes goals objectives and policies to manage and direct physical change and its effect on the social, economic and natural environment for the twenty-year planning period. It provides a policy framework to help conserve Greater Sudbury's heritage resources.

Section 13.0 of the Official Plan speaks to Heritage Resources, as follows:

"The conservation of Greater Sudbury's heritage resources, including built heritage, archaeological resources, and cultural heritage landscapes are directly linked to the identified need to improve quality of place. These valuable cultural assets will strengthen the City's identity and appeal, instill a sense of pride in local citizens, and attract the interest of visitors.

Heritage buildings also strengthen the diversity of our built form and contribute to an aesthetically pleasing urban environment. With its concentration of older buildings, the Downtown retains a number of underutilized properties that offer opportunities for rehabilitation and the potential to create a powerful symbol of revitalization.

Policies aimed at protecting heritage resources are consistent with Healthy Community determinants that form the underlying foundation of this Plan, and will bolster quality of place initiatives that are tied to the Economic Development Strategic Plan.

13.1 OBJECTIVES

It is the objective of the heritage resources policies to:

- a. promote the conservation, restoration and rehabilitation of all heritage resources;
- b. ensure that heritage features are passed on for the enjoyment and care of future generations;
- c. prevent the demolition or inappropriate alteration of heritage resources;
- d. identify a range of features so they can be conserved and integrated into the community, including, buildings, sites, landscapes and artifacts of historical, archaeological and architectural significance; and,
- e. involve the public in heritage resource decisions affecting the City.

13.2 HERITAGE STRUCTURES, DISTRICTS AND CULTURAL LANDSCAPES

The Ontario Heritage Act is the legislative tool with which municipalities in Ontario can identify and preserve historic buildings, districts and archaeological sites. The Act sets out a prescribed process and criteria for designations, as well as the decision framework for the alteration and demolition of designated properties as determined by the City. It also requires the City to keep a register of property situated in the municipality that is of cultural heritage value or interest.

The City, in cooperation with property owners, may designate individual property, by by-law under Part IV of the Ontario Heritage Act, individual buildings and structures as heritage properties.

Areas or groupings of properties of cultural heritage value or interest may also be designated under Part V of the Ontario Heritage Act as heritage conservation districts. These districts may include entire neighbourhoods and their related elements, as well as cultural heritage landscapes closely tied to the history of place.

Policies

1. The City will prepare, publish and periodically update a Register of the City's cultural heritage resources in accordance with the Ontario Heritage Act. This Register will also contain non-designated properties that have been identified by the City as having significant cultural heritage value or interest.
2. A cultural heritage impact assessment will be required for development and intensification proposals or public works that include or are contiguous to a property designated under the Ontario Heritage Act or non-designated property included on the Municipal Heritage Register. The cultural heritage impact assessment will be undertaken in accordance with the policies of this plan. The City will determine the need for a cultural impact heritage assessment in consultation with the owner/applicant. A cultural heritage impact assessment will include the following elements:
 - a. identification and evaluation of the cultural heritage resource;
 - b. graphic and written inventory of the cultural heritage resource;
 - c. assessment of the proposal's impact on the cultural heritage resource;
 - d. alternatives to the proposal;
 - e. identification and justification of the preferred option; and
 - f. means to mitigate impacts, in accordance with Chapter 13.0, Heritage Resources;
3. The City may prevent the demolition or inappropriate alteration of any heritage resource designated under the Ontario Heritage Act by the City or Province.
4. Heritage buildings and structures involved in planning applications will be retained for their original use and in their original location wherever possible to ensure that their heritage value is not compromised. If the original use is no longer feasible, adaptive reuse of buildings and structures, will be encouraged where the heritage attributes will not be compromised. If it is not possible to maintain structures in their original location, consideration may be given for the relocation of the structure.

The City will also encourage methods of conservation including:

- a) repairing or conserving building materials and finishes and other components that are part of a property's heritage attributes;
 - b) retaining and maintaining the visual settings and other physical relationships that contribute to the cultural heritage value of the property;
 - c) retention of a built heritage resource as a heritage monument for viewing purposes only;
 - d) salvaging elements of the resource for incorporation into a new building or structure for future conservation work or displays; and,
 - e) documentation for the City's archives.
5. Adaptive reuse projects that conserve the architectural integrity of heritage buildings and structures are encouraged as a means of enhancing the long-term conservation of heritage resources and promoting the rehabilitation of underutilized properties.
6. In order to protect the railway heritage connected to the founding of the community of Sudbury, the CPR Station and CPR Telegraph Office on Elgin Street will be preserved and protected from inappropriate development.
7. Heritage conservation districts and cultural heritage landscapes will be protected, maintained and incorporated, specifically through the regulation of uses that detract from the traditional landscape.
8. Where an area is designated as a heritage conservation district, partial demolition, alterations, renovations, repairs, additions, development or intensification may be allowed at the City's discretion and may be subject to a cultural heritage impact assessment.
9. The City may permit the transfer of surplus density rights from sites with heritage buildings to adjacent or nearby properties in order to facilitate the conservation, retention or adaptive reuse of a particular heritage resource. Unused density may be transferred to another site provided that:
- a) the relevant property is designated under the Ontario Heritage Act; and,
 - b) the downzoning of the donor site and up-zoning of the recipient site takes place.
10. Retrofits for achieving energy efficiency will only be undertaken in a heritage building where it is demonstrated that retrofitting can be accomplished without compromising the heritage integrity of the building;
11. In attaining accessibility goals, the City will endeavour to provide access solutions in a manner that respects the cultural heritage value or interest of a protected property. The City recognizes that standardized designs may not always suffice and that each heritage property will require unique accessibility

plans to ensure that alterations do not adversely affect the heritage attributes. The City encourages this practice for privately -owned heritage buildings that are open to and used by the public;

12. The City will support the reduction of waste from construction debris as a result of the demolition of buildings by promoting and encouraging adaptive reuse of older and existing building stock;
13. The City will make every effort to identify, conserve and protect known cultural heritage resources and areas of archaeological potential when undertaking municipal public works, such as roads and infrastructure projects, carried out under the Municipal Class Environmental Assessment process. When necessary, the City will require archaeological assessments and heritage impact assessments and satisfactory measures to mitigate any negative impacts to cultural heritage resources ;
14. The City will encourage local utility companies to place equipment and devices in locations which do not detract from the visual character of cultural heritage resources and do not have a negative impact on the architectural integrity of those resources; and,
15. In the event that demolition, salvage, dismantling relocation and/or irrevocable damage to a cultural heritage resource is determined through heritage impact assessment or other City review process to be unavoidable, thorough archival documentation is required to be undertaken by the proponent and made available to the City for archival purposes. This documentation must be prepared by a qualified person and include at least the following as appropriate or additional matters as specified by the City:
 - a) architectural measured drawings;
 - b) a land use history; and,
 - c) photographs, maps and other available material about the cultural heritage resource in its surrounding context.

Programs

1. The City may undertake a study to identify and evaluate areas and landscapes of potential cultural heritage value or interest. Landscapes of cultural heritage value or interest may be designated pursuant to the Ontario Heritage Act, or as areas of cultural heritage character and recognized for their specific heritage character in this Plan.
2. The City may establish heritage design guidelines and/or cultural heritage impact assessment guidelines that assist in the design and review of adaptive reuse proposals.

3. The City may establish a grant program for designated heritage properties. The intent of this program would be to help alleviate some of the financial burden placed upon property owners in the maintenance and conservation of heritage resources or the adaptive reuse of a designated heritage property.

13.3 ARCHAEOLOGICAL RESOURCES

Archaeological resources may include artifacts, archaeological sites, marine archaeological sites, as defined under the Ontario Heritage Act. The identification and evaluation of such resources are based upon archeological fieldwork undertaken in accordance with the Ontario Heritage Act.

Policies

1. Disturbance of known archaeological sites and areas of archaeological potential are discouraged by this Plan. This Plan encourages mapping the archaeological resource potential of the City of Greater Sudbury in order to better determine where an archaeological resource assessment will need to be conducted by a licensed archaeologist. Until such mapping is completed, development applications will be screened for archaeological potential in accordance with provincial standards.
2. Any alterations to known archaeological sites and areas of archaeological potential will only be performed by licensed archaeologists in accordance with the Ontario Heritage Act.
3. Where a development may cause an impact to archaeological resources or areas of archaeological potential, an archaeological assessment will be required in accordance with the Ontario Heritage Act. Archaeological resources that are located on a proposed development site will be conserved.
4. The local police, Cemeteries Regulation Unit of the Ministry of Consumer Services and the Ministry of Tourism, Culture and Sport will be contacted by the proponent if an identified human cemetery, marked or unmarked human burial site is discovered during land use development.
5. The City may maintain the integrity of archaeological resources by adopting zoning by-laws under Section 34 of the Planning Act to prohibit any land use activities or the erection of buildings or structures on land which is a site of a significant archaeological resource.

Programs

1. The City may undertake the preparation of an Archaeological Management Plan in collaboration with Indigenous communities. The Plan will identify and map known archaeological sites registered with the Ontario Archaeological Sites Database, as well as areas within the municipality having archaeological potential. The Plan may also outline policies, programs and strategies for the conservation of archaeological resources, including how Indigenous communities will be engaged in the implementation of the Plan to ensure their interests are considered in the conservation of cultural heritage and archaeological resources.
2. The City will regularly update municipal archaeological resource mapping as new archaeological sites are identified and entered into the Ontario Archaeological Sites Database.

Provincial Policy Statement, 2020 - Policies

Policy 2.6.1 *Significant built heritage resources and significant cultural heritage landscapes shall be conserved.*

Policy 2.6.3 Planning authorities shall not permit *development* and *site alteration* on *adjacent lands* to *protected heritage property* except 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*.

Provincial Policy Statement, 2020 – Associated Definitions

Adjacent lands, for the purposes of policy 2.6.3, means: those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.

Built heritage resource: means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are located on property that may be designated under Parts IV or V of the Ontario Heritage Act, or that may be included on local, provincial, federal and/or international registers."

Conserved: means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the Ontario Heritage Act, or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms.

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act, but does not include: a) activities that create or maintain infrastructure authorized under an environmental assessment process; b) works subject to the Drainage Act;

Heritage attributes: means the principal features or elements that contribute to a protected heritage property's cultural heritage value or interest, and may include the property's built, constructed, or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (e.g. significant views or vistas to or from a protected heritage property).

Protected heritage property: means property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

Significant, in regard to cultural heritage and archaeology: means resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act.

Site alteration: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.