MARKHAM

CULTURAL HERITAGE IMPACT ASSESSMENT

TERMS OF REFERENCE
JUNE 2023

ABOUT THE FOLLOWING TERMS OF REFERENCE

These Terms of Reference were developed as a joint effort with participation by representatives from all York Region municipalities and the Region. The Terms of Reference are in widespread use across the Region, with local requirements added as prescribed by each municipality.

The requirement for this study will be decided during the Pre-Application Consultation process.

If determined that this study is applicable, the study terms may vary depending on the nature of the proposal. Discussion and confirmation as to whether all criteria outlined within these Terms of Reference are appropriate for your development project, will also take place with you and in consultation with any relevant external agencies during Phase 1.

In addition to these Terms of Reference, municipal departments and/or external agencies may require analysis of specific technical components that should be addressed in the study. Confirmation of additional technical requirements, and a checklist identifying detailed standards to be met, in turn may be provided. The extent of the checklist items will vary on the nature of the application and will be confirmed during the Pre-Application Consultation process.

PURPOSE

A Cultural Heritage Impact Assessment determines if any cultural heritage resources may be adversely impacted by a specific proposed development or site alteration and recommends an overall approach to the conservation of the heritage resource. Cultural Heritage resources may refer to built heritage or cultural heritage landscape. Archaeological resources will be dealt in accordance with the *Ontario Heritage Act*.

This includes heritage resources previously identified and those on or adjacent to the subject property and development or site alteration. Even small alterations to a resource over time can dramatically affect its cultural heritage value.

Depending on the complexity of the application, the information requirements may be addressed in a letter format or a more comprehensive report.

REQUIRED BY LEGISLATION

N/A

WHO PREPARES THIS?

A Cultural Heritage Impact Assessment shall be prepared and signed by a qualified heritage specialist such as a heritage planner, heritage architect and/or heritage landscape architect, with demonstrated knowledge of accepted heritage conservation standards, and experience with historical research and identification/evaluation of cultural heritage value.

Applicants may refer to the Canadian Association Heritage of Professionals (CAHP) at https://cahp-acecp.ca/   which lists members by their specialization. Please note that not all CAHP members may be qualified to complete a heritage impact assessment.

Consideration will be given on a case-by-case basis to non-CAHP members who have specialization in applicable areas, depending on the types of heritage resources being assessed.

All reports and drawings must be stamped and/or signed and dated by a qualified professional, licensed in the Province of Ontario.

WHY DO WE NEED THIS?

A Cultural Heritage Impact Assessment is required to
- Determine compliance with relevant cultural heritage policies
- Assist staff with their analysis and report preparation
- To identify any special conditions of approval

STRUCTURE AND FORMAT

WHAT SHOULD BE INCLUDED?
Submission Requirements

A Cultural Heritage Impact Assessment should at a minimum contain

Introduction

- An Executive Summary
- Address of the property
- General site location of the subject property
- Project Name (if applicable)
- Applicant and owner's contact information
- Author name, title, qualifications, company name and appropriate stamp
- Brief description of the proposed development
- Overview of the study area
- Photographs of the site
- Purpose of the study
- Location and context map

Proposal Description and Context

- A description of the proposal, development stats (such as number of units, site area) type of development proposed, height, parking areas, access points, location of amenity areas, proposed phasing

- A description of the existing on-site conditions as well as surrounding areas, roads, natural areas, buildings, parking areas
- Concept Plan for the development including building location, parking, access, amenity areas, grading and natural features and any natural hazards and a perspective drawing of proposal noting how it relates to the heritage resource
- A description of how the heritage resource(s) of the property will or will not be incorporated into the proposal (such as whether the building will be restored and

adaptively reused or whether the building will be relocated to a different site)

Investigation/Evaluation

Heritage Context

- A written description of the property, its location and surroundings including the heritage status of the development site and adjacent properties

Research and Analysis

- A comprehensive review of the history of the property's development as documented in pictorial and textual records and as observed in as-found evidence
- A chronological history including ownership and tenancy, development of any structures, such as additions, removals, conversions, etc.
- An evaluation of the cultural heritage significance of the site in terms of its history, architecture and local context
- Broader historical context should also be addressed- how the property fits into the community or the municipality
- The reproduction of any pictorial records found, including relevant maps, atlases, drawings, photographs, permit records, land title records, assessment rolls, etc.

Statement of Cultural Heritage Value or Interest

- A statement of cultural heritage value or interest and description of heritage attributes of the cultural heritage resource(s), in accordance with Ontario Regulation 9/06 and Regulation 385/21 (new requirements for Statement of Significance). It should be noted that this evaluation is only required in absence of a municipally-prepared Statement of Significance
- This statement will be informed by current research and analysis of the site as well as pre-existing heritage descriptions (as may be found in an existing Statement of cultural heritage value or interest within a designation by-law on the property)
- This statement will be written in a way that does not respond to or anticipate any current or proposed interventions to the site
- That the assessment may not substitute alternate heritage values or character for those that have been approved or endorsed by the City

Assessment of Existing Conditions

- A comprehensive written description of the physical condition of the structures on the site, including their exterior and interior
- Current photographs of the property, including:
  - views of the area surrounding the property to show it in context with adjacent properties
  - exterior views of each elevation of each building
  - views of the property including all significant landscape features
  - interior views of each room in each building
  - close-up views of all significant interior and exterior heritage features
  - If the property is currently vacant, how long it has been vacant and what, if any

security measures have been applied to protect the property

Policy

- Municipal heritage policies and their applicability should be included
Relevant municipal heritage policy, as it relates to the heritage resources(s). i.e. OP policy, Secondary Plans, Area and Site Specific Policies. Policies/Guidelines from an HCD Plan, etc. should be included

Impacts and Mitigation Measures

Impact of Development on Heritage Attributes

- A discussion of the potential impacts the proposal may have on the site's heritage resource attributes
- Negative impacts on cultural heritage resources may include
  - destruction of any, or part of any, significant heritage attribute
  - impact of construction on the cultural heritage resource (vibration, shoring, etc)
  - alteration that is not sympathetic to the heritage attribute
  - shadows created by new development that alter the appearance of or change the viability of a heritage attribute
  - isolation of a heritage attribute from its surrounding environment, context or significant relationship
  - direct or indirect obstruction of significant views or vistas
  - a change in land use which negates the property's cultural heritage value
  - land disturbances such as a grade change that alters soils and drainage patterns that adversely affect a cultural heritage resource

Considered Mitigation and Conservation Strategies

- Recommended mitigation measures to minimize impact on identified heritage attributes.
- Discussion of considered alternatives, and a rationale for the preferred development option.
- A description of and rationale for the primary conservation treatment(s) based on the Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada.
- An itemized and detailed analysis of and rationale for all alterations and interventions proposed affecting the cultural heritage value and attributes of each existing, potential and adjacent heritage property using all applicable guidelines in the Parks Canada
- Standards and Guidelines for the Conservation of Historic Places in Canada. Strategies should have consideration for relevant cultural heritage policies (Provincial Policy Statement; Official Plan; Heritage Conservation District Plan, Designation By-law, if applicable)
- Recommendations for additional studies to be undertaken related to, but not limited to:
  - restoration specifics
  - design guidelines,
  - interpretation and commemoration

- lighting
- signage
- landscaping
- structural analysis
- additional written and photo documentation prior to demolition
- conservation plan
- long-term maintenance plan

Recommendations

- Summary and conclusions and how they impact the development and any special considerations or conditions that should be imposed

- Any recommendations, or conditions that should form part of a decision on the matter

Drawings and Supporting Information

- A list of primary and secondary sources consulted
- A summary of the author's qualifications
- Include the applicable drawings of the development affecting the cultural heritage resource(s)

WHAT ELSE SHOULD WE KNOW?

The scope of the study should be discussed with the community planner and or other staff or agencies as part of the pre-consultation process.

Some forms of development and site alteration may also require an Archaeological Assessment which is a separate terms of reference.

It is expected that the preferred protective and mitigative measures will be consistent with recognized standards for heritage conservation, including:

- The Ontario Ministry of Heritage, Sport, Tourism and Culture Industries Standards and Guidelines for Conservation of Provincial Heritage Properties
- The Ontario Ministry of Heritage, Sport, Tourism and Culture Industries Eight Guiding Principles in the Conservation of Historic Properties
- The Ontario Ministry of Heritage, Sport, Tourism and Culture Industries Conservation Principles for Land Use Planning
- Well-Preserved: The Ontario Heritage Foundation's Manual of Principles and Practice for Architectural Conservation
- The Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada
- The Appleton Charter for the Protection and Enhancement of the Built Environment
- The International Charter for the Conservation and Restoration of Monuments and Sites (the Venice Charter)

CITY OF MARKHAM ADDITIONAL TERMS

N/A

CITY OF MARKHAM STUDY SUBMISSION INSTRUCTIONS

N/A

WHAT OTHER RESCOURCES ARE THERE?

Ontario Professional Planners Institute (OPPI) – Hire an RPP

https://ontarioplanners.ca/hire-an-rpp

Canadian Association Heritage Professionals (CAHP) at

https://cahp-acecp.ca/

NOTES

If the proposed development is revised, the study/report shall reflect the revisions by an updated report or letter from the author indicating changes to the recommendations and conclusions.

A peer review may be required. The cost of the peer review will be borne by the applicant

If the submitted study is incomplete, is authored by an unqualified individual or does not contain adequate analysis, the applications will be considered incomplete and returned to the applicant.