



SustainableKing

Heritage Impact Assessment – Terms of Reference

Description:

A Heritage Impact Assessment (HIA) is a study by a qualified heritage professional to evaluate and determine the potential for impact on heritage resources within a well-defined area when considering a proposed development or site alteration and to recommend (if required) an overall approach to the conservation of the heritage resource(s). It further allows the opportunity to evaluate and review the potential cultural heritage significance of a particular resource or any new resources identified through the process.

This assessment will be based on a thorough understanding of the significance and heritage attributes of the cultural heritage resource(s), identify any impact the proposed development or site alteration will have on the resource (s), consider mitigation options and recommend a conservation strategy that best conserves the resource(s) within the context of the proposed development or site alteration. The resulting report will be considered by the Township to assist in making informed decisions relating to the identified heritage resources.

A Heritage Impact Assessment does not include an assessment of archaeological resources (although it may identify a need). An archaeological assessment is a separate study and must be taken by a licensed archaeologist as outlined in the Ontario Heritage Act and *the Standards and Guidelines for Consultant Archaeologists* and the York Region Archaeological Master Plan.

The rationale for an HIA emerges from the following provincial legislation and policies:

Provincial Policy Statement, 2005 2.6.3

Ontario Planning Act, R.S.O 1990, Part I, 2(d)

Ontario Heritage Act, R.S.O 1990, Part IV, Section 29 and Section 34

York Region Official Plan – 2010, 3.4.1 (2), (5), (11)

When:

An HIA will be required for the following applications if the property is designated under Part IV or Part V of the *Ontario Heritage Act*:

- Official Plan Amendment
- Zoning by-law Amendment
- Plans of Subdivision
- Site Plan Control

- Demolition Permit
- Consent

An HIA may be required by staff for the following additional application types if the property is designated or listed on the King Township Municipal Heritage Register:

- Official Plan Amendment
- Zoning by-law Amendment
- Plans of Subdivision
- Site Plan Control
- Demolition Permit
- Consent and/or Minor Variance and Building applications
- When properties adjacent to a designated cultural heritage resource are subject to Official Plan Amendment, Zoning By-law Amendment, Plans of Subdivision, Site Plan Control and/or Consent and/or Minor Variance applications.
- A property does not have to be designated or listed to be subject to a Heritage Impact Assessment. Any property that may exhibit cultural heritage value or interest or heritage potential as determined by Township staff (such as its inclusion on the Township's Built Heritage Inventory) may be subject to an appropriate level of heritage due diligence and may require an HIA if it is part of the following application:
 - Official Plan Amendment
 - Zoning by-law Amendment
 - Plans of Subdivision
 - Site Plan Control
 - Demolition Permit
- Heritage Impact Assessments may be "scoped" based on the specific circumstances and characteristics that apply to a heritage resource. Further consultation with staff will be required to determine when a scoped HIA may be required, as well as requirements for the content.

It is important to recognize the need for Heritage Impact Statement in the earliest possible stage of development/planning. Notice will be given to the property owner and/or their representative as early as possible.

Content:

An HIA will include, but is not limited to, the following information:

Background:

Provide a background on the purpose of the HIA, outlining why it was undertaken, by whom, and the date(s) the evaluation took place.

Briefly outline the methodology used to prepare the assessment or special scoping identified by staff for the assessment.

A copy of the consultant's *curriculum vitae* or resume, which establishes their credentials as a qualified heritage professional.

Introduction to the Property/Development Site

- A location plan indicating the subject property (Property Data map and aerial photo)
- A concise written and visual description of the site identifying significant features, buildings, landscapes and vistas
- A concise written and visual description of the cultural heritage resource(s) contained within the development site identifying significant features, buildings, landscapes vistas and including any heritage recognition of the property (i.e. included on the Register, King Township Built Heritage Inventory, Parks Canada National Historic Sites of Canada, etc.) with existing heritage descriptions as available.
- A concise written and visual description of the context including any adjacent heritage properties and their recognition (as above), and any yet unidentified potential cultural heritage resource(s).
- Present owner contact information.

Evaluation:

Document, describe and assess the apparent physical condition, security and critical maintenance concerns, as well as the integrity of standing buildings and structures found on the subject property.

If the structural integrity of existing structures appears to be a concern, recommend the undertaking of a follow up structural and engineering assessment to confirm if conservation, rehabilitation and/or restoration are feasible. Assessments must be conducted by qualified professionals with heritage property experience.

Provide a chronological history of the site including original construction, additions and alterations with substantiated dates of construction and research material to include relevant historic maps and atlases, drawings, photographs, sketches/renderings, permit records, land records, assessment rolls, directories, etc.

Document heritage resource(s) using current photographs of each elevation, and/or measured drawings, floor plans, and a site map at an appropriate scale for the given application (i.e. site plan as opposed to the subdivision).

Using Regulation 9/06 of the Ontario Heritage Act (Criteria for Determining Cultural Heritage Value or Interest) identify, describe and evaluate the cultural heritage value or interest of the subject

property as a whole outlining in detail all significant heritage attributes and other heritage elements.

Comprehensive written and visual research and analysis related to all potential cultural heritage value or interest of the site (both identified and unidentified) including: physical or design, historical or associative, and contextual values;

Also included within the report is a statement of significance identifying the cultural heritage value and heritage attributes of the cultural heritage resource(s). This statement will be informed by current research and analysis of the site as well as pre-existing heritage descriptions. This statement is to follow the provincial guidelines set out in the Ontario Heritage Tool Kit;

The statement of significance will be written in a way that does not respond to or anticipate any current or proposed interventions. The Township may, at its discretion and upon review, reject or use the statement of significance, in whole or in part, in crafting its own statement of significance (Reasons for Listing or Designation) for the subject property; and will include professional quality record photographs of the cultural heritage resource in its present state.

Description of the Proposed Development or Site Alteration

A written and visual description of the proposed development or site alteration.

Impact of Proposed Development or Site Alteration

An assessment identifying any impact(s) the proposed development or site alteration may have on the cultural heritage resource(s). Impacts on a cultural heritage resource(s) as stated in the Ontario Heritage Tool Kit include, but are not limited to:

- Removal of any, or part of any, significant heritage attributes or features;
- Alteration that impact on the historic fabric and appearance;
- Shadow impacts that alter the appearance and/or setting of a heritage attribute, or change the viability of an associated natural feature or plantings, such as a garden;
- Isolation of a heritage attribute from its surrounding environment, context or a significant relationship;
- Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features;
- A change in land use where the change in use could potentially negate the property's cultural heritage value;
- Land disturbances such as a change in grade that alters soils, and drainage patterns that adversely affect a cultural heritage resource, including archaeological resources; and

- Relocation or demolition

Conservation Strategy & Recommendations

The following questions must be answered in the final recommendation of the report:

Does the property meet the criteria for heritage designation under the Ontario Regulation 9/06, *Ontario Heritage Act*?

Does the subject property meet the criteria for heritage designation?

Regardless of the failure to meet criteria for heritage designation, can the structure or landscape be feasibly integrated into the alteration/development?

The preferred strategy based on best-practice conservation principles that protect and enhance the cultural heritage value and heritage attributes of the cultural heritage resource(s) including, but not limited to:

- a) mitigation measures, conservation methods, and/or alternative development options that avoid or limit the direct and indirect impacts to the heritage resource. Evaluate the advantages and disadvantages (pros and cons) of each proposed mitigation measure/option. The mitigation options may include, but are not limited to:
 - o Alternative development approaches;
 - o Appropriate setbacks between the proposed development and the heritage resources;
 - o Design guidelines that harmonize mass, setback, setting, and materials;
 - o Limiting height and density;
 - o Compatible infill and additions;
- b) Recommendations for additional studies/plans related to, but not limited to: conservation, interpretation and/or commemoration.
- c) An implementation and monitoring plan; plans such as a Conservation Plan, Adaptive Reuse Plan, and/or Structural/Engineering Assessment
- d) Identify any site planning and landscaping measures that may ensure significant heritage resources are protected and/or enhanced by the development or redevelopment.
- e) If relocation, removal, demolition or other significant alteration to a heritage resource is proposed by the landowner and is supported by the heritage consultant, provide clear rationale and justification for such recommendations.
- f) If a property cannot be retained or relocated, alternatives will be considered for salvage and mitigation. Only when other options can be demonstrated not to be viable will options such as ruinification or symbolic conservation be considered. Detailed documentation and opportunities for commemoration (e.g. a heritage interpretative plaque) shall be identified.

- g) If the subject property abuts to one or more listed or designated heritage properties, identify development impacts and provide recommended mitigation strategies to ensure the heritage resources on the adjacent properties are not negatively impacted. Mitigation strategies shall include, but are not limited to:
- o vegetation screening;
 - o fencing;
 - o buffers;
 - o site lines
 - o an architectural design concept for the massing and façade treatment of proposed buildings to ensure compatibility with the adjoining property and the like.

Failure to provide a clear recommendation as per the significance and direction of the identified cultural heritage resource will result in the rejection of the Heritage Impact Assessment.

Reference Material

The report should contain a list of the documents and related material that were consulted and/or used in the write of the HIA.

Approval Process

Please provide the following to the Township of King:

- Two (2) bound hard copies; and
- One (1) copy in PDF Format.

Staff will ensure that copies are distributed to relevant staff and stakeholders within the Township. The Heritage Impact Statement will be reviewed by Township staff to determine whether all requirements have been met and to evaluate the preferred option(s). The applicant will be notified of Staff's comments and acceptance, or rejection of the report.

All Heritage Impact Statements will be sent to the King Township Heritage Advisory Committee for information.

An accepted Heritage Impact Statement will become part of the further processing of a development application under the direction of the Planning and Building Departments.

The recommendations within the final approved version of the Heritage Impact Assessment will be incorporated into development related legal agreements between the Township and the proponent at the discretion of the municipality.