



## **TOWN OF AURORA**

### **HERITAGE IMPACT ASSESSMENTS AND CONSERVATION PLANS GUIDE**

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December, 2017

HERITAGE IMPACT ASSESSMENTS  
AND CONSERVATION PLANS GUIDE

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### **1.0 INTRODUCTION**

Heritage Impact Assessments and Conservation Plans (or equivalent studies) are required to be submitted in conjunction with Planning Applications in order to facilitate the achievement of Municipal objectives with respect to the conservation of heritage resources.

The purpose of a Heritage Impact Assessment is to determine if any cultural heritage resources may be adversely impacted by a specific proposed development or site alteration. This includes properties previously identified as well as 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.

The purpose of this guide is to outline the policies which are related to the identification and conservation of cultural heritage resources and outline components which are typically part of a Heritage Impact Assessment and/or Conservation Plan.

### **2.0 HERITAGE POLICIES**

#### **2.1 Provincial Policy Statement, 2014**

The Provincial Policy Statement, 2014 sets the policy foundation for regulating the development and use of land. It also assists the Town in conserving heritage resources in Section 2.6.1 which states that:

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

2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.”

#### **2.2 Ontario Heritage Act, R.S.O. 1990, c. O.18**

The *Ontario Heritage Act* gives Municipalities the power to conserve significant cultural heritage resources. It also enables Municipalities to designate these resources. Designation can apply to both individual properties and entire neighbourhoods, which are known as Heritage Conservation Districts. Once a property is designated, it gains public recognition as well as a measure of protection from demolition or unsympathetic alteration.

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### **2.3 Town of Aurora Official Plan, September 2010**

The Town of Aurora Official Plan supports the conservation of significant heritage resources. Section 13.0 of the Official Plan states that:

“Preserving heritage enhances the diversity, beauty and richness of the natural and built environments. Rapid social and economic change tends to cause human stress. The presence of heritage helps to sustain a sense of perspective and identity.”

This Guide is meant to provide direction regarding Official Plan Policy 13.2 (b) where:

“The Town may use the power and tools provided by the enabling legislation, policies and programs, particularly the Ontario Heritage Act, the Planning Act, the Environmental Assessment Act and the Municipal Act in implementing and enforcing the policies of this section. These may include but not be limited to the following:

- i. The power to stop demolition and/or alteration of designated heritage properties and resources provided under the Ontario Heritage Act and as set out in Section 13.3 of this policy;
- ii. The power to require a Heritage Impact Assessment and Restoration/Conservation Plan for development proposals and other land use planning proposals that may potentially affect a designated or significant heritage resource or Heritage Conservation District.”

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### **3.0 UNDERSTANDING HERITAGE RESOURCES**

#### **3.1 Significant Cultural Heritage Resources**

As per the Provincial Policy Statement 2014 definition of “significant cultural heritage and archaeology resources”, cultural heritage resources include, but are not limited to, buildings, structures, barns, bridges and monuments but also include landscapes such as battlefields and cemeteries, Heritage Conservation Districts and natural features.

#### **3.2 Aurora Register of Properties of Cultural Heritage Value or Interest**

In September 2006, Aurora Town Council officially changed the name of the Aurora Inventory of Heritage Building to the “Aurora Register of Property of Cultural Heritage Value or Interest” and all properties included in the Inventory were transferred to the Register in accordance with the 2005 Amendments to the *Ontario Heritage Act*.

The Aurora Register of Properties of Cultural Heritage Value or Interest serves as a flagging mechanism which enables the Municipality to identify all properties of cultural heritage value or interest. In the event that a proposal is received for a property containing a heritage resource, the Municipality may require a proponent to conduct a Heritage Impact Assessment and/or Conservation Plan.

In addition to this, the Town of Aurora also keeps a list of properties pending being listed on the Aurora Register. These properties are also reviewed by Town staff in relation to proposed site alteration requiring planning Applications.

#### **3.3 Evaluation of Heritage Resources**

Heritage resources are primarily evaluated by Ontario Regulation 9/06 of the *Ontario Heritage Act*. Section (2) of Ontario Regulation 9/06 states that:

A property may be designated under section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest.

1. The property has design value or physical value because it,
  - i. Is a rare, unique, representative or early example of a style, type, expression, material or construction method,
  - ii. Displays a high degree of craftsmanship or artistic merit, or
  - iii. Demonstrates a high degree of technical or scientific achievement.

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2. The property has historical value or associative value because it,
  - i. Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community
  - ii. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
  - iii. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
  
3. The property has contextual value because it,
  - i. Is important in defining, maintaining or supporting the character of an area,
  - ii. Is physically, functionally, visually or historically linked to its surroundings, or
  - iii. Is a landmark. O.Reg 9/06, s. 1 (2).

The Town of Aurora also evaluates the relative value of heritage resources with the *Evaluation of Heritage Resources in the Town of Aurora* document. In order for an evaluation to be accurate it must be based on a thorough review of information pertaining to the resource including, but not limited to, historical/associative value, design/physical value, and context. The evaluation system is an objective method of assessing heritage resources based upon a standard set of criteria. Once a building is assessed, the evaluation system provides general policies and procedures to be followed. They are as follows:

<b>Points</b>	<b>Group</b>	<b>Significance</b>
70-100	Group 1	Of major significance and importance, worthy of designation
45-69	Group 2	Significant, worthy of preservation
Less than 45	Group 3	Moderately significant, worthy of documentation and preservation as part an historic grouping

Please contact Heritage Planning in order to confirm the heritage status of a property.

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### **4.0 DESIGNATION UNDER THE ONTARIO HERITAGE ACT**

As per Part IV, Section 29 of the *Ontario Heritage Act*, a Municipality may designate property of cultural heritage value or interest according to the following:

- a) Where criteria for determining whether property is of cultural heritage value or interest have been prescribed by regulation, the property meets the prescribed criteria; and
- b) The designation is made in accordance with the process set out in this section. 2005, c. 6, s. 17 (1).

Properties in the Town of Aurora are designated through the following means:

- 1) Pro-actively by the Municipality;
- 2) In response to a request by a property owner;
- 3) As a condition of approval of a proposed development or site alteration;
- 4) To protect a heritage resource under potential threat; and
- 5) By the Minister of Tourism, Culture and Sport.

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### **5.0 HERITAGE IMPACT ASSESSMENTS**

#### **5.1 Conditions of Development and Site Alteration**

To conserve a cultural heritage resource, a Municipality or approval authority may require a Heritage Impact Assessment and/or a Conservation Plan (or similar study) in order to facilitate the identification and conservation of cultural heritage resources in relation to proposed development or site alteration. A Heritage Impact Assessment requires the property owner to outline all potential negative impacts to the resource(s) in detail and provide recommendations for mitigation which clearly demonstrate how the resource will be conserved in the context of proposed development or site alteration. The definition of “conserved” according to the Provincial Policy Statement, 2014 under authority of the *Planning Act* is included within the “10.0 Definitions” section of this guide.

#### **5.2 Letters of Credit**

To ensure implementation of a conservation plan, a Municipality may require an owner to post a letter of credit, bond or certified cheque as part of the development approval process.

#### **5.3 Contents of a Heritage Impact Assessment**

Each Heritage Impact Assessment should include all the information necessary in order to address the particular circumstances in relation to heritage resource(s) and proposed development or site alteration. Heritage Impact Assessments typically include (but are not limited to) the following (not necessarily in this order):

- i. An outline of the methods employed in the study;
- ii. Description of the property and context in detail including all necessary surveys, maps and plans;
- iii. Description of the proposed development in detail;



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- iv. An outline of applicable planning and heritage policies, guidelines and resources including (but not limited to):
  - a. *The Planning Act*;
  - b. Provincial Policy Statement, 2014;
  - c. *Ontario Heritage Act*;
  - d. York Region Official Plan;
  - e. Town of Aurora Official Plan;
  - f. Standards and Guidelines for the Conservation of Historic Places; and
  - g. The Ontario Heritage Tool Kit.
- v. Description of the heritage status of the subject property and adjacent properties;
- vi. Historical research including (but not limited to):
  - a. Title search;
  - b. Tax assessment records;
  - c. Archival research (Aurora Historical Society);
  - d. County Atlas; and
  - e. Fire Insurance Plans.
- vii. Description of the subject lands with an analysis of cultural heritage landscapes, archaeological sites, natural heritage sites and built heritage resources noting all cultural features (including barns, accessory structures, fences, outbuildings, etc.) as per the definitions found in Provincial Policy Statement, 2014;
- viii. If the proposed development or site alteration has been determined to have no adverse impact to identified significant heritage resources, the Heritage Impact Assessment must outline the rationale for such a recommendation;
- ix. A description of the identified heritage resources have been determined to be of significant cultural heritage value or interest;
- x. Evaluation of the identified significant resources in terms of the criteria as outlined in the *Ontario Heritage Act* and Ontario Regulation 9/06;
- xi. A Statement of Significance for each significant heritage resource identified in relation to Ontario Regulation 9/06 including a description of the significant heritage attributes;
- xii. A summary of the integrity and condition of identified heritage resources;

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- xiii. A detailed description of impacts of proposed developments on the identified heritage resources noting the degree or severity of the impact;
- xiv. Recommendations for mitigation, conservation, and commemoration noting how these recommendations will address the impacts that have been identified;

Note: Where an impact on a cultural heritage resource has been identified and the proposed conservation or mitigative measures including avoidance are considered ineffective, other conservation or mitigative measures and alternatives for the proposed development or site alteration must be recommended.

- xv. Recommendations regarding additional studies (e.g. Conservation Plans);
- xvi. Recommendations for implementation and monitoring;

Note: This is a schedule and reporting structure for implementing the recommended conservation or mitigative or avoidance measures, and monitoring the cultural heritage resource as the development or site alteration progresses.

- xvii. Addendums, Appendices and References (works cited);
- xviii. Digital photographs with captions (provided on a data stick or disk);

All Heritage Impact Assessments should include accurate and detailed site plans, maps, and surveys identifying the geographical locations of proposed development or site alteration and all heritage resources. It should also be accompanied by historic as well as current photographic documentation.

All Heritage Impact Assessments are reviewed by staff to ensure they are complete and that they meet the standards for heritage conservation best practices. Heritage Impact Assessments which are found to be lacking in this regard may be refused or require revisions to the satisfaction of the Town.

### **5.4 Rare, Unique or Special Sites Requiring a Heritage Impact Assessment**

Some sites may require special methodologies in order to ensure the heritage resource is appropriately conserved. Some sites may be rare, unique, or complex and therefore require strategies and methods for understanding how the physical heritage resource

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yields, or has the potential to yield, information which contributes to the understanding of a people(s), event, time, or place.

An example of this may include (but not be limited to) heritage cemeteries. Sites such as this may require methodologies and considerations suited to its nature such as topography, enclosures and access, vegetation, views/vistas, grave markers, religious or spiritual interpretations, etc.

Complex sites such as this may also require inventories of the heritage resources identified (such as graves and markers) in order to appropriately understand the resources and subsequently provide recommendations for mitigation, conservation and commemoration. This may be addressed through a Conservation Plan. Special sites such as this may also require consultation with specialized heritage professionals.

### **5.5 Preparation of a Heritage Impact Assessment/Conservation Plan**

Heritage Impact Assessments and/or Conservation Plans must be prepared by qualified individuals with demonstrated experience relevant to the resource being evaluated and knowledge of current standards and methods in the identification, evaluation, conservation and mitigation of cultural heritage resources. Teams of consultants and professionals possessing combined skill-sets in undertaking Heritage Impact Assessments and/or Conservation Plans and Conservation Plans is acceptable.

Members (or retired members) of the Canadian Association of Professional Heritage Consultants can be found online.

### **6.0 CONSERVATION PLANS**

A Conservation Plan provides specific and in-depth recommendations regarding how a cultural heritage resource will be *conserved*. Conservation Plans are typically a separate and subsequent to a Heritage Impact Assessment. Conservation Plans may reference a Heritage Impact Assessment for the same development or site alteration regarding historical research, the identification of cultural heritage resources, mitigation recommendations, etc.

The contents of a conservation plan typically include:

- i. Identification of the conservation principles appropriate for the type of cultural heritage resource being conserved;

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- ii. A thorough inventory and description of the heritage resource(s) if one has not previously been provided;
- iii. An in-depth analysis of the cultural heritage resource, including documentation of the resource, descriptions of cultural heritage value, assessment of resource conditions and deficiencies, discussions of historical, current and proposed use;
- iv. Descriptions of repairs, stabilization and preservation activities as well as long term conservation, monitoring and maintenance measures;
- v. Recommendations for conservation measures and interventions, both long and short term maintenance programs, implementation strategies, and the qualifications for all those responsible for the necessary conservation work;
- vi. Schedule for conservation work, inspections, maintenance, associated costs and phases of work; and
- vii. Monitoring of the cultural heritage resource and the development of a long-term reporting structure.

### **7.0 ARCHAEOLOGICAL RESOURCES**

Where warranted, some forms of development or site alteration may require an Archaeological Assessment which is considered separate from a Heritage Impact Assessment and/or Conservation Plan. The Town of Aurora Official Plan states in Section 13.6 (f) that,

“All development or site alteration proposed on an archaeological site or site identified as having archaeological potential, shall be required to prepare a Stage 1 Archaeological Assessment. A Stage 1 Archeological Assessment shall be required as part of the approval condition of a secondary or block plan. The assessment shall be provided by the development proponent and prepared by a licensed archaeologist. Further, where warranted by a Stage 1 Archeological Assessment, Draft Plan of Subdivision/Condominium and/or applications for Site Plan Approval shall be accompanied by a Stage 2 Archeological Assessment, provided by the development proponent and prepared by a licensed archeologist.”

In accordance with Part VI, Section 48 the *Ontario Heritage Act*, within properties containing archaeological resources or areas of archaeological potential, only licensed

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professional archaeologists registered with the Ministry of Tourism, Culture and Sport may carry out technical assessments and alter known archaeological sites. These archaeological reports make recommendations regarding Stages 1 through 4 of Archaeological Assessment as per the Standards and Guidelines for Consulting Archaeologists.

### **8.0 CONSULTANTS**

Should you require assistance in locating a heritage consultant for your project, please contact Planning and Development Services. Prior to working with a consultant or professional, it is highly recommended that property owners undertake due diligence to ensure prospective professionals have the expertise required to meet the requirements of your project.

### **9.0 LOCAL HERITAGE RESOURCE CENTRES**

#### **Aurora Historical Society**

15372 Yonge Street  
Aurora ON L4G 1N8  
Telephone: (905) 727-8991

#### **Aurora Public Library**

15145 Yonge Street  
Aurora ON L4G 1M1  
Telephone: (905) 727-9494

#### **Aurora Cultural Centre – The Town of Aurora Museum & Archives**

22 Church Street  
Aurora ON L4G 1G4  
Telephone: (905) 713-1818

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### 10.0 DEFINITIONS

The following definitions can be found in the Provincial Policy Statement, 2014:

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

**Areas of Archaeological Potential:** means areas with the likelihood to contain archaeological resources. Methods to identify archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. The *Ontario Heritage Act* requires archaeological potential to be confirmed through archaeological fieldwork.

**Built Heritage Resource:** means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the *Ontario Heritage Act*, or included on local, provincial and/or federal 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 under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. 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 Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

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**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*; or
- c) for the purposes of policy 2.1.4(a), underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a).

**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 or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including 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:** means, in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

**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.