

# Heritage Impact Assessment

## Terms of Reference

Context  
Adaptive Reuse  
Heritage  
Restoration  
Designated  
Development  
Significance  
Resources  
Conservation  
Cultural Heritage Value  
Impact  
Evaluation

## **Heritage Impact Assessment - Terms of Reference**

A Heritage Impact Assessment (HIA) is a study to determine the impacts to known and potential heritage resources within a defined area proposed for future development. The assessment results in a report that identifies all heritage resources, provides an evaluation of the significance of the resources, outlines any impact proposed development or site alteration will have on the resources, and makes recommendations toward conservation methods and/or mitigative measures that would minimize impacts to those resources. The report will be used to help the municipality make informed decisions related to the identified heritage resources.

### **1. Background**

The requirement to provide a Heritage Impact Assessment is derived from the *Ontario Heritage Act* O. Reg. 9/06, Section 2(d) of the *Planning Act*, Section 2.6 of the Provincial Policy Statement, and Section 4.9 of the City of Brampton's Official Plan.

According to Section 4.9.1.10 of the Official Plan:

*A Heritage Impact Assessment, prepared by a qualified heritage conservation professional, shall be required for any proposed alteration, construction, or development involving or adjacent to a designated heritage resource to demonstrate that the heritage property and its heritage attributes are not adversely affected. Mitigation measures and/or alternative development approaches shall be required as part of the approval conditions to ameliorate any potential adverse impacts that may be caused to the designated heritage resources and their heritage attributes.*

Official Plan Policy 4.9.1.11 states that:

*A Heritage Impact Assessment may also be required for any proposed alteration work or development activities involving or adjacent to heritage resources to ensure that there will be no adverse impacts caused to the resources and their heritage attributes. Mitigation measures shall be imposed as a condition of approval of such applications.*

Official Plan Policy 4.9.1.12 outlines and prioritizes preferred mitigation options starting with on-site retention.

In addition, Official Plan Implementation Policy 4.9.9.2 (ii) allows for:

*Requiring the preparation of a Heritage Impact Assessment for development proposals and other land use planning proposals that may potentially affect a designated or significant heritage resource or Heritage Conservation District.*

## **2. When a Heritage Impact Assessment is Required**

2.1 An HIA will be required for the following:

- Any property listed or designated in the municipal heritage register, pursuant to Section 27 (1.1) or (1.2) of the *Ontario Heritage Act* that is subject to land use planning applications;
- Any property listed or designated in the municipal heritage register, pursuant to Section 27 (1.1) or (1.2) of the *Ontario Heritage Act* that is facing possible demolition;
- Any property that is subject to land use planning applications and is adjacent to a property designated in the municipal heritage register, pursuant to Section 27 (1.1) of the *Ontario Heritage Act*.

A HIA may be required for the following:

- Any property that is subject to land use planning applications and is adjacent to a property listed in the municipal heritage register, pursuant to Section 27 (1.2) of the *Ontario Heritage Act*.

2.2 A property does not have to be designated or listed in a heritage register to be subject to a Heritage Impact Assessment. Any property that may exhibit cultural heritage value or interest or 'heritage potential' as determined by City heritage staff will be subject to an appropriate level of heritage due diligence and may require an HIA.

2.3 Heritage Impact Assessments may be 'scoped' based on the specific circumstances and characteristics that apply to a heritage resource. Further consultation with heritage staff will be required to determine when a scoped HIA may be required, as well as requirements for the content.

## **3. Content of Heritage Impact Assessments**

### **3.1 Background**

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

3.1.2 Briefly outline the methodology used to prepare the assessment.

### **3.2 Introduction to the Subject Property**

3.2.1 Provide a location plan specifying the subject property, including a site map and aerial photograph at an appropriate scale that indicates the context in which the property and heritage resource is situated.

- 3.2.2 Briefly document and describe the subject property, identifying all significant features, buildings, landscapes, and vistas.
- 3.2.3 Indicate whether the property is part of any heritage register (e.g. Municipal Register of Cultural Heritage Resources Designated under the *Ontario Heritage Act*, or Municipal Register of Cultural Heritage Resources)
- 3.2.4 Document and describe the context including adjacent properties, land uses, etc.
- 3.2.5 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.
- 3.2.6 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.

### 3.3 Evaluation of Cultural Heritage Value or Interest

- 3.3.1 Thoroughly document and describe all heritage resources within the subject property, including cultural heritage landscapes, structures, buildings, building elements, building materials, architectural features, interior finishes, natural elements, vistas, landscaping and potential archaeological resources.
- 3.3.2 Provide a chronological history of the site and all structure(s), including additions, deletions, conversions, etc.
- 3.3.3 Provide a list of owners from the Land Registry office and other resources, as well as a history of the site use(s) to identify, describe, and evaluate the significance of any persons, groups, trends, themes, and/or events that are historically or culturally associated with the subject property.
- 3.3.4 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 subdivision). Also include historical photos, drawings, or other archival material that is available and relevant.
- 3.3.5 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.
- 3.3.6 Provide a summary of the evaluation in the form of a table (see Appendix 1) outlining each criterion (design or physical value; historical or associative value; contextual value), the conclusion for each criterion, and a brief explanation for each conclusion.

### 3.4 Description and Examination of Proposed Development/Site Alterations

- 3.4.1 Provide a description of the proposed development or site alteration in relation to the heritage resource.
- 3.4.2 Indicate how the proposed development or site alteration will impact the heritage resource(s) and neighbouring properties. These may include:
- Destruction of any, or part of any, significant heritage attributes or features;
  - Alteration to the historic fabric and appearance;
  - Shadow impacts on the appearance of a heritage attribute or an associated natural feature or plantings, such as a garden;
  - Isolation of a heritage attribute from its surrounding environment, context or a significant relationship;
  - Impact on significant views or vistas within, from, or of built and natural features;
  - A change in land use where the change in use may impact the property's cultural heritage value or interest;
  - Land disturbances such as a change in grade that alters soils, and drainage patterns that may affect a cultural heritage resource.
- 3.4.3 Submit a drawing indicating the subject property streetscape and properties to either side of the subject lands, if applicable. The purpose of this drawing is to provide a schematic view of how the new construction is oriented and how it integrates with the adjacent properties from a streetscape perspective. Thus, the drawing must show, within the limits of defined property lines, an outline of the building mass of the subject property and the existing neighbouring properties, along with significant trees and/or any other landscape or landform features. A composite photograph may accomplish the same purpose with a schematic of the proposed building drawn in.

### 3.5 Mitigation Options, Conservation Methods, and Proposed Alternatives

- 3.5.1 Provide mitigation measures, conservation methods, and/or alternative development options that avoid or limit the direct and indirect impacts to the heritage resource.
- 3.5.2 Evaluate the advantages and disadvantages (pros and cons) of each proposed mitigation measure/option. The mitigation options may include, but are not limited to:
- Alternative development approaches;
  - Appropriate setbacks between the proposed development and the heritage resources;
  - Design guidelines that harmonize mass, setback, setting, and materials;
  - Limiting height and density;
  - Compatible infill and additions;
  - Refer to Appendix 2 for additional mitigation strategies.

- 3.5.3 Identify any site planning and landscaping measures that may ensure significant heritage resources are protected and/or enhanced by the development or redevelopment.
- 3.5.4 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.
- 3.5.5 If retention is recommended, outline short-term site maintenance, conservation, and critical building stabilization measures.
- 3.5.6 Provide recommendations for follow-up site-specific heritage strategies or plans such as a Conservation Plan, Adaptive Reuse Plan, and/or Structural/Engineering Assessment.
- 3.5.7 If a heritage property of cultural heritage value or interest cannot be retained in its original location, consider providing a recommendation for relocation by the owner to a suitable location in reasonable proximity to its original siting.
- 3.5.8 If no mitigation option allows for the retention of the building in its original location or in a suitable location within reasonable proximity to its original siting, consider providing a recommendation for relocation to a more distant location.
- 3.5.9 Provide recommendations for advertising the sale of the heritage resource. For example, this could include listing the property on the Architectural Conservancy of Ontario (ACO) website in order to allow interested parties to propose the relocation of the heritage resource. Acceptable timelines and any other requirements will be determined in consultation with City staff. The link to the ACOs Historic Architectural Linking Program is provided below:  
[http://www.arconserv.ca/buildings\\_at\\_risk/for\\_sale.cfm](http://www.arconserv.ca/buildings_at_risk/for_sale.cfm)
- 3.5.10 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 commemoration (e.g. a heritage interpretative plaque) may also be required. Salvage of material must also occur, and a heritage consultant may need to provide a list of features of value to be salvaged. Materials may be required to be offered to heritage-related projects prior to exploring other salvage options.
- Ruinification allows for only the exterior of a structure to be maintained on a site. Symbolic conservation refers to the recovery of unique heritage resources and incorporating those components into new development, or using a symbolic design method to depict a theme or remembrance of the past.
- 3.5.11 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 include, but are not limited to:

- vegetation screening;
- fencing;
- buffers;
- site lines
- an architectural design concept for the massing and façade treatment of proposed buildings to ensure compatibility with the adjoining property and the like.

3.5.12 An implementation schedule and reporting/monitoring system for implementation of the recommended conservation or mitigation strategies may be required.

### 3.6 Recommendations

3.6.1 Provide clear recommendations for the most appropriate course of action for the subject property and any heritage resources within it.

3.6.2 Clearly state whether the subject property is worthy of heritage designation under the *Ontario Heritage Act*.

3.6.3 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*?
- Why or why not 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?

3.6.4 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.

### 3.7 Executive Summary

3.7.1 Provide an executive summary of the assessment findings at the beginning of the report.

3.7.2 Outline and summarize all recommendations including mitigation strategies, need for the preparation of follow-up plans such as conservation and adaptive reuse plans and other requirements as warranted. Please rank mitigation options from most preferred to least.

## 4. **Standards and Practices**

4.1 Heritage Impact Assessments must be impartial and objective, thorough and complete, and sound in methodology and application of Ontario heritage evaluation criteria, and consistent with recognized professional standards and best practices in the field of heritage consulting.

4.2 Heritage Impact Assessments must be completed to the satisfaction of the City. HIAs that are not completed to the satisfaction of the City may be subject to revision and

resubmission, critique by peer review or a similar process to determine if the report meets recognized standards and practices.

## **5. Acceptance of Heritage Impact Assessments**

- 5.1 The Heritage Impact Assessment will undergo a compliance review by City heritage staff to determine whether all requirements have been met, and to review the option(s) outlined in the report. Staff comments will be provided to the applicant and heritage consultant.
- 5.2 A Heritage Impact Assessment will be considered a 'draft' until such time that City heritage staff deem the report complete. Staff will notify the applicant and heritage consultant when the report is considered complete.
- 5.3 An accepted Heritage Impact Assessment is required for the final processing of a development application. The recommendations within the final approved version of the Heritage Impact Assessment may be incorporated into legal agreements between the City and the proponents at the discretion of the municipality. Until the HIA is deemed complete, schedules associated with planning and building applications related to heritage properties cannot commence.

## **6. Other Requirements**

- 6.1 Provide a bibliography listing **all** sources used in preparing the HIA.
- 6.2 Provide proper referencing within the HIA, including images, maps, etc.
- 6.3 Provide five copies of the final HIA, and one digital copy (PDF or Word)
- 6.4 Provide a digital copy of all images taken or obtained for the HIA on Compact Disk.
- 6.5 Measured drawings of the heritage resource(s) may be required in support of a conservation plan or as a record prior to demolition.
- 6.6 A site visit of the subject property by City heritage staff and/or members of the Brampton Heritage Board may be required prior to the HIA being deemed complete.

## **7. Qualified Parties for Preparing Heritage Impact Assessments**

- 7.1 All heritage impact assessments, conservation plans, adaptive reuse plans, security plans and/or related studies must be prepared by qualified professionals with applied and demonstrated knowledge of accepted standards of heritage conservation, historical research, identification, evaluation of cultural heritage value or interest, mitigation, and the like.
- 7.2 All heritage consultants submitting heritage impact assessments must be members in good standing of the Canadian Association of Heritage Professionals (CAHP).

7.3 Under provincial law only licensed, professional archaeologists may carry out archaeological assessments using specific provincial standards and guidelines.

## **8. Scope of a Conservation Plan**

8.1 If a property is to be retained, a follow-up Conservation and Adaptive Reuse Plan may be recommended. Conservation and Adaptive Reuse Plans will provide:

- Preliminary recommendations for adaptive reuse;
- Critical short-term maintenance required to stabilize the heritage and building fabric and prevent deterioration;
- Measures to ensure interim protection of heritage resources during phases of construction or related development;
- Security requirements;
- Restoration and replication measures required to return the property to a higher level of cultural heritage value or interest integrity, as required;
- Appropriate conservation principles and practices, and qualifications of contractors and trades people that should be applied;
- Longer term maintenance and conservation work intended to preserve existing heritage fabric and attributes;
- 'As found' drawings, plans, specifications sufficient to describe all works outlined in the Conservation Plan;
- An implementation strategy outlining consecutive phases or milestones;
- Cost estimates for the various components of the plan to be used to determine sufficient monetary amounts for letters of credits or other financial securities as may be required to secure all work included in the Conservation Plan; and
- Compliance with recognized Standards and Guidelines for the Conservation of Historic Places in Canada, the Appleton Charter for the Protection and Enhancement of the Built Environment and other recognized heritage protocols and standards.

**Evaluation of Cultural Heritage Value or Interest  
Summary Table**

<b>Criteria for Determine Cultural heritage value or interest</b>	<b>Assessment (Yes/No)</b>	<b>Rationale</b>
<b>1. Design or physical value:</b>		
a) Is a rare, unique, representative or early example of a style, type, expression, material, or construction method		
b) Displays a high degree of craftsmanship or artistic merit		
c) Demonstrates a high degree of technical or scientific achievement		
<b>2. Historical or associative value:</b>		
a) Has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community		
b) Yields, or has potential to yield, information that contributes to an understanding of a community or culture		
c) Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community		
<b>3. Contextual value:</b>		
a) Is important in defining, maintaining, or supporting the character of an area		
b) Is physically, functionally, visually, or historically linked to its surroundings		
c) Is a landmark		

## Appendix 2

### **Additional Mitigation Strategies**

If any negative impacts are identified, a mitigation plan must be outlined. A mitigation plan will be tailored to the unique conditions and cultural heritage value or interest of a given property. The following list represents a summary of the more common types of mitigation that may be appropriate:

- Avoidance protocols to isolate development and land alterations to minimize impacts on significant built and natural features and vistas;
- Architectural design guidelines for buildings on adjacent and nearby lots to help integrate and harmonize mass, setback, setting, and materials;
- Limiting height and density of buildings on adjacent and nearby lots;
- Ensuring compatible lotting patterns, situating parks and storm water ponds near a heritage resource;
- Allowing only compatible infill and additions;
- Preparation of conservation plan and adaptive reuse plans as necessary;
- Vegetation buffer zones, tree planting, site plan control, and other planning mechanisms;
- Heritage Designation, Heritage Conservation Easement;
- In certain rare instances, permitting the relocation of built heritage resources within the subject parcel, to nearby lands, or to other parts of the City in order to better accommodate conservation and adaptive reuse. The appropriate context of the resource must be considered in relocation.
- In instances where retention may not be possible, partial salvage, documentation through measured drawings and high-resolution digital photographs, historical plaquing and the like may be appropriate.
- Opportunities to commemorate historical land uses, past owners, landscape and landform features through the naming of streets and other public assets such as parkettes and storm ponds; interpretative plaques may also be required.