

BRAMPTON CULTURAL HERITAGE EVALUATION REPORT TERMS OF REFERENCE

Introduction

In a dynamic and evolving City such as Brampton there are a range of planning decisions that the city is required to make that necessitate a balancing of priorities relative to an array of impact assessment and mitigation issues. This is a common situation when addressing the place of heritage resources in the planning and development context. Heritage resources are a key element in place making, formation of community identity and for telling the story of the city's past and evolution.

Having a clear and accessible understanding of what gives a particular property, landscape or resource heritage value is an essential element in both heritage conservation and on-going planning efforts. By finding the right balance of these two needs the city can make decisions that ensure conservation initiatives are appropriately focused.

For the City of Brampton, as with most jurisdictions in Ontario, the principal tool for addressing heritage conservation in the planning process is the Heritage Impact Assessment (HIA). In general terms, an HIA is comprised of two sections: 1) an evaluation of cultural heritage value or interest and 2) the identification and evaluation of impacts and impact mitigation strategies.

A Cultural Heritage Evaluation Report (CHER) is a study to determine if a property has cultural heritage value in relation to provincial legislation and regulations and provincial and local heritage policies. It also specifies the attributes of a resource that express its heritage character. The CHER is essentially a stand-alone version of the first part of the Heritage Impact Assessment (See also City of Brampton Heritage Impact Assessment Terms of Reference). It should be completed by a property owner when potential heritage value has been identified through a planning study, community interest or as identified by City Council or City Heritage Staff.

The evaluation is documented in a report that considers whether or not a property or site has cultural heritage value and identifies the attributes of the resource that express that value. It also recommends additional studies which may be required, depending on the purpose for which the evaluation was completed.

The CHER should be prepared as early in the planning process as possible as the report conclusions will inform the decision-making for the project's conservation and design options and application requirements.

Policy Context

A CHER is intended to determine if a property is of cultural heritage value or interest. The Policy Framework created by the following documents creates the rationale for requiring a CHER:

1. THE PROVINCIAL POLICY STATEMENT 2020;

Section 2.6 Cultural Heritage and Archaeology states that “*Significant built heritage resources and significant cultural heritage landscapes shall be conserved (2.6.1)*” and that “*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 (2.6.3).*”

2. THE PLANNING ACT

Section 2(d) identifies “the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;” as a matter of Provincial Interest.

3. THE ONTARIO HERITAGE ACT (INCLUDING REGULATIONS 9/06 AND 10/06).

The Ontario Heritage Act Regulations 9/06 and 10/06 prescribe the criteria for determining Cultural Heritage Value or Interest for publicly and provincially owned heritage resources.

4. REGION OF PEEL OFFICIAL PLAN

Section 3.6 Cultural Heritage states that it is the policy of Regional Council to “*ensure that there is adequate assessment, preservation, interpretation and/or rescue excavation of cultural heritage resources in Peel, as prescribed by the Ministry of Tourism, Culture and Sport’s archaeological assessment and mitigation guidelines, in cooperation with the area municipalities (3.6.2.3).*”

5. CITY OF BRAMPTON 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.*

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.*

In all of the foregoing legislative and policy documents, the focus is on the conservation of resources. However, prior to determining conservation approaches Cultural Heritage Value or Interest must first be established. It is the Cultural Heritage Evaluation that does this.

Purpose

The purpose of a Cultural Heritage Evaluation Report (CHER) is to assist the City in determining whether a property, collection of properties, or landscape feature has Cultural Heritage Value or Interest (CHVI). The report will be used to help the municipality make informed decisions related to its heritage resources.

A Cultural Heritage Evaluation Report is required to help determine whether or not a property has cultural heritage value and, if so, what the value or values of the property is. In some cases, a CHER may be requested for a property which is included on the Heritage Register as a listed or designated property, particularly for older listings and designations for which a formal evaluation under Ontario Regulation 9/06 is not available. It can also be requested for a property which has not been formally identified by the municipality as having cultural heritage value, but where there is the potential for cultural heritage value to exist.

A CHER can be triggered by certain types of applications which include, but are not limited to:

- Official Plan Amendments
- Zoning By-law Amendments
- Amendments to the Downtown Permit System (DPS)
- Draft Plan of Subdivision
- Site Plan
- Consent
- Minor Variance

In addition to a standalone document, a CHER may also be submitted as part of the Heritage Impact Assessment. Applicants are encouraged to undertake a standalone CHER and submit the report prior to or as part of the Pre-Consultation Application. This

allows for consideration of potential heritage impacts as early in the planning process as possible.

When is a CHER Required?

A CHER will be required:

- for development applications that include a property that is listed under Section 27 of the Ontario Heritage Act on the City of Toronto's Heritage Register
- for development applications that include a property that is designated under Section 29 of the Ontario Heritage Act prior to 2006
- Prior to the submission of an application for either the heritage grant program or the heritage property tax rebate program

A CHER is strongly encouraged:

- for development applications that include a property that is not on the City's Heritage Register, but that is believed to have cultural heritage value as identified by the community, City staff, professional site assessments, planning studies or local Councillor
- for applications on properties that include a building or structure that is 40 years or older

A CHER is not required for properties that are:

- subject to a Notice of Intention to Designate under Section 29 of the OHA
- designated under Part IV, Section 29 of the OHA after 2006
- designated under Part V, Section 42 of the OHA

Content Requirements

If the property under review is on a development site, it is advisable that you discuss your project in advance with Heritage Planning staff during preliminary consultation meetings. Proponents are strongly encouraged to complete a cultural heritage evaluation at the earliest stages of the planning process.

The CHER will include the following headings and information (at minimum):

Statement of Professional Qualifications

It is critical that the CHER must be impartial and objective, thorough, complete and sound in its methodology and application of Ontario Heritage Act evaluation criteria, the City of Brampton Official Plan Heritage Policies and the *Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada* and be consistent with recognized professional standards and best practices in the field of heritage conservation in Canada and the CAHP Code of Conduct.

The CHER must be prepared by qualified professional members in good standing with the Canadian Association of Heritage Professionals (CAHP) who possess applied and demonstrated knowledge of accepted standards of heritage conservation, historical research, and the identification and evaluation of cultural heritage value or interest. The background and qualifications of the professional(s) completing the CHER must be included in the report.

Provide confirmation that the report conforms to accepted technical and ethical standards and works in accordance with the regulations and guidelines of jurisdictions of practice. The Heritage Professional must confirm that the information included in the CHER is accurate and reflects their professional opinion.

Background

Executive Summary

This section includes a summary of the evaluation of the potential cultural heritage resource(s); a summary of recommended heritage values and attributes and a summary of the reasons for or against their identification as warranting inclusion on the Heritage Register, with reference to applicable regulation(s).

Property Owner & Agent Information

Owner name and full contact information, including e-mail address(es). Name and full contact information, including e-mail address(es), for any representative or agent acting on behalf of the owner

Reasons for the CHER and Background Information

This section will include information pertaining to the reasons why the CHER has been prepared, including a brief summary of any related projects or planned development.

For properties that are Designated or Listed on the City's Register of Cultural Heritage Resources, the report should identify why the CHER is being completed. It must also include any information relating to either the designation or listing, including reasons for inclusion (where known) and the date of inclusion on the Heritage Register.

Introduction to the Subject Property

Location Plan

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. Location of the site and the subject heritage property/properties should be shown on:

- Topographic map;
- Aerial photograph;

Maps and photographs must depict the site boundary within a 300 metre radius, or as appropriate, in order to demonstrate the existing area context and identify adjacent heritage resources. Maps to be to a metric scale (i.e. 1:100, 1:200, 1:500)

Description and Inspection of the Property

This section will include a description of the property's location and existing conditions as observed through an inspection of the property, and note the date(s) of the inspection. The section will, at a minimum:

- Provide the resource's legal address, Official Plan and Secondary Plan designation, and zoning;
- 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);

- Document and describe the subject property, identifying all significant features, buildings, landscapes, and vistas
- Identify and describe any other features that may be of interest, including landscape features;
- Document and describe the context including but not limited to adjacent properties and nearby land uses;
- Identify whether the property is within an area of archaeological potential;

Site Documentation

This section will 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.

- Heritage resources should be documented 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.
- This section should include a chronological history of the site and all structure(s), including additions, deletions, conversions, etc.
- Photographs should include but not be limited to the following:
 - Each building elevation;
 - Each heritage attribute or draft heritage attribute, including both exterior and interior, where applicable;
 - Existing context including other buildings on and adjacent to the site and existing landscaping;
 - A photograph of the property as seen from the public realm around the property including each public right of way, lane, or shared driveway, park and publicly accessible open space, as appropriate to the site; and
 - A photograph showing the relationship of the site to the adjacent properties.

This section will also 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 previously demonstrated experience in evaluating heritage properties.

Historic Information and Documentation

This section should 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.

Historic photographs, plans, maps, etc. should be provided whenever available.

Primary and Secondary Research

This section will document the research that was undertaken for the property, including the primary and secondary sources that were consulted, and will record and present the findings of the research in a logical and chronological order. This section will also identify any archaeological assessment reports that apply to the property, and whether the property has been identified as an area of archaeological potential according to Provincial guidelines.

Primary resources must be consulted in order to identify the property's history of ownership and development. If certain primary resources are determined not to be of relevance or are unavailable, the rationale for the exclusion must be demonstrated. At minimum, the resources that must be consulted include:

- Peel Archives
- Assessment Rolls
- Building Permits
- City Directories
- Land Registry Office (or online equivalent)

Additional resources that may be consulted include but are not limited to:

- Ontario Archives
- City of Brampton Public Library
- Historical society archives
- City of Brampton Historic Aerial Photographs

The section will include written narrative, describing the history of development and activity of the site, including any events, communities, individuals or activities that are historically or continue to be associated with to the property where applicable. A chronological timeline may be included as a summary historical narrative where warranted. All statements of fact regarding ownership, date of construction, occupation, sale, etc. will be footnoted providing the source, including relevant identifiers such as dates including day month, and year as appropriate, page numbers, and location of source.

Research results will be used as the basis for an evaluation of the property's cultural heritage value, following Ontario Regulation 9/06. In the event that City heritage staff find that the research provided within this section provides insufficient information or detail to properly inform the evaluation, additional information and a revised CHER will be requested.

Research sources must be documented using a consistent citation style (MLA, APA, or Chicago). All research sources will also be listed in an appendix attached to the report. If possible, copies of such sources should be provided to the City as part of the CHER submission.

Visual Resources (Maps, Drawings, Plans and Images)

This section will include a visual overview of the property over time, including the pertinent maps, images, drawings and plans consulted, to assist with understanding the general history of the site and its development over time. Images should be arranged chronologically and will illustrate the historical development and evolution of the site, including chronological construction and/or alterations to the size, features or primary use of the property and its associated buildings or features.

Images included in this section should be labelled appropriately with a title of the image, a description of what is being shown, and the source for the image including author, publication, date (day, month, year), volume where appropriate, page number, archival references, location or website, etc. All visual resources will also be listed in an appendix attached to this report.

Community Consultation

This section will outline what, when and how community input was undertaken as part of the research methodology for the property and describe the results. Based on the resource(s) being evaluated, the City may suggest groups, organizations or individuals for consultation and may participate/lead in the consultation. At a minimum, it is recommended that local heritage groups and historical societies are consulted. If consultation at the time of submission has not been undertaken, it is expected to take place at the earliest possible opportunity.

There may be circumstances where community input is fundamental to understanding the value of a property and an HIA or CHER may be considered incomplete until appropriate consultation has taken place.

- Local heritage group/historical society
- Other (oral histories, individual meetings, etc.)

Evaluation of Cultural Heritage Value or Interest

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.

Provide the details 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.

Statement of Cultural Heritage Value or Interest

If the evaluation determines that the property has cultural heritage value based on the evaluation against O. Reg. 9/06, a draft Statement of Significance must be prepared that includes a list of the physical features or Heritage Attributes identified. The list of attributes should be organized to reflect the criteria to which they refer.

The Statement of Cultural Heritage Value or Interest should convey why the property is important and merits designation, explaining cultural meanings, associations and connections the property holds for the community. This statement should reflect one or more of the standard designation criteria prescribed in the designation criteria regulation under the Ontario Heritage Act (Ontario Regulation 9/06). The Statement of Cultural Heritage Value or Interest should provide sufficient information to explain the significance of the property but should be no longer than two or three paragraphs, explaining the core aspects of the property's cultural heritage value.

Conclusion and Summary

The conclusion will summarize the research, survey and evaluation undertaken for the property, and where the property is determined to have CHVI, will provide a recommendation for its inclusion on the Heritage Register and/or whether it is worthy of Designation under Part IV of the Ontario Heritage Act. This section can reiterate the Statement of significance and attributes

list. It should also note that should alterations be contemplated for the property that will impact its heritage value and the attributes, an HIA will be required.