

APPENDIX A: REQUIRED CONTENTS CHECKLIST



Heritage Impact Assessment Terms of Reference and Checklist

City Planning, Heritage Planning, Urban Design

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A. PURPOSE

The conservation of the City of Toronto's cultural heritage resources is a matter of public, municipal and provincial interest.

A Heritage Impact Assessment ("HIA") is an independent professional and objective study undertaken at the earliest stage of project planning, design, construction and development activity necessary to inform a project's design with the goal of conservation.

The purpose of the HIA is to assist in the understanding of the cultural heritage value of each existing or potential heritage resource on a site, adjacent to a site or within a Heritage Conservation District ("HCD"), and apply relevant heritage conservation policies and standards in the analysis of the impact of development on its cultural heritage value, and develop mitigation measures to protect it. Within the City of Toronto's application process and complete application requirements, the purpose of the HIA is also to inform decisions of City staff and City Council and to guide the creation of a Conservation Plan or any other Council approved condition.

B. POLICY CONTEXT

- The Provincial Policy Statement; Section 2.6 Cultural Heritage and Archaeology
- A Place to Grow: Growth Plan for the Greater Golden Horseshoe; Section 4.2.7 Cultural Heritage Resources
- City of Toronto Official Plan

C. DESCRIPTION

The HIA will demonstrate an understanding of the cultural heritage values and attributes of existing and potential onsite heritage resources, adjacent heritage properties and within or adjacent to Heritage Conservation Districts. It is strongly recommended that a **Cultural Heritage Evaluation Report ("CHER")** be prepared by the applicant at a project's inception to ensure a rigorous inventory and understanding of the site's values and attributes early in the design process. The City of Toronto has developed a Terms of Reference to assist with the purpose and content of a CHER. It is also strongly recommended that the results of the CHER be shared with the City for discussion at the earliest opportunity to avoid unnecessary delays.

Where City Council has previously adopted a Statement of Significance through municipal designation, using criteria set out in Ontario Regulation 9/06, the HIA must be based on the Council approved statement of cultural heritage values and attributes. Properties designated prior to 2005 will be subject to review and by-law amendment as necessary.

The HIA will also demonstrate, in its analysis and conservation strategy, an understanding of all applicable provincial and municipal policies, HCD plans and recognized professional heritage conservation standards in Canada including, but not limited to, the *Standards and Guidelines for Conservation of Historic Places in Canada*. **In keeping with the *Standards and Guidelines*, minimal intervention will be the guiding principle for all work.**

The study will, using both written and graphic formats, provide a description of the proposed development or site alteration, a detailed review of the impact of the proposed work on the cultural heritage values and attributes of the existing, potential and adjacent heritage properties (cultural heritage values and attributes that have already been determined by the City or, when unavailable, identified within a Cultural Heritage Evaluation Report) from a conservation perspective. The HIA will also recommend alternative development options and mitigation measures to ensure the best possible conservation outcomes.

The HIA, which must be prepared by a qualified heritage conservation professional as demonstrated through membership in the Canadian Association of Heritage Professionals, will address "existing and potential heritage properties" which are those properties that are:

- designated under Parts IV and V of the Ontario Heritage Act ("OHA")
- added to the Register by City Council, known as "listed" properties
- identified as having cultural heritage value or interest through a preliminary site assessment or planning study
- identified by the community, City staff or local Councillor

In addition, it is recommended that applicants pre-screen any building 40 years of age or older on the development site as a routine part of pre-application due diligence, especially if demolition will be proposed.

The required conservation strategy will be presented in detail to inform the decisions of City staff and City Council and to guide the creation of a Conservation Plan and/or any other Council approved conditions. Conservation strategies will take into account the existing condition of cultural heritage resource(s) and the constructability of the proposal. It is expected the project team will have undertaken sufficient investigation to confirm the capacity of the heritage resource to withstand the proposed intervention.

Where there is the potential to affect known or potential archaeological resources an Archaeological Assessment will be undertaken as an additional study prepared by a licensed archaeologist.

D. STANDARDS AND PRACTICES

The HIA must be impartial and objective, thorough, complete and sound in its methodology and application of Ontario Heritage Act evaluation criteria, the City of Toronto 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 HIA 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, identification and evaluation of cultural heritage value or interest, analysis and mitigation.

The HIA must include all required information and be completed to the satisfaction of the City as determined by the Senior Manager, Heritage Planning or it will be considered incomplete for application or other purposes.

The HIA may be subject to a peer review if deemed appropriate by the Senior Manager.

E. WHEN REQUIRED

An HIA is required as a part of a Complete Application for the following application types, if the development site contains one or more properties that are listed and/or designated on the City of Toronto's Heritage Register:

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

Note: Site Plan Control applications that have been subject to a recent and/or concurrent OPA/ZBA application will not require an HIA.

An HIA may be required for the following additional application types:

- Consent and/or Minor Variance applications for any property on the Heritage Register
- Official Plan Amendment, Zoning By-law Amendment, Plans of Subdivision, Site Plan Control and/or Consent and/or Minor Variance applications adjacent to a property on the Heritage Register. Adjacency is defined in the Official plan and may go beyond contiguous properties
- Heritage Permit applications for any property designated under Part IV (individual) or Part V (Heritage Conservation District) of the OHA.

F. CULTURAL HERITAGE EVALUATION REPORT (CHER)

A Cultural Heritage Evaluation **is required** within the HIA for the following properties, where applicable:

- Designated under Part IV, Section 29 of the OHA prior to 2006
- Listed on the City's Heritage Register under Section 27 of the OHA

A CHER is strongly encouraged to be prepared for properties of potential heritage value:

- Not on the City's Heritage Register but identified as having cultural heritage value through professional site assessments or planning studies
- Believed to have cultural heritage value as identified by the community, City staff or local Councillor
- Buildings and/or structures that are 40 years or older

A Cultural Heritage Evaluation within an HIA, or as part of 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

The City's Terms of Reference for a CHER is available as a separate document. It is recommended that applicants contact Heritage Planning to discuss heritage potential on the subject property prior to application submission. **Evaluation of cultural heritage resources prior to project planning is strongly encouraged.**

With regard to Part IV, Section 29 properties, the HIA should append the Notice of Intention to Designate or the designation by-law, where applicable. With regard to Part V, Section 42 Districts, identification of the Heritage Conservation District and its associated Heritage Conservation District Plan (if applicable) should be identified, but is not required to be appended to the HIA.

An HIA that does not use the Council adopted statement of significance as the basis to assess impact will be deemed incomplete.

Evaluations may be subject to Peer Review where deemed appropriate by the Senior Manager, Heritage Planning

G. REQUIRED CONTENTS AND CHECKLIST

To confirm application requirements it is advisable to discuss your project in advance with Heritage Planning staff during preliminary consultation meetings and consult the City of Toronto's Municipal Code.

Where conditional approval has already been granted under the OHA, document requirements should be discussed with heritage planning staff.

The HIA will be submitted in hard copy and PDF format along with any other required application material and will include (at minimum):

1. Required Contents Checklist



A copy of this HIA Terms of Reference with a completed Required Contents Checklist

2. Statement of Professional Qualifications

A Heritage Professional is a person who has specialized knowledge in the conservation and stewardship of cultural heritage and is supported by formal training and/or work experience. The professional must be a registered member of the Canadian Association of Heritage Professionals and in good standing. The background and qualifications of the professional(s) completing the HIA must be included in the report.



By checking this field, the Professional conforms to accepted technical and ethical standards and works in accordance with the regulations and guidelines of their specialty heritage fields and

jurisdictions of practice and confirms the information included in the HIA or CHER is accurate and reflects their professional opinion.

3. Executive Summary

- This section includes a summary of the project as a whole; a summary of the property's determined heritage values and attributes, including conclusions related to the evaluation of properties undertaken through the CHER; a summary of the proposed conservation strategy and a summary assessment of the impact of the proposed development or site alteration on the cultural heritage values and attributes of all on-site and adjacent heritage properties, including properties on the site that are not on the heritage register but which have been subject to evaluation either within the HIA or as the subject of a CHER.

The Executive Summary will also outline proposed mitigation measures and will include a clear statement of opinion about the appropriateness of the work as proposed, with specific reference to all applicable policies and guidelines.

4. Property Owner

- Owner name and full contact information, including e-mail address(es)

5. Owner's Representative or Agent

- Name and full contact information, including e-mail address(es), for any representative or agent acting on behalf of the owner accompanied by proof of owner consent

6. Location Plan

Location of the development site and the subject heritage property/properties shown on:

- City's property data 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).

7. Cultural Heritage Evaluation Report (CHER)

Following the City of Toronto's Cultural Heritage Evaluation Report (CHER) Terms of Reference, this section will include the identification and evaluation of existing and potential properties on the development site, as required.

Where a property is subject to a notice of intention to designate under Section 29 of the OHA, designated under Part IV of the OHA after 2006 or designated under Part V of the OHA, the HIA must rely on the heritage values and attributes of the property which have already been determined by City Council.

It is expected the CHER will be prepared in the early stages of the design and development process, prior to determining what changes may be appropriate. It is recommended that the CHER be submitted as a separate document prior to its incorporation into the HIA and prior to the submission of a development application so that the heritage values can be confirmed.

Check all that apply:

- Evaluation of a property designated under Part IV, Section 29, of the Ontario Heritage Act prior to 2006 and date evaluation was completed.
- Evaluation of a property listed on the City's Heritage Register under Section 27 of the Ontario Heritage Act and date evaluation was completed.
- Evaluation of a property previously identified as having cultural heritage value through professional site assessments or planning studies and date evaluation was completed.
- Evaluation of a property believed to have cultural heritage value as identified by the community, City staff or local Councillor and date evaluation was completed.
- Evaluation of a property over 40 years old and date evaluation was completed.

8. Description of On-site Heritage Resources

This section will include a description of existing and potential cultural heritage resources within the development site, and shall include:

- Description of each property in its location on the site and any associated buildings, structures and/or landscapes. The description needs to include reference to all structures; buildings; age, location, type of construction, heritage attributes, building elements, features and / or remains; building materials; architectural style, type or expression and finishes; floor plan; natural heritage features; landscaping and archaeological resources as applicable.
- For each listed property, the existing Statement of Significance, Reasons for Listing and/or Reasons for Identification as adopted by City Council describing each property's cultural heritage value. Include the City Council inclusion dates and relevant details. This information can be obtained from the Heritage Planning office or online.
- For each Part IV or Part V designated property on the site, the existing Statement of Significance, Reasons for Designation describing each property's cultural heritage value and heritage attributes and/or the established cultural heritage value or contribution as described in the relevant HCD Plan. Include the associated designation by-laws and City Council inclusion dates and details. This information can be obtained from the Heritage Planning office or online.

9. Historic Photographs

- Historic photographs should be provided where available. If historic photographs cannot be located, it must be confirmed that the noted sources below have been checked and historic photographs were not present.

At minimum, the resources that must be consulted include:

- Toronto Archives
- Toronto Public Library
- Historical society archives

10. Current Photographs/Images

- Current photographs/images taken within 3 months of the application submission date showing the existing condition, context, attributes and other features of existing and potential heritage resources on the property that are unobstructed by landscaping, vegetation, vehicles, etc. The context includes other buildings and existing landscaping (mature trees, fences, walls, driveways) on the subject property. Photographs will include the following:

- Each building elevation
- Each heritage attribute or draft (CHER) heritage attribute affected by the proposed works
- Existing context including other buildings on and adjacent to the site and existing landscaping
- Interior heritage attributes described in the Part IV designation by-law or the CHE, where applicable
- Photographs 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
- Photographs showing the relationship of the site to the adjacent properties

11. Description of Surrounding Neighbourhood Keyed to a Context Map

- Provide a detailed narrative of the surroundings of the site with particular attention to subject street frontages or block faces, subject property and opposite side of the street frontage(s). Be sure to reference architectural styles, profiles and ages of buildings and describe the existing "sense of place" where discernible and key to a context map.

12. Description of Adjacent Heritage Properties (if applicable)

Using the definition of "adjacency" in the City's Official Plan, this section must provide a description of each heritage property/resource adjacent to the development site, including:

- Description of the property in its location adjacent to the site, including any buildings, structures and/or landscapes or landscape features.
- Part IV or V designation dates and details.

Existing Statement of Significance or Reasons for Designation describing the property's cultural heritage value. This information can be obtained from the Heritage Planning office.

Photographs to include:

- Photographs taken within 3 months of the application submission date of each elevation of the resource on the adjacent heritage property.
- Aerial photographs showing the relationship of the adjacent properties to the development site.
- Available historic photographs that show the adjacent buildings in relation to the application site, or confirmation that none were available from the noted sources.

13. Condition Assessment

The condition assessment should not rely solely on a visual inspection. Recommended methods for determining the condition of the resource(s) include a structural engineering analysis, a geotechnical study, non-destructive and destructive testing where underlying conditions might be obscured by architectural elements, signage or other physical barriers.

Destructive testing may be subject to approval. Please consult the heritage planner assigned to your application to confirm testing requirements needing a preliminary review.

Written description and high quality colour photographic documentation of each existing and potential heritage resources on the development site in its current condition and a detailed visual and written description of the physical condition of the resources including, but not limited to:

- The roof (including chimneys, roofing materials, etc.)
- Each building elevation including windows, doors, porches and decorative elements
- Foundations
- Each heritage attribute identified in an existing Statement of Significance or a CHE including landscape features where applicable
- Structural stability of the building
- Other aspects of the site as appropriate

14. Description of Proposed Development or Site Alteration

In this section, the plans, drawings, specifications and a description of the site alteration must include all new development on and alterations and interventions to each designated and/or listed and/or potential heritage property on the development site.

The drawings and specifications should also show any internal heritage attributes described in the designation by-law and show any proposed changes to them.

If no changes are being proposed to a specific building, structure or heritage attribute on the subject property a written confirmation of this and confirmation of its proposed conservation

- can be provided instead of including proposed plans, sections and elevations of that specific building, structure or heritage attribute.
- A written itemized and detailed description of all alterations and interventions affecting the cultural heritage value and attributes of each onsite existing and potential heritage property and adjacent heritage property with a clear narrative of what is proposed to be conserved, altered, visually or physically impacted or demolished and/or removed.
- Existing plans, sections and elevations showing the current condition of each property with any buildings, structures and attributes proposed to be demolished or removed identified in RED and/or altered in BLUE.
- Proposed plans, sections and elevations showing any attributes proposed to be demolished, removed or reconstructed in RED and new construction and alterations in BLUE.

15. Demolition

Separate approval under the Ontario Heritage Act is required for any property designated under Part IV or V where the demolition or removal of a building, structure and/or attribute is proposed.

60 days' written notice of intention to demolish a building or structure on a listed property must be submitted to the Chief Planner, consistent with the Toronto Municipal Code, Chapter 103.

- Check if NO demolition or removal is proposed.
- Where the demolition and/or removal of a building, structure and/or heritage attribute is proposed on an existing Part IV heritage property, a written description will explain the reason for the proposed demolition and/or removal and how it conserves the cultural heritage value and attributes of the property as described in the designation by-law or the CHER and how it conserves the integrity of the property.
- Where the demolition and/or removal of a building, structure and/or heritage attribute is proposed on a Part V designated property within a Part V designated district, a written description will explain the reason for the proposed demolition and/or removal and how such demolition and/or removal conserves the cultural heritage values and heritage attributes of the relevant Heritage Conservation District and describe how the proposal is not contrary to the objectives of that HCD Plan and how the proposal does not conflict with that HCD Plan.
- Where the demolition and/or removal of a building or structure on a listed heritage property is proposed, a written description will explain the reason for the proposed demolition and/or removal and how it conserves the cultural heritage value of the property as described in the reasons for listing or the CHER and conserves the integrity of the property.
- Where the demolition and/or removal of a building or structure on a potential heritage property is proposed, a written description will explain the reason for the proposed demolition and/or removal.

16. Analysis of the Impact of Development or Site Alteration

In this section, a clear and objective analysis of the impact of all alterations and interventions, (direct and indirect), that affect the cultural heritage value and attributes as described in the designation by-law or approved CHER of each existing, potential and adjacent heritage property or HCD is required.

- ✓ An itemized and detailed analysis of the impact of and rationale for all alterations and interventions proposed affecting the cultural heritage value and attributes of each existing, potential and adjacent heritage property applying all relevant policies including the City of Toronto Official Plan, the Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe.
- ✓ 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*.
- ✓ Using the definition of "integrity" in the City of Toronto Official Plan, provide a description and analysis of the impact of the development/site alteration on the integrity of each existing, potential and adjacent heritage property.
- ✓ An analysis of the visual impact of the design of the new development on, and a description of the efforts to ensure mitigate the impact and ensure its compatibility with, the heritage value, attributes and character of each existing, potential and adjacent heritage property or HCD.

17. Engineering Considerations

In the case of partial *in situ* or façade-only retention, temporary removal or relocation of a building or structure of an onsite existing or potential heritage resource, or when a compromised structure is part of the reason for the proposed works, an engineering study must be undertaken by a Professional Engineer that confirms the feasibility of the proposed strategy in the context of the development/site alteration. An engineering study may also be requested in other circumstances.

A vibration or other site management related study may be requested to assess any potential impacts to adjacent heritage resources.

The study should consider (at minimum) overall site alterations, construction access, buried utilities, right-of-way management and construction/conservation methodologies. Recommendations must be based on a detailed understanding of the current condition of the resource(s) being conserved as described in Section 12.

Limited invasive testing of existing heritage fabric and other forms of ground investigation are strongly recommended at the earliest stages of the project. Purely visual inspection will not be an acceptable basis for decision-making.

- A statement from a professional engineer confirming feasibility of a strategy that involves façade retention, temporary removal or relocation. Conservation strategies with engineering considerations must include this statement or the HIA will be deemed incomplete.

18. Mitigation

Mitigation measures and/or alternative options are important components of the HIA as they describe ways to avoid or reduce negative impacts on the cultural heritage resources. Mitigation might also be achieved through modifications to the design of project as a whole, for example exploring alternative parking arrangement the modification of supporting caisson walls and other shoring and bracing strategies that supports greater retention of built fabric, exterior walls, interior attributes and *in situ* preservation etc.

- A detailed and itemized description of recommended mitigation measures that will best conserve the cultural heritage values and attributes of each existing, potential and adjacent heritage resource. Note: Potential heritage resources are defined in Section F above. Adjacent properties are defined in Section 3.1.5 of the City of Toronto Official Plan.
- If mitigation measures and/or alternative development options are not warranted because the cultural heritage values and attributes are being conserved, describe and provide a rationale for no recommendation.
- Where significant interventions occur, describe and provide a rationale for the alternative development approaches and mitigation measures that were explored but not recommended in this HIA.

19. Conservation Strategy/Summary

- Itemized summary of the conservation strategy detailed in the previous relevant sections.

20. Statement of Professional Opinion

- A conclusive and objective statement of professional opinion about the compliance of the project with all relevant municipal and provincial policies and respect for recognized professional standards and best practices in the field of heritage conservation in Canada.
- If, in the opinion of the heritage consultant, a development proposal does not comply with all applicable policies or respect recognized professional standards and best practices in the field of heritage conservation as reflected in all applicable guiding documents, a full analysis will be provided explaining the reasons for why this conclusion has been drawn.