

Cultural Heritage Evaluation Report Terms of Reference Draft

A Cultural Heritage Evaluation Report (CHER) is a study to determine if a site has cultural heritage value in relation to provincial legislation and provincial and local heritage policies. The evaluation results in a report which identifies whether or not a property or site has cultural heritage value and recommends additional studies which may be required, depending on the purpose of the evaluation. CHERs are important tools to help identify and evaluate properties within the municipality which may have cultural heritage value.

The evaluation will be based on thorough historical research and on-site observation of a property. It will use established criteria for determining cultural heritage value, namely Ontario Regulation 9/06. In some cases, it may also be appropriate to evaluate heritage resources based on Ontario Regulation 10/06. The resultant report will draw conclusions and make recommendations regarding the cultural heritage value of a site.

Policy Context

A CHER is intended to determine if a property is of cultural heritage value or interest. The rationale for requiring a CHER arises from:

- Ontario Heritage Act
- Section 2(d) of the Planning Act
- Section 2.6 of the Provincial Policy Statement (2020)
- City of Kawartha Lakes Official Plan, Sections 10.5 – Heritage Policies, enacted through Official Plan Amendment 26 (2017)
- Section 1(1)(c) of the Environmental Assessment Act

Cultural heritage evaluation reports should be based on accepted research and evaluation methodologies. They must include a field work component which will be discussed in the final report. Evaluation of cultural heritage resources should be based on Ontario Regulation 9/06. In certain cases, it may also be appropriate to evaluate the property based on Ontario Regulation 10/06.

When is a Cultural Heritage Evaluation Report required?

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 of the property is. A CHER may be requested for a property which is included on the Heritage Register as a listed or designated property or 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 and a Zoning By-law Amendments
- Plan of Subdivision
- Site Plan
- Consent
- Minor Variance

A CHER is required to accompany any request to repeal a designating by-law or remove a listed property from the City's Heritage Register. CHERs are also undertaken as part of the Environmental Assessment Process.

Depending on the type and scope of an application, a Heritage Impact Assessment may be the more appropriate study to accompany the application. In general, Heritage Impact Assessments will be required when a development application is submitted for a property where the heritage value has been formally assessed and identified, such as a property designated under Part IV or V of the Ontario Heritage Act. Staff will determine the most appropriate study for the application and advise the applicant as to the requirements.

Minimum Content Requirements

A CHER submitted to the City will contain, but is not limited to, the following sections. The report must clearly identify and discuss the historical development of the site, its current conditions, and its fulfilment of the Ontario Regulation 9/06 criteria. Staff may scope or expand the CHER in consultation with the application to develop a modified terms of reference specific to the proposed project, if appropriate. The scope of the CHER will be established at a pre-consultation meeting.

1. Introduction
 - Introduction to the purpose and scope of the report
 - A location and site plan of the subject property or properties
 - A written description of the site identifying features, buildings, landscapes, and vistas
 - An overview of the proposed project, if applicable
2. Methodology
 - A summary of the relevant legislative and policy context
 - A summary of the research and data collection methodologies used to undertake the evaluation, including archival, secondary and onsite research and evaluation
 - A summary of any engagement undertaken with members of the public, municipal staff or representatives, historical societies or committees, or any other individuals or groups
3. Site History
 - A general history of the immediate context of the site, which may consist of a village, neighbourhood, commercial district, rural area and/or streetscape in which the property is located
 - The land use history of the subject property describing key transfers, uses, milestones and owners of the property identified through primary and secondary research
4. Existing Conditions
 - A written description of the immediate context of the subject property, including any significant views or vistas, and the relationship of the subject property to adjacent or nearby properties
 - Comprehensive written description of the current physical condition of the heritage resource, both exterior and interior, if applicable
 - Current photographs of the site including, but not limited to:

- i. Contextual views of the property showing its relationship with surrounding properties
 - ii. Exterior views of each elevation of all buildings and structures
 - iii. Views of the property including all significant landscape features
 - iv. Interior views of each room of the building, if appropriate
 - v. Close-up views of all significant architectural features (i.e. brackets, trim, cornices, windows, etc.
5. Heritage Evaluation
 - A cultural heritage evaluation of the property based Ontario Regulation 9/06 which will include:
 - i. Identification of which criteria the property fulfils
 - ii. Rationale for how the property fulfils each criteria
 - The property may also be evaluated based on Ontario Regulation 10/06 if appropriate
 - The evaluation should also identify areas of archaeological potential or known archaeological resources present on the site
 - A statement of cultural heritage value or interest
 - A description of the heritage attributes of the property
 - Identification of potential impacts the proposed project may have on the property and its heritage attributes
6. Conclusion and Recommendations
 - Concise summary of the findings of the report and the significance of the site
 - Identification of cultural heritage resources on the site including but not limited to, individual built heritage resources, cultural heritage landscapes, and archaeological resources
 - A Statement of Significance for the site as a whole and/or its individual cultural heritage resources
 - The recommendations must address the following questions:
 - i. Does the property meet the criteria for having cultural heritage value under Ontario Regulation 9/06?
 - ii. Why does or does not the property meet the criteria?
 - iii. Are additional studies or reports necessary in relation to the proposed future use of the site?
7. Appendices
 - A complete bibliography including all sources consulted
 - A summary of the author's qualifications

Qualified Heritage Professional

A cultural heritage evaluation will be prepared by a qualified heritage professional, such as a heritage planner, heritage architect, or heritage landscape architect with appropriate qualifications, demonstrated knowledge of heritage evaluation methods, and who has undertaken historical research and evaluation of cultural heritage resources.

Heritage consultants must be members in good standing of the Canadian Association of Heritage Professionals (CAHP). Consultants who are not CAHP members but who hold equivalent qualifications may be considered. The background and qualifications of the heritage consultant(s) must be included in the report. The consultant preparing the report must also be

independent from the planning, consulting or engineering firm or the individual who is making the related application which has triggered the requirement for the evaluation.

In addition, any archaeological component of the evaluation must be carried out by a licenced professional archeologist as required by provincial law and must follow provincial standards and guidelines for archaeological assessments.

Peer Review

The City of Kawartha Lakes reserves the right to request an independent peer review of the CHER at the applicant's cost if a peer review is deemed necessary by the Director of Development Services. Peer reviews will evaluate the methodology and conclusions in the submitted report. These reviews may include, but are not limited to, addressing inconsistencies, factual errors, discrepancies, methods of evaluation not consistent with recognized standards, omissions and misrepresentations.

Submission

The cultural heritage evaluation report is to be submitted in two hard copies and a PDF. Staff will review the submission for completeness and advise if additional information is required. Submissions will be reviewed within 20 working days unless a longer time is agreed upon by the municipality and the applicant or if the application requires peer review.