



Cultural Heritage Landscape Heritage Impact Assessment Terms of Reference

Cultural Heritage Landscape (CHL): 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 Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. CHLs may be properties that have been determined to have cultural heritage value or interest under the Ontario Heritage Act, or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms. (Source: Provincial Policy Statement)

The Provincial Policy Statement requires that significant CHLs be conserved.

Any development application that would negatively impact a CHL's identified heritage attributes may be subject to a Heritage Impact Assessment (HIA) to assess and resolve impacts.

The HIA Terms of Reference (TOR) for CHLs are as follows:

1. General Requirements

- Location map
- Site plan drawing/survey of existing conditions, to include buildings, structures, roadways, driveways, drainage features, trees and tree canopy, fencing, and topographical features
- Written and visual inventory (legible photographs – suggest no more than two per page) of all elements of the property that contribute to its cultural heritage value, including overall site views. For buildings, internal and external photographs are also required. Please note that due to the Freedom of Information and Protection of Privacy Act (FIPPA), photographs should not contain people or highlight personal possessions. The purpose of the photographs is to capture architectural features and building materials.
- A site plan drawing and elevations of the proposed development
- For CHLs that transcend a single property, a measured streetscape drawing is required, in addition to photographs of the adjacent properties
- Qualifications of the author completing the report

The City reserves the right to require further information, or more detailed research, documentation and/or conservation analysis as per the regular HIA TOR. TOR are subject to change without notice.

2. Property Information (Only applies to property wherein extant built form is a heritage attribute)

The proponent must include a list of property owners from the Land Registry office. Additional information may include the building construction date, builder, architect/designer, landscape architect, or personal histories. However, please note that due to FIPPA current property owner information must NOT be included. Current property owner personal information must be redacted to ensure the reports comply with the Act. Research must be sufficient to make designation recommendation as per #6.

The City of Mississauga recognizes the historic and continued use of the land now known as Mississauga by the Mississaugas of the Credit First Nation, the Haudenosaunee Confederacy the Huron-Wendat and Wyandotte Nations. As such all HIAs must include recognition of Indigenous history and settlement and where appropriate, address Indigenous cultural heritage interests in the

surrounding area. Specific attention should be paid to possible traditional use areas as well as sacred and other sites, which could exist on or near the property.

3. Arborist Report

When trees are a heritage attribute, and it is also required as part of the site plan process, an arborist report is required. Current property owner information must be redacted.

4. Impact of Development or Site Alteration

An assessment identifying any impact the proposed development or site alteration may have on the cultural heritage resource(s). Negative impacts on a cultural heritage resource(s) as stated in the [Ontario Heritage Tool Kit](#) include, but are not limited to:

- Destruction of any, or part of any, significant heritage attributes or features
- Removal of natural heritage features, including trees
- Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance
- Shadows created that alter the appearance of a heritage attribute or change the viability of an associated natural feature, or plantings, such as a garden
- Isolation of a heritage attribute from its surrounding environment, context or a significant relationship
- Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features
- A change in land use where the change in use negates the property's cultural heritage value
- Land disturbances such as change in grade that alter soils, and drainage patterns that adversely affect cultural heritage resources

The proponent must demonstrate how the new proposed built form serves to retain the CHL's identified heritage attributes.

5. Mitigation Measures

The HIA must assess alternative development options and mitigation measures in order to avoid or limit the negative impact on the cultural heritage resources. Methods of minimizing or avoiding negative impact on cultural heritage resources, noted by the [Ministry of Culture](#), include but are not limited to the following:

- Alternative development approaches
- Isolating development and site alteration from the significant built and natural heritage features and vistas
- Design guidelines that harmonize mass, setback, setting and materials
- Limiting height and density
- Allowing only compatible infill and additions
- Reversible alterations
- Buffer zones, site plan control, and other planning mechanisms

Provide mitigation measures, conservation methods, and/or alternative development options that avoid or limit the direct and indirect impacts to the heritage resources. Evaluate the advantages and disadvantages of each proposed mitigation measure.

These alternate forms of development options presented in the HIA must be evaluated and assessed by the heritage consultant writing the report as to the best option to proceed with and the reasons why that particular option has been chosen.

Provide recommendations for follow-up site specific heritage strategies or plans such as a conservation plan, adaptive reuse plan or heritage structural engineering assessment.

6. Recommendation

For properties wherein extant built form is a heritage attribute, the heritage consultant must provide a recommendation as to whether the subject property is worthy of heritage designation in accordance with the heritage designation criteria per [Regulation 9/06, Ontario Heritage Act](#). Should the consultant not support heritage designation then it must be clearly stated as to why the subject property does not meet the criteria as stated in Regulation 9/06.

The following questions **must** be answered in the final recommendation of the report:

- Does the property meet the criteria for heritage designation under Ontario Regulation 9/06, Ontario Heritage Act?
- If the subject property does not meet the criteria for heritage designation then it must be clearly stated as to why it does not
- Regardless of the failure to meet criteria for heritage designation, does the property warrant conservation as per the definition in the Provincial Policy Statement:

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. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Please note that 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 HIA.

7. Qualifications

The qualifications and background of the person completing the HIA will be included in the report. The author must be a qualified heritage consultant by having Professional standing with the Canadian Association of Heritage Professionals (CAHP) and/or clearly demonstrate, through a Curriculum Vitae, his/her experience in writing such Assessments or experience in the conservation of heritage places. The Assessment will also include a reference list for any literature cited, and a list of people contacted during the study and referenced in the report.

8. Approval Process

A pdf version will be provided to the Heritage Planning unit. City staff will review the HIA to determine whether all requirements have been met and, if relevant, to evaluate the recommendations presented by the Heritage Consultant on the alternative development options. The applicant will be notified of Staff's comments and acceptance, or rejection of the report. The HIA may be subject to a peer review by a qualified heritage consultant at the owner's expense.

All HIAs will be sent to the City's Heritage Advisory Committee for information or review. Reports will be published online.

An accepted HIA will become part of the further processing of a development application under the direction of the Planning and Building Department. The recommendations within the final approved version of the HIA will be incorporated into development related legal agreements between the City and the proponent at the discretion of the municipality.

9. References

Applicants seeking professional assistance may refer to the [Canadian Association of Heritage Professionals](#).

For more information on Heritage Planning at the City of Mississauga, visit us [online](#).

[Interpretation Services](#)