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Town of Aurora

# General Committee Report

No. PDS21-124

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**Subject:** Review of Aurora Register – Evaluation Methodology

**Prepared by:** Brashanthe Manoharan, Planner/Heritage Planning

**Department:** Planning and Development Services

**Date:** November 16, 2021

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## Recommendation

1. That Report No. PDS21-124 be received; and,
2. That Ontario Regulation 9/06 be approved to evaluate properties for cultural heritage interest and discontinue the use of “Evaluation of Heritage Resources in the Town of Aurora (2010).”

## Executive Summary

This report seeks Council’s approval to formally adopt the Ontario Regulation 9/06 to evaluate properties of cultural heritage interest and discontinue the use of “Evaluation of Heritage Resources in the Town of Aurora (2010)”.

- Staff support the use of Ontario Regulation 9/06 to evaluate listed properties for cultural heritage interest.
- Under the *Ontario Heritage Act*, Ontario Regulation 9/06 provides the criteria for determining cultural heritage value or interest.

## Background

In November 2019, Council approved a capital budget to fund a comprehensive review of the Town’s Heritage Register. The review focuses on assessing the heritage value of more than 400 properties currently listed on the Register in order for the Town to better prioritize its conservation efforts and preservation programs. The findings of the study will result in the properties being recommended for designation, delisting, or continuing to be listed on the Register.

The work will be undertaken based on the following four phases:

- Phase 1: Data Collection, Inventory, Research
- Phase 2: Cultural Heritage Evaluation Reports Preparation
- Phase 3: Consultation with the Heritage Advisory Committee and Council
- Phase 4: Updates to the Register by Town Staff and Council.

Phase 1 of the project is complete. Comprehensive research has been conducted to gather the necessary information to understand the heritage context of each listed property on the Town's heritage register.

### **Commencement of Phase 2**

Phase 2 of the project is underway. This phase focuses on the evaluation of listed properties and the preparation of Cultural Heritage Evaluation Reports or CHERs (see Attachment 2) for each listed property to assess its heritage value and to recommend the appropriate level of protection and/or preservation. The CHER will include the following information:

- Site plan or survey, at an appropriate scale, indicating the context in which the heritage resource is situated
- A location map with indications of existing land use, zoning, as well as the zoning and land use of adjacent properties
- A detailed site history to include a listing of owners from the Land Registry Office, and a history of the site use(s)
- Current legible photographs from each elevation to capture architectural features and building materials
- Historical photos, drawings, or other archival material that may be relevant
- Description of all the heritage resources (i.e., structures, buildings, building elements, landscaping, archaeological resources, etc.)
- A recommendation as to whether the subject property is worthy of heritage designation in accordance with the criteria per Ontario Regulation 9/06.

In February 2021, MHBC recommended that the Town's current evaluation scoring system, which is based on a guiding document titled "Evaluation of Heritage Resources in the Town of Aurora (2010)", be discontinued because it is outdated and does not appropriately place value on some criteria more than others. MHBC recommended a

new classification system based on the legislated criteria of Ontario Regulation 9/06 and the guidance provided in the Ontario Heritage Toolkit.

## **Analysis**

### **Staff support the use of Ontario Regulation 9/06 to evaluate listed properties for cultural heritage interest**

On October 1, 2021, a meeting was held with MHBC and the Steering Committee to discuss the methodology for the evaluation of cultural heritage resources as part of the review of the Aurora Register project. Upon review of the legislative requirements of the Provincial Policy Statement (2020) and the *Ontario Heritage Act*, MHBC recommended that the Town use Ontario Regulation 9/06 to evaluate properties of cultural heritage interest and discontinue the use of "Evaluation of Heritage Resources in the Town of Aurora (2010)". The Steering Committee concurred that the Town should make use of Ontario Regulation 9/06 to evaluate listed properties for cultural heritage interest.

### **Under the Ontario Heritage Act, Ontario Regulation 9/06 provides the criteria for determining cultural heritage value or interest**

Under the *Ontario Heritage Act*, Ontario Regulation 9/06 provides the criteria for determining cultural heritage value or interest. Ontario Regulation 9/06 considers the following criteria:

1. The property has design value or physical value because it,
  - is a rare, unique, representative or early example of a style, type, expression, material or construction method,
  - displays a high degree of craftsmanship or artistic merit, or
  - demonstrates a high degree of technical or scientific achievement.
2. The property has historical value or associative value because it,
  - has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
  - yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
  - demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

3. The property has contextual value because it,
- is important in defining, maintaining or supporting the character of an area,
  - is physically, functionally, visually or historically linked to its surroundings, or
  - is a landmark. O. Reg. 9/06, s. 1 (2).

Evaluation of a property using the Provincial criteria triggers a comprehensive consideration of a wide range of potential heritage values. The outcome of evaluating listed properties using Ontario Regulation 9/06 can result in the property recommended for designation, remaining on the register, or removal.

Should Council formally adopt Ontario Regulation 9/06 to evaluate properties of cultural heritage interest, MHBC will provide the required training to ensure that Town staff and the Heritage Advisory Committee have a well-rounded understanding of how to apply Ontario Regulation 9/06 to evaluate properties for heritage significance.

## **Advisory Committee Review**

The Heritage Advisory Committee discussed the proposal at its meeting on November 1, 2021. The Committee inquired about the process and timing of the adoption new methodology, whether HAC will receive training on how to use Ontario Regulation 9/06, and the need for a subcommittee following the review of the Aurora Register.

The consultants stated that although the current evaluation system is undergoing changes and the Town is moving towards an approach that is more in line with Provincial policy, there will always be a need to recognize the importance of subcommittees and the knowledge and experience of those who are local to the Town. Further, the consultants stated that they will work with the Town to provide the appropriate training on how to apply Ontario Regulation 9/06.

## **Legal Considerations**

Ontario Regulation 9/06 provides the prescribed criteria for determining the cultural heritage value or interest of a property that is proposed to be designated under section 29 of the Ontario Heritage Act. The Ontario Heritage Act does not provide for any criteria to be used when determining whether a property should be included on the register. As such, staff is recommending that the same criteria be used to add a potential property to the Town's Register.

## Financial Implications

Council has approved a 2020 capital budget which includes the procurement of consultant services to undertake a comprehensive heritage assessment of the Town's Register. A Request for Proposal (RFP), which is included in the Terms of Reference, will be issued for public tender. This is expected to be a multi-year study. Additional funding, subject to Council's approval, may be required should the preferred proposal exceed the approved capital budget.

There are no direct financial implications with adopting Ontario Regulation 9/06 to evaluate properties of cultural heritage interest.

## Communications Considerations

The Town will use 'Inform' as the level of engagement for this application. There are five different levels of community engagement to consider, with each level providing the community more involvement in the decision-making process. These levels are: Inform, Consult, Involve, Collaborate and Empower. Examples of each can be found in the Community Engagement Policy. These options are based on the International Association of Public Participation (IAP2) Spectrum and assist in establishing guidelines for clearly communicating with our public and managing community engagement. In order to inform the public, this report will be posted to the Town's website.

## Link to Strategic Plan

The conservation of heritage resources supports the Strategic Plan goal of ***Supporting an Exceptional Quality of Life for All*** through its accomplishment in satisfying requirements in objective ***Celebrating and Promoting our Culture***.

## Alternative(s) to the Recommendation

1. That Council provide direction.

## Conclusions

Staff recommend to Council that the Town formally adopt the Ontario Regulation 9/06 to evaluate properties of cultural heritage interest and discontinue the use of

“Evaluation of Heritage Resources in the Town of Aurora (2010)” to evaluate listed properties for cultural heritage value within Aurora.

## **Attachments**

Attachment 1 - Terms of Reference for the Review of the Heritage Register

Attachment 2 – Samples of Cultural Heritage Evaluation Reports (CHERs)

Attachment 3 - Consultant Presentation (Heritage Evaluation Methodology)

## **Previous Reports**

Heritage Memorandum - Review of Aurora Register – Evaluation Methodology –  
November 1, 2021

## **Pre-submission Review**

Agenda Management Team review on October 28, 2021

## **Approvals**

Approved by David Waters, MCIP, RPP, PLE, Director, Planning and Development Services

Approved by Doug Nadorozny, Chief Administrative Officer