

8.8 Cultural Heritage and Archaeological Resources

Cultural Heritage Resources include archaeological resources, built heritage resources and cultural heritage landscapes. The combination of human-made buildings and structures as well as the natural landscape create an area that is valued by the community, such as the shorelines of Lake Simcoe. The policies of this Section are intended to conserve *cultural heritage resources*.

Policies

- 8.8.1 The York Region Archaeological Management Plan, 2014, and Archaeological Potential Map, and any amendments made thereto, will be utilized by the Town as a resource to identify and conserve *archaeological resources*.
- 8.8.2 The Town, through its Municipal Cultural Plan, recognizes the importance of culture in the community, and therefore shall support those uses which further the goals and strategies outlined in the Municipal Cultural Plan.
- 8.8.3 The Town, through its Municipal Cultural Plan seeks:
- (a) The *conservation* of the Town's *cultural heritage resources* by identifying, recognizing, preserving, protecting, improving and managing those resources, including the potential for their adaptive reuse;
 - (b) The integration of the *conservation of cultural heritage resources* into the Town's general planning approach;
 - (c) The promotion of an understanding and appreciation of the *cultural heritage resources* of the Town to both residents and visitors; and
 - (d) The protection and conservation of Métis and First Nation *significant archaeological resources*.
- 8.8.4 The Town will protect *cultural heritage resources* by requiring the identification, restoration, protection and maintenance of such resources as part of the development approvals process. Archaeological resource conservation will be integrated into the

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development approval process by requiring the preparation of an *archaeological assessment* when a *development* proposal affects known *archaeological resources* or *areas of archaeological potential*. *Archaeological assessments* shall be completed by qualified licensed archaeologists in areas considered to have *archaeological potential* prior to development approval in accordance with the Ministry of Tourism, Culture and Sport technical conservation guidelines and the *Ontario Heritage Act* regulations.

- 8.8.5 The Town may require a marine *archaeological assessment* to be conducted by a licensed marine archaeologist, pursuant to the *Ontario Heritage Act*, to determine if there is a high potential for partially or fully submerged archaeological resources that are of cultural heritage value and if such resources will be impacted by shoreline or waterfront developments.
- 8.8.6 In recognition of the importance of the fact that *cultural heritage resources* are tied most significantly to their original location, such resources shall be, wherever possible, incorporated into new development plans.
- 8.8.7 The design of *development* and/or *redevelopment* shall consider and reflect the character and streetscape/landscape of the area.
- 8.8.8 The Town, through the Georgina Heritage Committee, may examine buildings and sites with regard to the desirability and suitability for restoration, conservation purposes, and support initiatives, such as the creation of built heritage resource information bases, comprehensive heritage site inventories and heritage master plans. The Town, in consultation with the Georgina Heritage Committee, may also consider areas within the municipality for future designation as *Heritage Conservation Districts* and may also designate buildings and structures of heritage significance under the *Ontario Heritage Act*.
- 8.8.9 The Town will maintain a register of all property designated under Part IV of the *Ontario Heritage Act* and property that Council endorses as being of cultural heritage value or interest.
- 8.8.10 A Heritage Impact Statement is required in support of *development* proposals on a property that is listed on the Town's Heritage Registry. *Development* on *adjacent lands* to properties on the Town's Heritage Registry will also require a Heritage Impact

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Assessment, and shall respect the scale, character and form of the heritage buildings and landscapes.

- 8.8.11 Before the designation of one or more *Heritage Conservation Districts*, the Town will by by-law, designate the area specified in the by-law as a heritage conservation study area for a period of up to one year.
- 8.8.12 A heritage conservation study shall:
- (a) Examine the character and appearance of the area that is the subject of the study, including buildings, structures and other property features of the area, to determine if the area should be conserved as a *Heritage Conservation District*,
 - (b) Examine and make recommendations as to the geographic boundaries of the area to be designated;
 - (c) Consider and make recommendations as to the objectives of the designation and the content of the *Heritage Conservation District Plan* required under the *Ontario Heritage Act*; and
 - (d) Make recommendations as to any changes that will be required to this Official Plan and to any municipal by-laws, including the Zoning By-law.
- 8.8.13 Any heritage conservation study area, by by-law, may prohibit or set limitations with respect to:
- (a) The alteration of property situated in the heritage conservation study area; and
 - (b) The erection, demolition or removal of buildings or structures, or classes of buildings or structures, in the heritage conservation study area.
- 8.8.14 The Town, if choosing to designate one or more *Heritage Conservation Districts*, will pass a by-law in accordance with the *Ontario Heritage Act* to designate one or more *Heritage Conservation Districts*.
- 8.8.15 Properties that are designated under Part IV of the *Ontario Heritage Act* may be included in an area designated as a *Heritage*

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Conservation District, and a property that is included in an area designated as a *Heritage Conservation District* may also be designated under Part IV of the *Ontario Heritage Act*.

- 8.8.16 Following the designation of a *Heritage Conservation District*, the Town shall adopt a *Heritage Conservation District Plan* for each district that is designated in the By-law, which will contain:
- (a) A statement of objectives to be achieved;
 - (b) A statement explaining the cultural heritage value or interest of the district;
 - (c) A description of the *heritage attributes* of the district and of property in the district;
 - (d) Policy statements, guidelines and procedures to achieve the objectives and manage change; and
 - (e) A description of the circumstances where a permit would not be required.
- 8.8.17 Any alteration, addition and demolition to a building in a *Heritage Conservation District*, other than the alteration of the interior of the building or a minor alteration as described in the *Heritage Conservation District Plan*, is prohibited unless a permit is obtained from the Town. The Town may require a Heritage Impact Assessment and any other relevant information to determine if a permit shall be granted.
- 8.8.18 The Town shall give consideration to the effects of municipal public works or similar municipal undertaking affecting buildings of cultural heritage value or interest. Consideration shall also be given to conserving *cultural heritage resources* or other such resources that are under municipal ownership and/or stewardship.
- 8.8.19 Should previously undocumented *archaeological resources* be discovered during undertaking of public works, including but not limited to the construction of streets and ancillary structures, sanitary sewer and water mains and associated structures, they may be an *archaeological site* and therefore subject to Section 48 (1) of the *Ontario Heritage Act*. The proponent or any person discovering the *archaeological resources* must cease alteration of the site immediately and engage a licensed consultant

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archaeologist to carry out *archaeological fieldwork* in compliance with Section 48 (1) of the *Ontario Heritage Act*.

- 8.8.20 The Town will work with the Chippewas of Georgina Island First Nation and the community to identify *cultural heritage resources* and *significant archaeological resources* that should be protected and conserved.
- 8.8.21 Upon receiving information that land proposed for *development* may include *archaeological resources* or contain an *area of archaeological potential*, the proponent of the *development* shall undertake studies by a provincially licensed archaeologist to:
- (a) Complete the applicable level of *archaeological assessment* of the land in compliance with current provincial requirements, standards and guidelines for consultant archaeologists; and
 - (b) Assess the impact of the proposed *development* on any *archaeological resources* identified.
- 8.8.22 That First Nation or Métis *significant archaeological resources* shall be considered resources that are preferably to be protected in place unless it is demonstrated that conservation *in situ* is not reasonable in the circumstances. The consultant archaeologist shall engage those First Nation or Métis with the closest cultural affiliation and in whose *traditional territories* the *significant archaeological resource* is situated to identify commemorative approaches to assist in maintaining the heritage integrity of the site.
- 8.8.23 That where *archaeological resources* are documented during a Stage 2 *archaeological assessment* and found to be First Nation or Métis in origin, the proponent is encouraged, through their consultant archaeologist, to ensure that those First Nation or Métis with the closest cultural affiliation and in whose *traditional territories* the *archaeological resources* were found receive a copy of the Stage 2 *archaeological assessment* report prior to the *development* proceeding.
- 8.8.24 That where First Nation or Métis significant *archaeological resources* are identified during a Stage 2 *archaeological assessment*, and conservation in their current location is not possible, the proponent should engage with the First Nation or

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Métis with the closest cultural affiliation and in whose traditional territories the significant archaeological resource is situated to address their interest in the resource and define interpretive and commemorative opportunities related to the resource.

- 8.8.25 The proponent is encouraged, through their consultant archaeologist, to ensure that where a Stage 3 *archaeological assessment* of such an *archaeological resource* is being undertaken to define the nature and extent of the Resource, those First Nation or Métis with the closest cultural affiliation and in whose *traditional territories* the *archaeological resource* is located, be notified in advance of onsite assessment work.
- 8.8.26 The proponent shall provide the Town with a copy of the provincial letters confirming that the *archaeological assessment* reports have been filed into the Provincial Register.
- 8.8.27 That where *significant archaeological resources* are conserved *in situ*, the area subject to on-site conservation shall be excluded from the land *development* and the Town shall consider regulatory tools such as zoning restrictions, designation, and heritage easements or municipal land dedications to protect the resources.
- 8.8.28 Where human burial sites are encountered during any land-disturbing activity, all work must immediately cease and the site be secured, in accordance with legislated requirements. The appropriate provincial and municipal authorities must be notified and the required provisions under the *Funeral, Burial and Cremation Services Act, 2002*, along with other applicable protocol or policy must be followed.
- 8.8.29 The Town will encourage the communication of appropriate archaeological discoveries and/or cultural narratives to residents in *development* proposals through innovative architectural and/or landscape architectural design, public art, or other public realm projects.
- 8.8.30 The Town, with the advice of a provincially licensed archaeologist and the Province, will consider the development of a contingency plan for the protection of *archaeological resources* in urgent situations, this may include a funding resource to be accessed in emergency situations to protect *archaeological resources* that are discovered by chance or are under imminent threat.