

Ch.6

6.1 Protecting Vaughan's Cultural Heritage

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Vaughan's cultural history dates back thousands of years to when First Nations occupied many sites along the tributaries of the Humber and Don Rivers. By the 14th century, First Nations communities were actively engaged in farming thousands of hectares of land in Vaughan and the material record of these communities continues to be discovered and documented. The City's boundaries fall within the recognized traditional territories of the Williams Treaty First Nations, Mississaugas of the New Credit First Nation, Huron-Wendat First Nation, Six Nations of the Grand River Territory and Kawartha Nishnawbe First Nation. These First Nations communities maintain an active interest in Vaughan today

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In the late 18th and 19th centuries, European immigrants began to settle and occupy lands in Vaughan. This led to the founding of the historic villages of Maple, Thornhill, Woodbridge and Kleinburg/Nashville, which served as centres for a largely rural area. These villages followed the patterns of First Nations settlement along streams and trails. The Village of Thornhill, for example, was conveniently founded on the Don River for mill power and on a former First Nations trail now known as Yonge Street. Twentieth century developments in the City have also added to the cultural heritage resources of the community.

Vaughan has retained a variety of cultural heritage resources that provide links to the City's past. These cultural heritage resources come in many forms, ranging from the recognizable, such as historic homes and heritage districts, to the less recognizable, including large *Cultural Heritage Landscapes*, remnants of First Nations villages and burial grounds. Many of these resources played a significant role in Vaughan's past and tell an important story for Vaughan's present and future. The City will support the protection of many cultural heritage resources, and will support the use and educational potential of these resources.

It is the policy of Council:

- 6.1.1.1. To recognize and *conserve* cultural heritage resources, including heritage buildings and structures, *Cultural Heritage Landscapes*, and other cultural heritage resources, and to promote the maintenance and development of an appropriate setting within, around and *adjacent* to all such resources.
- 6.1.1.2. To support an active and engaged approach to heritage *conservation* and interpretation that maximizes awareness and education and encourages innovation in the use and *conservation* of heritage resources

6.1.2 Maintaining a Heritage Inventory

The City's Register of Cultural Heritage Resources (the *Heritage Register*) is an important tool for identifying and monitoring cultural heritage resources. The *Heritage Register* allows effective tracking of resources and provides opportunities to review and add to Vaughan's heritage inventory.

It is the policy of Council:

- 6.1.2.1. To maintain a Register of Cultural Heritage Resources (the *Heritage Register*) pursuant to the Ontario Heritage Act that identifies properties that are of cultural heritage value. These properties have been identified by:
- designated under Parts IV ~~or V or VI~~ of the Ontario Heritage Act;
 - protection through a heritage easement, entered into under the Ontario Heritage Act;
 - recognition by Council as having cultural heritage value;
 - recognition by the Ontario Minister of Culture as a Provincial Heritage Property under Part III of the Ontario Heritage Act; or,
 - designated by the National Historic Sites and Monuments Board as a National Historic Site.
- 6.1.2.2. In the case of *archaeological resources*, to keep confidential the existence and location of archaeological sites to protect against vandalism, disturbance and the inappropriate removal of resources, as per the Ministry of Culture and the City of Vaughan data sharing agreement.
- 6.1.2.3. To require that identified heritage resources not yet listed in the *Heritage Register* are evaluated and *conserved*, as appropriate, through any legislated planning or assessment processes, including the Planning Act, the Environmental Assessment Act, the Ontario Heritage Act and the Cemeteries Act.
- 6.1.2.4. That the identification of cultural heritage resources is an on-going process of inventorying, surveying and evaluation. There may be cultural heritage resources that have not yet been identified and listed in the *Heritage Register*. Such properties may be identified through the development approvals process and evaluated through the submission of a *Cultural Heritage Survey* to be undertaken by proponents for development approvals. The *Cultural Heritage Survey* shall be reviewed by the City for that property's potential inclusion in the *Heritage Register*.
- 6.1.2.5. To use *Cultural Heritage Surveys* as one means to identify potential cultural heritage resources, whether they are individual properties or *Cultural Heritage Landscapes*. All Secondary Plans, Block Plans and development applications will be reviewed by the City to determine whether a *Cultural Heritage Survey* is required. The Archaeological Master Plan, *Heritage Register*, inventory of *Cultural Heritage Landscapes*, local information and other appropriate documentation shall be consulted to determine if a *Cultural Heritage Survey* is required. When a *Cultural Heritage Survey* is required, it is the responsibility of the proponent to prepare such a survey to the satisfaction of the City.
- 6.1.2.6. That the City shall use criteria established by Provincial regulation under the Ontario Heritage Act for determining cultural heritage value or interest and for identifying and evaluating properties for listing in the *Heritage Register* and for designation under Part IV of the Ontario Heritage Act. The City may further refine these criteria and provide guidelines for their use through the Vaughan Heritage Conservation Guidelines.
- 6.1.2.7. Any property worthy of designation under Part IV of the Ontario Heritage Act that fulfills one or more of the criteria identified in policy 6.1.2.6 ~~6-1-2-6~~ will be considered to possess cultural heritage value.

6.1.3 Promoting Vaughan's Cultural Heritage

Understanding and awareness of cultural heritage resources is critical to supporting heritage protection and to learning from the past. In addition to implementing the heritage protection policies of this Plan and encouraging heritage *conservation*, The City will play a leading role in promoting cultural heritage resources. The City will work with other organizations and government agencies to promote awareness of cultural heritage resources through a variety of means. The City will also work with owners of cultural heritage resources to implement heritage protection and *conservation*. As some heritage resources are

City-owned, the City will exemplify good stewardship for its cultural heritage resources and may acquire additional heritage resources to support *conservation* and other objectives.

It is the policy of Council:

- 6.1.3.1. To support and enhance efforts to *conserve* Vaughan's cultural heritage by:
 - a. preparing a Cultural Heritage Management Plan to identify, evaluate and manage cultural heritage resources and their contributions to and interrelationship with other community resources, such as natural heritage, tourism, recreation and economic development;
 - b. encouraging owners of heritage properties to enter into *conservation* agreements to protect heritage resources;
 - c. exploring and implementing financial assistance programs for owners of cultural heritage resources including property tax reductions, coordinating and supporting access to loans, grants and other specialized funding programs, and participating with other levels of government in financially assisting such owners; and,
 - d. working with other government agencies and adjacent municipalities, as required, to manage and protect cultural heritage resources.

- 6.1.3.2. To promote recognition and use of heritage resources by:
 - a. recognizing and promoting heritage resources;
 - b. supporting physical and visual linkages between cultural heritage resources and open space and natural heritage resources;
 - c. providing access to publicly-owned heritage resources where appropriate;
 - d. recognizing and commemorating lost heritage resources, including areas where major events occurred, important buildings, settlements and significant landscape features that no longer exist;
 - e. encouraging the use of heritage resources as a means to promote education and awareness of Vaughan's past; and,
 - f. engaging the public in the appreciation of cultural heritage resources through programs, services, commemoration and ongoing communication.

- 6.1.3.3. That the City exemplify good cultural heritage stewardship of City-owned cultural heritage resources listed in the *Heritage Register* by:
 - a. preparing and implementing *conservation* strategies for each of the resources;
 - b. maintaining cultural heritage resources in a state of good repair;
 - c. encouraging that public works and transportation infrastructure projects comply with the heritage policies of this Plan in order to minimize impacts on heritage resources and encouraging appropriate mitigation measures where necessary;
 - d. securing a heritage easement agreement for cultural heritage resources in the event of disposition;
 - e. maintaining City-owned cemeteries in a manner appropriate to the heritage character of the cemetery and in accordance with *Good Heritage Conservation Practices*; and,
 - f. considering the re-use of heritage buildings when selecting buildings to accommodate public functions and/or community uses.

- 6.1.3.4. To initiate and maintain programs to increase the community's awareness of its cultural heritage resources, including:
 - a. commemorative plaque programs, including plaques for sites where cultural heritage resources may have been lost or where there are few vestiges of those resources;
 - b. involvement of the public in decisions about the *conservation* of cultural heritage resources;
 - c. having a *Heritage Register* that is conveniently accessible to the public; and,
 - d. naming roads and City infrastructure and facilities after persons, events or places important to the City's cultural heritage, consistent with the City's naming policy.

- 6.1.3.5. That, in order to support cultural heritage *conservation*, the City may acquire cultural heritage resources, in whole or in part, including through purchase or by entering into a heritage easement agreement. In pursuing such acquisitions, the City shall seek, wherever possible, financial assistance from other levels of government.

6.2 Heritage Protection and Designation

6.2.1 Ensuring Heritage Protection and Conservation

Vaughan's *Heritage Register* contains a variety of listed and designated heritage resources. Many more heritage resources have not yet been identified. Vaughan will encourage the appropriate *conservation* and maintenance of these resources. In a constantly growing and evolving urban environment, the City must make use of a wide variety of tools to support heritage protection, including the following:

- The Ontario Heritage Act, which enables municipalities to appropriately *conserve* heritage resources through a variety of means, including heritage designation.
- *Cultural Heritage Impact Assessments*, which provide an opportunity to understand heritage impacts from development.
- *Heritage permit applications*, which are required for any exterior alterations, demolitions or removals to *designated heritage properties* and provide City staff with an opportunity to review and monitor impacts to cultural heritage resources.

Cultural heritage protection does not require that heritage resources remain static. Built heritage resources will be in continual use through rehabilitation, renovation, *conservation* and reuse. Through a creative application of heritage protection tools, Vaughan can maintain a legacy of heritage resources that reflect the City's rich past.

It is the policy of Council:

- 6.2.1.1. To make full use of the provisions of Provincial legislation, such as the Ontario Heritage Act, Planning Act, Municipal Act and Environmental Assessment Act, to protect and *conserve* cultural heritage resources in Vaughan.
- 6.2.1.2. That cultural heritage resources in the *Heritage Register* are subject to demolition control as specified under the Ontario Heritage Act. The City may use such controls to support the goals of heritage *conservation*, and may seek additional legislative authority to further protect cultural heritage resources from demolition.
- 6.2.1.3. To require a letter of credit or other financial security satisfactory to the City from the owner of a cultural heritage resource, to secure:
- a. protection of the resource during development and/or relocation; and/or,
 - b. implementation of *conservation* measures for the cultural heritage resource approved by the City.
- 6.2.1.4. To require that public works and infrastructure programs take into consideration impacts on cultural heritage resources by requiring the preparation of a *Cultural Heritage Impact Assessment* where there is a potential to impact such resources.

6.2.2 Designated Heritage Properties

As described in [Section](#) [subsection](#) 6.1.2, the City may identify cultural heritage resources and list them on the *Heritage Register*. Some of these resources may also be designated under the Ontario Heritage Act, which resources are afforded a high level of protection and *conservation*.

It is the policy of Council:

- 6.2.2.1. That, pursuant to the Ontario Heritage Act, the City may, through a by-law, protect cultural heritage resources by entering into heritage easement agreements or by designating:
- a. individual properties;
 - b. Heritage Conservation Districts where there is a concentration of cultural heritage resources in accordance with policy 6.3.2.1;
 - c. Cultural Heritage Landscapes; and⁷
 - d. archaeological sites.
- 6.2.2.2. That if development is proposed on any property listed in the *Heritage Register*, that the property, or portions of the property, may be considered for heritage designation or entering into a heritage easement agreement to secure *conservation* of significant heritage resources.
- 6.2.2.3. Pursuant to the Ontario Heritage Act, the City shall establish minimum standards for the maintenance of the heritage attributes of *designated heritage properties*.
- 6.2.2.4. *Designated heritage properties* shall be *conserved* in accordance with *Good Heritage Conservation Practice*. The City may permit alterations or additions to *designated heritage properties* when those properties and their heritage attributes are *conserved* in accordance with *Good Heritage Conservation Practice*. Any proposed alteration, addition, demolition or removal affecting a *designated heritage property* shall require a *heritage permit application* to be submitted for the approval of the City.
- 6.2.2.5. To require that, for an alteration, addition, demolition or removal of a *designated heritage property*, the applicant shall submit a *Cultural Heritage Impact Assessment*, as set out in this Plan and in the Vaughan Heritage Conservation Guidelines when:
- a. the proposed alteration or addition requires:
 - i. an Official Plan amendment;
 - ii. a Zoning By-law amendment;
 - iii. a Block Plan approval;
 - iv. a Plan of Subdivision;
 - v. a minor variance;
 - vi. a Site Plan application; or⁷
 - b. the proposed demolition involves the demolition of a building in whole or part or the removal of a building or designated landscape feature.
- 6.2.2.6. That, in reviewing *heritage permit applications*, the City be guided by the following heritage *conservation principles*:
- a. Good Heritage Conservation Practices;
 - b. protecting heritage buildings, *Cultural Heritage Landscapes* and archaeological sites including their environs from any adverse impacts of the proposed alterations, additions, works or development;
 - c. retaining and repairing original building fabric and architectural features;
 - d. new additions and features should generally be no higher than the existing building and wherever possible be placed to the rear of the building or set back substantially from the principal façade so as to make the addition unobtrusive from the pedestrian realm; and⁷
 - e. new development on vacant lots or lots currently occupied by non-heritage structures in Heritage Conservation Districts designated under Part V of the Ontario Heritage Act be designed to fit harmoniously with the immediate physical or broader district context and streetscapes, and be consistent with the existing heritage architectural style through such means as:
 - i. being similar in height, width, mass, bulk and disposition;
 - ii. providing similar setbacks;
 - iii. using like materials and colours; and⁷
 - iv. using similarly proportioned windows, doors and roof shape.

- 6.2.2.7. To explore all options for on-site retention of heritage buildings and landscape features on *designated heritage properties* before resorting to relocation. The following alternatives be given due consideration in order of priority:
- a. on-site retention in the original use and integration with the surrounding or new development;
 - b. on-site retention in an adaptive re-use;
 - c. relocation to another site within the same development; and,
 - d. relocation to a sympathetic site within the City.
- 6.2.2.8. To allow, where appropriate, the adaptive re-use of a built heritage resource on a *designated heritage property* in a manner that does not adversely impact the heritage attributes of the resource.
- 6.2.2.9. That for all development applications, demolition control applications and infrastructure projects *adjacent* to a designated property and *adjacent* to a Heritage Conservation District, the proposal is compatible by:
- a. respecting the massing, profile and character of *adjacent* heritage buildings;
 - b. maintaining a building width along the street frontage that is consistent with the width of *adjacent* heritage buildings;
 - c. maintaining the established setback pattern on the street;
 - d. being physically oriented to the street in a similar fashion to existing heritage buildings;
 - e. minimizing shadowing on *adjacent* heritage properties, particularly on landscaped open spaces and outdoor amenity areas;
 - f. having minimal impact on the heritage qualities of the street as a public place;
 - g. minimizing the loss of landscaped open space;
 - h. designing any permitted above-grade parking facilities, so that they are integrated into the development in a manner that is compatible with the heritage surroundings; and,
 - i. requiring local utility companies to place metering equipment, transformer boxes, power lines, conduit equipment boxes and other utility equipment and devices in locations that do not detract from the visual character or architectural integrity of the heritage resource.
 - j.

6.2.3 Non-designated Heritage Properties

The *Heritage Register* may also include cultural heritage resources that are not designated under the Ontario Heritage Act. These resources are also important to honouring Vaughan's heritage and will be *conserved*.

It is the policy of Council:

- 6.2.3.1. That when development is proposed on a property that is not designated under the Ontario Heritage Act but is listed on the *Heritage Register*, recognized as a *Cultural Heritage Character Area* or identified as having potential cultural heritage value, the applicant shall submit a *Cultural Heritage Impact Assessment* when:
- a. the proposal requires an Official Plan amendment, a zoning by-law amendment, a plan of subdivision, a plan of condominium, a minor variance or a site plan application;
 - b. the proposal involves the demolition of a building or the removal of a building or part thereof or a heritage landscape feature; or,
 - c. there is potential for adverse impact to a cultural heritage resource from the proposed development activities.
- 6.2.3.2. That when development is proposed on a property *adjacent* to a property that is not designated under the Ontario Heritage Act but is listed on the *Heritage Register*, recognized as *Cultural Heritage Character Area*, or identified as having potential cultural heritage value:

- a. the proposal is compatible with the *conservation* of the *adjacent* cultural heritage resource and its streetscape context; and
- b. the applicant shall submit a *Cultural Heritage Impact Assessment* if through the development approval process it is determined that there is the potential for adverse impact on the *adjacent* heritage resource from the proposed development.

6.2.4 Cultural Heritage Impact Assessments

Cultural Heritage Impact Assessments provide the City with information about the potential impacts development may have on a cultural heritage resource and provide a basis for establishing how those impacts may be avoided or mitigated. *Cultural Heritage Impact Assessments* may be required for many development activities on or *adjacent* to heritage resources.

It is the policy of Council:

- 6.2.4.1. That *Cultural Heritage Impact Assessments* shall be prepared by a professional with expertise in cultural heritage resources and in accordance with the requirements of this Plan, and that:
 - a. the assessment must demonstrate whether the heritage values and character of cultural heritage resources, as identified by the City, are being retained, improved, adversely impacted or lost by the proposed development;
 - b. the assessment may not substitute alternate heritage values or character for those that have been approved or endorsed by the City; and
 - c. where there is no designation by-law, approved heritage character statement or approved *conservation* plan, the assessment must document, to the City's satisfaction, the cultural heritage values of the property.
- 6.2.4.2. That *Cultural Heritage Impact Assessments* are subject to City review. In review of *Cultural Heritage Impact Assessments*, the City:
 - a. will be guided by *Good Heritage Conservation Practices* and heritage *conservation* principles as identified in policy 6.2.2.6 of this Plan, by priorities for on-site retention as identified in policy 6.2.2.7 of this Plan, and by any other relevant policies of this Plan; and,
 - b. may impose conditions of approval to secure the long-term *conservation* of the resource.
- 6.2.4.3. That if a development proposal substantially changes in scope and/or design from that described in the *Cultural Heritage Impact Assessment*, the City may require that the applicant submit additional cultural heritage information, including a revised *Cultural Heritage Impact Assessment*.
- 6.2.4.4. That, in the event a cultural heritage resource is to be demolished and this has been demonstrated to the City's satisfaction, the *Cultural Heritage Impact Assessment* must recommend, to the City's satisfaction, mitigation measures (such as the reuse of materials or building elements in the development or in other developments) and archival documentation, as may be defined in the Vaughan Heritage Conservation Guidelines.

6.3 Cultural Heritage Landscapes

6.3.1 Cultural Heritage Landscape Protection

Cultural Heritage Landscapes recognize clusters of related heritage structures, lands, vegetation, *archaeological resources* and other heritage resources. The Provincial Policy Statement requires the *conservation* of significant *Cultural Heritage Landscapes*. Given the wide range of *Cultural Heritage Landscapes* and the Provincial mandate for their *conservation*, Vaughan will seek to identify and protect *Cultural Heritage Landscapes* through a variety of means. These landscapes may be designated under

the Ontario Heritage Act, including designation as a Heritage Conservation District, or listed in the *Heritage Register* as an area of cultural heritage character. The size and scale of some *Cultural Heritage Landscapes* sometimes allow them to provide links between cultural heritage and natural heritage resources. Vaughan will actively seek opportunities to pursue the joint protection of cultural and natural heritage resources as a more complete means of *conserving* Vaughan's heritage resources.

It is the policy of Council:

- 6.3.1.1. To *conserve* and protect *Cultural heritage landscapes* deemed significant through *Cultural heritage surveys* or other studies.
- 6.3.1.2. To prepare and maintain an inventory of *Cultural heritage landscapes* and include significant *Cultural heritage landscapes* in the *Heritage Register*.
- 6.3.1.3. To showcase *Cultural Heritage Landscapes* by, among other things, encouraging, where appropriate public access and preserving viewpoints, viewsheds and vistas to and from *Cultural Heritage Landscapes*.
- 6.3.1.4. That, where *Cultural Heritage Landscapes* are located within close proximity to natural heritage resources, opportunities to integrate these resources through *conservation* and interpretation be considered.

6.3.2 Heritage Conservation Districts

With a long history of land-based activities, Vaughan has a rich legacy of *Cultural Heritage Landscapes*. Some of these are already recognized as Heritage Conservation Districts, which are clusters of related buildings and features that reflect an aspect of local history. Vaughan's *Heritage Conservation Districts* include the historic villages of Kleinburg/Nashville, Maple, Woodbridge and Thornhill.

Designation of an area as a Heritage Conservation District is an important means of protecting a *Cultural Heritage Landscape* to control new development and site alteration within the district. Vaughan will continue to protect these villages and may identify new Heritage Conservation Districts for protection.

It is the policy of Council:

- 6.3.2.1. That Heritage Conservation Districts shall possess one or more of the following attributes:
 - a. a group of buildings, features and spaces that reflect an aspect of local history through association with a person, group, activity or development of a community or a neighbourhood;
 - b. buildings and structures that are of architectural or vernacular value or interest; and
 - c. important physical and aesthetic characteristics that provide context for cultural heritage resources or associations within the area, including features such as buildings, structures, landscapes, topography, natural heritage, and archaeological sites.
- 6.3.2.2. To develop Heritage Conservation District plans and corresponding design guidelines for all identified Heritage Conservation Districts in accordance with the Ontario Heritage Act. Areas subject to a Heritage Conservation District are identified on Schedule 14-B in Volume 2 of this Plan.
- 6.3.2.3. To *conserve* Heritage Conservation Districts by approving only those alterations, additions, new developments, demolitions, removals and public works in accordance with the respective Heritage Conservation District Plans and the policies of this Plan. When there is a conflict between the policies of the Heritage Conservation District Plan and the policies of this Plan, the Heritage Conservation District Plan shall prevail.

- 6.3.2.4. That any proposed private or public development within or *adjacent* to a Heritage Conservation District will be designed to respect and complement the identified heritage character of the district as described in the Heritage Conservation District Plan.
- 6.3.2.5. That a demolition permit for a building or part of a building within a Heritage Conservation District shall not be issued until plans for a replacement structure have been submitted to the City and Council has approved the replacement structure and any related proposed landscaping features in accordance with the relevant Heritage Conservation District Plan, the Vaughan Heritage Conservation Guidelines and the policies of this Plan.

6.3.3 Cultural Heritage Character Areas

Cultural Heritage Character Areas are areas of heritage value that may not merit designation under the Ontario Heritage Act but warrant special *conservation* efforts. They can include farmsteads (e.g. farmhouse, barn and fields), old industrial landscapes (e.g. mill complex and watercourse, grain elevator and rail corridor), and other similar heritage resources. Vaughan will recognize and support the *conservation* and protection of *Cultural Heritage Character Areas*. While designation of *Cultural Heritage Character Areas* under the Ontario Heritage Act may not be appropriate, recognition and protection of these resources is important to preserve Vaughan's past.

It is the policy of Council:

- 6.3.3.1. That the City may recognize *Cultural Heritage Character Areas* after study, based on recommendations of *Cultural Heritage Surveys* and other studies, including but not limited to planning studies for Secondary Plans, Block Plans, area planning studies, or zoning bylaws.
- 6.3.3.2. That the City may require a *Cultural Heritage Impact Assessment* when a proposed development has the potential to adversely impact the heritage values of a recognized *Cultural Heritage Character Area*.
- 6.3.3.3. To work with landowners to develop guidelines for *Cultural Heritage Character Areas* to identify the area's cultural heritage value, corresponding heritage attributes, geographical boundaries, and corresponding *conservation* objectives.
- 6.3.3.4. To develop design guidelines for recognized *Cultural Heritage Character Areas* in order to support identified *conservation* objectives, maintain the area's heritage and contextual values and guide both public and private landowners proposing new development and infrastructure projects in such areas.

6.4 Archaeological Resources

6.4.1 Archaeological Resource Protection and Conservation

Archaeological sites are highly fragile and often difficult to identify. Many of these sites occur on or below the current land or water surface. Archaeological sites can take the form of surface scatters of artifacts, subsurface cultural deposits and human remains, the remains of structural features and buildings, or a combination of these attributes.

Archaeological resources can provide a link to a more distant past that is no longer recognizable on the landscape. Archaeological sites are distributed in a variety of settings across Vaughan, reflecting a variety of past human activities or events that are of cultural heritage value or interest. Many archaeological sites are remnants of First Nations activities and provide insights into Vaughan's very early past. Vaughan will support the identification and protection of significant *archaeological resources* as an important part of Vaughan's past, and will maintain an Archaeological Master Plan as an important tool to achieve this.

It is the policy of Council:

- 6.4.1.1. To support the recognition, protection and *conservation* of archaeological sites in Vaughan by:
- a. designating, where appropriate, archaeological sites under the Ontario Heritage Act;
 - b. maintaining an up-to-date Archaeological Master Plan through regular review;
 - c. requiring the submission of an Archaeological Assessment, to the City's satisfaction, for all development applications in ~~greenfield~~ areas where the City has determined there may be archaeological potential; and,
 - d. developing requirements for an Archaeological Assessment within the Vaughan Heritage Conservation Guidelines. Council shall require archaeological assessments conducted by archaeologists licensed under the Ontario Heritage Act. Archaeological assessment reports are to be in compliance with the guidelines set out by the Ministry of Culture, as well as licensing requirements developed under the Ontario Heritage Act. For development proposing alteration to a watercourse, a marine archaeology survey conducted by a licensed marine archaeologist may also be required.
- 6.4.1.2. That the *Heritage Register* includes *archaeological resources* by:
- a. including in the *Heritage Register* available archaeological site data and locations;
 - b. including in the *Heritage Register* relevant mapping from the provincial archaeological database of the Ministry of Culture; and,
 - c. regularly updating the City's database of *archaeological resources* as new archaeological sites are identified.
- 6.4.1.3. That known *archaeological resources* be protected and *conserved* by:
- a. retaining aboriginal archaeological sites as greenspaces where deemed appropriate and to the extent possible, to be preserved and protected as designated properties or *Cultural Heritage Landscapes* under the Ontario Heritage Act;
 - b. restricting development on all First Nations village sites where deemed appropriate through consultation with the Ministry of Culture and excluding such sites from the calculation of developable area of a site;
 - c. keeping confidential the existence and location of archaeological sites to protect against vandalism, disturbance, and the inappropriate removal of resources, as per the Ministry of Culture and the City of Vaughan data sharing agreement;
 - d. undertaking an archaeological contingency plan and funding for emergency situations to protect *archaeological resources* that are accidentally discovered or are under imminent threat; and,
 - e. ~~in situ~~ on-site or nearby commemoration of archaeological sites that have been previously disturbed due to development.
- 6.4.1.4. That, where burial sites are encountered during any excavation or other action, the provisions of the Cemeteries Act and its regulations shall apply. Where First Nations burials are discovered, consultation shall occur in accordance with the "York Region First Nations Consultation Protocol", with the nearest First Nation and the First Nation with the closest cultural affiliation, if that can be determined.
- 6.4.1.5. Council shall ensure adequate archaeological assessments and consultation with appropriate agencies, including the Ministry of Culture, when an identified and marked or unmarked cemetery is affected by land use development. The provisions under the Ontario Heritage Act and Cemeteries Act shall also apply.
- ~~6.4.1.5.~~ 6.4.1.6. To restrict development on lands containing *archaeological resources* or areas of archaeological potential unless the significant *archaeological resources* have been *conserved in situ* or, where the nearest First Nation and the First Nation with the closest cultural affiliation have been consulted in accordance with the "York Region First Nations

Consultation Protocol” and are in agreement with the means of *conservation*, through removal and documentation. Where significant *archaeological resources* are preserved in situ~~on-site~~:

- a. the area subject to in-situ *conservation* shall be excluded from the calculation of the developable area of the site;
- b. the area subject to in-situ *conservation* may be included, at the discretion of the City, in required open space land dedications; and
- c. that development occur according to the heritage *conservation* principles as specified in policy 6.2.2.6 and in the Vaughan Heritage Conservation Guidelines.