



## **Staff Report for Committee of the Whole Meeting**

**Date of Meeting:** December 4, 2017

**Report Number:** SRPRS.17.203

**Department:** Planning and Regulatory Services

**Division:** Policy Planning

**Subject:** **SRPRS.17.203 National Historic Site Nomination  
- David Dunlap Observatory**

---

### **Purpose:**

The purpose of this staff report is to provide Council with information on nominating the David Dunlap Observatory as a site of national historic significance and to seek authorization to prepare a nomination package and application for submission to the Historic Sites and Monuments Board of Canada.

### **Recommendation(s):**

1. That staff report SRPRS.17.203, be received for information, and
2. That staff be directed to prepare a David Dunlap Observatory National Historic Site nomination application by end of March, 2018.

### **Contact Person:**

Isa James, Heritage & Urban Design Planner, phone number 905-771-5529 and/or Joanne Leung, Manager of Heritage & Urban Design, phone number 905-771-5498

### **Report Approval:**

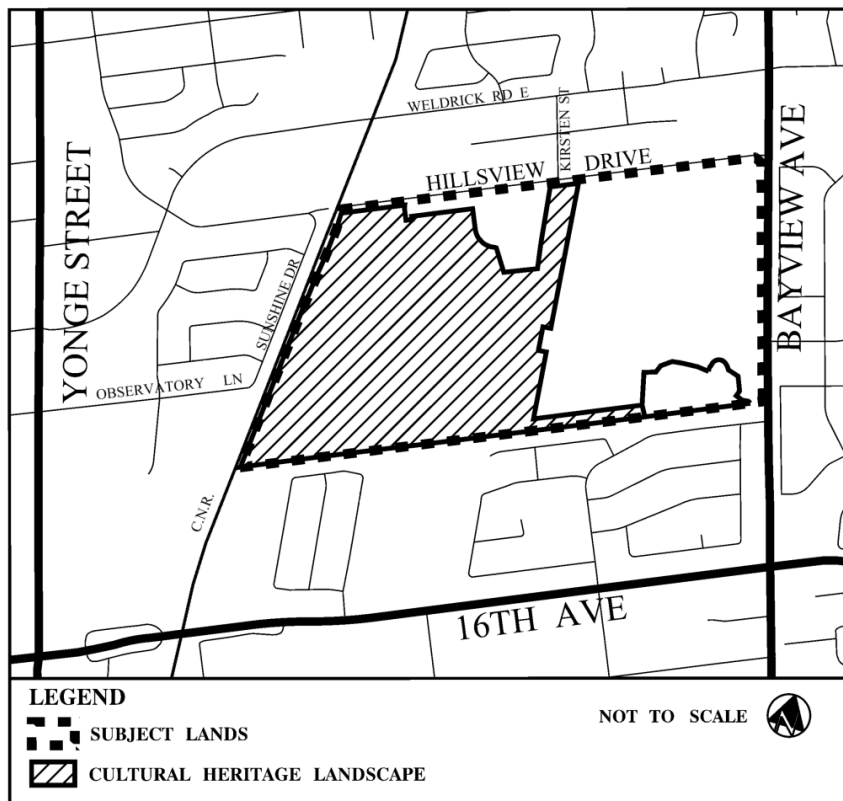
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Regulatory Services

**Approved by:** Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

## Location Map:

The map below illustrates the subject property location. Should you require an alternative format, call the contact person listed in this document.



## Background:

The David Dunlap Observatory (DDO) Lands are located at Part of Lots 42 and 43, Concession 1, E.Y.S. and are municipally known as 123 Hillsview Drive. The lands contain three heritage buildings/structures as well as a series of important landscape features. The property was designated by Council as a cultural heritage landscape through Designating By-law No. 100-09 as amended by By-law 28-17 under Part IV of the *Ontario Heritage Act*.

The David Dunlap Observatory was established by the University of Toronto in 1935. The Observatory is significant as a site of important teaching, public education and research as well as important discoveries in the field of Astronomy and Astrophysics.

## Council Direction of September 11, 2017

On September 11, 2017, Council directed staff to report back on the nomination of the DDO property identified in the Designation By-law 28-17 as a National Historic Site by the end of 2017 for consideration by the Historic Sites and Monuments Board of Canada (the Board).

## **Discussion:**

The designation of the DDO as a National Heritage Site could help bring national recognition and certain potential economic benefits to the Town. The potential access to Federal funding programs such as the National Cost Sharing Program for Heritage Sites would be a desirable outcome of national designation. Although regulatory and stewardship responsibility for the site would remain with Richmond Hill, depending on the description of the DDO heritage attributes in the national register, certain restoration initiatives would require Parks Canada and Ontario Heritage Trust approvals.

A description of the National Program of Historical Commemoration follows.

## **National Program of Historical Commemoration**

The Board was established in 1919 to advise the Canadian government on the designation of places, persons and events that have marked and shaped the country. New subjects are added to the list of designated National Historic Sites annually. The nominated subject must have a historical significance from a national perspective and not only from a local or regional standpoint.

Parks Canada supports the Board's work by providing professional and administrative services including conducting historical and archaeological research needed for evaluating applications and the handling of all administrative issues. It also implements ministerial decisions following the Board's recommendations by installing and maintaining the commemorative plaques and organizing plaque unveiling ceremonies.

### **Required Information for a Nomination (applying for Designation)**

A nomination for National Heritage Site Designation (submitted by email or post) must include all of the following components:

- Identification of the Applicant, being either a private citizen or public body (name, address, telephone and fax numbers (if available) and email address)
- Identification of the Subject  
(nature of the subject as a place, person or event; important dates such as designation, constructed and alteration dates, the date of birth and death of a person, or the parameters of an event; complete street address or geographical coordinates of the property)
- Documentation and Suggestions for More In-depth Research  
(historical sources, photograph collections, documents, bibliographic references, and contact persons including names, addresses and telephone numbers; any other existing evaluations, studies or heritage designations)

The applicant is not required to carry out extensive historical research or analyses, but they must provide the necessary information to guide Parks Canada's Archaeology and History Branch research.

### **Additional Submission Requirements for Places**

A number of additional requirements apply to nominations involving real property:

- Consent of the Property Owner(s)
- Boundaries of the Site Proposed for Designation  
A map must accompany the nomination clearly delineating the descriptive boundaries of the historic property. Submission of a legal description and survey map is considered helpful. The boundaries of the historic property submitted for designation need not be the same as the legal boundaries of the property on which it is located.
- Components of the Historic Property  
All major built and/or natural components of the property must be identified. The condition of the site is to be described, including any existing or potential threats to the integrity of the site.
- Additional Documentation  
Recent photographs of the buildings (all four sides) as well as interior and exterior details are to be included as well as plans and elevations and an aerial view, if available.

### **Main Criteria and Guidelines**

The Board has established a number of policies, criteria and guidelines which are used as a framework for the evaluation of the subjects to be recommended to the Minister for designation. Evaluation criteria as well as procedures and guidelines for designating subjects are drawn from the minutes of the Board's meetings. New criteria and guidelines are continually added to this evaluation framework.

The booklet "Criteria and Guidelines for evaluating subjects of potential national historic significance" (Appendix A) lists the detailed Board criteria and guidelines to date. The following is a summary of these criteria.

- Any aspect of Canada's human history may be considered for designation, however, a place, person or event must have had a nationally significant impact on Canadian history, or must illustrate a nationally important aspect of Canadian history.
- Uniqueness or rarity is not sufficient for a subject to be designated as historically significant.
- "Firsts" are not in and of themselves events of national historic significance.
- Each place, person or event of national historic significance may be commemorated only once.

### **Criteria and guidelines for places**

An archaeological site, structure, building, group of buildings, district or cultural landscape of potential national historic significance must:

- illustrate an exceptionally creative achievement in concept and design, technology and/or planning, or a significant stage in the development of Canada;
- or illustrate or symbolize in whole or in part a cultural tradition, a way of life or ideas important in the development of Canada;
- or be most explicitly and meaningfully associated or identified with one or more persons who are deemed to be of national historic significance;
- or be most explicitly and meaningfully associated or identified with one or several events that are deemed of national historic significance;
- and (in the case of a structure) consist of buildings, groups of buildings and places that were installed before 1975;
- and (in the case of a structure) the integrity of its design, materials and execution, and its function or environment have been conserved.

### **Application Process**

When a nomination is received, the Secretariat first checks that it contains all the required components. If so, it is sent on to Parks Canada Cultural Sciences Branch, where preliminary research is conducted to ensure that it meets the criteria and guidelines and that there is sufficient documentation for a report to be prepared for the Board. This takes approximately four months.

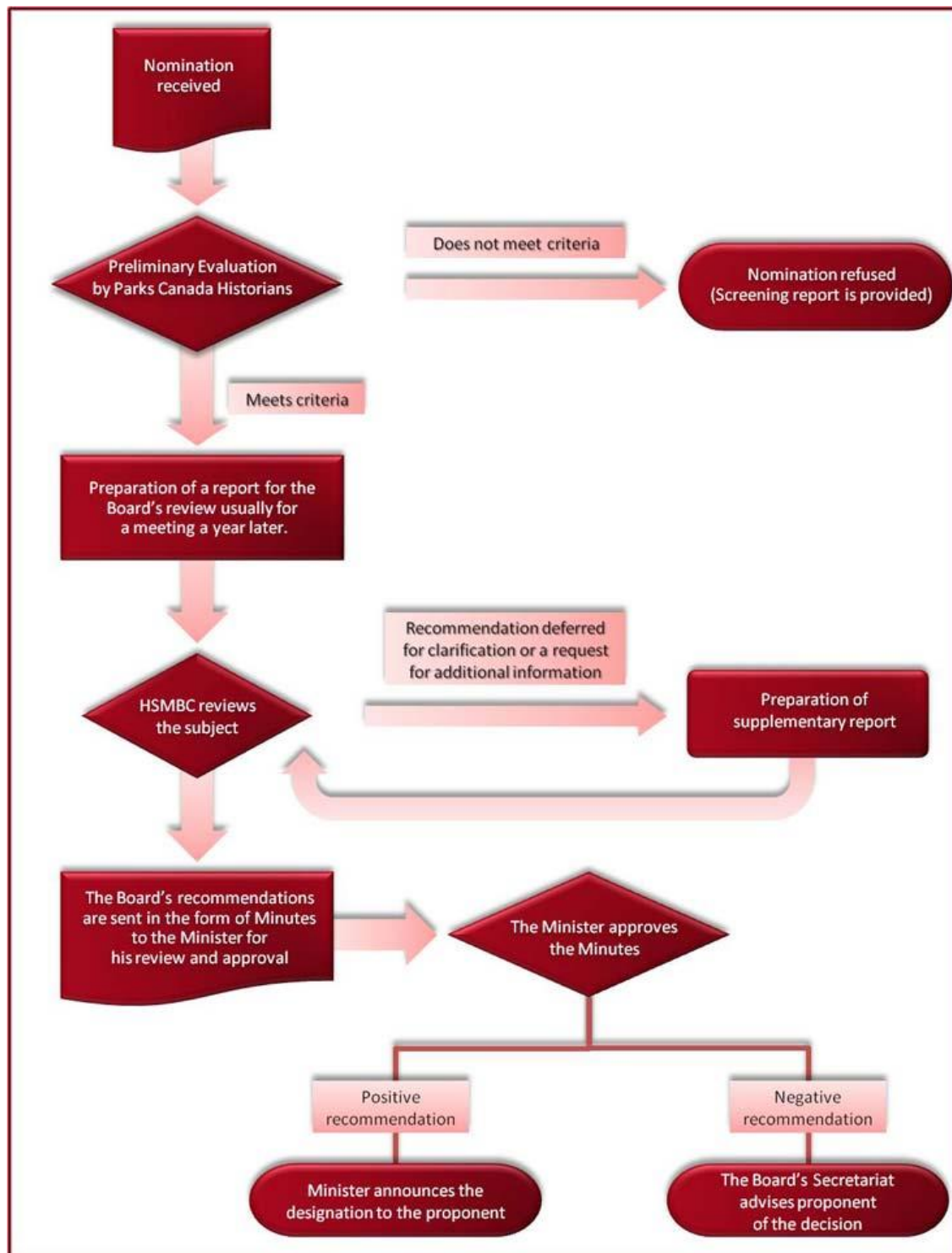
The applicant is then informed whether the nomination will be submitted to the Board. If the nomination is to be considered, the date of the targeted meeting will be confirmed. The meeting is usually a year or two later as meetings take place only twice a year. During this time, an historian from the Cultural Sciences Branch prepares a report on the subject and visits the location of the site as required.

During the meeting, the Board reviews the Cultural Sciences Branch report and issues a recommendation, or asks for clarifications on certain aspects of an application. When clarifications are required, the subject will be resubmitted at a subsequent meeting.

The meetings are held in camera. The Board's recommendations are recorded in the minutes of the meeting and sent on to the Minister of the Environment for his approval. It may take two years from date of submission, or more, before the Minister approves and signs the minutes.

The Board's recommendations remain confidential until the Minister confirms them. Although the contents of meetings' agendas may be shared, the recommendations,

research documents or excerpts of meetings' minutes cannot be shared. The documents may be distributed publicly once they are approved by the Minister.



Flowchart of the Designation Process

### **Potential Resubmission**

If an unfavourable recommendation is made by the Board, the subject may be resubmitted if new, significant information is discovered or if applicable criteria or guidelines change.

Reconsideration of a subject may also be requested 15 or more years after an unfavourable decision.

### **Commemoration**

If a nominated subject is approved by the Minister for designation, commemoration is usually in the form of a bronze plaque installed in a location that is closely related to the designated subject and accessible to the public. Parks Canada would obtain permission from the owner of the property before installing a plaque and the designated subject would be commemorated at no cost to the owner.

### **National Cost Sharing Program for Heritage Places**

Owners and eligible lessees of National Historic Sites, Heritage Lighthouses and Heritage Railway Stations may be eligible for grants provided through The National Cost-Sharing Program for Heritage Places. The Program supports the Parks Canada Agency's mandate of protecting and presenting places of national historic significance, and fostering the public's understanding, appreciation and enjoyment of these places in ways that ensure their commemorative integrity for present and future generations.

Beyond the primary qualifier that a property be designated as a National Historic Site, the program currently requires that a minimum 50% of the funding be secured by applicants from their own funds, private support or other (non-federal) public/government sector support and is limited to a maximum of:

- \$10,000 for “Preparatory Assistance” projects (development of technical and planning documents);
- \$100,000 for “Conservation” projects (to conserve threatened components of a heritage place to ensure its physical integrity); and
- \$10,000 for “Presentation” projects (focusing on communicating to the public the messages related to reasons for its designation as a heritage place).

Each application is assessed on how the proposed project:

- demonstrates a level of threat to the heritage values of the place and suitability of the proposed mitigation;
- adheres to the Standards and Guidelines for the Conservation of Historic Places in Canada (Second Addition);

- demonstrates need for financial assistance, including evidence that the project could not proceed effectively without funding from the Program;
- minimizes financial risk, including the financial stability of the organization, its financial management capacity, and the amount of secured matching funding in place; and
- has the capacity to carry out and complete the proposed activities in terms of conservation expertise and prior experience within a specified timeframe.

Greater detail about the program is included in Appendix B - National Cost Sharing Program for Heritage Places Program Guidelines - to this report.

### **Regulatory Implications of National Designation for Property Owners**

Owners of nationally designated heritage sites are required to obtain Parks Canada and Ontario Heritage Trust approval for any physical repair or restoration work that might affect the heritage attributes that are named in the heritage designation. This can result in longer time frames for restoration and rehabilitation projects.

Staff enquired to other municipalities and heritage groups about these implications and spoke with a representative of owners of a National Heritage Site involving a building. According to this respondent, the extra obligation was not considered a hardship as the objectives of all of the parties involved is the same: to protect the site and undertake restoration works that as closely as possible match the historic form and qualities of the structure. It was this respondent's position that the access to additional potential funding of restoration work outweighed the additional approval requirements.

### **Financial/Staffing/Other Implications:**

Staff time may be accommodated in the Heritage and Urban Design Section's work program for 2018. Staff has reviewed the Historic Sites and Monuments Board of Canada's National Heritage Site designation application requirements and has found no reference to associated application fees. Staff has confirmed that no fees apply.

### **Relationship to the Strategic Plan:**

Nomination of the subject property as a National Heritage Site is in keeping with Goal 3 – Outcome 1 of the Strategic Plan which is to "Respect the past through promoting the awareness of the Town's heritage".

### **Conclusion:**

If the Town were to pursue and be granted national heritage designation status, the regulatory function and conservation of the property would remain the Town's responsibility and additional obligations with respect to the need for federal and provincial approvals of restoration projects would apply. However, despite the added restoration approval requirements, potential benefits to the Town through national designation in the form of positive exposure of the DDO and potential financial support



through future federal restoration cost sharing programs or other grant programs would still make national designation desirable.

Staff considers the David Dunlap Observatory Cultural Heritage Landscape to be of national and perhaps international significance and recommends that the Town submit a nomination package to the Historic Sites and Monuments Board of Canada in the pursuit of designation as a National Historic Site.

### **Attachments:**

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix A - Criteria and Guidelines for evaluating subjects of potential national historic significance
- Appendix B - National Cost Sharing Program for Heritage Places Program Guidelines

### **Report Approval Details**

Document Title:	SRPRS.17.203.docx
Attachments:	- Appendix A.pdf - Appendix B.pdf
Final Approval Date:	Nov 22, 2017

This report and all of its attachments were approved and signed as outlined below:

**Patrick Lee - Nov 22, 2017 - 11:17 AM**

**Kelvin Kwan - Nov 22, 2017 - 11:36 AM**

**Neil Garbe - Nov 22, 2017 - 11:39 AM**