



## TECHNICAL MEMORANDUM

To: Brynn Nheiley, Manager of Development Planning, City of Burlington

From: Christienne Uchiyama, MA, CAHP, Principal, Manager – Heritage Consulting Services, Letourneau Heritage Consulting Inc.

Date: August 27, 2020

**Re: Nelson Quarry Application(s) to change the Official Plan designation to “Mineral Resource Extraction Area” to permit the extraction of aggregate materials on the subject lands**

LHC has conducted a review of the following reports submitted as part of the above noted application:

- Cultural Heritage Impact Assessment Report, prepared by MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC) dated April 2020;
- Stage 1-2 Archaeological Assessment Interim Report, prepared by Golder Associates Ltd. (Golder) dated March 23, 2020;
- Archaeological Assessment (Stages 1, 2 & 3) Nelson Aggregates Quarry Expansion, prepared by Archaeologix Inc. (Archaeologix) dated August 2003; and,
- Archaeological Assessment (Stage 4) Nelson Aggregates Quarry Expansion, prepared by Archaeologix dated August 2004.

Relevant sections of the following reports were also reviewed as part of the process:

- Planning Justification Report & Aggregate Resources Act Summary Statement Burlington Quarry Extension, prepared by MHBC dated April 2020;
- Noise Impact Assessment Nelson Aggregate Quarry Extension, prepared by HGC Engineering dated April 22, 2020;
- Visual Impact Assessment Report Proposed Extension of the Burlington Quarry, prepared by MHBC dated April 2020;
- Nelson Aggregates Burlington Quarry Extension – Cultural Heritage Study Terms of Reference, prepared by MHBC dated February 2020; and,
- Stage 1-2 Archaeological Assessment Terms of Reference for the Proposed West Extension of the Burlington Quarry, prepared by Golder dated February 2020.

In providing this review, the author has been guided by the following:

- Ontario Heritage Act, 1990;
- Provincial Policy Statement, 2020;
- Planning Act, 1990;
- Standards and Guidelines for Consultant Archaeologists (MHSTCI, 2011);

- Official Plan of the Burlington Planning Area (2019);
- Niagara Escarpment Plan (2017, 2020 consolidation);
- Halton Region Official Plan (2018 consolidation);
- Aggregate Resources Reference Manual (Halton, n.d.);
- Master Plan of Archaeological Resources of the Regional Municipality of Halton (2008 update);
- Environmental Guide for Built Heritage and Cultural Heritage Landscapes (MTO 2007);
- Guidelines on the Man-Made Heritage Component of Environmental Assessments (MHSTCI 1981);
- Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes (MHSTCI 2016);
- Current Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) guidance on the preparation of Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment; and,
- Standard practices for the assessment of impacts on built heritage resources and cultural heritage landscapes.

## 1.0 FINDINGS

Although it is evident that the report was prepared by experienced and qualified professionals in the field of cultural heritage, a number of deficiencies and items requiring clarification were identified. The following provides a general summary of the key findings related to deficiencies in the Cultural Heritage Impact Assessment Report (herein the CHIA).

- a) The CHIA presents insufficient historical research of the general area of the subject site against which to evaluate Cultural Heritage Value or Interest (CHVI) under *Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest*.
- b) Insufficient analysis or rationale has been presented to support the evaluations of built heritage resources and cultural heritage landscapes.
- c) Although two late 20<sup>th</sup> century built heritage resources are evaluated within the report, the CHIA does not include any evaluation of the golf course lands as a potential significant cultural heritage landscape.
- d) The summary of heritage character presented in section 5.4 does not include all of the content required of a Statement of Cultural Heritage Value or Interest.
- e) Although the proposed extraction area is within approximately 15 m of the house at 2280 No. 2 Side Road, the impact assessment does not address the potential for indirect impacts due to vibrations and it is unclear how blasting will be designed to ensure the integrity of the building is being retained.

More detailed comments on the CHIA are outlined in the comment table, attached. The table provides reference to specific sections, pages, and paragraphs/lines, to which comments are directed.

The following provides a summary of the key findings related to deficiencies with the Stage 1-2 Archaeological Assessment Interim Report, prepared by Golder Associates Ltd. (Golder) dated March 2020 (herein the Interim Stage 1-2 AA).

- a) The Interim Stage 1-2 AA fails to take into account the study area's location on the Mount Nemo Plateau and incorrectly states the study area's location in relation to the Escarpment.
- b) It is unclear why the earlier archaeological assessments undertaken for the South Extension Lands were not reviewed as part of the assessment and why, although more than 300 m from the current West Extension Lands study area, the previously identified sites were not considered to be indicators of archaeological potential, given the setting and their likely relevance to the archaeological potential of the West Extension Lands.
- c) The descriptions of AiGx-238 and AiGx-239 (Table 2) do not correspond with their descriptions in the Stage 4 AA prepared by Archaeologix in 2004.

Notwithstanding these omissions, the identification of areas of archaeological potential have captured all undisturbed lands within the study area and the report appears to conform with the *Standards and Guidelines for Consultant Archaeologists* (S&Gs).

It should be stressed that the Interim Stage 1-2 AA was prepared prior to Stage 2 AA fieldwork being undertaken on 11.1 hectares of the Licence Boundary area along the western boundary of the West Extension Lands (see attached Map 5). Stage 2 fieldwork is still outstanding for this portion of the West Extension Lands and **the entire study area has not been cleared of further archaeological concern** (this is noted in the report).

The following provides a summary of the key findings related to the Archaeological Assessment (Stages 1, 2 & 3) Nelson Aggregates Quarry Expansion, prepared by Archaeologix Inc. (Archaeologix) dated August 2003 (herein the 2003 Stage 1, 2 & 3 AA).

- a) The 2003 Stage 1, 2 & 3 AA predates the S&Gs.
- b) Similar to the 2020 Interim Stage 1-2 AA, the 2003 Stages 1, 2 & 3 AA does not adequately address the setting of the study area nor does it provide a robust pre-contact or historical context.
- c) Notwithstanding this, the Stage 1 findings are consistent with the current requirements and resulted in Stage 2 survey (test pits at 5-meter intervals) and pedestrian survey of the entirety of the study area. Stage 2 fieldwork methodologies and recommendations, similarly, appear to be generally consistent with the S&Gs.
- d) The Stage 3 AA fieldwork methodology, although consistent with standard practices at the time, does not conform to Section 3.2.3, Standard 1 (Table 3.1) the S&Gs; however, because all three of the registered sites underwent Stage 4 AA, this would not have resulted in a different outcome under the current S&Gs. The boundaries of the Stage 3 excavation of all three sites are consistent with the current S&Gs.

The following provides a summary of the key findings related to the Archaeological Assessment (Stage 4) Nelson Aggregates Quarry Expansion, prepared by Archaeologix dated August 2004 (herein the Stage 4 AA).

- a) The Stage 4 AA documents the full excavation and documentation of registered sites AiGx-238, AiGx-239, and AiGx-240.

The Stage 4 AA report does not appear to be the most up to date version of the report and cites an incorrect "CIF" number on the title page. A search through the MHSTCI PastPortal database identified a 2005 report - *A.A. (Stage 4), Nelson Aggregate Quarry Expansion, Lot 17 & 18, Con. 2 NDS, Geo. Twp. of Nelson, City of Burlington, R.M of Halton, Ontario* under the Project Information Number (PIF) P001-160. It is likely that the report includes revisions or additional information requested by the MHSTCI, at the time of their review. As such, the 2005 Stage 4 AA should be submitted as part of the application.

As a general note, no Indigenous engagement appears to have been undertaken as part of the Stage 3 or 4 assessment of the cultural heritage value or interest of AiGx-238, AiGx-239, and AiGx-240.

## 2.0 CONCLUSIONS AND RECOMMENDATIONS

Based on review of the April 2020 CHIA, it is the opinion of the author that potential built heritage resources and cultural heritage landscapes have not been adequately evaluated and that potential impacts have not been thoroughly addressed. A summary of key findings is listed above and the attached tables provide a more detailed list of comments.

With respect to the Interim Stage 1-2 AA, the reporting has failed to accurately take into account the West Extension Lands study area's location on the Mount Nemo Plateau and has not captured the results of the previous archaeological assessment of the South Extension Lands. Notwithstanding this, the outcome of the review of archaeological potential and the methodology applied to the stage 2 fieldwork is compliant with the S&Gs. The results of the Stage 2 AA of the outstanding 11.1 hectares should be submitted for review.

The 2003 Stage 1, 2 & 3 AA similarly failed to accurately reflect the study area's location on the Mount Nemo Plateau and provided sparse pre-contact and historic period context compared to the requirements under the current S&Gs. However, the field methodologies employed and the analysis and recommendations of the reports are in keeping with the current S&Gs and resulted in Stage 4 AA of three registered sites; AiGx-238, AiGx-239, and AiGx-240.

Given that the Stage 4 AA presents the full excavation and documentation of these above-noted archaeological sites, it is recommended that the City of Burlington request the 2005 Stage 4 AA report be submitted in order to have a complete record. However, the documentary record associated with all three of the sites has been reviewed by the MHSTCI (in 2005) and the sites are considered by the MHSTCI's records to retain no further CHVI – this is consistent with the results and recommendations of the 2004 Stage 4 AA.

We trust that this information satisfies your needs at this time. Please contact the undersigned should you have any questions or require any clarification.

Sincerely,



Christienne Uchiyama, MA, CAHP  
Principal, Manager – Heritage Consulting Services  
Letourneau Heritage Consulting Inc.