

## Proposed Burlington Quarry Expansion JART COMMENT SUMMARY TABLE – Cultural Heritage

Please accept the following as feedback from the Burlington Quarry Joint Agency Review Team (JART). Fully addressing each comment below will help expedite the potential for resolutions of the consolidated JART objections and individual agency objections. **Additional, new comments may be provided once a response has been prepared to the comments raised below and additional information provided.**

	JART Comments (January 2021)	Reference	Source of Comment	Applicant Response (June 2021)	JART Response (December 2021)	Applicant Response (June 2022)
<b>Report/Date: Cultural Heritage Impact Assessment, April 2020</b>				<b>Author: MHBC</b>		
1.	When reviewed against the submitted Terms of Reference, the Cultural Heritage Report is lacking “statements of significance of cultural heritage value and heritage attributes for any identified cultural heritage resources”.	General	As per Comment 2 below	2280 No. 2 Side Road has been confirmed to have heritage value, with information related to the significance and attributes found in 5.2 and 5.4 of the MHBC report. See revised Cultural Heritage Impact Assessment dated June, 2021.	5235 Cedar Springs is representative of the Gothic Revival Cottage, as stated in the report, and associated with Nelson Twp. Historically and to the overall pastoral surroundings. Please refer to JART response #24.  2280 No. 2 Side Road has been addressed through the revisions.	Noted re: 2280 No. 2 Side Road.  Disagree regarding 5235 Cedar Springs. The building was evaluated and found to not have cultural heritage value.
2.	The CHIA does not provide sufficient historical research of the general area of the subject site against which to evaluate Cultural Heritage Value or Interest (CHVI) under <i>Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest</i> .	General	LHC	This research of the general area is meant to be high-level and describe the development of the surrounding area. The level of detail is sufficient to understand the area. In addition, correspondence has been received from the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) indicating they have no concerns with the content or recommendations. See Attachment 1.	This comment has been addressed.  Note, for clarification, MHSTCI is not the approval authority.	Noted, thank you.  Regarding MHSTCI, it is agreed they are not the approval authority for the applications, however their authority as the Provincial review agency and experts related to cultural heritage matters should be acknowledged and their opinions taken into account (note also for subsequent mentions of MHSTCI).
3.	Insufficient analysis or rationale has been provided to support the evaluations of built heritage resources and cultural heritage landscapes.	General	LHC	Disagree. The level of detail in the report is sufficient to understand and evaluate the area. In addition, MHSTCI has indicated they are satisfied with the report content and recommendations.	This comment has been addressed  Note, for clarification, MHSTCI is not the approval authority.	Noted, thank you.

4.	Although two late 20th century built heritage resources are evaluated within the report, the CHIA does not include any evaluation of the golf course lands as a significant cultural heritage landscape.	General	LHC	The golf course was considered as part of the evaluation of cultural heritage landscapes. It is referenced when describing the development of the subject lands and surrounding area, and was also reviewed as part of the historical air photo / mapping review. Through the initial screening exercise, the golf course was determined not to have cultural heritage value or potential as a significant cultural heritage landscape. As such, it was not carried through in the report for further evaluation specifically as a cultural heritage landscape. The golf course is not associated with a significant golf course architect or persons, does not contain significant built heritage features, is not valued by the community, and is not identified as a cultural heritage resource by the City (including through the 2015 Mount Nemo HCD Study). The evaluation carried through in the report for the overall subject lands concluded the property did not have cultural heritage value or qualify as a significant cultural heritage landscape.	This comment has been addressed.	Noted, thank you.
5.	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.	General	LHC	Section 5.4 has been updated. See revised Cultural Heritage Impact Assessment dated June, 2021.	This comment has been addressed through revisions.	Noted, thank you.
6.	Although the proposed extraction are 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.	General	LHC	Direct and indirect impacts are addressed in Section 7 of the report, and blasting is mentioned. No revisions are required. Blast design is further addressed in the blasting report, with a recommendation that vibration not exceed 50 mm/s at these structures. See blasting recommendations on the Aggregate Resources Act Site Plans.	This comment has been addressed.	Noted, thank you.
7.	It is unclear when the site visit(s) were undertaken and if all of the properties discussed in this report were accessed during those site visits. In the event that site visits were undertaken from the public ROW, this should be stated as a limitation, as it would affect the evaluation.	General	LHC	During the site visit, all properties were accessed by the project team. Field areas were walked and buildings were reviewed in a non-intrusive manner. Due to site conditions (e.g. vegetation), clear photos of some buildings were not possible.	This comment has been addressed.	Noted, thank you.
8.	It is unclear why the golf course has not been evaluated as a cultural heritage landscape when 2292 No. 2 Side Road and 2300 No. 2 Side Road have been evaluated as built heritage resources. Given that the proposed development results in the removal of the golf course lands, its potential CHVI should be addressed.	General	LHC	See response to #4.	This comment has been addressed.	Noted, thank you.

9.	<p>The following aspects of <i>cultural heritage landscapes</i> need to be explored in the Cultural Heritage Impact Assessment</p> <ul style="list-style-type: none"> <li>Heritage landscape as it relates to indigenous community history. The report identifies historic ties to the Anishnaabe and the Haudenosaunee peoples</li> <li>Heritage landscape as it relates to known archaeological sites identified in the submitted Stage 1-4 Archaeological Assessments</li> <li>Interrelationships between known archaeological sites, indigenous community heritage, and natural heritage features present in the study area.</li> <li>How the UNESCO designation applied to the properties affects the cultural heritage value of the area, as well as the principles of the Man in the biosphere program and how they apply to interrelationships of all aspects contained within the definition of cultural heritage landscapes provided by the NEP (2017).</li> <li>How the cultural heritage landscape is defined by existing viewsheds, specifically, but not limited to, the Mount Nemo Plateau.</li> </ul>	General	Niagara Escarpment Commission	The Cultural Heritage Impact Assessment has been updated to include additional information related to indigenous community history. See Section 3.1 of the revised report. In addition, both Six Nations and Mississaugas of the Credit First Nation have confirmed in writing to Nelson that they have no outstanding concerns with the west and south extension applications. See Attachment 2 which includes correspondence from Six Nations and Mississaugas of the Credit First Nation.	<p>The response has not addressed bullets 4-5, nor fully 1-3.</p> <ul style="list-style-type: none"> <li>Bullet one provides Indigenous settlement history, but not its relationship to the cultural heritage landscape</li> <li>Bullet two should discuss cultural heritage landscapes in relation to stage 2 farmstead and Indigenous sites</li> <li>Haven't addressed bullet three</li> <li>Haven't addressed UNESCO comment (see item 12)</li> <li>Haven't defined cultural heritage landscape elements comprehensively</li> </ul>	Disagree that the additional matters specifically relate to the scope of this report to assess the proposed development of a portion of the subject lands for a quarry. Additionally, see previous response regarding UNESCO designation.
10.	Broadly, the report does not incorporate findings of other submitted reports (VIA, Archaeological, Planning, Natural Heritage) that directly contribute to the understanding of the <i>cultural heritage landscape</i> of the area.	General	Niagara Escarpment Commission	The archaeological report was reviewed as relevant background when completing this assessment. The other technical reports do not directly contribute to the understanding of the cultural heritage landscape of the area.	The VIA, Natural Heritage and Planning reports encompass natural and cultural landscape features that have a direct bearing on cultural heritage landscape values and are not discussed in this report.	Disagree – applicable information has been included in this report as relevant. The report is included as <b>Tab 1</b> .
11.	Photographs of the known/potential built heritage resources and cultural heritage landscapes discussed in this report do not adequately document/depict existing conditions. Photographs are limited to one or two elevations, are sometimes obstructed by trees, and all appear to have been taken from a distance.	General (Photograph)	LHC	In our opinion the photos appropriately document the site and existing conditions, and are in line with other similar projects. As noted above, site conditions (e.g. vegetation) made photos of some features challenging. Of note, the MHSTCI has indicated they are satisfied with the report content and recommendations.	With the understanding that the properties were also accessed by the project team, this comment has been addressed.	Noted, thank you.
12.	<p>A review of PPS policies suggests that the properties “have not been identified by provincial, federal or UNESCO bodies”.</p> <p>The lands are recognized through UNESCO as being within the Niagara Escarpment Biosphere Reserve and subject to the Man in the Biosphere program. Please address and consider the designation within the context of the cultural heritage landscape.</p>	Section 2.2 (Page 4)	Niagara Escarpment Commission	The PPS references identification by UNESCO as a heritage site. This property has not been identified by UNESCO as a heritage site. The World Heritage Site program is different from the World Biosphere Reserve program.	The reference cited by the proponent confirms that the Niagara Escarpment overall is not a “protected heritage property”. However, recognitions of the Niagara Escarpment by the NEP and UNESCO Niagara Escarpment Biosphere Reserve meet the PPS definition of Cultural Heritage Landscape by their inclusion on “an international register” and by being managed through another land use planning mechanism. The UNESCO Niagara Escarpment Biosphere Reserve explicitly acknowledges the Niagara Escarpment’s diverse landscapes under the category of Socio-Economic characteristics. As such, the acknowledgement of these properties within the NEP and UNESCO Niagara Escarpment Biosphere must be acknowledged and addressed.	There is agreement the properties are not protected heritage properties, which is the focus of 2.2 referenced in this comment. The PPS definition referenced varies from the NEP definition of CHL, which specifically references the World Heritage Site program. The 2020 PPS refined the language of the definition but the intent is the same. CHL evaluation is carried out further in the report, and it was determined the properties do not constitute a significant CHL.

13.	The statement that “An onsite building” is listed on the City’s Heritage Register and is therefore considered to be a built heritage resource is not entirely accurate. Although the 1830 one-storey rubblestone Regency structure at 2280 No. 2 Side Road is described in the Register, Section 27, Part IV of the OHA applies to the property, as a whole.	Section 2.2 (Page 4) Last Sentence	LHC	Agreed that the whole property is ‘listed’. However, the register listing specifically mentions the house as being part of the listing, hence the focus on the building.	This comment has been addressed.	Noted, thank you.
14.	Policies of the NEP (2017) are only stated with no real analysis provided. This lack of analysis is not rectified within the Planning Justification Report.	Section 2.3	Niagara Escarpment Commission	The policy reference is provided here for context. The balance of the report provides the analysis, and then the conclusion on the matter.	Specific responses to policies are needed: notably, to provide a comprehensive inventory of the heritage resources identified to date, and in particular to address cultural heritage landscape inventory gaps: therefore the response provided to date warrants further documentation, evaluation, and analysis. Further, NEP Policies 2.9.3.b) and c) are not described or addressed in this study.	As noted previously, the report itself provides the required analysis to demonstrate how the policies are complied with. The report concludes the proposal complies with applicable policy direction. For clarity on the matter, the report has been expanded to specifically note the NEP cultural heritage policies for aggregate operations and conclude they have been addressed (see pgs. 5 & 40 of report). The report is included as <b>Tab 1</b> .
15.	This background is very high-level and is not sufficient to adequately address O.Reg. 9/06 criteria related to historical or associative value. The history of Mount Nemo, for example, is not addressed.	Section 3.1	LHC	This section is meant to be high-level and describe the surrounding area. Of note, the MHSTCI has indicated they are satisfied with the report content and recommendations.	This comment has been addressed.	Noted, thank you.
16.	The lack of buildings depicted within the study area is not likely the result of there being no structures at the time. Often, only subscribers’ residences were depicted and the extensive landownership in the area, subdivision of farm lots, and lack of structures depicted in the majority of surrounding lots (coupled with the knowledge that at least one stone structure is understood to have been extant in the 1830s at present-day 2280 No.2 Side Road) indicates that this is the case here.	Section 3.2 (Page 11) Last Sentence	LHC	Noted. We agreed that the historical atlas project did not capture all buildings. A notation has been added to Section 3.2 of the revised report.	This comment has been addressed through revisions.	Noted, thank you.
17.	Given the likelihood that the 1858 atlas did not depict all of the extant resources, comparison with the 1877 does not necessarily reflect changes through the middle of the 19th century. This is particularly the case where individual owners did not change, or where the property remained in the family.	Section 3.2 (Page 12)	LHC	This is true, however the comparison is still useful to make.	This comment has been addressed.	Noted, thank you.
18.	No sources other than the two atlases and the 1954 & 1988 air photos appear to have been reviewed as part of the background research for the site history. Census records and/or LRO documents should be reviewed – particularly for the Pitcher/Freeman and John Buckley properties. This site history does not provide sufficient information to adequately address O.Reg.9/06 criteria.	Section 3.2	LHC	The level of research is sufficient to show the development of the area and document the history of the properties. Of note, the MHSTCI has indicated they are satisfied with the report content and recommendations.	This comment has been addressed.	Noted, thank you..
19.	The discussion of the historical atlases and air photos does not explicitly address any of the extant structures. There is no discussion about when extant structures may have been constructed or by whom.	Section 3.2	LHC	The discussion addresses the area as a whole, to show how it evolved and was built out. The level of detail is sufficient for the purposes of this report and evaluation.	This comment has been addressed.	Noted, thank you.
20.	The study identifies the importance of <i>cultural heritage landscapes</i> as identified in the NEP, PPS, local and Regional OPs. However, the landscape setting and context only describes the landscape in terms of building clusters and agricultural lands.	Section 4.2	Niagara Escarpment Commission	The section is structured in the manner to address building clusters and agricultural lands, since those are most relevant to address in the context of the site and proposed development.	The PPS and Ontario Heritage Toolkit provide examples of cultural heritage landscape features and their constituent elements. Infosheet #2 provides explicit guidance on such elements and the different scales at which such inventories and analyses are to be carried out to	Noted. The report has followed the required scale and methodology as appropriate for the study undertaken. The report is included as <b>Tab 1</b> .

					provide a comprehensive inventory and impact assessment, as is required here.	
21.	It is unclear what the c.1860s date of construction is based upon.	Section 4.3.1 (Page 20) Line 1	LHC	This is based on the architectural features of the building, as well as the historical atlas information which shows no building in 1858 and a building by 1877.	This comment has been addressed.	Noted, thank you.
22.	The photographs presented do not provide any detail of the features of the structure. Only two elevations are presented and those photographs are very small.	Section 4.3.1 (Page 20)	LHC	The photos are sufficient to conclude regarding the building characteristics and potential value. MHSTCI staff have also indicated they are satisfied with the report content.	This comment has been addressed.  Note, for clarification, MHSTCI is not the approval authority.	Noted, thank you.
23.	The smaller outbuilding is described as being generally in poor condition; however, the view of the structure shown in Photo 15 (presumed to be correct structure) is obstructed by trees. It is unclear if the evaluation of the poor condition is based on closer evaluation of the structure.	Section 4.3.1 (Page 20) Last Paragraph	LHC	Yes, the building was more closely inspected by the project team. As noted above, vegetation made clearly photographing the building difficult.	The November 24, 2021 site inspection and documentation by JART representatives indicates that the smaller outbuilding at 2280 No. 2 Side Road, despite its condition, may meet O.Reg.9/06 criteria as a component of a grouping of buildings – including the house and larger barn.  See comment #33.	Do not agree. The buildings are not utilized for their past purposes and the context has changed considerably. The grouping is not significant.  Unclear how comment #33 relates to this point, since they are different properties.
24.	<p>The discussion of criterion 1.i. is incomplete. The analysis only addresses whether the style, described as Ontario Gothic Revival Cottage architectural style, is rare or unique, but does not address whether it is representative or early example, nor does it address whether it is a rare example of the style in stone. Despite additions to the structure, it appears to retain a number of characteristic features.</p> <p>It is unclear if the property was accessed and if the structure was reviewed up close. Evaluation of the degree of craftsmanship would be affected by lack of property access.</p> <p>The discussion of criterion 2 is incomplete. The background presented in sections 3.1 and 3.2 did not provide a basis to determine whether or not this property has any historical or associative value.</p> <p>Given that the development proposal results in the removal of this structure, its potential CHVI must be adequately addressed.</p>	Section 5.2 (5235 Cedar Springs Road)	LHC	The level of detail within the report is sufficient, as agreed by MHSTCI staff in their recent letter.	This comment has not been addressed.  5235 Cedar Springs is described in the report as having heritage potential, representing the regionally common (presumably heritage) structure of the Gothic Revival Cottage type, associated with Nelson Twp. historically and to the overall pastoral surroundings. When using O.Reg 9/06 criteria, they must be considered as a whole, and being a representative structure fulfils one criterion: in doing so, heritage potential is confirmed.. Of note: MHSTCI is not the approval authority. (NEC)  Given the potential direct impact of demolition, the analysis does not address the potential for the property to meet criterion 1(i) as a representative example of the style, nor has any evidence been provided to inform the analysis of the rarity of this example of this type for its stone construction.  Insufficient property-specific research was provided to assess criterion 2. In addition, the November 24, 2021, site inspection and documentation by JART representatives indicates that the structure may meet additional O.Reg 9/06 criteria and warrants further evaluation.  See comment #33.	Do not agree. The report reviews and evaluates the structure, determines it has been altered in form and context, therefore does not have cultural heritage value.  Although the level of detail is considered appropriate, additional information can be added re: #2 in order to address the comment.  Unclear how comment #33 relates to this point, since they are different properties.

<p>25. The report states that the property type is somewhat rare within the broader area. It is unclear if this refers to the Regency style, or stone construction. It is unclear if the property was accessed and if the structure was reviewed up close. Evaluation of the degree of craftsmanship would be affected by lack of property access.</p> <p>The discussion of criterion 2 is not supported by the background research presented in Sections 3.1 and 3.2.</p> <p>The discussion of criteria 1 and 2 does not address the barns. The small barn, in particular, is proposed to be removed. Its CHVI, as an individual built heritage resources and as it relates to the house and large barn, should be evaluated.</p>	<p>Section 5.2 (2280 No. 2 Sideroad)</p>	<p>LHC</p>	<p>The reference to the property being somewhat unique was mentioned in the HCD Study completed on behalf of the City, which we took to mean both the style and type of construction. The barn was reviewed up close, although access to the interior of the building was not undertaken.</p> <p>The evaluation in the report is sufficient, as agreed to by MHSTCI staff.</p>	<p>The November 24, 2021 site inspection and documentation by JART representatives indicates that the smaller outbuilding at 2280 No. 2 Side Road, despite its condition, may meet O.Reg.9/06 criteria as a component of a grouping of buildings – including the house and larger barn.</p> <p>See comment #33.</p> <p>Note, for clarification, MHSTCI is not the approval authority.</p>	<p>See response to #23, above.</p>
<p>26. The summary of heritage character presented in section 5.4 does not include all of the content required of a Statement of Significance/Statement of Cultural Heritage Value or Interest and list of heritage attributes as outlined in the <i>Ontario Heritage Toolkit</i>.</p> <p>It is unclear if the barn complex refers to the large barn, or to both barns described in Section 4.3.2.</p>	<p>Section 5.4</p>	<p>LHC</p>	<p>2280 No. 2 Side Road has been confirmed to have heritage value, with information related to the significance found in 5.2 and 5.4 of the Cultural Heritage Impact Assessment. The revised report dated June, 2021 has expanded the description.</p>	<p>This comment has been addressed through revisions.</p>	<p>Noted, thank you.</p>
<p>27. The site plan and figures depicting the proposed development suggest that a portion of house extends into the Licence Boundary. This should be confirmed. This is the c.1830s Regency portion of the structure.</p>	<p>Section 6</p>	<p>LHC</p>	<p>A portion of the house is within the Licence boundary; however, it is outside the extraction area. The space is required for berming.</p>	<p>This comment has been addressed.</p>	<p>Noted, thank you.</p>
<p>28. The CHIA makes a number of references to the rehabilitation of lands, post-extraction, to a level suitable to recreational use.</p> <ul style="list-style-type: none"> <li>The report makes limited reference to whether this rehabilitation plan and after- use would be in keeping with the cultural heritage landscape of the area. NEC Staff note that this analysis would have to be predicated on a more thorough detailing of the cultural heritage landscape.</li> <li>The report seems to refer to the recreational after-use as the definite after-use. It would be more appropriate to provide an assessment of the after-use from a cultural heritage lens instead of reviewing on the basis that it is appropriate and will be accepted. Germane to this work would be a consideration of alternative after-use plans that might be better aligned with the existing and historic cultural heritage landscape (once described) if necessary.</li> </ul>	<p>Sections 6 (Page 32) and Section 9 (Page 37)</p>	<p>Niagara Escarpment Commission</p>	<p>The report concludes the extension lands are not a significant cultural heritage landscape. Therefore, additional details are not necessary.</p> <p>Alternative forms of development are described in the report, although not deemed necessary.</p> <p>Of note, the MHSTCI has indicated they are satisfied with the report content and recommendations.</p>	<p>Shortcomings in the identification, evaluation, analysis and mitigation of impacts to heritage resources is identified above, which in turn influence rehabilitation strategies and potential future uses that should be addressed. MHSTCI is not the approval authority.</p>	<p>Do not agree. As noted, the area is not a significant CHL. Level of detail in report is appropriate and follows accepted standards for such studies. Mitigation and alternatives were considered as appropriate.</p>
<p>29. It is stated in a review of impacts that:</p> <p><i>The area of the site proposed for aggregate extraction does not contain any built heritage resources or cultural heritage landscapes, therefore there are no direct or indirect impacts anticipated.</i></p> <p>NEC Staff contend this conclusion is premature given that a description and assessment of the cultural heritage landscape does not consider multiple components contained with the provided NEP and PPS definition that are present on and in</p>	<p>Section 7</p>	<p>Niagara Escarpment Commission</p>	<p>In our opinion, the report conclusion is appropriate. MHSTCI staff share the same opinion, as evidenced by their recent letter.</p>	<p>Shortcomings in the identification, evaluation, analysis and mitigation of impacts to heritage resources is identified above, and until these are addressed the conclusion is premature. Where cultural heritage resources such as 2280 # 2 Sideroad have been acknowledged, it is noted that the Ontario Heritage Act defines heritage property as real property, and all buildings and structures thereon – impacts to that real property on which the</p>	<p>Do not agree. Heritage value of the property has been identified and the report included attributes and description of the heritage place. There are changes planned to the property, but that does not necessitate an impact on the heritage attributes (as noted in the report). The report conclusion is appropriate.</p>

	proximity to the subject lands.				building and structures are situated is acknowledged on page 30 of the June 2021 report. As such, the conclusion that there are no direct or indirect impacts heritage is not accurate. Of note, MHSTCI is not the approval authority.	
30.	<p>Extraction is proposed within ±15.0 m of an identified heritage resource located on 2280 No. 2 Sideroad. This seems very close to protect the structure(s) from vibration and dust generated by the extraction use. It is stated that blasting will be designed to ensure the integrity of the building is retained. Designed how?</p> <ul style="list-style-type: none"> <li>• Recommendation # 2 of the Blasting Impact Analysis suggests monitoring for ground vibration and overpressure but the CHIA provides that the blasting itself will be designed in a way to protect the resource. There seems to be a discrepancy in the two reports regarding mitigation vs. monitoring.</li> <li>• The Blasting Impact analysis doesn't provide direction for a 15.0m setback being appropriate for protection of the resource. How was this proposed setback deemed appropriate?</li> </ul>	Section 7.1 (Page 33)	Niagara Escarpment Commission	Blast design is further addressed in the blasting report, with a recommendation that vibration not exceed 50 mm/s at these structures. The key is to maintain the structural integrity of the buildings, and the expertise of Explotech has been relied upon in this regard. See blasting recommendations on the Aggregate Resources Act Site Plans.	Reference to the specialist report on blast design would be appropriate in this section, along with provision of such summary details.	More specific reference to the blasting report as well as site plan language has been added to the report (see Section 7.1; pgs. 36-37).
31.	<p>The proposed extraction area is approximately 15 metres from the house (and small barn) indirect impacts resulting from vibrations have not been addressed in the impact assessment.</p> <p>It is unclear how blasting will be designed to ensure the integrity of the building is retained (blasting is not addressed in the Noise Impact Assessment). What measures are being implemented?</p> <p>Figure 8 suggests that an acoustic and visual berm may be erected between the licence boundary and the line of extraction. The berm and its construction have not been addressed in the impact assessment.</p>	Section 7.1 (Page 33) Paragraph 4, Last Line	LHC	<p>Blast design is further addressed in the blasting report, with a recommendation that vibration not exceed 50 mm/s at these structures. The key is to maintain the structural integrity of the buildings, and the expertise of Explotech has been relied upon in this regard.</p> <p>The proposed development was addressed broadly in this report. However the specifics of the berm are more appropriately addressed in the visual impact report.</p>	This comment has been addressed.	Noted, thank you. In order to address NEC comment (above), some additional information has been added as noted above.
32.	In general, the conclusions of the report are not shared by NEC Staff. Broadly, NEC Staff would identify that the definition of the <i>cultural heritage resource</i> provided by the NEP (2017) includes <i>cultural heritage landscapes</i> . Any broad conclusion made on the topic of <i>cultural heritage resource</i> needs to be supported by a better analysis of the cultural heritage landscape of the area as detailed in the above comments.	Section 9	Niagara Escarpment Commission	Noted. The MHSTCI has indicated they are satisfied with the report content and recommendations.	Shortcomings in the identification, evaluation, analysis and mitigation of impacts to heritage resources are identified above. MHSTCI is not the approval authority.	Do not agree. Report structure and conclusions are appropriate.
33.	During the November 24, 2021 site inspection and documentation by JART representatives, a large barn was noted in the southwest half of Lot 17, Concession 2 NDS (2416 No.2 Side Road). This barn – although located within the cultural heritage study area, was not evaluated in Section 4.3.2 of the report. This barn may be associated with Andrew Cairns/Robert Spence's farmstead, as depicted in Figures 3 & 4 of the June 2021 report. It is unclear why this barn – and any associated components – were not evaluated in the Cultural Heritage Report.	Section 4.3.2	LHC			This area of the site was not included in the detailed assessment, since it was not identified as being of interest, is not a listed property on the City's heritage register, and is outside the excavation area. It was included in the initial historic research however.

# Tab 1

# CULTURAL HERITAGE IMPACT ASSESSMENT **REPORT**

Burlington Quarry Extension  
City of Burlington

Date:

**April 2020 (rev. June 2021 and May 2022)**

Prepared for:

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## Project Personnel

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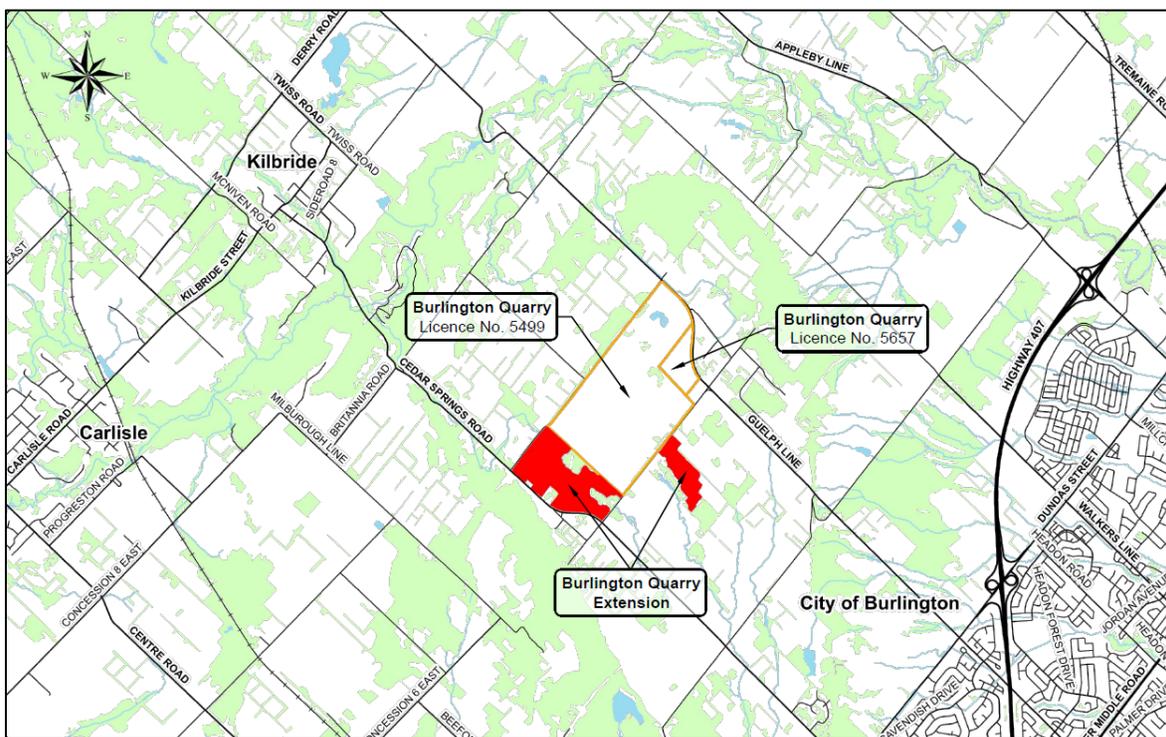
## Glossary of Abbreviations

CHIA	<i>Cultural Heritage Impact Assessment</i>
CHL	<i>Cultural Heritage Landscape</i>
MHBC	<i>MacNaughton Hermsen Britton Clarkson Planning Limited</i>
NEP	<i>Niagara Escarpment Plan</i>
OHA	<i>Ontario Heritage Act</i>
OHTK	<i>Ontario Heritage Toolkit</i>
O-REG 9/06	<i>Ontario Regulation 9/06 for determining cultural heritage significance</i>
PPS	<i>Provincial Policy Statement</i>

# 1.0 Introduction

MHBC has been retained by Nelson Aggregate Co. to prepare a Cultural Heritage Impact Assessment related to the proposed Burlington Quarry Extension, location in the City of Burlington. In order to facilitate the proposed extension, Nelson is applying for a Class 'A' Licence (Category 2 – Quarry Below Water) under the *Aggregate Resources Act*, a Niagara Escarpment Plan Amendment, and Region of Halton / City of Burlington Official Plan Amendments.

Nelson is proposing to extend operations at the Burlington Quarry to include two new extraction areas located generally south and west of the existing quarry operations. The subject lands are located in Part Lot 1 and 2, Concession 2 and Part Lot 17 and 18, Concession 2, NDS (former Geographic Township of Nelson), City of Burlington, Region of Halton. The lands are located both north and south of No. 2 Side Road, between Guelph Line and Cedar Springs Road. **Figure 1** (below) provides the locational context.



**Figure 1** - Locational context

The proposed licence area is 78.3 ha and the proposed extraction area is 50.2 ha. Operations will occur in phases, utilizing existing quarry infrastructure where possible. Aggregate transported from the South Extension will be transported by crossing No. 2 Side Road, while aggregate transported from the West Extension will be transported by internal haul routes on the quarry floor

since the properties are contiguous with each other. Rehabilitation is proposed to include a landform suitable for a future park area, with a variety of active and passive recreational features envisioned.

The western extension lands are currently utilized as a golf course (Burlington Springs Golf Course), with the former farmhouse converted to the clubhouse. The southern extension lands are partially vacant with the balance currently used for a mix of rural residential uses and agricultural fields.

In accordance with the requirements of the Region of Halton Aggregate Resources Reference Manual and other applicable legislation, a study of cultural heritage resources is required to be completed as part of applications for aggregate extraction operations. The purpose of the study is to develop an understanding of any built cultural heritage resources and cultural heritage landscapes onsite and on adjacent lands, as well as evaluate potential impacts on any identified resources. If impacts are identified, mitigation measures and conservation strategies may be recommended as appropriate in order to ensure that any significant resources are conserved.

Accordingly, this Cultural Heritage Impact Assessment has been prepared in order to determine if there are any cultural heritage resources present on the subject lands, what their significance is, as well the potential for impacts as a result of the proposed site development. This report also comments on the potential for cultural heritage landscapes on the subject lands and the potential for impacts as a result of the proposed development application. Additionally, this report identifies cultural heritage resources located on adjacent lands, and assesses the potential for impacts as a result of the proposed aggregate extraction operation.

The preparation of the report has been guided by the policies contained within the City of Burlington Official Plan, the Halton Region Official Plan, Niagara Escarpment Plan, Provincial Policy Statement as well as applicable guidance from the Ministry of Heritage, Sport, Tourism and Culture Industries through the Ontario Heritage Toolkit.

# 2.0 Policy context

The preparation of this report has been informed by the requirements of various legislative and policy documents, as follows.

## 2.1 The Planning Act

The *Planning Act* makes a number of provisions respecting cultural heritage, either directly in Section 2 of the *Act* or Section 3 respecting policy statements and provincial plans. In Section 2, the *Planning Act* outlines 18 spheres of provincial interest that must be considered by appropriate authorities in the planning process. One of the intentions of the *Planning Act* is to “encourage the co-operation and co-ordination among the various interests”. Regarding cultural heritage, Subsection 2(d) of the *Act* provides that:

*The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,...*

*(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;*

The *Planning Act* therefore provides for the overall broad consideration of cultural heritage resources through the land use planning process.

## 2.2 The Provincial Policy Statement (PPS)

In support of the provincial interest identified in Subsection 2 (d) of the *Planning Act*, and as provided for in Section 3, the Province has refined policy guidance for land use planning and development matters in the *Provincial Policy Statement* (PPS). The newest PPS was released on February 28<sup>th</sup>, 2020 and comes into effect on May 1<sup>st</sup>, 2020. It applies to all decisions made with respect to planning matters after that date, and will apply to the subject applications. The PPS is intended “to be read in its entirety and the relevant policy areas are to be applied to each situation”. This provides a weighting and balancing of issues within the planning process. When addressing cultural heritage planning, the PPS provides for the following:

*2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.*

*2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.*

*Significant: e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act.*

*Built heritage resource: means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are located on property that may be designated under Parts IV or V of the Ontario Heritage Act, or that may be included on local, provincial, federal and/or international registers.*

*Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the Ontario Heritage Act or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms.*

*Conserved: means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority or decision maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.*

The subject site or built features on the subject site are not considered to be a *protected heritage property* under the consideration of the PPS, as they are not designated under any part of the *Ontario Heritage Act* or subject to conservation easement, and have not been identified by provincial, federal or UNESCO bodies. An onsite building is contained within the City of Burlington Municipal Register of Cultural Heritage Resources as a 'non-designated' heritage property, and is considered to be a built heritage resource.

## 2.3 The Niagara Escarpment Plan

The Niagara Escarpment Plan (NEP) was originally approved by the Province of Ontario in 1985, and was revised through Plan Reviews completed in 1994, 2005 and 2017. The current NEP came into effect on June 1<sup>st</sup>, 2017, following the completion of a coordinated Provincial Plan review process.

The purpose of the NEP is to provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment. Section 2.10 of the 2017 Niagara Escarpment Plan provides policy direction for managing cultural heritage resources. Specifically:

1. *The objective is to conserve the Escarpment's cultural heritage resources, including significant built heritage resources, cultural heritage landscapes, and archaeological resources.*
2. *Development shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources are conserved.*
3. *Where proposed development is likely to impact cultural heritage resources or areas of archaeological potential, the proponent shall undertake a heritage impact assessment and/or archaeological assessment. The proponent must demonstrate that heritage attributes will be conserved through implementation of proposed mitigative measures and/or alternative development approaches.*

Specific to aggregate resources, Section 2.9.3 includes policy direction outlining matters to be addressed for proposed operations. The policies state, as it relates to cultural heritage that an application is required to “*b) demonstrate how cultural heritage resources will be conserved*”.

## 2.4 Halton Region

The Regional Official Plan (ROP) is Halton's guiding document for land use planning. It contains the goals, objectives, and policies that manage growth and direct physical change and its effects on the social, economic and natural environment of Halton Region.

Detailed policies related to aggregate resources are included in the Official Plan, and cultural heritage resources are noted as one of the factors to consider during the evaluation of applications for new or expanded aggregate operations [Section (110)(8)(vi)]. Specific policies regarding cultural heritage resources can be found in Sections 165, 166, and 167 of the Official Plan, as follows:

*165. The goal for Cultural Heritage Resources is to protect the material, cultural and built heritage of Halton for present and future generations.*

*166. The objectives of the Region are:*

1. *To promote awareness and appreciation of Halton's heritage.*
2. *To promote and facilitate public and private stewardship of Halton's heritage.*

167. *It is the policy of the Region to:*

1. *Maintain, in conjunction with the Local Municipalities, local historical organizations, and municipal heritage committees a list of documented Cultural Heritage Resources in Halton.*
2. *Inform promptly the appropriate government agencies, First Nations and Municipal Heritage Committees of development proposals that may affect defined Cultural Heritage Resources and known archaeological sites.*

*(2.1) Establish and implement guidelines (protocol) for consulting with First Nations on relevant planning applications in accordance with Provincial legislation, regulations and guidelines.*

3. *Require that development proposals on adjacent lands to protected Cultural Heritage Resources:*
  - a. *study and consider the preservation, relocation and/or adaptive re-use of historic buildings and structures based on both social and economic costs and benefits;*
  - b. *incorporate in any reconstruction or alterations, design features that are in harmony with the area's character and existing buildings in mass, height, setback and architectural details; and*
  - c. *express the Cultural Heritage Resources in some way, including: display of building fragments, marking the traces of former locations, exhibiting descriptions of former uses, and reflecting the former architecture and uses.*
4. *Prepare an Archaeological Management Plan to inventory, classify and map significant archaeological resources and areas of archaeological potential in Halton and to provide direction for their assessment and preservation, as required, and update such a Plan as part of the statutory five-year review of this Plan.*
5. *Encourage the Local Municipalities to prepare, as part of any Area- Specific Plan or relevant Official Plan amendment, an inventory of heritage resources and provide guidelines for preservation, assessment and mitigative activities.*
6. *Prior to development occurring in or near areas of archaeological potential, require assessment and mitigation activities in accordance with Provincial requirements and the Regional Archaeological Management Plan.*
7. *Maintain and operate a Regional facility to, through collection management, research, exhibits and programming:*
  - a. *preserve the material and cultural heritage of Halton,*
  - b. *acquire and share knowledge of Halton's historical and natural world, and*
  - c. *encourage discovery, appreciation and understanding of Halton's heritage.*

8. *Develop a coordinated heritage signage and heritage promotion program in Halton.*
9. *Ensure that the protection of Cultural Heritage Resources has regard for normal farm practices.*

Halton Region has further developed guidance related to aggregate resources, and compiled the information into the Halton Region Aggregate Resources Reference Manual. This document contains information regarding the various study requirements for aggregate applications. Specific to cultural heritage resources, the document notes that the study has the following objectives:

1. *To identify and document significant built heritage resources and significant cultural heritage landscapes on the site and along the proposed haul route(s).*
2. *To make recommendations on how to conserve significant built heritage resources and significant cultural heritage landscapes.*
3. *To identify how sensitive significant built heritage resources and significant cultural heritage landscapes are to the use of adjacent roads as a haul route.*
4. *To make recommendations on mitigation measures to protect identified significant built heritage resources and significant cultural heritage landscapes.*
5. *To identify requirements for site rehabilitation that takes into account the significant cultural heritage resources that exist on site or in the area.*

Accordingly, the purpose of a Cultural Heritage Impact Assessment is to identify the applicable policy framework, identify cultural heritage resources (including built heritage and cultural heritage landscapes) that may be impacted by the proposed operation, review the nature of impacts and how they may be mitigated, and conclude on the overall significance of the impacts. It should be noted that archaeological resources are being addressed as part of a separate study.

## 2.5 The City of Burlington Official Plan

The City of Burlington Official Plan identifies and supports cultural heritage resources located within the City's perimeter. Part II, Section 7.0, "Heritage Resources" outlines the types of cultural heritage resources defined by the OP,

*Cultural heritage resources include buildings, structures, monuments, natural features, or remains, either individually or in groups, which are considered by City Council to be of architectural and/or historical significance.*

This Section also identifies the conservation of these cultural heritage resources as an important part of the mandate of the City,

*Within the City, heritage resources provide physical and cultural links to the original settlement of the area and to specific periods or events in the development of the City. These heritage resources contribute significantly to the identity of the City. They also assist in instilling civic pride, benefit the local economy by attracting visitors to the City, and favourably influence the decisions of those contemplating new investment or residence in the City.*

As part of the Official Plan in Section 7.2, an overall objective is to conserve built heritage (including buildings and structures, landscaping and planting, areas and districts) and the physical character of these areas. It is identified that development must consider heritage resources. Sub-section 7.2 (f) states the following:

*To ensure that all development considers heritage resources and, wherever feasible, includes these resources into any development plans in a way that preserves and enhances the physical character of the heritage resources in terms of scale, form, colour, texture, material and the relation between structures, open space and landforms.*

Objectives are also included which related to matters such as coordinating heritage plans and programs, identifying heritage landscapes within the City, controlling demolition of built heritage, and archaeology. Section 7.5 contains policies related to planning, and development / redevelopment. It is noted that development in areas of historic, architectural, or landscape value shall be encouraged to be compatible with the overall character of the area.

The above policies and guidance have aided in the preparation of this report.

## 2.6 The Ontario Heritage Act

The *Ontario Heritage Act*, R.S.O. 1990, c.0.18 remains the guiding legislation for the conservation of significant cultural heritage resources in Ontario. This Cultural Heritage Impact Assessment has been guided by the criteria provided within Regulation 9/06 of the *Ontario Heritage Act* which outlines the mechanism for determining cultural heritage value or interest. The regulation sets forth categories of criteria and several sub-criteria and will be utilized to evaluate the subject site and surrounding lands as appropriate.

*Ontario Regulation 9/06* prescribes that a property may be designated under section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. *The property has design value or physical value because it,*
  - i. *is a rare, unique, representative or early example of a style, type, expression, material or construction method,*

- ii. displays a high degree of craftsmanship or artistic merit, or*
  - iii. demonstrates a high degree of technical or scientific achievement.*
- 2. *The property has historical value or associative value because it,*
  - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,*
  - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or*
  - iii. 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*
  - i. is important in defining, maintaining or supporting the character of an area,*
  - ii. is physically, functionally, visually or historically linked to its surroundings, or*
  - iii. is a landmark.*

## 2.7 Ontario Heritage Toolkit

The Province has published several resources containing information related to cultural heritage resources, and compiled the information into the Ontario Heritage Toolkit. This compilation is a collection of documents authored by the Ministry of Culture (now the Ministry of Heritage, Sport, Tourism and Culture Industries), which provide guidance related to a variety of cultural heritage planning matters. The documents contained within the Heritage Resources in the Land Use Planning Process compilation have specifically been referenced in the preparation of this report, to ensure consistency with best practices.

# 3.0 **Property background and history**

This section contains an overview of the site history and development, and provides a context for the description and evaluation of cultural heritage resources contained later in this report.

## 3.1 **Background history**

The subject lands are located within Halton County, and located within former Nelson Township. The subject lands are located within the physiographic region identified as the Flamborough Plain, and near the boundary of the Norfolk Sand Plain (Chapman and Putnam, 1984). The Flamborough Plain is an isolated tract of shallow drift on the Niagara cuesta northwest of Hamilton which spans Flamborough Township and extends to Acton. The area is bounded on the northwest by the Galt Moraine, and on the south by the silts and sands of glacial Lake Warren. The limestone has been swept bare in places, particularly near the edge of the escarpment on the eastern border (near the subject lands), and what little overburden there is on the bedrock is either boulder glacial till or sand and gravel (Chapman and Putnam, 1984).

### ***Indigenous Communities Pre and Post Contact***

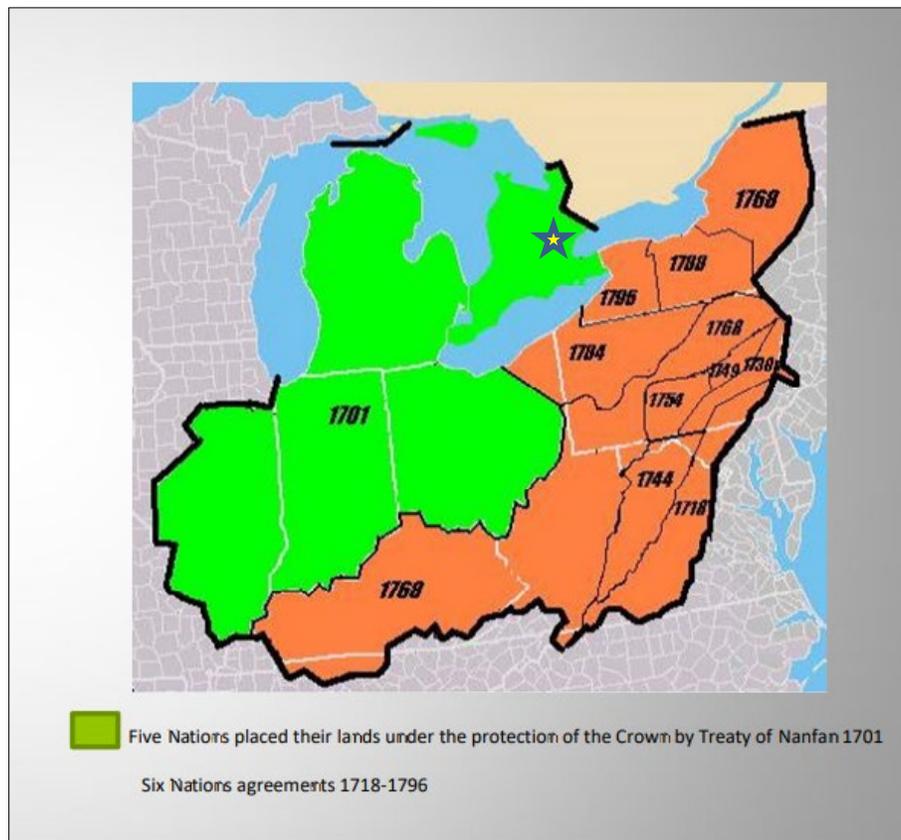
The area which would become the City of Burlington was inhabited by indigenous communities as early as 7,000-6,000 B.C.E. The Woodland period commenced by 950 B.C.E. and included the early, middle and late Iroquoian periods between 900AD-1600 AD (Golder, 4-5). The area in which the subject lands are situated were and continue to be inhabited by the Haudenosaunee as part of their beaver hunting grounds which are protected in the Fort Albany or Nanfan Treaty of 1701. The Haudenosaunee, or Six Nations, are comprised of: the Seneca, Cayuga, Onondaga, Oneida, Mohawk, and Tuscarora.

### ***European settlement***

One of the first European settlers to have visited the area was Rene Robert Cavalier, Sieur de La Salle (namesake of La Salle Park) and Louis Joliet, who were French explorers and fur traders. In 1669, they arrived in Burlington Bay on their return from Lake Superior taking the Grand River from Lake Erie. Proceeding the fall of Quebec City, British Major Robert-Rogers visited the area to take possession of the French military posts along with Captain Coote to which Coote's Paradise (currently Burlington Bay) was named after due to his fondness for wild game and waterfowl at the swamps off of Burlington Bay.

The subject lands are located within the Brant Tract (Treaty 3 <sup>3</sup>/<sub>4</sub>) which was a treaty between the Mississaugas and the Crown which covered approximately 3,500 acres of land (Ministry of

Aboriginal Affairs, 2019). The treaty was named the 'Brant Treaty' as it was purchased by the Crown for Mohawk Chief Joseph Brant on behalf of the Six Nations for their loyalty to the British army during the American Revolutionary War. This tract of land was subdivided and sold, much of which was completed without the informed consent of the people of the Six Nations. The subject lands are also associated with the Fort Albany or Nanfan Treaty of 1701 named after John Nanfan; the approximate location of the subject lands is identified by the star in the figure below identifying it within the boundary of this Treaty (see **Figure 2**, below).



**Figure 2** –Map identifying lands under the protection of the Crown by Treaty Nanfan 1701 courtesy of the Six Nations Council; star indicates approximate location of subject lands.

After the end of the American Revolutionary War, loyalist emigrants from the British Isles and Europe began to come to the area. Clearing of their lots was required in order to patent the deeds for the Crown Grants of land which primarily were established in Nelson Township. Nelson Township is located on the southwesterly portion of Halton and was the earliest settled part of the county. The first family to come to the Township was the Bates family who settled in 1800 (Walker and Miles, 1877).

Communities began to develop including: the Village of Zimmerman near the Twelve Mile Creek established by Henry Zimmerman, Cumminsville established by Titus Cummins and Appleby which

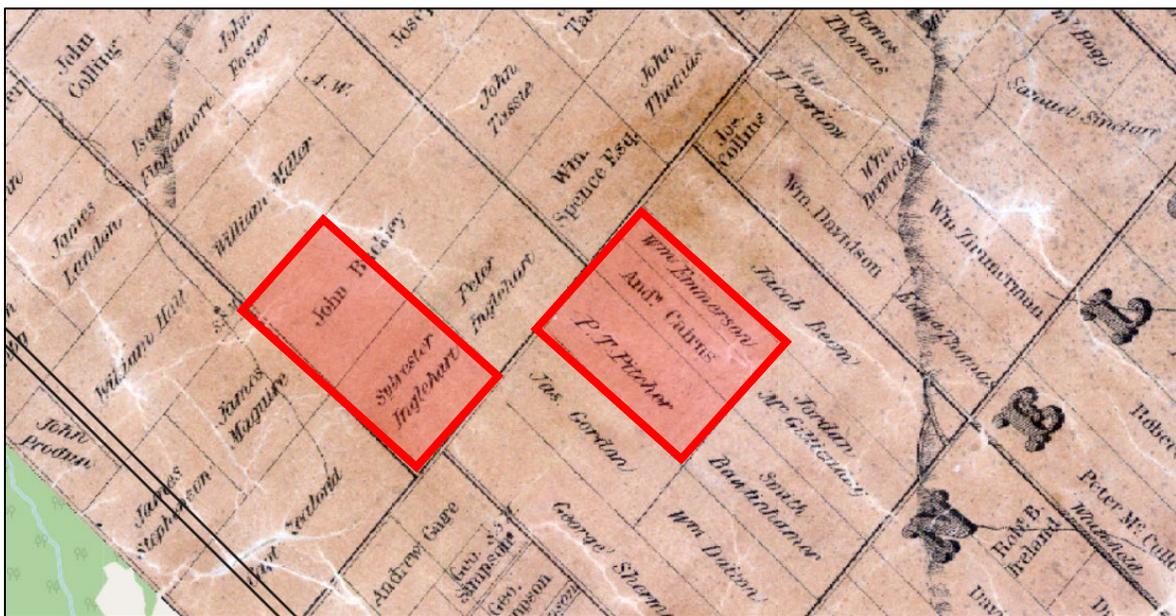
was established by Van Norman, the Hamlet of Dakota, Village of Kilbride, Nelson (Hannahsville), Tansley, Alton Village (Heritage Burlington, 2018).

Pine and oak were the area's main production between 1820 and 1850; this transitioned to the production of wheat during the Crimean War. In the early twentieth century, Burlington had become primarily a farming community (Burlington Historical Society, 2018).

## 3.2 Site history

The subject lands fall within parts of Lots 1 & 2, Concession 2, and parts of Lots 17 & 18, Concession 2 NDS, in the Township of Nelson.

A review of Historical County Atlases and maps was undertaken in order to determine historic settlement and ownership of the subject lands. According to the 1858 Halton County map, the western extension lands were owned by Sylvester Inglehart (Lot 1) and John Buckley (Lot 2). The southern extension lands are noted as being owned by Wm. Emmerson / And. Cairns (Lot 17) and P.T. Pitcher (Lot 18). There are no buildings noted on any of the subject lands (see **Figure 3**, below)



**Figure 3** – Excerpt from Tremaine's Map of the County of Halton (1858)

The County Atlases were updated in the later 1800's, and as such the 1877 County of Halton Historical Atlas is a good resource to understand changes through the middle of the 19<sup>th</sup> century. According to the 1877 Atlas, the western extension lands were owned by W.J. Thomas (Lot 1), and Jno Buckley (Lot 2). The southern extension lands are owned by Rob Spence / And. Emmerson (Lot 17), and Edwin Freeman (Lot 18). **Figure 4** depicts the property configuration.

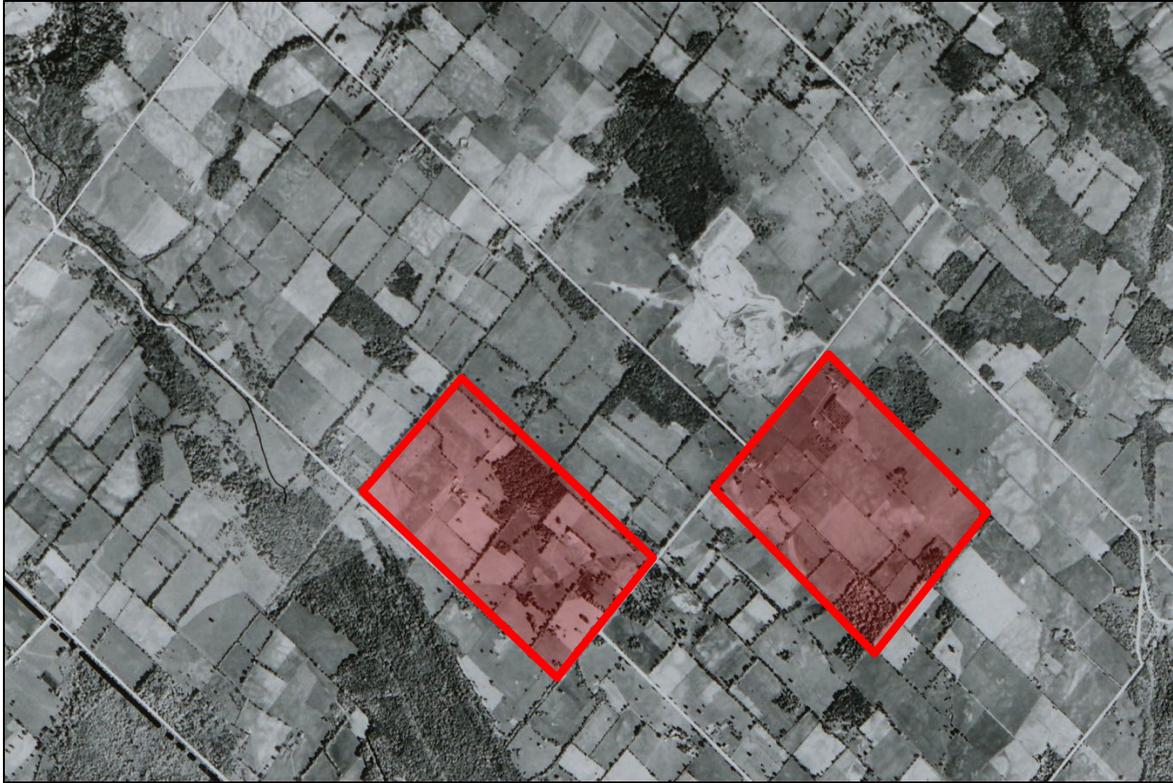


**Figure 4** – Excerpt from Illustrated Historical Atlas of the County of Halton (1877)

As evident from the above figure, by the 1870's buildings are located on each of the lots that comprise part of the subject lands. Each building also has an orchard planted in close proximity, indicating the area was utilized for active agriculture by this time.

It is important to note that the Illustrated Atlases were funded by subscriptions, giving priority to the residences of subscribers. As such, the documents may not include buildings located on all lots. Despite this, the resources are often a useful reference.

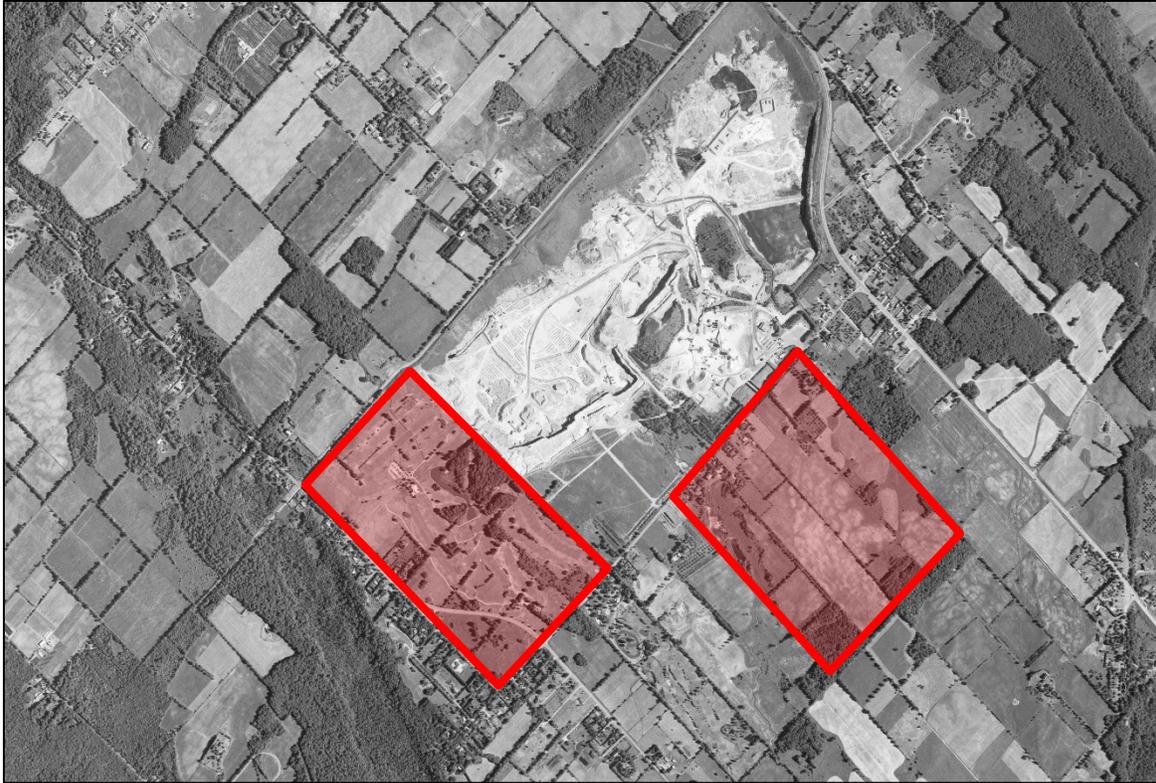
A review of aerial photographs was undertaken in order to determine the site features present in the middle decades of the 20<sup>th</sup> century on the subject lands. The 1954 set of aerial photographs undertaken by Hunting Survey Corporation on behalf of the Province of Ontario are of good quality and show the site features quite well. An excerpt from the compilation covering this portion of the Nelson Township is shown below as **Figure 5**.



**Figure 5** – Excerpt from 1954 aerial photograph (source: Huntington Survey Corporation)

From a review of the airphoto, field divisions are evident and building clusters are visible as well. Most of the orchard areas have been removed to make way for field crops. Early stages of the existing Burlington Quarry are also visible. Development of the golf course is not yet shown in the airphoto, as that occurred in the 1960's.

Further review of airphotos from the later 20<sup>th</sup> century was undertaken, in order to determine how the lands further evolved. Based on the 1988 air photos, further changes to the subject lands are visible, including additional rural residential development in the area and continued field pattern changes. Further development of the Burlington Quarry is shown, and road shifts in Guelph Line and Cedar Springs Road are evident as well. An excerpt is shown as **Figure 6**, below.



**Figure 6** – Excerpt from 1988 aerial photograph

# 4.0 Site and surrounding features

## 4.1 Subject property overview

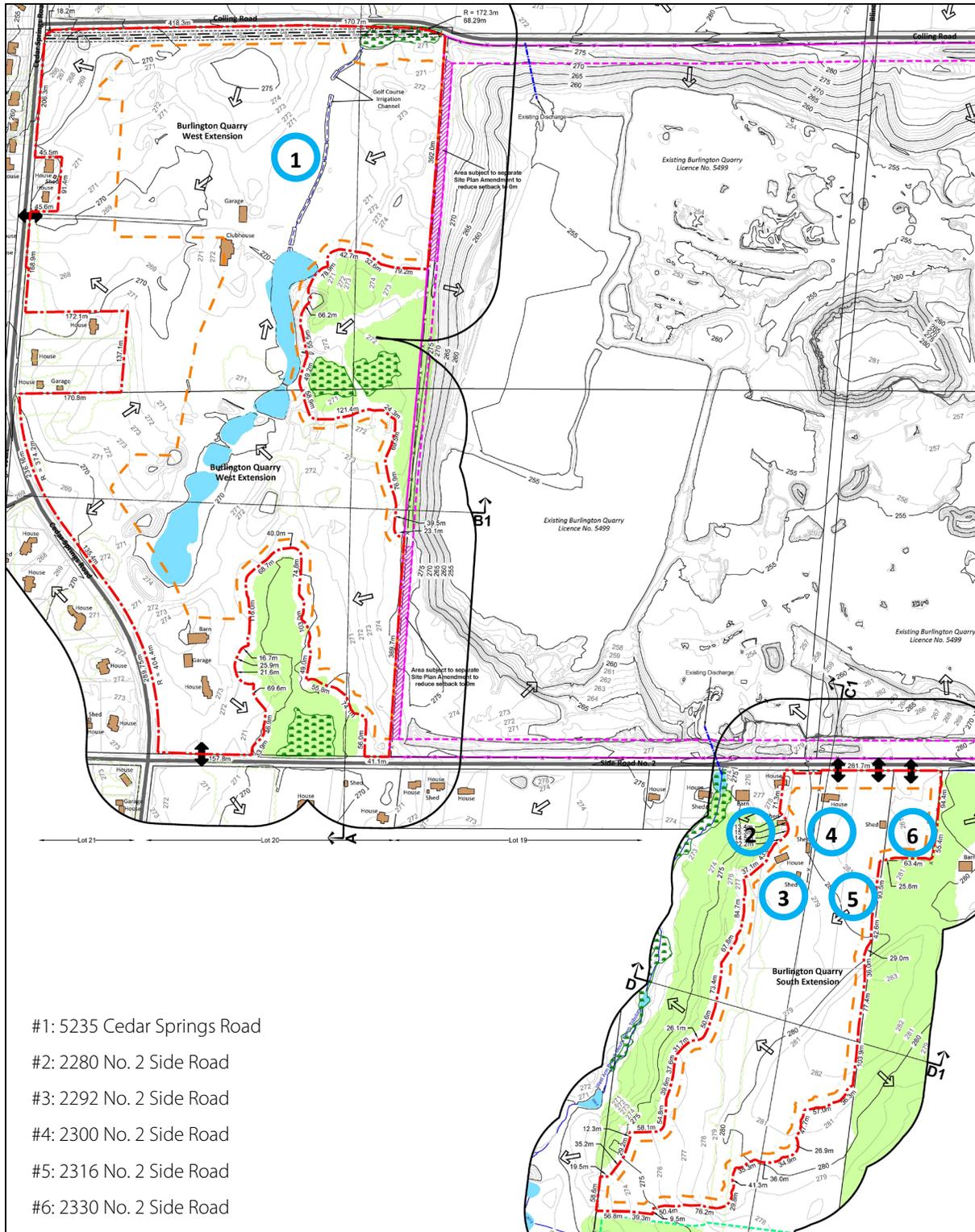
The total Nelson Aggregate Co. land holdings contain a variety of building features and natural features, a portion of which are the subject of the proposed Burlington Quarry Extension application. The purpose of this section is to review the onsite features and context, and describe potential built heritage and cultural heritage landscape resources.

The western extension lands comprise Property #1 (5235 Cedar Springs Road), which is a former agricultural parcel that has been converted into a golf course and clubhouse. The southern extension lands comprise portions of five different parcels of land, as follows:

- Property #2 (2280 No. 2 Side Road): remnant farmstead containing a single-detached dwelling, barn, natural features (wooded area and stream), as well as agricultural fields.
- Property #3 (2292 No. 2 Side Road) & #4 (2300 No. 2 Side Road): rural residential properties containing dwellings constructed in the latter part of the 20<sup>th</sup> century.
- Properties #5 (2316 No. 2 Side Road) & #6 (2330 No. 2 Side Road): vacant parcels that formerly contained rural residential dwellings (removed in 2016/17)

**Figure 7** on the following page depicts the various features in relation to the proposed licenced boundary and the proposed extraction area associated with the Burlington Quarry Extension application.

Cultural Heritage Impact Assessment  
 Proposed Burlington Quarry Extension, City of Burlington



**Figure 7 - Site Context** (source: MHBC – 2016 base mapping)

## 4.2 Landscape setting and context

The subject lands are located within a rural area that contains a variety of land uses including agricultural uses, rural residential uses, golf courses and aggregate extraction operations. The western extension lands consist of a golf course and related facilities, while the southern extension lands consist of rural residential dwellings and field areas. Beyond the immediate site area, a broader range of rural uses exist, as well as a settlement area (Mount Nemo). **Figure 8** on the following page provides the overall landscape context and land use information.

### ***Building clusters***

For the past several decades, the area surrounding the subject lands has continued to evolve and transition from a predominantly agricultural area to one with a broader range of uses. Rural residential and estate residential dwellings have been constructed on lots severed off farm parcels, and some previous farm parcels have seen the former agricultural buildings utilized for non-farm uses. As a result of this change, many farm buildings no longer serving a functional purpose for agricultural uses have been removed.

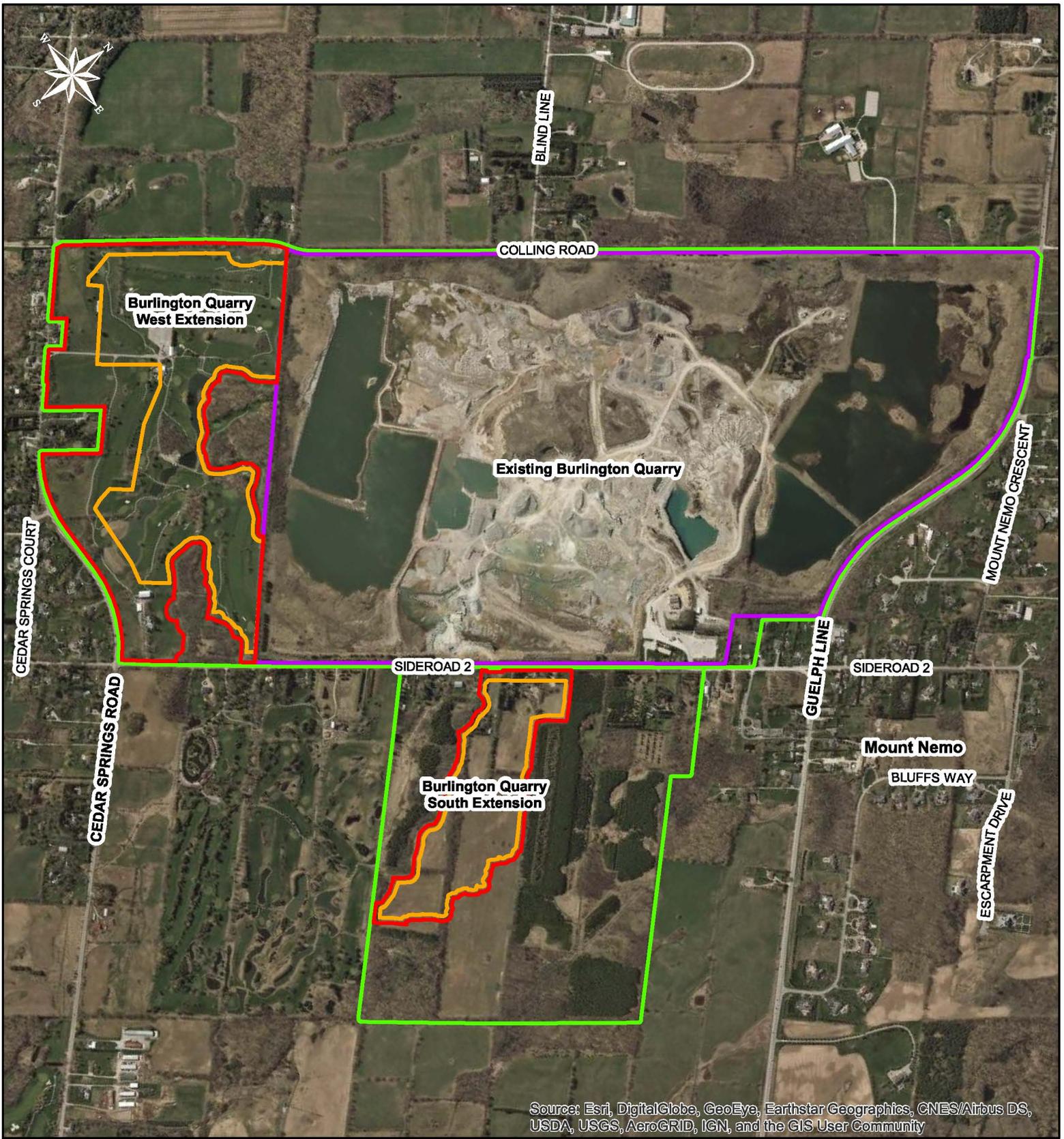
In the case of the southern extension lands, farm buildings are no longer accessed by a driveway as the property (2280 No. 2 Side Road) has transitioned to a more rural residential use. In the case of the western extension, there is no evidence of the former agricultural building cluster. As a result of the changes, former farmyard areas have been slowly been repurposed for other uses.

The building clusters associated with the existing residential dwellings on the subject lands are of recent construction, and yard areas and landscape features are typical of a manicured yard area that one would expect to find in a rural residential area.

### ***Agricultural lands (existing and former)***

The field pattern of the subject lands has evolved as farming practices have also change, but has also seen a shift away from agricultural uses as well.

Related to the southern extension, there has been additional forestation of former field areas and naturalization of wet areas of the properties (e.g. #2280). During the time of the site visit to the subject lands, some smaller field areas (located on #2316 and #2330) were fallow, while the larger field areas were planted with soybeans. Hedgerows of mixed vegetation separate the field areas. Bedrock outcrops were noted in areas of the property as well during the visit. Photos 1-4 on the following page depict the agricultural character of the southern extension lands.



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Figure # 8  
Landscape Context

**Burlington Quarry Extension**  
Part Lots 1 & 2, Concession 2 and  
Part Lot 17 & 18, Concession 2 NDS  
City of Burlington  
Region of Halton

**Legend**

- Proposed Licence Boundaries
- Proposed Limit of Extraction
- Existing Burlington Quarry
- Land Owned or Controlled by Nelson Aggregates

DATE April 2020

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Cultural Heritage Impact Assessment  
Proposed Burlington Quarry Extension, City of Burlington



**Photos 1 - 4** – Photos of the agricultural field pattern within the southern extension lands (source: MHBC, 2019).

With respect to the western extension, agricultural uses have ceased altogether in order to accommodate the golf course use. As noted earlier in this report, the golf course was established in the 1960's and has continued on the property since that time. Areas of the property have been graded to accommodate the fairways and putting greens, and cart paths, parking areas and access / maintenance roads have been constructed. The golf course occupies the entirety of the former field areas. Around the perimeter of the golf course, berms have been constructed and natural vegetation is generally located along the roadways.





**Photos 5 - 8** – Photos of the golf course located on the western extension lands. (source: MHBC, 2019).

## 4.3 Subject property built features

### 4.3.1 Western extension lands

The area of the subject lands west of the existing quarry consists of one large parcel of land containing the existing Burlington Springs Golf Course.

#### ***#1: 5235 Cedar Springs Road***

This property contains a former farmstead, which was redeveloped into the 18-hole Burlington Springs Golf Course during the 1960's. The original dwelling was converted into the clubhouse, and other buildings were removed in order to allow for golf hole locations and other related golf course infrastructure. The barn was also removed and replaced with a drive shed. The main driveway leading to the golf course is accessed from Cedar Springs Road, and leads back approximately 325 metres to the clubhouse building. The property contains a parking lot located to the north of the clubhouse (across the main driveway), as well as other outbuildings associated with golf operations.



**Photos 9 & 10** – View of driveway from Cedar Springs Road (left) and within golf course (right) (source: MHBC, 2019).

The clubhouse building is a circa 1860's one-and-one-half storey stone house with a cross-gable roof. The house is representative of the Ontario Gothic Revival Cottage architectural style, which was common in Ontario from the 1830's to the turn of the century and was a popular design for farm dwellings. The Gothic Revival cottage style was promoted by academics and farming publications as cost-effective country dwelling, and many housing catalogues of the era provided designs that were easy to follow and could be modified in many ways by altering details or adding decorative elements. Typical to the Gothic Revival cottage style in Ontario is the cross gabled form, symmetrical facade with three bays – a central entrance and windows centered on either side. The central gables typically contained pointed or round arched windows, and often contained decorative bargeboard and/or finials. The building is not contained within the City of Burlington Municipal Register of Cultural Heritage Resources.

The front façade of this dwelling features a 3-bay design with a door at the centre of the façade. The main entrance door has been modified to be a double door, and has a rectangular window located on either side of the door. The upper floor features an arched window located within the gable. At either end of the façade are chimneys.

The ends of the building feature (or did feature) a total of four windows located in pairs above one another. Details are difficult to discern given the additions and modifications to the façades.

The rear of the building also features a large addition that has resulted in changes to the original elevation and roof of the building to accommodate the use as a clubhouse. It currently features a covered patio area and restaurant.



**Photos 11 & 12** – View of existing clubhouse building (source: MHBC, 2019).

A storage building utilized for golf course operations is located to the north of the clubhouse building. It is of steel construction and dates from the late 20<sup>th</sup> – early 21<sup>st</sup> century.



**Photo 13** – View of parking lot and outbuilding (source: MHBC, 2019).

### 4.3.2 Southern extension lands

The area of the subject lands south of the existing quarry contains several properties that are either rural residential or agricultural in nature. There are a total of three rural residential dwellings, several outbuildings, agricultural fields / pastures and two vacant properties that formerly contained single-detached dwellings.

#### **#2: 2280 No. 2 Side Road (single-detached dwelling and barn)**

This property contains a single-detached dwelling that is of the Regency Style of architecture, and dates from 1838 (City of Burlington, 2019). The building is of a 3-bay design with a hipped roof, and features a central doorway with a window located on either side. A chimney is located on the eastern end of the house. The property is listed on the City of Burlington Municipal Register of Cultural Heritage Resources as a 'non-designated' heritage property.

The western portion of the house is a later addition constructed in 1864, according to information obtained from the City of Burlington. The building is set back approximately 23 metres from the road, and is accessed via a driveway located to the west of the home. The driveway is also used to access the field area located to the rear of the property.

To the west of the house is a wood barn with a rubble stone foundation, steel roof and four roof vents. The barn is situated approximately 40 metres from the road, and does not currently have an access driveway. The barn appears to be utilized for storage purposes.

A smaller wooden outbuilding is also located approximately 45 metres to the rear of the dwelling, and is situated along a hedgerow. The building is generally in poor condition.



Photos 14 - 17 – View of house, outbuilding and barn (source: MHBC, 2019).

**#3: 2292 No. 2 Side Road (single-detached dwelling)**

This property contains a single-detached dwelling residential dwelling that is set back approximately 145 metres from No. 2 Side Road. The dwelling is accessed via a driveway leading to the eastern portion of the home where there is a 2-car garage. The building is of recent construction, and appears to date from the latter portion of the 20<sup>th</sup> century. The property also contains an outbuilding that is of all-steel construction.



Photos 18 - 19 – View of existing single-detached dwelling and outbuilding (source: MHBC, 2019).

**#4: 2300 No. 2 Side Road (single-detached dwelling)**

This property contains a single-detached dwelling residential dwelling that is set back approximately 40 metres from the road. The dwelling is accessed via a driveway on the western end of the property, which leads to a garage. The building was constructed in the latter portion of the 20<sup>th</sup> century.



**Photo 20** – View of existing single-detached dwelling (source: MHBC, 2019).

**#5: 2316 No. 2 Side Road (former single-detached dwelling)**

This property is vacant, aside from an outbuilding that remains, and was the site of a single-detached dwelling (removed 2016-17). The remaining outbuilding is single-storey, of concrete block construction, and features an asphalt shingle roof. The building is in poor condition.



**Photos 21 & 22** – View of existing site and outbuilding (source: MHBC, 2019).

**#6: 2330 No. 2 Side Road (former single-detached dwelling)**

This property is vacant, aside from two small outbuildings located near the former building site. The property previously contained a single-detached dwelling, which was removed in 2016-17. The remaining outbuildings are both of wood construction, and are in poor condition.



**Photos 23 & 24** – View of existing site and outbuildings (source: MHBC, 2019).

## 4.4 Heritage status of surrounding properties

As part of the background research conducted for this project, a search was undertaken of the municipal, provincial and federal heritage properties database in order to understand if any nearby properties are identified. The search consisted of Heritage Conservation Districts, *Ontario Heritage Act* property designations (Part 4 and 5), provincially owned heritage properties and National Historic Sites. A review of the Municipal Register of Cultural Heritage Resources for the City of Burlington was also undertaken in order to understand surrounding uses.

### **Adjacent designated properties**

There are no properties designated under Part IV or Part V of the *Ontario Heritage Act* located adjacent or near (within 500 metres) of the subject lands. The nearest designated property is the Thomas Schoolhouse (4065 Guelph Line), located approximately 2 km to the southeast.

### **Adjacent listed properties**

There are no properties contained within the City of Burlington Municipal Register of Cultural Heritage Resources that are located adjacent or near (within 500 metres) the subject lands. The nearest listed properties are located 5043 Mount Nemo Crescent or 5672 Cedar Springs Road, approximately 1.4 km away.

# 5.0

## Evaluation of the significance of onsite cultural heritage resources

This section of the report reviews the various attributes of the subject lands and includes an identification of the significance of any cultural heritage resources present.

### 5.1 Evaluation criteria

The evaluation of potential cultural heritage resources should be guided by the criteria outlined in *Ontario Regulation 9/06* pursuant to the *Ontario Heritage Act* in order to determine the cultural heritage value. The regulation provides that:

*A property may be designated under section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:*

- 1. The property has design value or physical value because it,
  - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,*
  - ii. displays a high degree of craftsmanship or artistic merit, or*
  - iii. demonstrates a high degree of technical or scientific achievement.**
- 2. The property has historical value or associative value because it,
  - i. has direct associations with a theme, event, belief, person, organization or institution that is significant to a community,*
  - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or*
  - iii. 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,
  - i. is important in defining, maintaining or supporting the character of an area,*
  - ii. is physically, functionally, visually or historically linked to its surroundings, or*
  - iii. is a landmark.**

In addition to the above, specific guidance and information related to cultural heritage landscapes is contained within the PPS. The PPS defines cultural heritage landscapes as:

*Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community,*

*including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the Ontario Heritage Act or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms.*

As described in guidance from the Province, cultural heritage landscapes may be characterised by three types:

- *Designed landscapes: those which have been intentionally designed e.g. a planned garden or in a more urban setting, a downtown square.*
- *Evolved landscapes: those which have evolved through the use by people and whose activities have directly shaped the landscape or area. This can include a 'continuing' landscape where human activities and uses are still on-going or evolving e.g. residential neighbourhood or mainstreet; or in a 'relict' landscape, where even though an evolutionary process may have come to an end, the landscape remains historically significant e.g. an abandoned mine site or settlement area.*
- *Associative landscapes: those with powerful religious, artistic or cultural associations of the natural element, as well as with material cultural evidence e.g. a sacred site within a natural environment or a historic battlefield.*

## 5.2 Built heritage features

The property at 5235 Cedar Springs Road contains a converted farmhouse that had its beginnings in the mid-late-19<sup>th</sup> century. The property contains a one-and-one-half storey stone house that was previously converted into a clubhouse for a golf course use.

The building has some potential design or physical value because it is constructed in the Ontario Gothic Revival Cottage architectural style. However, the building style is not rare or unique within the area (having being noted in a City of Burlington study as the most common building type in the broader area), and this particular example has been heavily modified through past conversion to a clubhouse. Therefore, the building at 5235 Cedar Springs is not an exemplary representative illustration of the style and does not meet the stated criteria. The building does not display a high degree of craftsmanship or merit, and does not demonstrate a technical or scientific achievement.

The property was historically associated with the theme of early agricultural settlement of Nelson Township, however that theme has been absent since the 1960's. The property does not have the potential to yield information that contributes to the understanding of a community or culture, and does not demonstrate the work of a specific builder, architect or theorist.

The property does not retain contextual value because the surrounding context has been modified to remove the historical context through the development of a golf course. The property is not important to define or support the character of the area, and is no longer physically, functionally, visually linked to its surrounding area. It is historically linked to the original land patterns and roadways, however, that is not in itself significant or unique to any other agricultural landscape in Ontario. The property is not a landmark.

Ontario Regulation 9/06	5235 Cedar Springs Road
<b>1. Design/Physical Value</b>	
i. Rare, unique, representative or early example of a style, type, expression, material or construction method	<input type="checkbox"/>
ii. Displays high degree of craftsmanship or artistic merit	<input type="checkbox"/>
iii. Demonstrates high degree of technical or scientific achievement	<input type="checkbox"/>
<b>2. Historical/associative value</b>	
i. Direct associations with a theme, event, belief, person, activity, organization, institution that is significant	<input type="checkbox"/>
ii. Yields, or has potential to yield information that contributes to an understanding of a community or culture	<input type="checkbox"/>
iii. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to the community.	<input type="checkbox"/>
<b>3. Contextual value</b>	
i. Important in defining, maintaining or supporting the character of an area	<input type="checkbox"/>
ii. Physically, functionally, visually, or historically linked to its surroundings	<input type="checkbox"/>
iii. Is a landmark	<input type="checkbox"/>

Given the above evaluation, the property does not have cultural heritage value.

The property at 2280 No. 2 Side Road contains a remnant farmstead that had its beginnings in the early-mid-19<sup>th</sup> century. The property contains a single-storey stone house and two agricultural outbuildings (small barn and large barn).

The property has design or physical value because it is constructed in the Regency Style of architecture, and contains interesting details such as tooling lines in the mortar to give the appearance of cut stone. The property type is somewhat rare within the broader area, and also displays a high degree of craftsmanship.

The property is broadly associated with the theme of early agricultural settlement of Nelson Township, which has generally continued in some form on the property up to present day.

The property does retain some contextual value. While the broader context has changed in recent decades with respect to the property (with reduced farming onsite and adjacent rural residential uses), the physical relationship between the house and barn is retained. The buildings are historically linked to the original land patterns and roadways, however, as noted with 5235 Cedar Springs Road that is not in itself significant or unique to any other agricultural landscape in Ontario. The property is also not a landmark.

Ontario Regulation 9/06		2880 No. 2 Side Road
<b>1. Design/Physical Value</b>		
i.	Rare, unique, representative or early example of a style, type, expression, material or construction method	<input checked="" type="checkbox"/>
ii.	Displays high degree of craftsmanship or artistic merit	<input checked="" type="checkbox"/>
iii.	Demonstrates high degree of technical or scientific achievement	<input type="checkbox"/>
<b>2. Historical/associative value</b>		
i.	Direct associations with a theme, event, belief, person, activity, organization, institution that is significant	<input type="checkbox"/>
ii.	Yields, or has potential to yield information that contributes to an understanding of a community or culture	<input type="checkbox"/>
iii.	Demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to the community.	<input type="checkbox"/>
<b>3. Contextual value</b>		
i.	Important in defining, maintaining or supporting the character of an area	<input type="checkbox"/>
ii.	Physically, functionally, visually, or historically linked to its surroundings	<input checked="" type="checkbox"/>
iii.	Is a landmark	<input type="checkbox"/>

Given the above, the property does have cultural heritage value. The house is also listed on the City of Burlington Municipal Register of Cultural Heritage Resources as a 'non-designated' heritage property, which contains details regarding the building and ownership history.

The properties at 2316 No. 2 Side Road and 2330 No. 2 Side Road contain outbuildings associated with previous single-detached dwellings that were located on the properties. While associated with early settlement of the broader area, it is not considered that they have cultural heritage value.

The properties at 2292 No. 2 Side Road, and 2300 No. 2 Side Road are of recent construction and are not considered to have cultural heritage value.

### 5.3 Cultural Heritage Landscape evaluation

The City of Burlington Official Plan, Region of Halton Official Plan, and Niagara Escarpment Plan all contain policies related to the identification and conservation of cultural heritage landscapes. These policies echo the PPS direction that significant cultural heritage landscapes shall be conserved. The subject lands have not been identified as being within a designated cultural heritage landscape.

The City of Burlington did undertake a Preliminary Study of the Heritage Character of the Mount Nemo Plateau in 2013, in order to determine the heritage value of the area and if there was merit in proceeding with the enactment of a heritage conservation district. The study contained a historic background review, summary of the evolution of the area, and a description of the heritage character of the general area. The subject lands were not specifically identified as having cultural heritage value. The study concluded there was merit in proceeding with a Heritage Conservation District (HCD) Study. The City of Burlington initiated such a study in 2015, but later determined that proceeding with an HCD was not the correct path to follow. It was instead decided to consider other measures that would conserve the character of the area. To date, no further action has been taken.

Specific to the subject site, the subject lands contain features associated with a typical rural agricultural area, and can be considered an evolved cultural heritage landscape in that the area has continued to be altered to suit the needs of the owners of the properties.

In determining whether an area is a significant cultural heritage landscape, three additional criteria should be met: cultural heritage value or interest; community value; and historical integrity. Portions of the subject lands retain some cultural heritage value associated with the agricultural past (as discussed earlier in this section), although the use of both the southern and western extension lands has changed in recent decades and agricultural uses have ceased on much of the lands. However, the subject lands have not been demonstrated to be valued by the community, and the historic integrity has been altered as described herein.

In particular, the western extension lands have been converted into a golf course, which has resulted in a change in the field pattern and layout as well as substantial alterations to the farm building cluster and remnant farmhouse. As such, agricultural uses have not been present on the property in approximately 55 years. With respect to the southern extension lands, portions of the area have had the buildings removed, newer buildings have been constructed, and the farm building cluster remaining at 2280 No. 2 Side Road has transitioned from an agricultural use to a primarily rural residential use.

In conclusion, the subject lands do not represent a significant cultural heritage landscape.

## 5.4 Summary of heritage character

Given the evaluation undertaken, it is determined that portions of the subject lands have cultural heritage value or interest. While some of the buildings on the subject lands are of newer construction, or have been heavily modified, one of the remnant farm building clusters retains cultural heritage value. The subject lands also do not constitute a significant cultural heritage landscape. The property located at 2280 No. 2 Side Road retains cultural heritage value as follows:

### ***Description of historic place:***

The property at 2280 No 2 Side Road contains a remnant farmstead that had its beginnings in the early-mid-19<sup>th</sup> century. The property contains a single-storey stone house and two agricultural outbuildings: a small barn and a larger barn.

The dwelling is of the Regency Style of architecture, and dates from 1838. The building is of a 3-bay design with a hipped roof, and features a central doorway with a window located on either side. A chimney is located on the eastern end of the house. To the west of the house is a wood barn with a rubble stone foundation, steel roof and four roof vents. A smaller wooden outbuilding is also located approximately 45 metres to the rear of the dwelling.

The property has design or physical value because it is constructed in the Regency Style of architecture, and contains interesting details such as tooling lines in the mortar to give the appearance of cut stone. The property type is somewhat rare within the broader area, and also displays a high degree of craftsmanship.

The property is broadly associated with the theme of early agricultural settlement of Nelson Township, which has generally continued in some form on the property up to present day.

The property does retain some contextual value. While the broader context has changed in recent decades with respect to the property (with reduced farming onsite and adjacent rural residential uses), the physical relationship between the house and barn is retained. The buildings are historically linked to the original land patterns and roadways.

### ***Heritage attributes:***

- The architectural style of the house, constructed in the Regency Style of architecture and representative of mid-19<sup>th</sup> century building construction. This style of architecture is rare within the area.
- The barn complex located on the property, to the west of the house.
- The orientation of the house to the road.

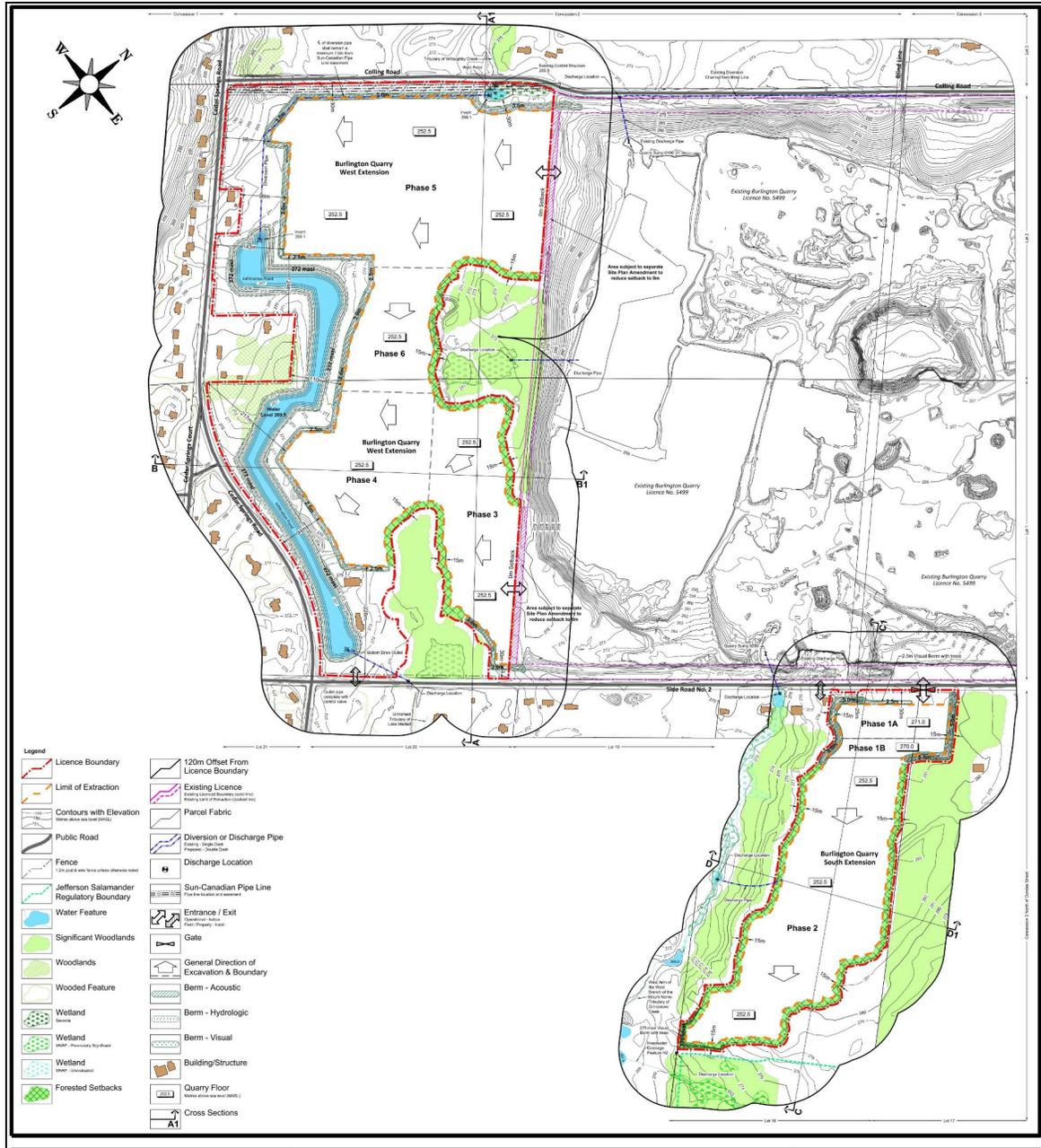


## 6.0 Description of proposed development

Nelson Aggregate Co. is applying for a proposed extension to its Burlington Quarry on lands located to the south and west of the existing Burlington Quarry. The proposed extension is located at Part Lot 1 and 2, Concession 2 and Part Lot 17 and 18, Concession 2, NDS (former geographic Township of Nelson), City of Burlington, Region of Halton.

The proposed licence area is 78.3 ha and the proposed extraction area is 50.2 ha. The proposed extension includes 6 phases. Phases 1 and 2 are located to the south of the existing quarry and Phases 3-6 are located to the west of the existing quarry. Within the proposed extension there will be no processing and the extracted aggregate will be transported to the existing Burlington Quarry for processing and shipping to market utilizing the existing entrance/exit and haul route. Aggregate transported from the South Extension (Phases 1 & 2) will be transported by crossing No. 2 Side Road and aggregate transported from the West Extension (Phases 3-6) will be transported by internal haul routes on the quarry floor since the properties are contiguous with each other. **Figure 9** below depicts the proposed extraction sequence.

Cultural Heritage Impact Assessment  
 Proposed Burlington Quarry Extension, City of Burlington



**Figure 9** – Proposed sequence of extraction for subject lands (MHBC, 2021)

The Burlington Quarry Extension contains approximately 30 million tonnes of a high quality aggregate resource. Nelson is applying for a maximum tonnage limit of 2 million tonnes per year, however they plan on extracting an average of 1 million tonnes per year. As a result, the South Extension is expected to operate for 9 years and the West Extension for 21 years.

During the western extension operations, the buildings on 5235 Cedar Springs Road will be removed from the subject lands (including the clubhouse building and shed). For the southern extension, all buildings will be removed, except for the existing house and barn located at 2280 No.

Cultural Heritage Impact Assessment  
 Proposed Burlington Quarry Extension, City of Burlington

2 Side Road. They will be retained and either integrated into the rehabilitation plan or retained for rural residential uses.

Nelson’s after use vision for the extension and existing quarry is to develop a landform suitable for a future park and recreation area. As a result, the rehabilitation plan for the South Extension includes a beach, lake, exposed quarry faces, wetlands and forested areas. The rehabilitation plan for the West Extension includes a series of ponds, wetlands, exposed quarry faces and forested areas. The proposed rehabilitation concept is shown below as **Figure 10**.



**Figure 10** – Proposed rehabilitation concept for subject lands (MHBC, 2021)

# 7.0 **Impacts of proposed development**

The purpose of this section of the report is to list potential impacts to resources and provide recommendations related to the conservation of the onsite cultural heritage resources.

## 7.1 **Potential impacts to onsite heritage resources**

There are three classifications of changes that the effects of a proposed development may have on an identified cultural heritage resource: beneficial, neutral or adverse. Beneficial effects may include such actions as retaining a property of cultural heritage value, protecting it from loss or removal, maintaining restoring or repairing heritage attributes, or making sympathetic additions or alterations that allow for a continued long-term use and retain heritage building fabric. Neutral effects have neither a markedly positive or negative impact on a cultural heritage resource. Adverse effects may include the loss or removal of a cultural heritage resource, unsympathetic alterations or additions that remove or obstruct heritage attributes, the isolation of a cultural heritage resource from its setting or context, or the addition of other elements that are unsympathetic to the character or heritage attributes of a cultural heritage resource. Adverse effects may require strategies to mitigate their impact on cultural heritage resources.

The impacts of a proposed development or change to a cultural heritage resource may be direct or indirect. They may occur over a short term or long term duration, and may occur during a pre-construction phase, construction phase or post-construction phase. Impacts to a cultural heritage resource may also be site specific or widespread, and may have low, moderate or high levels of physical impact.

The area of the site proposed for aggregate extraction does not contain any built heritage resources or cultural heritage landscapes, therefore there are no direct or indirect impacts anticipated.

There are no direct impacts to the house and barn structure located at 2280 No. 2 Side Road as a result of the proposed development, as the buildings are being retained in-situ. There is a change to the context around the buildings because of the change proposed for the areas near the buildings. However, the proposed extraction area will retain separation beside the house (approx. 15 metres) and to the rear of the house (approx. 120 metres). Duration of extraction within the area of the buildings will be short, due to the shallow depth and small lifts in this area for beach landform creation. Blasting will be designed to ensure the integrity of the building is retained through inclusion of wording in the Blast Impact Analysis and on the ARA Site Plans requiring maintaining ground vibrations at 2280 No 2 Side Road which are below 50mm/s (>40Hz), including monitoring

when vibration calculations suggest vibrations in excess of 35mm/s (see Blasting Impact Analysis, pg. 7, and Aggregate Resources Act Site Plans – Operations Plan, note N.2.c)

The areas of extraction will be rehabilitated to a landform suitable for recreational uses following aggregate extraction, with the house remaining in situ. This change continues the evolution of the property and the broader area that has been ongoing for many decades.

The Ontario Heritage Toolkit includes information regarding potential impacts on adjacent heritage resources that could result from development or site alteration. These types of impacts could include: destruction of a heritage resource, alteration, shadows, isolation, direct or indirect obstruction, a change in land use; and land disturbances.

The following chart outlines the consideration of such potential impacts for 2280 No. 2 Side Road:

<b>Impact</b>	<b>Degree of Impact</b> (None, Unknown, Negligible, Minor, Moderate, Major)	<b>Comment</b>
<b>Destruction</b>	None	The proposed aggregate extraction will not destroy any heritage attribute.
<b>Alteration</b>	None	The proposed aggregate extraction will not alter the area containing cultural heritage resources.
<b>Shadows</b>	None	Shadows will not be caused by the proposed development.
<b>Isolation</b>	None	The proposed aggregate extraction operation will alter the broader surrounding area, but will not result in isolation of a cultural heritage resource.
<b>Direct or indirect obstruction of significant views</b>	None	The proposed development will not obstruct significant views, as none are associated with the subject lands.
<b>A change in land use</b>	None	Land use will remain within the area containing the dwelling and barn.
<b>Land disturbance</b>	None	Land disturbances are not planned within the area of identified heritage resources.

It is considered that the potential for impacts on the subject lands is very low, given that the proposed development will not take place within the area of the identified cultural heritage resources.

## 7.2 Potential impacts to adjacent heritage resources

As noted in Section 4.4 of this report, there are no adjacent properties designated under the *Ontario Heritage Act*. The nearest heritage resources are located more than 1 km from the lands.

As such, the proposed development will not cause direct impacts on the adjacent heritage resources. Indirect impacts that could occur include matters such as alteration, shadows or isolation. Given the nature of the proposed development and the distance of the aggregate extraction operations, it is not considered that adjacent heritage resources will be altered, or result in shadow or isolation. As such, there is no potential for impacts on adjacent heritage resources.

Given that the existing haul routes for the Burlington Quarry will continue to be utilized while the extension lands are being extracted, there is no potential for impacts related to haul routes.

## 7.3 Conclusion

The potential for direct and indirect impacts has been reviewed in accordance with guidance provided by the Province. A range of matters were reviewed, including potential destruction or alteration to heritage resources, shadows that impact heritage resources, isolation of a heritage resource, direct or indirect obstruction of significant views, a change in land use that impacts a heritage resource, and land disturbance.

There are no cultural heritage resources proposed to be removed from within the proposed extraction area, and existing resources outside the extraction area (#2280 No. 2 Side Road) are being retained. Therefore there is a very low potential for direct or indirect impacts to onsite cultural heritage resources.

Given the nature of the proposed development and location of other cultural heritage resources, it is not considered that adjacent cultural heritage resources will be negatively impacted as a result of the proposed development. As such, there is no potential for direct or indirect impacts on the adjacent potential cultural heritage resources.

Based on the above evaluation related to onsite and adjacent cultural heritage resources, the proposed development will result in the conservation of identified cultural heritage resources located on the subject lands and adjacent to the proposed extraction area. As such, the policy direction that significant built heritage resources be conserved has been satisfied.

# 8.0 **Conservation recommendations**

The purpose of this section of the report is to list potential impacts to resources and provide recommendations related to the conservation of the onsite cultural heritage resources.

## 8.1 **Alternative approaches to development**

Consideration of alternative development approaches is routinely undertaken through heritage impact assessments as a form of mitigation related to potential impacts on cultural heritage resources. Alternatives can include 'do nothing', proceed with proposed development, or proceed with an alternate form of development.

The 'do nothing' approach would result in no aggregate extraction taking place on the subject lands. This approach is not recommended given that there is no potential for impacts to cultural heritage resources to occur as a result of the proposed operation.

Alternative forms of development would include a different configuration of the area and sequencing of extraction activities proposed for the site. This could include greater separation from retained resources, or exclusion of other buildings from the proposed area of extraction. Given the lack of identified cultural heritage resources within the proposed extraction area, no purpose would be served by altering the proposed development.

Proceeding with the proposed development is recommended, as it has been shown to not result in negative impacts to cultural heritage resources and will make good use of the aggregate resources located on the property. This option also conforms to the PPS requirement and Niagara Escarpment Plan direction that development and site alteration not be permitted on adjacent lands to cultural heritage resources unless it has been demonstrated that the heritage attributes will be conserved.

## 8.2 **Conservation recommendations, implementation and monitoring**

Since there is no potential for negative impacts (either direct or indirect), there are no further conservation recommendations required.

Given the above conclusions, further implementation and monitoring is not required.

# 9.0 Conclusions

This Cultural Heritage Impact Assessment has provided a summary of the background research and historical development of the subject lands. The report includes an identification and assessment of the cultural heritage resources present on the subject lands, an evaluation of potential impacts as a result of the proposed development, and recommendations for the conservation of the cultural heritage resources onsite.

The proposed development of the subject lands includes an aggregate resource extraction operation that is planned to occupy much of the areas located on the subject site. The aggregate operation is planned to operate as a quarry below the water table, with rehabilitation to a naturalized after-use that could function as a regional recreational facility.

The built heritage resources located on the subject lands will be conserved through the proposed operations, and the subject lands were found to not contain a cultural heritage landscape. Therefore there are no direct or indirect impacts as a result of the operation. It is also concluded that the proposed quarry development will have no negative impacts on adjacent cultural heritage resources. Given the low potential for impact as a result of the proposed development, mitigation, implementation and monitoring recommendations have not been provided.

In conclusion, the proposed development of the Burlington Quarry southern and western extension lands is in conformity with the Provincial (Planning Act, PPS, NEP), Region of Halton and City of Burlington policy direction that significant built heritage resources and cultural heritage landscapes be conserved. The preceding report has also addressed the guidance provided in the Halton Region Aggregate Resources Reference Manual, and the City of Burlington requirements for heritage impact assessments.

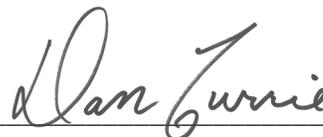
*Report prepared by:*



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- Queen's Printer for Ontario. *A Place to Grow: Growth Plan for the Greater Golden Horseshoe*, 2019.

Cultural Heritage Impact Assessment  
Proposed Burlington Quarry Extension, City of Burlington

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Tremaine, George R., *Map of Halton County*. Toronto, Ontario, 1858.

Walker & Miles., *Illustrated Historical Atlas of Halton County*. Toronto. 1887 (Reprint 1976: Cumming Atlas Reprints, Stratford, Ontario).

# Appendix A

City of Burlington information regarding 2280 No.2 Side Road

**Site Details** | **Author Information** | **Comments ( 0 )** | **Linked Content**

Common Name: The Pitcher Homestead

Municipal Address: 2280 No 2 Side Road

Photos:



Building Demolished: No

Local Municipality: Burlington

Province: Ontario

Construction Date: 1830

Type of Recognition: Municipal Register

## Property Features

Photos:  
(Click on the image to view at full size)



2280 No 2 Side Road - Barn. © City of Burlington  
A large frame barn on a fieldstone foundation.

Photos:  
(Click on the image to view at full size)



2280 No 2 Side Road. © City of Burlington

## Design

Architect: N/A

Notes on the Design or Physical Value: The original four-room one-storey Regency Style house was built of rubble stone with incised mortar lines added to give the appearance of cut limestone. (Compare Locust Lodge, built in 1838, 2477 Glenwood School Drive.) The stonework of these houses and Ireland House should be compared to determine if the same stonemasons may have worked on this house. The low hipped roof has a plain boxed cornice. In 1864 a side addition in compatible style took advantage of the site topography, resulting in a split-level.

Sources: City of Burlington

## Historical

Notes on History of the Property: 1806 Plan of the Third Township or Nelson: Jonathan Davis.

By Crown Grant in 1807 to Jonathan Davis, a member of the well known Davis family.

Leverett Pitcher obtained the property in 1814 and built this house in the style of the 1820s. The door knob and plate hardware in the old part of the house are stamped with a patent and registered trade mark stamp which dates it to the reign of William IV ( 1830-1837): "W.R." = "William Rex". Peter Pitcher had a family of eleven children born between 1835 and 1858. In 1864 the property title passed to him.

Tremaine Map (1850s): P. T. Pitcher

In 1864, the Freeman family bought the property and added a wing at the side. The title

passed first to James (Joseph?) Freeman; in 1867 to Edwin Black Freeman.

1877 *Halton Illustrated Atlas*: Edwin Freeman (house shown).

In 1908 to Lockhart & Lawrence Spence; in 1936 to George Lockhart Colling Spence; in 1944 to Thomas & Nellie Millar.

Sources: City of Burlington

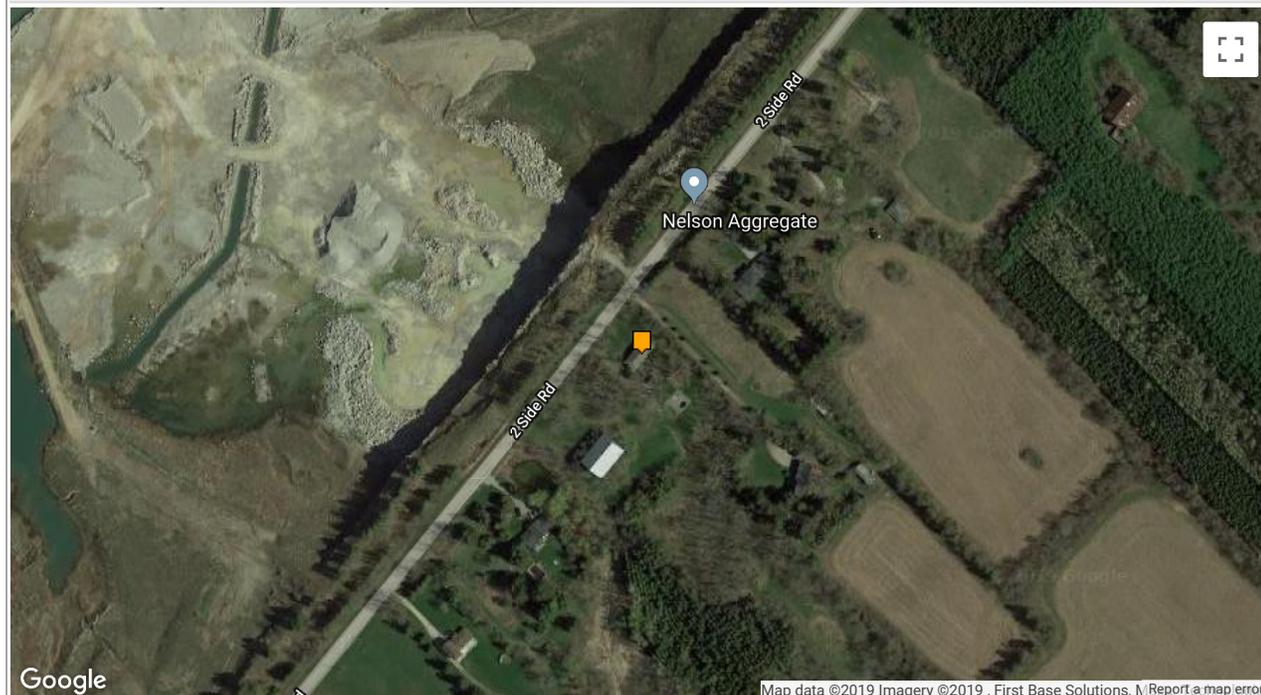
**Statement of Significance**

Legal

Description

(Plan and Lot Con 2 NDS Pt Lt 18

Number):



Last updated: 2015-11-02 10:03:47.667

Group: City of Burlington

Added By: HRC Admin

Date Added: April 21, 2014

**Comments on *The Pitcher Homestead***

No matching entries were found

**Linked Content**

Type	Title	Relation
User	<a href="#">HRC Admin</a>	The user submitted this content.

# Appendix **B**

Curriculum vitae



## CURRICULUM VITAE

### Dan Currie, MA, MCIP, RPP, CAHP

Dan Currie, a Partner and Managing Director of MHBC's Cultural Heritage Division, joined MHBC Planning in 2009, after having worked in various positions in the public sector since 1997 including the Director of Policy Planning for the City of Cambridge and Senior Policy Planner for the City of Waterloo.

Dan provides a variety of planning services for public and private sector clients including a wide range of cultural heritage policy and planning work including strategic planning, heritage policy, heritage conservation district studies and plans, heritage master plans, heritage impact assessments and cultural heritage landscape studies.

#### EDUCATION

2006

Masters of Arts (Planning)  
University of Waterloo

1998

Bachelor of Environmental Studies  
University of Waterloo

1998

Bachelor of Arts (Art History)  
University of Saskatchewan

#### PROFESSIONAL ASSOCIATIONS

Full Member, Canadian Institute of Planners

Full Member, Ontario Professional Planners Institute

Professional Member, Canadian Association of Heritage Professionals

#### SELECTED PROJECT EXPERIENCE

##### HERITAGE PLANNING

City of Hamilton Heritage Impact Assessment for Pier 8

Town of Erin Designation of Main Street Presbyterian Church

City of Kitchener Homer Watson House Heritage Impact Assessment and Parking Plan

Region of Waterloo Schneider Haus Heritage Impact Assessment

Niagara Parks Commission Queen Victoria Park Cultural Heritage Evaluation Report

City of Guelph Cultural Heritage Action Plan

Town of Cobourg, Heritage Master Plan

Municipality of Chatham Kent, Rondeau Heritage Conservation District Plan

City of Kingston, Barriefield Heritage Conservation District Plan Update

Burlington Heights Heritage Lands Management Plan

City of Markham, Victoria Square Heritage Conservation District Study

City of Kitchener, Heritage Inventory Property Update

Township of Muskoka Lakes, Bala Heritage Conservation District Plan

Municipality of Meaford, Downtown Meaford Heritage Conservation District Plan

City of Guelph, Brooklyn and College Hill Heritage Conservation District Plan

#### CONTACT

540 Bingham Centre Drive,  
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T 519 576 3650 x 744  
F 519 576 0121  
dcurrie@mhbcplan.com  
www.mhbcplan.com

## CURRICULUM VITAE

### Dan Currie, MA, MCIP, RPP, CAHP

City of Toronto, Garden District Heritage Conservation District Plan  
City of London, Western Counties Cultural Heritage Plan

Other heritage consulting services including:

- Preparation of Heritage Impact Assessments for both private and public sector clients
- Requests for Designations
- Alterations or new developments within Heritage Conservation Districts
- Cultural Heritage Evaluations for Environmental Assessments

#### MASTER PLANS, GROWTH MANAGEMENT STRATEGIES AND POLICY STUDIES

City of Vaughan Municipal Land Acquisition Strategy  
Town of Frontenac Islands Marysville Secondary Plan  
Niagara-on-the-Lake Corridor Design Guidelines  
Cambridge West Master Environmental Servicing Plan  
Township of West Lincoln Settlement Area Expansion Analysis  
Ministry of Infrastructure Review of Performance Indicators for the Growth Plan  
Township of Tiny Residential Land Use Study  
Port Severn Settlement Area Boundary Review  
City of Cambridge Green Building Policy  
Township of West Lincoln Intensification Study & Employment Land Strategy  
Ministry of the Environment Review of the D-Series Land Use Guidelines  
Meadowlands Conservation Area Management Plan  
City of Cambridge Trails Master Plan  
City of Kawartha Lakes Growth Management Strategy  
City of Cambridge Growth Management Strategy  
City of Waterloo Height and Density Policy  
City of Waterloo Student Accommodation Study  
City of Waterloo Land Supply Study  
City of Kitchener Inner City Housing Study

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dcurrie@mhbcplan.com  
www.mhbcplan.com



## CURRICULUM **VITAE**

**Dan Currie, MA, MCIP, RPP, CAHP**

### DEVELOPMENT PLANNING

Provide consulting services and prepare planning applications for private sector clients for:

- Draft plans of subdivision
- Consent
- Official Plan Amendment
- Zoning By-law Amendment
- Minor Variance
- Site Plan

### CONTACT

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dcurrie@mhbcplan.com  
www.mhbcplan.com



# CURRICULUM VITAE

## Nicholas P. Bogaert, BES, MCIP, RPP, CAHP

### EDUCATION

2004  
Bachelor of Environmental Studies,  
Honours Urban and Regional  
Planning, University of Waterloo

Nicholas Bogaert joined MHBC as a Planner in 2004 after graduating from the University of Waterloo with a Bachelor of Environmental Studies Degree (Honours Planning – Co-operative Program).

Mr. Bogaert provides urban and rural planning, analysis for all aspects of the firm's activities. He has experience in providing planning consulting services to municipalities and private sector clients, aggregate site planning and licensing processes related to aggregate applications, and conducting aggregate production research for a variety of clients. He also has experience related to the approval and registration of plans of subdivision, the re-development of brownfield and greyfield sites, providing planning services to a rural municipality, and various projects related to cultural heritage planning matters.

Mr. Bogaert is a full member of the Canadian Institute of Planners and the Ontario Professional Planners Institute. He is also a Professional Member of the Canadian Association of Heritage Professionals.

Mr. Bogaert is a member of the Cultural Heritage Division of MHBC, and Chair of the Heritage Wilmot Advisory Committee.

### PROFESSIONAL ASSOCIATIONS

Full Member, Canadian Institute of Planners  
Full Member, Ontario Professional Planners Institute  
Professional Member, Canadian Association of Heritage Professionals

### PROFESSIONAL SERVICE

2012-Present      Chairperson, Heritage Wilmot Advisory Committee  
2011-2012        Vice-Chair, Heritage Wilmot Advisory Committee

### PROFESSIONAL HISTORY

Jan. 2019 - Present      Associate, MacNaughton Hermsen Britton Clarkson  
Planning Limited  
  
Jan. 2004 – Jan. 2019      Planner / Senior Planner, MacNaughton Hermsen  
Britton Clarkson Planning Limited

### CONTACT

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nbogaert@mhbcplan.com  
www.mhbcplan.com

## CURRICULUM **VITAE**

**Nicholas P. Bogaert**, BES, MCIP, RPP, CAHP

### SELECTED PROJECT EXPERIENCE – CULTURAL HERITAGE

Involved in the preparation of Cultural Heritage Action Plan for the City of Guelph.

Involved in the preparation of an updated Heritage Conservation District Plan for the Port Credit Heritage Conservation District (City of Mississauga).

Involved in the preparation of a Heritage Impact Assessment for the redevelopment of the Queenston Quarry (Niagara-on-the-Lake).

Involved in the preparation of a Heritage Impact Assessment for the redevelopment of a portion of the Huronia Regional Centre (Orillia).

Involved in the preparation of a Cultural Heritage Survey for a proposed aggregate extraction operation in the Town of Caledon.

Involved in the preparation of a Cultural Heritage Study for a proposed aggregate extraction operation in Melancthon Township.

Involved in the preparation of a Cultural Heritage Evaluation Report for the 6<sup>th</sup> Line overpass in the Town of Innisfil.

Involved in the preparation of a Heritage Impact Assessment for the redevelopment of a vacant property in the City of London.

Involved in the preparation of a Heritage Impact Assessment for the redevelopment of a portion of Bob-lo Island in the Town of Amherstburg.

Involved in the preparation of a Heritage Conservation District Study and Plan for Rondeau Provincial Park cottages (Municipality of Chatham-Kent).

Involved in the preparation of a Heritage Master Plan and updated Heritage Conservation District Plans for the Town of Cobourg.

Involved in the preparation of an updated Heritage Conservation District Plan for the Village of Barriefield (City of Kingston).

### CONTACT

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## CURRICULUM VITAE

### Nicholas P. Bogaert, BES, MCIP, RPP, CAHP

Involved in the preparation of a Heritage Impact Assessment for a rural farmhouse in the City of Kitchener.

Involved in the preparation of a Heritage Conservation District Study for the Victoria Square area (City of Markham).

Involved in the preparation of a Heritage Conservation District Study and Plan for the Village of Bala (Township of Muskoka Lakes).

Involved in a pilot project to work on integrating heritage attributes into building inspection reports for provincially significant heritage properties (Infrastructure Ontario).

Involved in the preparation of a Heritage Conservation District Study and Plan for the Garden District (City of Toronto).

Involved in the preparation of a Heritage Conservation District Study and Plan for Downtown Meaford.

Involved in the preparation of a Heritage Conservation District Plan for the Village of Port Stanley (Municipal of Central Elgin).

Involved in the preparation of a Cultural Heritage Study related to a proposed Sand and Gravel Pit (Manvers Township).

Involved in the preparation of a Background and Issues Identification Report and Management Plan for the Burlington Heights Heritage Lands (Hamilton / Burlington).

Involved in the preparation of a Heritage Conservation District Study and Plan for Downtown Oakville.

Involved in the preparation of a Heritage Conservation District Study and Plan for the Brooklyn and College Hill areas in the City of Guelph.

Involved in a Cultural Heritage Landscape Study for Rondeau Provincial Park.

Involved in the preparation of a Heritage Impact Assessment for a rural farmstead in City of Cambridge.

Involved in a Commemorative Integrity Statement Workshop for Oil Heritage District, and assisted in preparation of Commemorative Integrity Statement (Lambton County).

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## CURRICULUM VITAE

### Nicholas P. Bogaert, BES, MCIP, RPP, CAHP

Involved in an assessment of feasibility of acquiring Federal surplus land for development as affordable housing within a Heritage Conservation District (Kingston - Barriefield).

#### PROFESSIONAL DEVELOPMENT COURSES / CONFERENCES

- |      |  |
|------|--|
| 2004 | Course: 'Plain Language for Planners', Ontario Professional Planners Institute, Toronto.   |
| 2004 | Conference: 'Leading Edge – The Working Biosphere', Niagara Escarpment Commission, Burlington.   |
| 2011 | Conference: 'Ontario Heritage Conference – Creating the Will', Cobourg.  |
| 2012 | Workshop: 'Heritage Conservation District Workshop', University of Waterloo Heritage Resources Centre, Stratford.  |
| 2012 | Conference: 'Ontario Heritage Conference - Beyond Borders: Heritage Best Practices, Kingston.  |
| 2012 | Conference: 'National Heritage Summit - Heritage Conservation in Canada: What's Working?; What's Not?; And What Needs to Change?', Heritage Canada Foundation, Montreal. |
| 2012 | Conference presentation: Heritage Conservation District Misconceptions, Heritage Canada Conference, Montreal.  |
| 2013 | Course: 'Planner at the Ontario Municipal Board', Ontario Professional Planners Institute, Waterloo.   |
| 2013 | Conference presentation: Ideas for Effective Community Engagement – Case Study: Downtown Oakville Heritage Conservation District, OPPI Conference, London.               |
| 2013 | Conference: 'Regeneration – Heritage Leads the Way', Heritage Canada Foundation, Ottawa.   |
| 2013 | Conference presentation: Rondeau Provincial Park: A Cultural Heritage Landscape?, Heritage Canada Conference, Ottawa (with Peter Stewart, George Robb Architect).        |

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## CURRICULUM **VITAE**

### Nicholas P. Bogaert, BES, MCIP, RPP, CAHP

- |      |   |
|------|---|
| 2014 | Conference: 'Ontario Heritage Conference' – Bridging the Past, Crossing into the Future, Cornwall.  |
| 2015 | Conference: 'Ontario Heritage Conference' – Ontario Heritage: An Enriching Experience, Niagara-on-the-Lake.   |
| 2015 | Conference presentation: Heritage Conservation and Urban Design: Challenges, Success, Balance, OPPI Conference, Toronto (with Dan Currie and Lashia Jones, MHBC). |
| 2016 | Conference: 'Ontario Heritage Conference' – Preservation in a Changing World, Stratford-St. Marys.  |
| 2019 | Conference: 'Ontario Heritage Conference', Bluewater & Goderich.  |

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