

FINAL REPORT:

Peer Review

Cultural Heritage Impact Assessment Part of Lots 16 – 18, Concession 9, Township of North Dumfries, Ontario



20 December 2023

Project # LHC0378

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REPORT LIMITATIONS

The qualifications of the heritage consultants who authored this report are provided in Appendix A. All comments regarding the condition of any buildings on the Property are based on a superficial visual inspection and are not a structural engineering assessment of the buildings unless directly quoted from an engineering report. The findings of this report do not address any structural or physical condition related issues associated with any buildings on the property or the condition of any heritage attributes.

EXECUTIVE SUMMARY

The Executive Summary only provides key points from the report. The reader should examine the complete report including background, results as well as limitations.

In May 2023, the Township of North Dumfries retained LHC Heritage Planning & Archaeology Inc. (LHC) to conduct a Peer Review of a Cultural Heritage Impact Assessment (**CHIA**) prepared by MHBC Planning Urban Design & Landscape Architecture (**MHBC**). This CHIA titled *Cultural Heritage Impact Assessment Parts of Lots 16, 17, and 18, Concession 9, Township of North Dumfries, Regional Municipality of Ontario* was prepared in December 2022. The CHIA has been prepared as part of an application for a Class 'A' Licence under the *Aggregate Resources Act* for a proposed aggregate pit on parts of Lots 16-18, Concession 9 (the **Study Area**). The purpose of this Peer Review is to provide a careful examination of the CHIA to determine if it complies with provincial and municipal heritage policy frameworks and requirements. This Peer Review also reviews the CHIA for the efficacy of its argument.

It is the professional opinion of LHC that the CHIA completed by MHBC for the Study Area is largely complete. It is clear that the CHIA has been prepared by an experienced and qualified team of heritage professionals. LHC generally agrees with the findings and recommendations. However, LHC finds that the CHIA does not completely demonstrate how proposed aggregate extraction and hauling will not adversely affect cultural heritage resources in the Study Area. Additional evidence needs to be presented to support the findings.

An expanded discussion of the Study Area surrounding the proposed licence area to understand the larger context and an expanded discussion of views/vistas to, from and around 1262 Greenfield Road would assist in understanding how 1262 Greenfield Road is part of the broader cultural heritage landscape. Phase 2 of the proposed development will be relatively close to identified cultural heritage resources at 1262 Greenfield Road – the garage and sand pit. The CHIA should include more discussion of the conservation methods and mitigation measures to address related concerns. The CHIA would also benefit from a discussion of how and when conservation methods and mitigation measures should apply.

LHC specifically finds:

- The CHIA is largely complete because it includes sections and information that meet most of the requirements for CHIA reports from the Ontario Heritage Tool Kit and Municipal CHIA Terms of Reference (ToR). However, some information recommended from the *Ontario Heritage Tool Kit* and required in the Municipal CHIA ToR is missing and other sections require expansion.

- The CHIA does not make an effective case that proposed aggregate development will have a temporary impact to identified cultural heritage resources. A more detailed discussion of the larger context and additional impact assessment would make a stronger report.

LHC recommends:

- The differentiation between the License Boundary and Study Area be clarified in the report. References to the 'Greater Study Area' should either be removed or clarified earlier in the report;
- Sections 1.1 and 4 of the CHIA be expanded to address views and vistas and the broad context of the surrounding area;
- The evaluation tables in Section 5 of the CHIA include cross references to relevant sections of the report that demonstrate the justification for the findings to clarify how the analysis was completed;
- Section 5 of the CHIA also be expanded to include an evaluation of CHVI for the schoolhouse at 1171 Greenfield Road and identified in Section 3 of the CHIA;
- Section 7 of the CHIA be expanded to include a discussion of potential impacts to all cultural heritage resources (listed and designated properties) within the Study Area—the License area and 500 m buffer—or provide reasons why any were not assessed for potential impacts;
- Based on updates to Section 7 of the CHIA, Section 8.2 of the CHIA should be revisited and a discussion of conservation methods and mitigation measures to address potential impacts expanded as required. In particular, conservation methods and mitigation measures during phase 2 of the proposed aggregate extraction - which will be in relatively close proximity to the garage and building complex at 1262 Greenfield Road - and the haul route – which includes use of Spragues Road, which has been identified as a scenic road – should be explored; and,
- Based on the expanded discussion in Section 8.2 of the CHIA, Section 8 should include discussion of any required implementation measures and monitoring.

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1 INTRODUCTION

LHC Heritage Planning & Archaeology Inc. was retained in May 2023 by the Township of North Dumfries (**the Township**) to conduct a Peer Review of a Cultural Heritage Impact Assessment (**CHIA**) by MHBC Planning Urban Design & Landscape Architecture (**MHBC**). This CHIA titled *Cultural Heritage Impact Assessment Parts of Lots 16, 17, and 18, Concession 9, Township of North Dumfries, Regional Municipality of Ontario* was prepared in December 2022. The CHIA has been prepared as part of an application for a Class 'A' Licence under the *Aggregate Resources Act* for a proposed aggregate pit on parts of Lots 16-18, Concession 9 (**the License Boundary**). The purpose of this Peer Review is to provide a careful examination of the CHIA to determine if it complies with provincial and municipal heritage policy frameworks and requirements. This Peer Review will also review the CHIA for the efficacy of its argument.

1.1 The Study Area

The Study Area is located in the Township of North Dumfries, Region of Waterloo, Ontario (Figure 1). It is comprised of the License Boundary plus a 500 metre (m) buffer as described in Section 1.3 and Figure 14 of MHBC's CHIA (Figure 2). It is approximately 4 kilometres (km) southwest of the City of Cambridge and 8.5 km southeast of the City of Kitchener. The village of Ayr is approximately 8.7 km west, and the village of Glen Morris is approximately 4.8 km south of the Study Area. The License Boundary is part of the south half of Lots 17 and 18 Concession 9 with a slight extension into part of the south half of Lot 16 Concession 9. The Study Area comprises the License Boundary lots in addition to Lot 19 Concession 9 and parts of Lots 16-18 Concession 9 and Lot 15 Concession 9 (Figure 2).

1.2 Cultural Heritage Recognition

Within the License Boundary, there are two properties listed under Section 27 Part IV of the *Ontario Heritage Act*: 1262 Greenfield Road and 1261 Alps Road. There are cultural heritage resources in the buffer area including two properties designated under Section 29 of the *OHA* and five properties Listed on the Municipal Heritage Register under Section 27 of the *OHA*. The properties are:

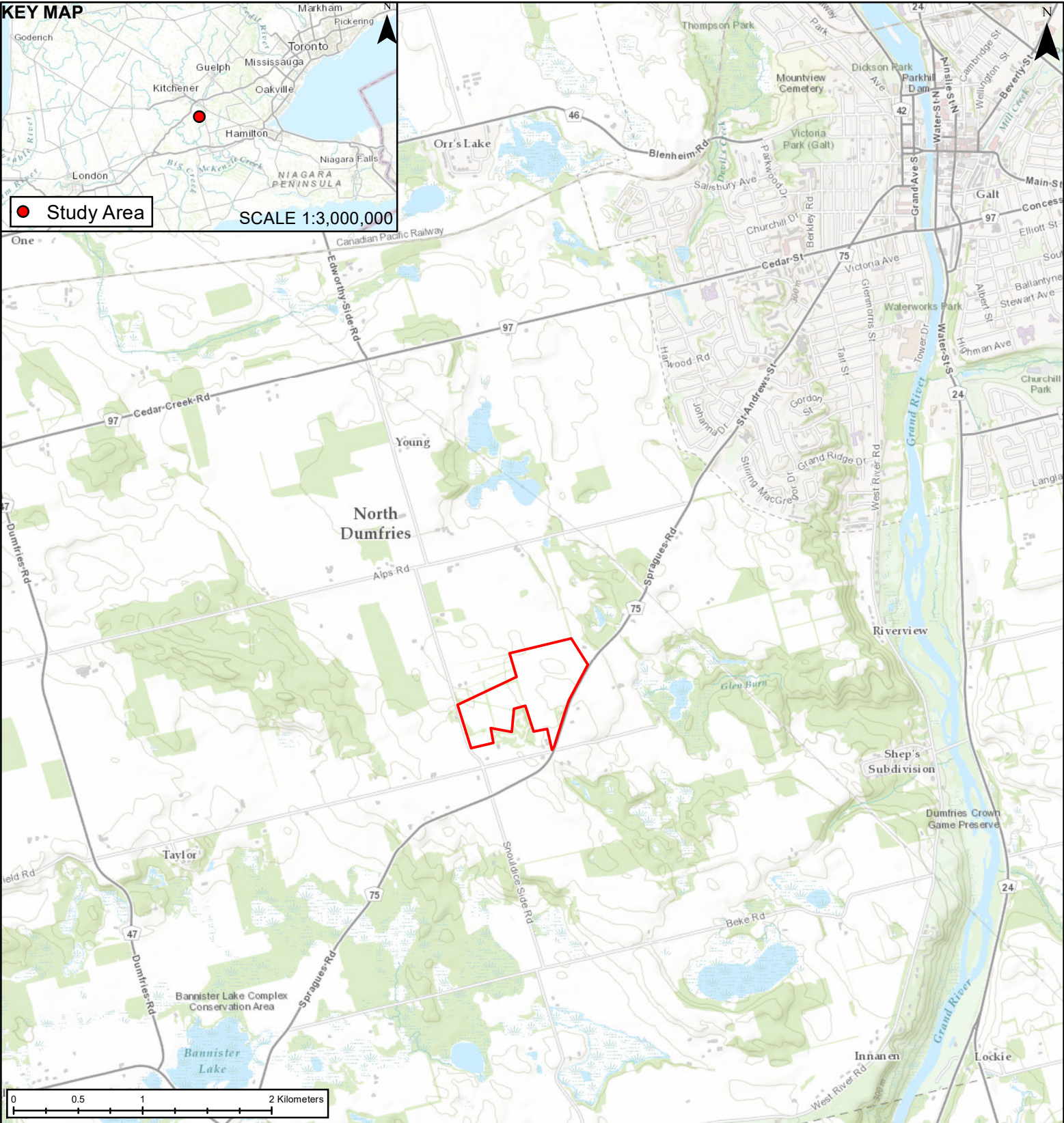
- 1347 Spragues Road (designated under Section 29 Part IV of the *OHA* – Heritage Property # 3 in MHBC CHIA Figure 16);
- 1358-1384 Greenfield Road (listed under Section 27 Part IV of the *OHA* – Heritage Property #5 in MHBC CHIA Figure 16);
- 1866 Shouldice Road (listed under Section 27 Part IV of the *OHA* – Heritage Property #6 in MHBC CHIA Figure 16);
- 1720 Spragues Road (designated under Section 29 Part IV of the *OHA* – Heritage Property #13 in MHBC CHIA Figure 16);


- 1606 Spragues Road (listed under Section 27 Part IV of the *OHA* – Heritage Property #14 in MHBC CHIA Figure 16);
- 1155 Greenfield Road (listed under Section 27 Part IV of the *OHA* – Heritage Property #16 in MHBC CHIA Figure 16); and,
- 1282 Spragues Road (listed under Section 27 Part IV of the *OHA* – Heritage Property #18 in MHBC CHIA Figure 16).

In addition, Spragues Road is considered to be a Scenic Road / Rural Connector in the Region of Waterloo's Scenic Roads and Streets Study.

1.3 Proposed Development

The project proponent Cambridge Aggregates Inc, which is a joint venture between a locally-owned aggregate operation and Hanson Aggregates, proposes an extension to their main pit (Licence #607701) located at 1182 Alps Road in the Township of North Dumfries. This pit extension is intended to replace depleting reserves at the main pit and will be used as a 'load and haul' pit whereby aggregate materials extracted from this pit will be transferred to the main pit for processing. No aggregate processing will be conducted in this extension pit. The existing buildings and farmyard areas along Greenfield Road, Shouldice Side Road, Alps Road, and Spragues Road are outside of the proposed pit extension. Two new truck entrances are proposed along Spragues Road. The haul route is proposed to be along Spragues Road to the southern portion of the existing pit then along a truck crossing across Alps Road to the northern portion of the existing pit for processing before shipment along Cedar Creek Road (Figure 2).



<div>Legend</div> <div><div></div> License Boundary</div>	TITLE Location Plan		
	CLIENT Township of North Dumfries		
	PROJECT Peer Review, Cultural Heritage Impact Assessment, Part of Lots 16 – 18, Concession 9, Township of North Dumfries, Ontario		PROJECT NO. LHC0378
	CONSULTANT	YYYY-MM-DD	2023-06-23
	<div>NOTE(S) 1. All locations are approximate.</div> <div>REFERENCE(S) 1. Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community Portions of this document include intellectual property of Esri and its licensors and are used under license. Copyright (c) Esri and its licensors. All rights reserved.</div>		PREPARED
		DESIGNED	JG
		FIGURE #	1



0 187.5 375 750 Meters

Legend

-  Haul Route
-  License Boundary
-  Associated Pits
-  Study Area, 500m Buffer

NOTE(S) 1. All locations are approximate.

REFERENCE(S)

1. Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
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TITLE Current Conditions

CLIENT
Township of North Dumfries

PROJECT
Peer Review, Cultural Heritage Impact Assessment, Part of Lots 16 – 18,
Concession 9, Township of North Dumfries, Ontario

PROJECT NO. LHC0378

CONSULTANT
YYYY-MM-DD 2023-11-13



PREPARED LHC

DESIGNED JG

FIGURE # 2

2 PEER REVIEW APPROACH

This Peer Review analysis is two-fold:

1. The CHIA is reviewed for compliance with any CHIA requirements and heritage policy frameworks (gap analysis). The Township has a Terms of Reference (ToR, attached as Appendix B) for the preparation of CHIAs. This Peer Review draws guidance from the Township's ToR and from the *Ontario Heritage Tool Kit – Heritage Resources in the Land Use Planning Process* (attached as Appendix C). These documents were used to inform our analysis of the CHIA for completeness; and,
2. The CHIA is reviewed for the efficacy of its argument, discussing whether it reflects heritage conservation best practice including the conservation of the identified heritage values and heritage attributes of a subject property, any adjacent properties, and the overall heritage character if located within a cultural heritage landscape (**CHL**).

The analysis in this document was based on two main heritage planning questions:

- Were there any errors, omissions, substantive, or procedural issues with the CHIA?
- What works should be undertaken to mitigate any potential impact on the identified heritage attributes of the property and adjacent heritage properties?

2.1 Heritage Impact Assessment Purpose and Function

The objective of a CHIA is to provide a critical and objective review of a proposed development or site alteration from a heritage planning perspective. A CHIA is a comprehensive document designed to clearly articulate the cultural heritage values of a property, respond to a proposed intervention, outline steps to mitigate impact (including do nothing if appropriate), and provide recommendations to conserve the identified heritage value and attributes of the property and/or any adjacent properties or –if within a Heritage Conservation District or a cultural heritage landscape—the area as a whole. It considers a project not only in terms of its heritage conservation principles and how to guide a cultural heritage resource through the process of change, but also examines it from a planning and regulatory perspective. Its purpose is not to justify a course of action, but to evaluate its appropriateness and compliance. As applied to a site-specific development application:

...a CHIA enables planners and decision-makers to determine with objectivity whether it is in the public interest for a proposed development to proceed. If it does proceed, then the CHIA determines how best to mitigate any adverse impacts that might ensue. If, however, effective mitigation is not feasible, then

the CHIA provides a rationale and framework to make major revisions to the proposal or to abort it entirely.¹

In this particular case, the CHIA is being conducted to assess potential impacts to known and potential built heritage resources and cultural heritage landscapes over a broad study area. As a result, the approach to assessing impacts differs from a property-specific review. Only those heritage properties that fall within the License Boundary require enough research to ascertain potential cultural heritage value or interest and formal evaluation under *Ontario Regulation 9/06*. Heritage properties outside the License Boundary but within the Study Area require a broad assessment of cultural heritage value or interest –sufficient to understand the likely cultural heritage value or interest of the property and the heritage attributes which could reasonably be affected by proposed project activities.

2.2 Cultural Heritage Impact Assessment Terms of Reference (2018)

The Township has ToR for CHIAs. In accordance with the Township of North Dumfries *Cultural Heritage Impact Assessments: Terms of Reference*, a CHIA report must contain the following content:

- Introduction to the Development Site;
- Overview of applicable heritage legislation, policies and guidelines;
- Background Research and Analysis;
- Statement of Significance;
- Assessment of Existing Condition;
- Description of the Proposed Development or Site Alteration;
- Assessment of the Impact of Development or Site Alteration;
- Considered Alternatives and Mitigation Strategies;
- Conservation Strategy; and,
- Appendices including a bibliography of research materials and sources consulted.

This Peer Review has assessed the CHIA for completeness against the guidance from the Ontario Heritage Tool Kit and the Township's ToR in Section 5.

2.3 Legislation, Policy, and Document Review

The following were reviewed as part of the development of this peer review:

- The *Planning Act*, R.S.O. 1990, c. P.13;
- The *Ontario Heritage Act*, R.S.O. 1990, c. O.18;
- The Provincial Policy Statement (2020);

¹ Harold Kalman and Marcus R. Létourneau, *Heritage Planning: Principles and Practice*. (New York: Routledge, 2020), 2nd ed., 387. Acronyms CHIA and CHIA apply to Cultural Heritage Impact Assessments.

- The *Growth Plan for the Greater Golden Horseshoe* (2019);
- Environmental Guide for Built Heritage and Cultural Heritage Landscapes (MTO 2007);
- Guidelines on the Man-Made Heritage Component of Environmental Assessments (MCM 1981);
- Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes (MCM 2016);
- Region of Waterloo *Official Plan* (2015);
- Region of Waterloo Regional Implementation Guideline for Cultural Heritage Landscape Conservation (2013);
- Region of Waterloo Strategic Focus 2019-2023;
- Region of Waterloo Archaeological Facilities Master Plan (1989);
- Region of Waterloo Arts, Culture and Heritage Master Plan (2002);
- Township of North Dumfries *Official Plan* (2018 Office Consolidation);
- Township of North Dumfries CHIA Terms of Reference (2018); and,
- Cultural Heritage Impact Assessment (March 2020) prepared by MHBC.

2.4 Site Visit

A site visit to the Study Area was carried out by Manager of Heritage Consulting Services Chris Uchiyama, and Intermediate Heritage Planner Lisa Coles on 31 May 2023 from the public Right of Way. The site visit included photographs of the Study Area and nearby cultural heritage resources.

3 LEGISLATIVE AND POLICY CONTEXT

In Ontario, cultural heritage is considered a matter of provincial interest and cultural heritage resources are managed under Provincial legislation, policy, regulations, and guidelines. Cultural heritage is established as a key provincial interest directly through the provisions of the *OHA*, the *Planning Act*, and the *Provincial Policy Statement 2020 (PPS)*. Other provincial legislation deals with cultural heritage indirectly or in specific cases. These various acts and the policies under these acts indicate broad support for the protection of cultural heritage by the Province. They also provide the basic legal framework through which minimum standards for heritage evaluation are established. What follows is an analysis of the applicable provincial, county, and local municipal legislation and policy regarding the identification and evaluation of cultural heritage. See Appendix D for additional applicable policy.

3.1 Provincial Planning Context

3.1.1 Planning Act, R.S.O. 1990, c. P. 13

The *Planning Act* (last modified 8 June 2023) is the primary document for municipal and provincial land use planning in Ontario. This Act sets the context for provincial interest in heritage. It states under Part I (2, d):

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...the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest.²

Under Section 3 of *The Planning Act*:

A decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Tribunal, in respect of the exercise of any authority that affects a planning matter...shall be consistent with [the *PPS*].³

Details about provincial interest as it relates to land use planning and development in the province are outlined in the *PPS* which makes the consideration of cultural heritage equal to all other considerations concerning planning and development within the province.

3.1.2 Provincial Planning Statement (2020)

The *PPS* provides further direction for municipalities regarding provincial requirements and sets the policy foundation for regulating the development and use of land in Ontario. Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the *PPS*. The Province deems cultural

² Province of Ontario, "Planning Act, R.S.O. 1990, c. P.13," last modified 6 April 2023, accessed 19 June 2023, <https://www.ontario.ca/laws/statute/90p13>, Part I (2, d).

³ Province of Ontario, "Planning Act," Part I S.5.

heritage and archaeological resources to provide important environmental, economic, and social benefits, and the *PPS* directly addresses cultural heritage in Section 1.7.1e and Section 2.6.

Section 1.7 of the *PPS* regards long-term economic prosperity and promotes cultural heritage as a tool for economic prosperity. The relevant subsection states that long-term economic prosperity should be supported by:

- 1.7.1e encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.

Section 2.6 of the *PPS* articulates provincial policy regarding cultural heritage and archaeology. Subsection's state:

- 2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.
- 2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been 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.
- 2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.
- 2.6.5 Planning authorities shall engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources.⁴

The definition of significance in the *PPS* states that criteria for determining significance for cultural heritage resources are determined by the Province under the authority of the *OHA*.⁵ The CHIA and this Peer Review are required by the municipality in response to *PPS* Sections 2.6.1 and 2.6.3.

⁴ Province of Ontario, "Provincial Policy Statement," last modified 1 May 2020, accessed 19 June 2023, <https://files.ontario.ca/mmah-provincial-policy-statement-2020-accessible-final-en-2020-02-14.pdf>, 29.

⁵ Province of Ontario, "Provincial Policy Statement," 51.

3.1.3 Ontario Heritage Act, R.S.O. 1990, c. O. 18

The *OHA* - last modified 1 July 2023 - enables the provincial government and municipalities powers to conserve, protect, and preserve the heritage of Ontario. The *OHA* and associated regulations set minimum standards for the evaluation of heritage resources in the province and give municipalities power to identify and conserve individual properties, districts, or landscapes of cultural heritage value or interest. Individual heritage properties are designated by municipalities under Part IV, Section 29 and heritage conservation districts are designated by municipalities under Part V, Section 41 of the *OHA*. Generally, an *OHA* designation applies to real property rather than individual structures.⁶

Part IV, Sections 33 and 34 and Part V, Section 42 the *OHA* enable a municipality to require an applicant to provide information or material that council may need to decide, which can include a cultural heritage impact assessment.

As a result of Bill 23, changes were made to the *OHA* regarding the number of criteria required for designation, modifications to the processes of designation and listing on a Municipal Heritage Register, and additional guidance on Heritage Conservation District. As part of these changes, *Ontario Regulation 9/06 (O. Reg. 9/06)* – which is used to evaluate properties for cultural heritage value or interest - was amended to reflect the *OHA* changes and to renumber the criteria. Since the MHBC CHIA was completed before these changes came into effect, the O. Reg. 9/06 criteria numbering in the report uses the previous numbering method. Otherwise, the changes to the *OHA* from Bill 23 do not require substantive changes to MHBC's analysis.

3.1.4 Aggregate Resources Act

The *Aggregate Resources Act* – last modified 1 June 2021 - is intended to provide for the management of aggregate resources in Ontario, control and regulate aggregate operations on Crown and private lands, require the rehabilitation of aggregate lands which have been excavated, and minimize adverse impact on the environment in respect to aggregate operations (R.S.O. 1990, c. A.8, s. 2).

Part 1.3 (2 h) of the act enables the Minister to initiate studies on environmental and social matters related to pits and quarries, which may include cultural heritage and archaeological studies. Section 2.3 of the Ministry of Natural Resources and Forestry *Aggregate Resources of Ontario: Technical Reports and Information Standards* (August 2020) outlines requirements for cultural heritage reports to be included in licence applications. For built heritage resources and cultural heritage landscapes, the standards require:

A completed screening checklist evaluating the potential for built heritage resources and cultural heritage landscapes with supporting documentation is required. If the checklist identifies the potential for built heritage resources and/or cultural heritage landscapes, a Cultural Heritage Evaluation Report is

⁶ Province of Ontario, "Ontario Heritage Act R.S.O. 1990, c. O. 18," last modified 1 January 2023, accessed 19 June 2023, <https://www.ontario.ca/laws/statute/90o18>.

required and must be prepared by a person with appropriate experience and expertise. If the evaluation confirms one or more built heritage resources or cultural heritage landscapes, a Heritage Impact Assessment must be completed. If the application is on Crown Land or an unorganized territory, letter(s) from the Ministry of Heritage, Sport, Tourism and Culture Industries must be obtained.

3.1.5 Provincial Planning Context Summary

In summary, the Province values cultural heritage as an important part of the land use planning process and stipulates that it must be considered. The principles of conservation and promotion of cultural heritage resources should guide development decisions. Proposals for aggregate resource projects require cultural heritage studies, which the CHIA by MHBC is intended to meet.

3.2 Municipal Policy Context

3.2.1 Regional Municipality of Waterloo Official Plan (2015)

The Regional Municipality of Waterloo Official Plan (ROP) was approved with modifications by the Ontario Municipal Board on 18 June 2015 and is currently under review.⁷ The ROP sets out goals, objectives, and policies to help guide physical change within the region over a 20-year period. The updates to the ROP resulting from the review are being implemented through amendments, six of which have been implemented and approved by the Ministry of Municipal Affairs and Housing.⁸ Policies related to cultural heritage resources will be updated during the next phase of the review.⁹

The ROP asserts that land use planning is a shared responsibility between the Region and Area Municipalities, and that this responsibility is rooted in the idea that citizens are best served by effective Regional and Area Municipal partnerships and collaboration, including the development and review of official plans.¹⁰ The ROP incorporates the policy and regulatory framework established by the Province, as outlined in the *PPS*, the *Growth Plan*, the *Greenbelt Plan* and other Provincial documents.

The most relevant policies within the ROP for this report are within Sections 3.G.1 and 3.G.2 of the ROP. Section 3.G.1 states that the Region and Area Municipalities will ensure that cultural heritage resources are conserved using the provisions of the *Heritage Act*, the *Planning Act*, the *Environmental Assessment Act*, the *Cemeteries Act* and the *Municipal Act*. Section 3.G.2 of the

⁷ Regional Municipality of Waterloo, "Planning and Development," accessed 19 June 2023, <https://www.regionofwaterloo.ca/en/regional-government/land-use-planning.aspx>.

⁸ Regional Municipality of Waterloo, "Planning and Development.," Regional Municipality of Waterloo, "Updating the Regional Official Plan," accessed 19 June 2023, <https://www.engagewr.ca/regional-official-plan>.

⁹ Region of Waterloo, "Amendment to the Regional Official Plan," accessed 19 June 2023, <https://pub-regionofwaterloo.escribemeetings.com/filestream.ashx?DocumentId=799>, 4.

¹⁰ Region of Waterloo, "Regional Official Plan – Chapter 1: Introduction to the Regional Official Plan," accessed 19 June 2023, https://www.regionofwaterloo.ca/en/resources/Regional-Official-Plan/Chapter_1_consolidated_rop_2015-access.pdf, 3.

ROP states that the Region will prepare and update a Regional Implementation Guideline for Conserving Regionally Significant Cultural Heritage Resources. This guideline outlines the criteria and processes the Region will follow to identify and conserve cultural heritage resources of Regional interest including regional roads that have cultural heritage value or interest.¹¹

The Region intends to plan for the availability of aggregate resources while preventing or minimising potential impacts to cultural heritage resources.¹² Policy 9.C.3 (e) requires cultural heritage impact assessment in accordance with policies in Section 3.G of the ROP for development application to permit new mineral aggregate operations or expand existing operations.

3.2.2 Regional Implementation Guideline for Cultural Heritage Landscape Conservation

The Region of Waterloo *Regional Implementation Guideline for Cultural Heritage Landscape Conservation* (2013) identifies what cultural heritage landscapes are, provides a reason for conservation, discusses impacts of CHL conservation processes and outlines the policy context. This implementation guide directs lower tier municipalities to develop a list of candidate CHLs and requires CHIA reports for development, site alteration and infrastructure projects in an identified CHL. The area around the Property has not been identified as a candidate CHL.

3.2.3 Township of North Dumfries Official Plan (2013)

The Township of North Dumfries Official Plan (OP) – consolidated November 2018 - is a legal document which provides policies and guidance for long term growth and development in a municipality. Chapter 7 of the Official Plan addresses heritage resource management and provides policies and direction for the Township to help promote, protect, and manage local heritage resources.

In Section 7.1.1 the Township commits to:

...conserve and enhance cultural heritage resources using the provisions of the Ontario Heritage Act, the Planning Act, the Environmental Assessment Act, the Funeral, Burial and Cremation Services Act and the Municipal Act.

In Section 7.4 the Township commits to:

...identify, document, and designate Cultural Heritage Landscapes and establish associated policies to conserve these areas in accordance with the policies in the ROP and the *Regional Implementation Guideline for Cultural Heritage Landscape Conservation*.

¹¹ Region of Waterloo, "Regional Implementation Guideline for Cultural Heritage Landscape Conservation," last modified October 2013, accessed 19 June 2023, https://www.regionofwaterloo.ca/en/exploring-the-region/resources/Documents/Final_Implementation_Guideline_for_CHL_Conservation-access.pdf.

¹² Region of Waterloo, "Regional Official Plan - Chapter 9: Managing Aggregate Resources," accessed 19 June 2023, https://www.regionofwaterloo.ca/en/resources/Regional-Official-Plan/12_-_Chapter_9_Consolidated_ROP_2015-access.pdf, 134.

Section 7.5 of the Official Plan addresses cultural heritage impact assessments, including basic requirements for a CHIA and when the Township may waive the requirement or when a CHIA will be shared with the Region. In general, the Township requires a CHIA to include:

- a) historical research, site analysis and evaluation;
- b) identification of the significance and heritage attributes of the cultural heritage resource;
- c) description of the proposed development or site alteration;
- d) assessment of development or site alteration impacts;
- e) consideration of alternatives, mitigation and conservation methods;
- f) schedule and reporting structure for implementation and monitoring; and
- g) a summary statement and conservation recommendations.

The Township will require a CHIA for any proposed development or site alteration that includes or is adjacent to a designated property or includes a non-designated cultural heritage resource that is identified in the Registry.

The township requires cultural heritage impact assessments for development applications to permit new mineral aggregate operations, expand existing operations or increase the depth of extraction (Policy 5.2.4.1 e).

3.2.4 Municipal Policy Context Summary

The Region and the Township both require CHIA reports to be prepared as part of development applications for aggregate and mineral operations, which the CHIA by MHBC is intended to meet.

3.3 Canadian Heritage River System – Grand River

The Township – and the Study Area – is within the Grand River watershed. The Grand River is designated as a Canadian Heritage River. The Canadian Heritage Rivers System (CHRS) helps recognize and conserve outstanding rivers that are part of Canada’s national heritage and identity. The cultural heritage values of the Grand River are associated with 10,000 years of Indigenous history and its 18th and 19th century immigration and settlement. The area’s rich history is reflected in the watershed’s historic sites and artifacts; dams, mills, canals, unique bridges, historic homes, archaeological sites and other features.¹³

The Grand River is located approximately 2.0 kilometres (km) east of the Study Area at its closest point. Since the Study Area contains historic homes within the watershed, it is important to understand if the values of the Grand River could be affected by proposed changes. The Township’s ToR for CHIAs requires examination of the Canadian Heritage River System.

¹³ Grand River Conservation Authority, “Heritage River Designation,” accessed 19 June 2023, <https://www.grandriver.ca/en/our-watershed/Heritage-River-Designation.aspx>.

4 EXISTING CONDITIONS

4.1 Surrounding Area

The License Boundary is in southwestern Ontario in the Township of North Dumfries. It is approximately 1.3 km southwest of the City of Cambridge in a rural area. The License Boundary is approximately 2.2 km west of the Grand River. The area around the License Boundary includes a large, wooded area, fields, farms, rural residential properties and several aggregate pits. The topography is gently rolling terrain (Photo 1 to Photo 6). Spragues Road borders the License Boundary to the east. It is a paved, two-lane road with a shoulder on either side. It has grass and other vegetation to the edge of the pavement and powerlines on the east side of the road (Photo 1 and Photo 2). To the west is Shouldice Side Road, which is a paved, two-lane road with some sections of a shoulder on either side. It has grass and other vegetation to the edge of the pavement and powerlines on the west side of the road (Photo 3). Greenfield Road borders the License Boundary to the south. It is a paved, two-lane road with no shoulder. It has grass and other vegetation to the edge of the pavement and powerlines on the north side of the road (Photo 4). To the north are residential and agricultural properties fronting onto Alps Road, which is a paved, two-lane road with a small shoulder on either side, grass and other vegetation to the edge of the pavement, and powerlines on the south side of the road (Photo 5 and Photo 6).

Several aggregate pits are located to the north and east of the License Boundary. These pits have been developed over the last four decades. Based on satellite images, it appears that significant expansion of aggregate extraction in the area appears to have occurred in the last decade.



Photo 1: View southwest along Spragues Road



Photo 2: View north along Spragues Road



Photo 3: View southeast along Shouldice Side Road



Photo 4: View northwest along Greenfield Road



Photo 5: View southwest along Alps Road



Photo 6: View east along Alps Road

4.2 The License Boundary

The License Boundary is an irregularly-shaped area comprised of sections of several parcels on Lots 16, 17, and 18 in Concession 9. Most of the License Boundary is used for farm fields with some lines of trees interspersed throughout. The southwestern corner of the parcel at 1262 Greenfield Road includes a complex of buildings comprised of a house, barn, garage, chicken coop, and two outbuildings. East of the buildings at 1262 Greenfield Road is a forested area north of a residential property fronting onto Greenfield Road with Township of North Dumfries buildings associated with the roads department located further east. At the eastern edge of the License Boundary are the complex associated with 1354 Spragues Road. This complex comprises a house, detached garage, and two outbuildings. Northwest of the License Boundary are two separate residential parcels and a separate agricultural parcel (Figure 2).

4.3 Proposed Development

It is understood that the proposal is to use most of the License Boundary for aggregate extraction. The area around the existing woodlot and complexes at 1262 Greenfield Road and 1354 Spragues Road are not part of the aggregate extraction area. The aggregate extraction area will be extended from an existing area to the north. Aggregate extraction is generally planned in three phases starting at the south section of the License Boundary and moving clockwise to the west then the northeast. The extraction area in the second phase is planned 35 m northwest of the garage and 70 m north of the house at 1262 Greenfield Road. This generally lines up with the edge of the existing sand pit at 1262 Greenfield Road. Phase three of the extraction area is planned 19 m from the detached garage and 35 m from the house at 1354 Spragues Road. This generally lines up with the freestanding solar panels at the western edge of 1354 Spragues Road.

4.4 CHVI of Cultural Heritage Resources Within the Study Area

The property at 1262 Greenfield Road is 'Listed' on the Township's Municipal Heritage Register under Section 27 of the *Ontario Heritage Act*. It is not a protected heritage property under the *PPS* definition. The area around the property has not been identified as a CHL or candidate CHL by the Township following the *Regional Implementation Guideline for Cultural Heritage Landscape Conservation*.

The MHBC CHIA identified several other cultural heritage resources within the Study Area including:

- 1261 Alps Road (listed under Section 27, Part IV of the *OHA*);
- 1347 Spragues Road (designated under Section 29, Part IV of the *OHA*);
- 1155 Spragues Road (listed under Section 27, Part IV of the *OHA*);
- 1358-1384 Greenfield Road (listed under Section 27, Part IV of the *OHA*);
- 1866 Shouldice Road (listed under Section 27, Part IV of the *OHA*);
- 1375 Alps Road (listed under Section 27, Part IV of the *OHA*);

- 1720 Spragues Road (designated under Section 29, Part IV of the *OHA*);
- 1606 Spragues Road (listed under Section 27, Part IV of the *OHA*);
- 1155 Greenfield Road (listed under Section 27, Part IV of the *OHA*);
- 1001 Greenfield Road ((listed under Section 27, Part IV of the *OHA*); and,
- 1282 Spragues Road (listed under Section 27, Part IV of the *OHA*).

In addition, the MHBC CHIA identifies Spragues Road as a Scenic Road/Rural Connector with this road characterized as being ‘extremely scenic’. Extremely Scenic is not defined in the Region of Waterloo’s Scenic Roads and Streets Study. However, scenic roads are generally described as including vegetation, and visual relationships between elements of natural and evolved agricultural landscapes. MHBC concludes that “although several of the original farmsteads still remain in the surrounding area, there have also been changes to lot patterns, spatial organization and infill that have distorted what would be identified as a historical agricultural landscape (Section 9 of the CHIA).”

The MHBC CHIA included an evaluation of the properties at 1262 Greenfield Road, 1261 Alps Road, and 1354 Spragues Road against the criteria for determining cultural heritage value or interest under *O. Reg. 9/06* as well as an evaluation of a potential cultural heritage landscape for the overall area against the guidelines provided in the *Standards and Guidelines for Historic Places in Canada*. The property at 1262 Greenfield Road is within the proposed license boundary while 1261 Alps Road and 1354 Spragues Road are adjacent to the license boundary. MHBC determined that the property at 1262 Greenfield Road has cultural heritage value or interest under *O. Reg. 9/06*. MHBC identified physical/design value, historical/associative value, and contextual value for this property. The CHIA specifically identifies the house and barn as having physical/design value and the farm complex as having historical value for its association with the Sudden family and the theme of early European settlement in the Township of North Dumfries. The complex also has historical and physical relationships to the surrounding area.

Similarly, MHBC determined that the property at 1261 Alps Road has cultural heritage value or interest under *O. Reg. 9/06*. MHBC identified physical/design value, historical/associative value, and contextual value for this property. The CHIA specifically identifies the house and barn as having physical/design value and the farm complex as having historical value for its association with the Shiel and Taylor families as well as the theme of early European settlement in the Township of North Dumfries. The complex also has historical and physical relationships to the surrounding area.

Furthermore, MHBC determined that the overall area has cultural heritage value or interest as a cultural heritage landscape. The CHIA identifies that the area’s inclusion of historic farmsteads, historic circulation routes, evidence of agricultural land use, some original land patterns and built features, and visual relationships with natural and evolved agricultural landscapes all contribute to the landscape’s cultural heritage value. However, while aspects of the landscape are generally intact, there are some areas that have been altered through severances, infill, alternative land use, and removal of some farmsteads. The report concludes

that these alterations “have disjointed the original land patterns and spatial organization and subsequently, overall fluidity of an otherwise historic agricultural landscape (Section 5.6.2).”

5 EVALUATION OF THE CHIA

5.1 Evaluation for Completeness

Table 1 is a review of the CHIA for completeness following the *Ontario Heritage Tool Kit: Heritage Resources in the Land Use Planning Process, Info Sheet #5 Heritage Impact Assessments and Conservation Plans*. Table 2 is a review of the CHIA for completeness following the requirements of the Township's CHIA ToR. It is important to note that these guidance documents were not prepared for this type of project over a broad study area. As a result, some of the requirements may not be as applicable in this specific circumstance.

Table 1: Evaluation of the CHIA for Completeness following the *Ontario Heritage Toolkit*

HIA Requirement	Completeness	Comments
Historical Research, Site Analysis and Evaluation	Partially Complete	<p>Sections 1, 2, 4, and 5 of the CHIA include historical research, site analysis, and evaluation.</p> <p>The historical research is thorough and complete.</p> <p>The site analysis and evaluation sections do not provide sufficient detail to clearly describe the surrounding area or the relationship between the cultural heritage resources and their surrounding context. The surrounding area description only discusses land use and does not include details on the vegetation, topography, or roads of the surrounding area to better contextualize the license boundary and study area. The evaluation tables should cross reference relevant sections of the report to demonstrate the justification for the findings to clarify how the analysis was completed.</p>
Identification of the Significance and Heritage Attributes of the Cultural Heritage Resources	Complete	<p>Section 5 of the CHIA includes identification of the significance and heritage attributes of the properties within the License Boundary as cultural heritage resources.</p> <p>The statements of cultural heritage value or interest/statements of significance do not provide sufficient detail. However, the detail given is sufficient to ascertain likely heritage attributes which could be affected by the proposal. For this type of project, this is considered complete.</p>

HIA Requirement	Completeness	Comments
Description of the Proposed Development or Site Alteration	Complete	Section 6 of the CHIA includes a description of the proposed development or site alteration.
Assessment of Development or Site Alteration Impact	Incomplete	<p>Section 7 of the CHIA includes an assessment of development or site alteration impacts.</p> <p>However, potential impacts related to the entrance/exit and berm locations as well as the haul route are not discussed. Similarly, impacts are not assessed for all adjacent cultural heritage resources identified as being part of the Study Area. It is understood that the haul routes may not have been available at the time of the CHIA's completion. This should be addressed in an updated CHIA.</p>
Consideration of Alternatives, Mitigation and Conservation Methods	Partially Complete	<p>Section 8.1 of the CHIA includes a discussion of alternatives.</p> <p>Section 8.2 of the CHIA is dedicated to conservation recommendations. However, the CHIA concludes that the impacts are only temporary and does not recommend specific conservation methods. Since the buildings at 1262 Greenfield Road have been identified as cultural heritage resources and entrance/exit locations will be close to the buildings, a more detailed discussion of conservation methods should be included in the CHIA. Similarly, the proposed haul route includes Spragues Road – an identified scenic route – as a main access point. In the event the assessment of potential impacts related to the haul route are identified, mitigation measures and conservation methods should be explored for the haul route.</p>
Implementation and Monitoring	Incomplete	The CHIA does not discuss implementation and monitoring. Reassessment of impacts related to the entrance/exit and berm locations as well as the haul route could result in the need for implementation and monitoring.

HIA Requirement	Completeness	Comments
Summary Statement and Conservation Recommendations	Complete	Section 9 of the CHIA is a conclusion – summary statement. The CHIA concluded that there will be impacts to the cultural heritage value of 1262 Greenfield Road, Spragues Road as a scenic route, and the overall cultural heritage landscape of the surrounding area, but that they will be temporary as the License Boundary will be rehabilitated once extraction is complete. Conservation recommendations were included.

Table 2: Evaluation of the CHIA Completeness According to the Township's ToR

HIA ToR Requirement	Completeness	Comments
Introduction to the Development Site A location plan indicating the subject property (Property Data Map and aerial photo).	Complete	Figure 1 is a location plan that illustrates the extraction area over a satellite image.
Introduction to the Development Site Concise written and visual description of the property identifying significant features, buildings, landscape, and vistas.	Partially Complete	<p>The CHIA's Introduction includes a description of the License Boundary and a brief description of the buildings on the parcels that comprise the License Boundary. Section 4 of the CHIA is a more detailed description of the buildings and landscape features of the parcels that comprise the License Boundary. These Sections include written and visual descriptions of the License Boundary.</p> <p>The CHIA defines the Study Area as the License Boundary plus a buffer of 500m in Section 1.3. However, later sections seem to conflate the License Boundary and the Study Area and identify a 'Greater Study Area' that is not previously referenced. This should be clarified throughout the report.</p> <p>Views and vistas are not described or discussed in the CHIA, except when indicating that the 'background view' of identified historic scenic roads will be impacted. Photographs in the CHIA illustrate potential views and vistas across fields, gently rolling terrain, and forested areas. Views and vistas to and from the complexes of buildings near the aggregate extraction area and the adjacent cultural heritage resources are not discussed in</p>

HIA ToR Requirement	Completeness	Comments
		the CHIA. The CHIA is unclear about what vistas –if any— may be significant.
Introduction to the Development Site A concise written and visual description of the cultural heritage resource(s) contained within the development site identifying significant features, buildings, landscapes, vistas and including any heritage recognition of the property with existing heritage descriptions as available. Reference should be made to the Township of North Dumfries Inventory of Buildings of Architectural and Historical Significance, Ontario Heritage Properties Database, Parks Canada National Historic Sites of Canada, and/or Canadian Register of Historic Places.	Complete	The CHIA Introduction and Section 4 include a written and visual description of the cultural heritage resources on the parcels contained within the aggregate extraction area. These sections reference a review of cultural heritage databases and inventories.
Introduction to the Development Site A concise written and visual description of the surrounding context including adjacent heritage properties, their landscapes and any potential undesignated cultural heritage resource(s).	Partially Complete	<p>The CHIA's Introduction and Section 4 include a brief written and visual description of the cultural heritage resource within the License Boundary and two adjacent cultural heritage resources. The CHIA describes the built features of the properties and some of their surrounding landscape.</p> <p>The written and visual description of the surrounding area –the rest of the buffer—only describes land use. This is insufficient to understand potential undesignated cultural heritage resources. The CHIA should include a more detailed narrative of the surrounding context.</p>

HIA ToR Requirement	Completeness	Comments
Introduction to the Development Site Present owner contact information.	Complete	The CHIA Client Contact Information page (page 5) lists the present owner and their contact information.
Overview of Applicable Heritage Legislation, Policies and Guidelines The CHIA must provide a detailed description of the heritage planning framework stemming from legislation, policies and guidelines that are applicable to the subject proposal.	Partially Complete	<p>Section 2 of the CHIA includes a description of the heritage planning framework that includes the <i>Planning Act</i>, <i>Provincial Policy Statement</i>, <i>Growth Plan for the Greater Golden Horseshoe</i>, <i>Ontario Heritage Act</i>, <i>Region of Waterloo Official Plan</i>, and <i>Township of North Dumfries Official Plan</i>. Provincial legislation descriptions are brief.</p> <p>The CHIA has no discussion of the <i>Aggregate Resources Act</i>, <i>Ontario Regulation 244/97</i> under the <i>Aggregate Resources Act</i> or any standards adopted from the regulation that relate to requirements for cultural heritage studies.</p>
Overview of Applicable Heritage Legislation, Policies and Guidelines An analysis must be provided below under Conservation Strategy in sub-section 9 of this document, on how the proposal has been developed in accordance with the applicable heritage planning framework.	Partially Complete	Section 8.2 of the CHIA is dedicated to Conservation Recommendations. However, since the CHIA concludes that the impacts are temporary and will be rehabilitated within 12 years, its conservation recommendations are limited to 1262 Greenfield Road and Spragues Road as a scenic road. Furthermore, the conservation recommendations for Spragues Road are directly quoted from the Region of Waterloo's Scenic Roads and Special Character Streets Resource Document with no analysis or discussion surrounding which conservation approaches are recommended for the Study Area. Since impacts have been identified and the Region's recommendations are

HIA ToR Requirement	Completeness	Comments
		too general, the CHIA should include recommendations that are specific to Spragues Road.
Background Research and Analysis Comprehensive written and visual research and analysis related to all potential cultural heritage value or interest of the site (both identified and unidentified) as per the applicable legislation, policies and guidelines including: physical or design, historical or associative, and contextual values.	Partially Complete	Section 3 and Appendix D of the CHIA include comprehensive written and visual research of the parcels within the Study Area. Section 5 of the CHIA includes analysis of the potential cultural heritage value or interest of the parcels within the aggregate extraction area. However, insufficient justification has been provided for how the parcels within the aggregate extraction area meet or do not meet the criteria outlined in <i>Ontario Regulation 9/06</i> . The evaluation tables should cross reference to relevant sections of the report that demonstrate the justification for the findings and clarify how the analysis was completed.
Background Research and Analysis A development history of the site including original construction, additions and alterations with substantiated dates of construction.	Complete	Sections 3 and 4 of the CHIA include the development history of the parcels within the Study Area.
Background Research and Analysis Research material to include relevant historic maps and atlases, drawings, photographs, sketches / renderings, permit records, land records, assessment rolls, Township of North Dumfries directories, etc.	Complete	Section 3 and Appendix D of the CHIA includes relevant research material.

HIA ToR Requirement	Completeness	Comments
Statement of Significance A statement of significance identifying the cultural heritage value and heritage attributes of the cultural heritage resource(s). This statement will be informed by the current research and analysis of the site as well as pre-existing heritage descriptions. This statement is to follow applicable legislation, policies and guidelines such as the Provincial guidelines set out in the Ontario Heritage Tool Kit.	Complete	<p>Section 5 of the CHIA includes a statement of significance for 1262 Greenfield Road, 1261 Alps Road, and the overall area as a cultural heritage landscape. This section also includes an evaluation of 1354 Spragues Road for cultural heritage value or interest.</p> <p>The statements of cultural heritage value or interest/statements of significance do not provide sufficient detail. However, the detail given is sufficient to ascertain likely heritage attributes which could be affected by the proposal. For this type of project, this is considered complete.</p>
Statement of Significance The statement of significant will be written in a way that does not respond to or anticipate any current or proposed interventions. The Township may, at its discretion and upon review, reject or use the statement of significance, in whole or in part, in crafting its own statement of significance (reasons for listing or designation) for the subject property.	Complete	<p>Section 5 of the CHIA includes statements of significance for 1262 Greenfield Road, 1261 Alps Road, and the overall area as a cultural heritage landscape. The statements of significance are largely written in a way that does not respond to any current or proposed interventions.</p>
Statement of Significance Professional quality record photographs of the cultural heritage resource in its present state.	Complete	<p>The CHIA includes photographs of the Property in its present state.</p>

HIA ToR Requirement	Completeness	Comments
Assessment of Existing Conditions A comprehensive written description accompanied with high quality color photographic documentation of the cultural heritage resource (s) in its current condition and physical context (location, streetscape, etc.).	Partially Complete	<p>The CHIA's Introduction and Section 4 include a comprehensive written and photographic documentation of the cultural heritage resources in their current condition.</p> <p>The written description of the surrounding area is exclusive to land use descriptions and does not fully convey the surrounding context. The CHIA should include a more detailed narrative of the surrounding context including descriptions of vegetation, topography, roads, and streetscapes.</p>
Assessment of Existing Conditions If demolition or removal of the heritage resource (in full or part) is proposed, a companion written and visual assessment and analysis by a qualified individual shall be undertaken which documents the economic value of the building in terms of structural deficiencies, mold, water or outside climate damage to the interior of the building, or other factors influencing the request. The analysis and assessment shall include the ability to restore and recover against the observed physical damage (in full or in part). The demolition must be assessed in accordance with applicable legislation, policies and guidelines.	N/A	No demolition or removal is proposed.

HIA ToR Requirement	Completeness	Comments
Description of the Proposed Development or Site Alteration A written and visual description of the proposed development or site alteration.	Complete	Section 6 of this CHIA is a written description with some visual description of the proposed site alteration. Appendix A and B are a visual description of the proposed site alteration. Figure 41 (also Figure 3 in Appendix A) depicts the proposed plan of severance; however, the symbol used for the proposed site entrance is difficult to read on the map. A clearer map will make the CHIA easier to understand.
Impact of Development or Site Alteration An assessment identifying any impact(s) the proposed development or site alteration may have on the cultural heritage resource(s) as per applicable legislation, policies and guidelines. Impacts on a cultural heritage resource(s) as stated in the Ontario Heritage Tool Kit and Appleton Charter (See Table 1 for impact assessment based on the Ontario Heritage Tool Kit).	Incomplete	Section 7 of this CHIA includes an assessment of impacts. Additional detail regarding the rationale for each assessment is needed in each of the impact assessment tables. The CHIA does not address potential impacts as a result of the entrance/exit locations, the berm locations, or the haul route, some of which are immediately adjacent to 1262 Greenfield Road. Berms, entrances/exits, and the associated increase in truck traffic due to the haul route should be assessed for potential impacts to each of the cultural heritage resources. It is understood that adjacency is defined according to the definition provided in the PPS, meaning that the focus is on cultural heritage resources that are contiguous to the License Boundary. However, there are several cultural heritage resources (indicated in Table 1 and Figure 16/Figure 2) within the 500m buffer that have not been assessed for potential impacts. Since the CHIA identifies other cultural heritage resources as part of the Study Area,

HIA ToR Requirement	Completeness	Comments
		all cultural heritage resources should be assessed for potential impacts regardless of if they are contiguous. Similarly, although the schoolhouse does not possess formal heritage recognition, the CHIA hints at the schoolhouse's potential for cultural heritage value and, therefore, it should also be evaluated and assessed for potential impacts.
Impact of Development or Site Alteration Appleton Charter – Relocation	N/A	No relocation is proposed.
Considered Alternatives and Mitigation Strategies <p>An assessment of alternative options, mitigation measures, and conservation methods that may be considered to avoid or limit the negative impact on the cultural heritage resource(s), as per applicable legislation, policies and guidelines. Methods of minimizing or avoiding a negative impact on a cultural heritage resource(s) as stated in the Ontario Heritage Tool Kit include, but are not limited to:</p> <ul style="list-style-type: none"> • Alternative development approaches • Isolating development and site alteration from significant built and natural features and vistas • Design guidelines that harmonize mass, setback, setting and materials; 	Partially Complete	<p>Section 8 is dedicated to alternatives, mitigation measures, and conservation methods.</p> <p>Section 8.1 includes a discussion of alternatives. These alternatives do not take into consideration potential impacts as a result of the berm or entrance/exit locations or the haul route and their associated increase in truck traffic.</p> <p>Section 8.2 is dedicated to mitigation and conservation recommendations. However, the CHIA concludes that the impacts will be temporary and does not include specific conservation methods. Implementation and monitoring are not discussed.</p> <p>A proposed entrance/exit for phase 1 of the aggregate extraction area is adjacent to the schoolhouse and its commemoration tree planting for which the increased truck traffic could have an indirect or accidental impact. Although the schoolhouse does not possess heritage</p>

HIA ToR Requirement	Completeness	Comments
<ul style="list-style-type: none"> Limiting height and density so as to respect scale and context of the significant built heritage resource Allowing only compatible infill and additions that are complementary and reinforce the key elements or attributes of the built heritage resource Reversible alterations Relocation (to be considered under the conditions described in the Appleton Charter) 		recognition, the CHIA identifies its potential for CHVI and should be assessed for potential impacts.
<p>Conservation Strategy</p> <p>The preferred strategy based on best-practice conservation principles and applicable legislation, policies and guidelines that protect and enhance the cultural heritage value and heritage attributes of the cultural heritage resource(s) including, but not limited to:</p> <ul style="list-style-type: none"> A mitigation strategy including the proposed methods A conservation scope of work including the proposed methods An implementation and monitoring plan Recommendation for additional studies / plans related to, but not limited to: 	Partially Complete	<p>Section 8.2 is dedicated to mitigation and conservation recommendations. However, the CHIA concludes that the impacts will be temporary and does not include specific conservation methods. Implementation and monitoring are not discussed.</p> <p>The conservation section of the CHIA quotes the recommendations in the Region of Waterloo's Scenic Roads and Streets Study. The CHIA does not provide an analysis of the Region of Waterloo's recommendations to assess their applicability to this situation. This section should be expanded to include a discussion of how the Region's recommendations can be adapted to suit this project and mitigate its impacts to Spragues Road. Similarly, since Spragues Road has also been identified as part of the haul route, a more detailed discussion of conservation methods should be included.</p>

HIA ToR Requirement	Completeness	Comments
conservation, interpretation and/or commemoration		
Conservation Strategy If removal of the cultural heritage resource is recommended, the CHIA must provide site specific requirements in terms of features or resources that can be protected, removed and re-used, and, undertake a photographic documentation of the history and importance of the built feature prior to demolition. The photographic documentation shall be presented and transferred to the Township.	N/A	Removal of the cultural heritage resources are not proposed.
Conservation Strategy A detailed analysis on how the preferred strategy is in accordance with the applicable legislation, policies and guidelines. Reference conservation principles and precedents.	Partially Complete	In Section 6 of the CHIA, there is a discussion of rehabilitation of the Study Area back to agricultural use after aggregate extraction is complete. It also discusses how the buildings and some of the forested area within the License Boundary will be retained. This is included in the proposed project description. The CHIA should include some discussion of this as Preservation and Restoration within the conservation methods section (Section 8).
Appendices A bibliography listing research materials used and sources consulted in preparing the CHIA	Complete	The CHIA includes a bibliography.

5.2 Evaluation of the Heritage Planning Argument (Efficacy)

In addition to the findings outlined in Table 1 and Table 2, the following considers the heritage planning argument presented within the CHIA. On the whole, the CHIA **does not** make an effective case that the cultural heritage attributes of License Boundary parcels and adjacent cultural heritage resources – which include the cultural heritage landscape of the surrounding area – are unlikely to experience adverse impacts from the proposed aggregate extraction.

The evaluations of 1262 Greenfield Road, 1261 Alps Road, and 1354 Spragues Road do not cross reference the relevant sections of the report to demonstrate the justification for the findings to clarify how the analysis was completed. Despite its lack of formal heritage recognition, the adjacent schoolhouse – identified in the CHIA as being historic – has also not been assessed for potential CHVI or potential impacts. The CHIA does not assess all adjacent cultural heritage resources identified in the Study Area for potential impacts, nor does it consider the proposed entrance/exit locations or the haul route in the impact assessment. As there are many details that are unclear or not addressed, the case made within the CHIA is not effective and insufficient.

As mentioned in Section 5.1 (above), the discussion of conservation recommendations and implementation and monitoring assert that the impacts to the heritage attributes and cultural heritage value of 1262 Greenfield Road are temporary. A brief discussion of conservation recommendations is included in the CHIA; however, aspects of the discussion are directly copied from the Region of Waterloo's *Scenic Roads and Streets Study* and require analysis to tailor them to this particular situation.

LHC recommends several revisions that should be addressed (in addition to the issues identified in Section 5.1). In general, we note the following:

1. A more comprehensive discussion of the character of the surrounding area to be able to better ascertain the relationship of each cultural heritage resource within the broader landscape. A more detailed discussion in the CHIA of the character of the surrounding area would make a stronger assessment.
2. Cross references to relevant sections of the report in the evaluation tables for each property (1262 Greenfield, 1261 Alps Road, and 1354 Spragues Road) to demonstrate the justification for the findings to clarify how the analysis was completed should be added. In addition, demonstration of what constitutes a representative local farmstead should be included in the CHIA. The additional detail will make for a stronger and more defensible assessment.
3. Assessment of potential impacts for all cultural heritage resources identified as being within the Study Area as well as an assessment of potential impacts for the schoolhouse. Alternatively, a rationale for excluding these resources from the impact assessment is sufficient. This should be completed to make a stronger report and address potential concerns.

4. A more detailed discussion and analysis of potential impacts due to accidents, vibrations, entrances/exits, haul routes, and conservation or mitigation measures in the CHIA should be completed to make a stronger report and address potential concerns.
5. Table 1 and Figure 16 do not match. Either a rationale for this difference or an update to Table 1 are recommended.
6. There are numerous grammatical errors in the document, some of which are significant and render sections of the CHIA difficult to understand (see Section 5.3 of this peer review). These should be addressed.

5.3 Areas That Need Clarification

Review of the CHIA indicates that there are spelling and grammatical errors that are significant and render sections of the CHIA difficult to understand. These errors should be addressed.

Errors include:

- Section 1.1: "...includes a one and a half storey fieldstone farmhouse with one and half storey attached garage and **read** addition...";
- Page 40: "By 1954, the property was enlarged and the existing **meal-clad** township service building was constructed **to** for greater storage...";
- Page 57: "Landscape features include a mature tree windbreak along Alps Road just east of the house which **continues setback** from the road."; and,
- Section 6: "...and an ecological linkage will be implemented (i.e., planting/ replanting of trees) just north of the field (see **Figure X**)."

6 CONCLUSIONS AND RECOMMENDATIONS

It is the professional opinion of LHC that the CHIA *Cultural Heritage Impact Assessment Parts of Lots 16, 17, and 18, Concession 9, Township of North Dumfries, Regional Municipality of Waterloo*, December 1, 2022, completed by MHBC for the Study Area is largely complete. It is clear that the CHIA has been prepared by an experienced and qualified team of heritage professionals. LHC generally agrees with the findings and recommendations. However, LHC finds that the CHIA does not completely demonstrate how proposed aggregate extraction and hauling will not adversely affect cultural heritage resources in the Study Area. Additional evidence needs to be presented to support the findings.

An expanded discussion of the Study Area surrounding the proposed licence area to understand the larger context and an expanded discussion of views/vistas to, from and around 1262 Greenfield Road would assist in understanding how 1262 Greenfield Road is part of the broader cultural heritage landscape. Phase 2 of the proposed development will be relatively close to identified cultural heritage resources at 1262 Greenfield Road – the garage and sand pit. The CHIA should include more discussion of the conservation methods and mitigation measures to address related concerns. The CHIA would also benefit from a discussion of how and when conservation methods and mitigation measures should apply.

LHC specifically finds:

- The CHIA is largely complete because it includes sections and information that meet most of the requirements for CHIA reports from the Ontario Heritage Tool Kit and Municipal CHIA Terms of Reference (ToR). However, some information recommended from the *Ontario Heritage Tool Kit* and required in the Municipal CHIA ToR is missing and other sections require expansion.
- The CHIA does not make an effective case that proposed aggregate development will have a temporary impact to identified cultural heritage resources. A more detailed discussion of the larger context and additional impact assessment would make a stronger report.

LHC recommends:

- The differentiation between the License Boundary and Study Area be clarified in the report. References to the 'Greater Study Area' should either be removed or clarified earlier in the report;
- Sections 1.1 and 4 of the CHIA be expanded to address views and vistas and the broad context of the surrounding area;

- The evaluation tables in Section 5 of the CHIA include cross references to relevant sections of the report that demonstrate the justification for the findings to clarify how the analysis was completed;
- Section 5 of the CHIA also be expanded to include an evaluation of CHVI for the schoolhouse at 1171 Greenfield Road and identified in Section 3 of the CHIA;
- Section 7 of the CHIA be expanded to include a discussion of potential impacts to all cultural heritage resources (listed and designated properties) within the Study Area—the License area and 500 m buffer—or provide reasons why any were not assessed for potential impacts;
- Based on updates to Section 7 of the CHIA, Section 8.2 of the CHIA should be revisited and a discussion of conservation methods and mitigation measures to address potential impacts expanded as required. In particular, conservation methods and mitigation measures during phase 2 of the proposed aggregate extraction - which will be in relatively close proximity to the garage and building complex at 1262 Greenfield Road - and the haul route – which includes use of Spragues Road, which has been identified as a scenic road – should be explored; and,
- Based on the expanded discussion in Section 8.2 of the CHIA, Section 8 should include discussion of any required implementation measures and monitoring.

SIGNATURES



Christienne Uchiyama, MA, CAHP
Principal | Manager of Heritage Consulting
Services



Benjamin Holthof, MPI, MMA, MCIP, RPP,
CAHP
Senior Heritage Planner

APPENDIX A Qualifications

Lisa Coles, MPL, CAHP-Intern – Intermediate Heritage Planner

Lisa Coles is an Intermediate Heritage Planner with LHC. She holds a Master of Arts in Planning from the University of Waterloo, a Graduate Certificate in Museum Management & Curatorship from Fleming College, and a B.A. (Hons) in History and French from the University of Windsor.

Lisa has worked in the heritage industry for over five years, starting out as a historic interpreter at a museum in Kingsville in 2016. Since then, she has acquired additional experience through various positions in museums and public sector heritage planning. Lisa is an intern member of the Canadian Association of Heritage Professionals (CAHP) and a candidate member with the Ontario Professional Planning Institute (OPPI).

At LHC, Lisa has worked on numerous projects dealing with all aspects of Ontario's cultural heritage. She has been lead author or co-author of over twenty-five cultural heritage technical reports including Cultural Heritage Evaluation Reports, Heritage Impact Assessments, Environmental Assessments, and Interpretation and Commemoration Plans. Lisa has also provided heritage planning support to municipalities including work on heritage permit applications and work with municipal heritage committees. Her work has involved a wide range of cultural heritage resources including institutional, industrial, and residential sites in urban, suburban, and rural settings.

Jordan Greene, BA (Hons) – Mapping Technician

Jordan Greene, B.A., joined LHC as a mapping technician following the completion of her undergraduate degree. In addition to completing her B.A. in Geography at Queen's University, Jordan also completed certificates in Geographic Information Science and Urban Planning Studies. During her work with LHC Jordan has been able to transition her academic training into professional experience and has deepened her understanding of the applications of GIS in the fields of heritage planning and archaeology. Jordan has contributed to over 100 technical studies and has completed mapping for projects including, but not limited to, cultural heritage assessments and evaluations, archaeological assessments, environmental assessments, hearings, and conservation studies. In addition to GIS work she has completed for studies Jordan has begun developing interactive maps and online tools that contribute to LHC's internal data management. In 2021 Jordan began acting as the health and safety representative for LHC.

Christienne Uchiyama, MA CAHP - Principal, LHC

Christienne Uchiyama MA CAHP is Principal and Manager - Heritage Consulting Services with LHC. She is a Heritage Consultant and Professional Archaeologist (P376) with two decades of experience working on heritage aspects of planning and development projects. She is currently Past President of the Board of Directors of the Canadian Association of Heritage Professionals and received her MA in Heritage Conservation from Carleton University School of Canadian Studies. Her thesis examined the identification and assessment of impacts on cultural heritage resources in the context of Environmental Assessment.

Chris has provided archaeological and heritage conservation advice, support and expertise as a member of numerous multi-disciplinary project teams for projects across Ontario, including such major projects as: all phases of archaeological assessment at the Canadian War Museum site at LeBreton Flats, Ottawa; renewable energy projects; natural gas pipeline routes; railway lines; hydro powerline corridors; and highway/road realignments. She has completed more than 300 cultural heritage technical reports for development proposals at all levels of government, including cultural heritage evaluation reports, heritage impact assessments, and archaeological licence reports and has a great deal of experience undertaking peer reviews. Her specialties include the development of Cultural Heritage Evaluation Reports, under both O. Reg. 9/06 and 10/06, and Heritage Impact Assessments.

Benjamin Holthof, M.Pl., M.M.A., MCIP, RPP, CAHP – Senior Heritage Planner

Ben Holthof is a heritage consultant, planner and marine archaeologist with experience working in heritage consulting, archaeology and not-for-profit museum sectors. He holds a Master of Urban and Regional Planning degree from Queens University; a Master of Maritime Archaeology degree from Flinders University of South Australia; a Bachelor of Arts degree in Archaeology from Wilfrid Laurier University; and a certificate in Museum Management and Curatorship from Fleming College.

Ben has consulting experience in heritage planning, cultural heritage screening, evaluation, heritage impact assessment, cultural strategic planning, cultural heritage policy review, historic research and interpretive planning. He has been a project manager for heritage consulting projects including archaeological management plans and heritage conservation district studies. Ben has also provided heritage planning support to municipalities including work on heritage permit applications, work with municipal heritage committees, along with review and advice on municipal cultural heritage policy and process. His work has involved a wide range of cultural heritage resources including on cultural landscapes, institutional, industrial, commercial, and residential sites as well as infrastructure such as wharves, bridges and dams. Ben was previously a Cultural Heritage Specialist with Golder Associates Ltd. from 2014-2020.

Ben is experienced in museum and archive collections management, policy development, exhibit development and public interpretation. He has written museum policy, strategic plans, interpretive plans and disaster management plans. He has been curator at the Marine Museum of the Great Lakes at Kingston, the Billy Bishop Home and Museum, and the Owen Sound Marine and Rail Museum. These sites are in historic buildings and he is knowledgeable with extensive collections that include large artifacts including, ships, boats, railway cars, and large artifacts in unique conditions with specialized conservation concerns.

Ben is also a maritime archaeologist having worked on terrestrial and underwater sites in Ontario and Australia. He has an Applied Research archaeology license from the Government of Ontario (R1062). He is a professional member of the Canadian Association of Heritage Professionals (CAHP).

APPENDIX B Township of North Dumfries Cultural Heritage Impact Assessment Terms of Reference



The TOWNSHIP of
NORTH DUMFRIES

CULTURAL HERITAGE IMPACT ASSESSMENT TERMS OF REFERENCE

Prepared By: Planning Division
Development Services Department
June 2016
Revised November 2018

1. ***When is a Cultural Heritage Impact Assessment Required?***

A Cultural Heritage Impact Assessment (CHIA) is required for the following application types if the application is adjacent to or contains a property that is included on the *Township of North Dumfries Inventory of Buildings of Architectural and Historical Importance*:

- Notice of Intent to Demolish – Section 27(3) of the *Ontario Heritage Act*
- Application to Demolish – Section 34(1) of the *Ontario Heritage Act*
- Official Plan Amendment
- Zoning By-law Amendment
- Plans of Subdivision / Condominium
- Site Plan Control

A CHIA may be required by Staff for the following additional application types:

- Consent and/or Minor Variance and Building Permit applications for any property included on the *Township of North Dumfries Inventory of Buildings of Architectural and Historical Importance*
- Consent and/or Minor Variance and Building Permit applications for any property adjacent to a cultural heritage resource included on the *Township of North Dumfries Inventory of Buildings of Architectural and Historical Importance*

2. ***Purpose of a Cultural Heritage Impact Assessment***

Heritage conservation involves identifying, protecting and promoting the elements that our society values. A CHIA is the primary heritage planning tool utilized by the Township to assess and review the potential cultural heritage significance of a particular resource, consider the impact of any proposed site development or alteration and recommend an overall approach that best conserves any identified cultural heritage resource(s).

A CHIA forms an integral part of the Municipal planning framework. Its rationale emerges from a range of Provincial and Municipal policies including:

- *Provincial Policy Statement, 2014*, Policies 2.6.1 and 2.6.3
- *Ontario Planning Act, R.S.O. 1990*, Part I, 2(d)
- *Ontario Heritage Act, R.S.O. 1990*, Part IV, Sections 27, 29 and 34
- *Township of North Dumfries Official Plan*, Sections 7.1, 7.2, 7.3 and 7.5

Where there is a potential of impacting archaeological resources an archaeological assessment must be undertaken by a licensed archeologist as an additional study. Please refer to the Ministry of Tourism, Culture and Sport for the triggers and stages of an archeological assessment.

3. Who Can Prepare a Cultural Heritage Impact Assessment ?

All CHIAs and other related documents including adaptive reuse plans and site security plans must be prepared by a qualified heritage professional such as a heritage planner and/or heritage architect with a demonstrated knowledge of accepted heritage conservation standards, and who has undertaken historical research and identification / evaluation of cultural heritage value.

All heritage consultants submitting a CHIA must be members in good standing of the Canadian Association of Heritage Professionals.

In addition, under Provincial law, only a licensed, professional archeologist may carry out an Archeological Assessment using specific Provincial standards and guidelines.

4. What Should a Cultural Heritage Impact Assessment Contain and in What Format?

The CHIA will include, but is not limited to the following information:

(1) Introduction to the Development Site

- A location plan indicating the subject property (Property Data Map and aerial photo).
- Concise written and visual description of the property identifying significant features, buildings, landscape and vistas.
- A concise written and visual description of the cultural heritage resource(s) contained within the development site identifying significant features, buildings, landscape, vistas and including any heritage recognition of the property with existing heritage descriptions as available. Reference should be made to the *Township of North Dumfries Inventory of Buildings of Architectural and Historical Significance*, *Ontario Heritage Properties Database*, *Parks Canada National Historic Sites of Canada*, and/or *Canadian Register of Historic Places*.

- A concise written and visual description of the surrounding context including adjacent heritage properties, their landscapes and any potential undesigned cultural heritage resource(s).
- Present owner contact information.

(2) Overview of Applicable Heritage Legislation, Policies and Guidelines

The CHIA must provide a detailed description of the heritage planning framework stemming from legislation, policies and guidelines that are applicable to the subject proposal. In addition, an analysis must be provided below under Conservation Strategy in sub-section 9 of this document, on how the proposal has been developed in accordance with the applicable heritage planning framework.

Legislation, policies and guidelines (as updated from time to time) that are to be assessed must include, but are not limited to:

- The *Ontario Heritage Act*
- The *Planning Act*
- The *Provincial Policy Statement*
- The *Growth Plan for the Greater Golden Horseshoe*
- Ontario Heritage Tool Kit (Ministry of Culture)
 - Heritage Property Evaluation
 - Heritage Conservation Districts
 - Heritage Resources in the Land Use Planning Process
- Eight Guiding Principles in Conservation of Built Heritage Properties (Ministry of Culture, 2007)
- Standards and Guidelines for the Conservation of Historic Places in Canada (Canada's Historic Places, 2010)
- Building Resilience: Practical Guidelines for the Sustainable Rehabilitation of Buildings in Canada (2016)
- Region of Waterloo – Practical Conservation Guidelines for Heritage Properties. These guidelines provide heritage conservation tips on topics such as additions, infill and new construction, landscaping, masonry, metalwork, paint and colour, porches, roofs, and windows/shutters/doors.
- Region of Waterloo - Official Plan (2015)
- Region of Waterloo - Arts, Culture and Heritage Master Plan (2002)
- Region of Waterloo – Archaeological Facilities Master Plan (1989)
- Region of Waterloo - Guidelines for CHL Conservation (2013; Reviewed 2017)
- Township of North Dumfries - Official Plan

- Township of North Dumfries - Cultural Heritage Impact Assessment Terms of Reference
- Township of North Dumfries - Greenfield Heritage Conservation District Study Report (January 2014)
- Township of North Dumfries - Greenfield Heritage Conservation Plan Report (March 2014)
- The Grand River – Canadian Heritage System

(3) Background Research and Analysis

- Comprehensive written and visual research and analysis related to all potential cultural heritage value or interest of the site (both identified and unidentified) as per the applicable legislation, policies and guidelines including: physical or design, historical or associative, and contextual values.
- A development history of the site including original construction, additions and alterations with substantiated dates of construction.
- Research material to include relevant historic maps and atlases, drawings, photographs, sketches / renderings, permit records, land records, assessment rolls, Township of North Dumfries directories, etc.

(4) Statement of Significance

- A statement of significance identifying the cultural heritage value and heritage attributes of the cultural heritage resource(s). This statement will be informed by current research and analysis of the site as well as pre-existing heritage descriptions. This statement is to follow applicable legislation, policies and guidelines such as the Provincial guidelines set out in the *Ontario Heritage Tool Kit*.
- The statement of significance will be written in a way that does not respond to or anticipate any current or proposed interventions. The Township may, at its discretion and upon review, reject or use the statement of significance, in whole or in part, in crafting its own statement of significance (reasons for listing or designation) for the subject property.
- Professional quality record photographs of the cultural heritage resource in its present state.

(5) Assessment of Existing Condition

- A comprehensive written description accompanied with high quality color photographic documentation of the cultural heritage resource(s) in its current condition and physical context (location, streetscape, etc).
- If demolition or removal of the heritage resource (in full or part) is proposed, a companion written and visual assessment and analysis by a qualified individual shall be undertaken which documents the economic value of the building in terms of structural deficiencies, mold, water or outside climate damage to the interior of the building, or other factors influencing the request. The analysis and assessment shall include the ability to restore and recover against the observed physical damage (in full or in part). The demolition must be assessed in accordance with applicable legislation, policies and guidelines.

(6) Description of the Proposed Development or Site Alteration

- A written and visual description of the proposed development or site alteration.

(7) Impact of Development or Site Alteration

- An assessment identifying any impact(s) the proposed development or site alteration may have on the cultural heritage resource(s) as per applicable legislation, policies and guidelines. Impacts on a cultural heritage resource(s) as stated in the *Ontario Heritage Tool Kit* and *Appleton Charter* include, but are not limited to:
 - + Removal of any, or part of any, significant heritage attributes or features
 - + Alteration that impact on the historic fabric and appearance
 - + Shadow impacts that alter the appearance and/or setting of a heritage attribute, or change the viability of an associated natural feature
 - + Isolation of a heritage attribute from its surrounding environment, context or a significant relationship
 - + Direct or indirect obstruction of significant views or vistas within, from or of built and natural features

- + A change in land use (such as rezoning a church to a multi-unit residence) where the change in use negates the property's cultural heritage value
- + Land disturbances such as a change in grade that alters soils, and drainage patterns that adversely affect a cultural heritage resource, including archeological resource
- + Relocation (to be considered under the conditions described in the *Appleton Charter*)

(8) Considered Alternatives and Mitigation Strategies

- An assessment of alternative options, mitigation measures, and conservation methods that may be considered to avoid or limit the negative impact on the cultural heritage resource(s), as per applicable legislation, policies and guidelines. Methods of minimizing or avoiding a negative impact on a cultural heritage resource(s) as stated in the *Ontario Heritage Tool Kit* include, but are not limited to:
 - + Alternative development approaches
 - + Isolating development and site alteration from significant built and natural features and vistas
 - + Design guidelines that harmonize mass, setback, setting and materials;
 - + Limiting height and density so as to respect scale and context of the significant built heritage resource
 - + Allowing only compatible infill and additions that are complementary and reinforce the key elements or attributes of the built heritage resource
 - + Reversible alterations
 - + Relocation (to be considered under the conditions described in the *Appleton Charter*)

(9) Conservation Strategy

- The preferred strategy based on best-practice conservation principles and applicable legislation, policies and guidelines that protect and enhance the

cultural heritage value and heritage attributes of the cultural heritage resource(s) including, but not limited to:

- + A mitigation strategy including the proposed methods
 - + A conservation scope of work including the proposed methods
 - + An implementation and monitoring plan
 - + Recommendation for additional studies / plans related to, but not limited to: conservation, interpretation and/or commemoration
- If removal of the cultural heritage resource is recommended, the CHIA must provide site specific requirements in terms of features or resources that can be protected, removed and re-used, and, undertake a photographic documentation of the history and importance of the built feature prior to demolition. The photographic documentation shall be presented and transferred to the Township.
 - A detailed analysis on how the preferred strategy is in accordance with the applicable legislation, policies and guidelines. Reference conservation principles and precedents.

(10) Appendices

- A bibliography listing research materials used and sources consulted in preparing the CHIA

5. *How Many Copies of a CHIA are to be Provided to the Township?*

- Please provide the following to the Township of North Dumfries Planning Division:
 - + Three (3) bound hard copies
 - + One (1) camera ready copy
 - + One (1) CD copy in a PDF Format

6. Consultation Process

- As part of the consideration of a CHIA, consultation with Township Staff and the North Dumfries Heritage Advisory Committee are required. This shall involve:
 - + A pre-consultation meeting with Staff prior to the commencement of the CHIA.
 - + Presentation and discussion with the Heritage Advisory Committee and Township Staff on the *draft* CHIA Report.
 - + Presentation and recommendations with the Heritage Advisory Committee and Township Staff on the *final* CHIA Report.
 - + Staff Report to Council on the CHIA Report.

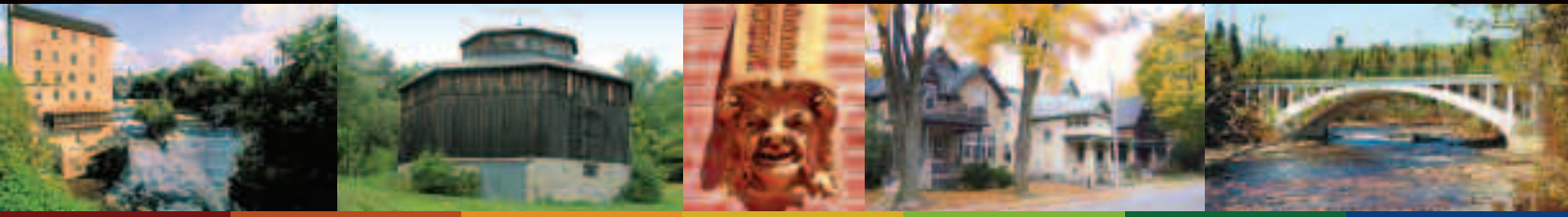
Contact Information:

Township of North Dumfries
North Dumfries Community Complex
2958 Greenfield Road
P.O. Box 1060
Ayr, Ontario NOB 1E0

Tel. (519) 632-8800
Email mail@northdumfries.ca



Appendix C: Ontario Heritage Tool Kit: Heritage Resources in the Land Use Planning Process, Info Sheet #5, Heritage Impact Assessments and Conservation Plans



InfoSheet #5

Heritage Impact Assessments and Conservation Plans

Winter 2006

Preserved Goldie Mill Ruins located in the City of Guelph



(Leanne Piper)

Heritage impact assessments and conservation plans as conditions of development and site alteration

With regard to cultural heritage and *archaeological resources*, the Provincial Policy Statement, 2005 issued under the authority of the Planning Act defines “*conserved*” as “the identification, protection, use and/or management of cultural heritage and *archaeological resources* in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment.”

To conserve a cultural heritage resource, a municipality or approval authority may require a heritage impact assessment and/or a conservation plan to guide the approval, modification, or denial of a proposed *development* or *site alteration* that affects a cultural heritage resource. To ensure implementation of a conservation plan, a municipality may require an owner to post a letter of credit, bond or certified cheque as part of the *development* approval process.

This applies to all properties or geographic areas containing cultural heritage resources that are *significant* or “valued for the important contribution they make to our understanding of the history of a place, an event, or a people.” (PPS, 2005). Properties and geographic areas include: all listed, inventoried, mapped heritage properties by local, provincial or federal jurisdiction(s); *protected heritage property(s)*; newly identified cultural heritage sites which may need further evaluation; and areas that can be identified as having known archaeological sites or archaeological potential.

Using tools such as heritage impact assessments and conservation plans, municipalities and approval authorities can further enhance their own heritage preservation objectives.

PRINCIPLES IN THE CONSERVATION OF HISTORIC PROPERTIES

Respect for Documentary Evidence

Do not base restoration on conjecture.

Respect for Original Location

Do not move buildings unless there is no other means to save them.

Respect for Historic Material

Repair/conservate rather than replace building materials and finishes, except where absolutely necessary.

Respect for Original Fabric

Repair with like materials.

Respect for the Building's History

Do not restore to one period at the expense of another period.

Reversibility

Alterations should allow a resource to return to its original conditions.

Legibility

New work to be distinguishable from old.

Maintenance

With continuous care, future restoration will not be necessary.

A **heritage impact assessment (or equivalent study)** is a study to determine if any cultural heritage resources (including those previously identified and those found as part of the site assessment) or in any *areas of archaeological potential*, are impacted by a specific proposed *development* or *site alteration*. It can also demonstrate how the cultural heritage resource will be *conserved* in the context of redevelopment or *site alteration*. Mitigative or avoidance measures or alternative *development* or *site alteration* approaches may be recommended. For archaeological assessments, fieldwork must be undertaken by licensed professional archaeologists in accordance with the Ontario Heritage Act and its regulations. (refer to InfoSheet #3 entitled *Archaeological Resources and Areas of Archaeological Potential*).

A **conservation plan (or equivalent study)** is a document that details how a cultural heritage resource can be *conserved*. The conservation plan may be supplemental to a heritage impact assessment, but it is typically a separate document. The recommendations of the plan should include descriptions of repairs, stabilization and preservation activities as well as long term conservation, monitoring and maintenance measures.

What is the content of a heritage impact assessment?

A heritage impact assessment generally contains, but is not limited to the following information:

1. Historical Research, Site Analysis and Evaluation

If the available identification and description of the significance and *heritage attributes* of the cultural heritage resource are inadequate for the purposes of the heritage impact assessment, or the cultural heritage resource is newly identified, research, site survey and analysis, and evaluation are required. An explanation of the methodology used must accompany a clear statement of the conclusions regarding the significance and *heritage attributes* of the cultural heritage resource.

2. Identification of the Significance and Heritage Attributes of the Cultural Heritage Resource

This is usually a summary of the cultural heritage value or interest and the *heritage attributes* contained in a heritage property municipal designation bylaw, heritage conservation easement agreement, or other listings. This summary should clearly articulate the cultural heritage value or interest and *heritage attributes* of the heritage resource. If the property is not a *protected heritage property* but is listed or is newly identified and may possess heritage significance, statements of cultural heritage value or interest and the *heritage attributes* should still be developed.

3. Description of the Proposed Development or Site Alteration

This description details the rationale and purpose for the *development* or *site alteration*, the proposed works and graphical layout, and how the *development* or *site alteration* fits with the objectives of the municipality or approval authority.

4. Measurement of Development or Site Alteration Impact

Any impact (direct or indirect, physical or aesthetic) of the proposed *development* or *site alteration* on a cultural heritage resource must be identified. The effectiveness of any proposed conservation or mitigative or avoidance measures must be evaluated on the basis of established principles, standards and guidelines for heritage conservation.

5. Consideration of Alternatives, Mitigation and Conservation Methods

Where an impact on a cultural heritage resource is identified, and the proposed conservation or mitigative measures including avoidance, are considered ineffective, other conservation or mitigative measures, or alternative *development* or *site alteration* approaches must be recommended.

6. Implementation and Monitoring

This is a schedule and reporting structure for implementing the recommended conservation or mitigative or avoidance measures, and monitoring the cultural heritage resource as the *development* or *site alteration* progresses.

7. Summary Statement and Conservation Recommendations

This is a description of:

- the significance and *heritage attributes* of the cultural heritage resource;
- the identification of any impact that the proposed *development* will have on the cultural heritage resource;
- an explanation of what conservation or mitigative measures, or alternative *development* or *site alteration* approaches are recommended to minimize or avoid any impact on the cultural heritage resource;
- if applicable, clarification of why some conservation or mitigative measures, or alternative *development* or *site alteration* approaches are not appropriate.

NEGATIVE IMPACTS

Negative impact on a cultural heritage resource include, but are not limited to:

Destruction of any, or part of any, *significant heritage attributes* or features;

Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance;

Shadows created that alter the appearance of a *heritage attribute* or change the viability of a natural feature or plantings, such as a garden;

Isolation of a *heritage attribute* from its surrounding environment, context or a *significant* relationship;

Direct or indirect obstruction of *significant* views or vistas within, from, or of built and natural features;

A change in land use such as rezoning a battlefield from open space to residential use, allowing new *development* or *site alteration* to fill in the formerly open spaces;

Land disturbances such as a change in grade that alters soils, and drainage patterns that adversely affect an *archaeological resource*.

MITIGATION OR AVOIDANCE

Methods of minimizing or avoiding a negative impact on a cultural heritage resource include, but are not limited to:

- Alternative *development* approaches
- Isolating *development* and *site alteration* from *significant* built and natural features and vistas
- Design guidelines that harmonize mass, setback, setting, and materials
- Limiting height and density
- Allowing only compatible infill and additions
- Reversible alterations
- Buffer zones, site plan control, and other planning mechanisms

For more information contact:

Ontario Ministry of Culture

400 University Avenue, 4th Floor

Toronto, ON M7A 2R9

General_Info@mcl.gov.on.ca

(416) 212-0644

1 (866) 454-0049

web page:

<http://www.culture.gov.on.ca>

Additional information on the Provincial Policy Statement, 2005 is available on the Ministry of Municipal Affairs and Housing web page:
<http://www.mah.gov.on.ca>

What is the content of a conservation plan?

A Conservation Plan generally contains, but is not limited to the following information:

1. **Identification** of the conservation principles appropriate for the type of cultural heritage resource being *conserved*;
2. **Analysis** of the cultural heritage resource, including documentation of the resource, descriptions of cultural heritage value or interest, assessment of resource conditions and deficiencies, discussion of historical, current and proposed use;
3. **Recommendations** for conservation measures and interventions, short or long term maintenance programs, implementation, and the qualifications for anyone responsible for the conservation work;
4. **Schedule** for conservation work, inspection, maintenance, costing, and phases of rehabilitation or restoration work;
5. **Monitoring** of the cultural heritage resource and the *development* of a long term reporting structure.

Who is qualified to prepare a heritage impact assessment and conservation plan?

Heritage impact assessments and conservation plans for *built heritage resources* and *cultural heritage landscapes* must be prepared by qualified individuals, such as architectural and landscape consultants with knowledge of accepted standards of historical research, identification, evaluation, and methods of conservation and mitigation. For properties containing *archaeological resources* or *areas of archaeological potential*, only licensed professional archaeologists can carry out technical assessments and alter known archaeological sites.

Further information on heritage impact assessments and conservation plans will be available in future technical guides and manuals developed by the Ministry of Culture.

*Note: This InfoSheet was developed to assist participants in the land use planning process and to understand the PPS, 2005 policies related to the conservation planning of cultural heritage and *archaeological resources*. The information in the InfoSheet should not be relied upon as a substitute for specialized legal or professional advice in connection with any particular matter.

Header photos: Elora Mill (Copyright 2006 Ontario Tourism), Cunnington-Osborne Farm Complex, Caledon (Sally Drummond), Whig-Standard Building, Kingston (Marcus Létourneau), Victoria Park Heritage Conservation District, Kitchener (Ministry of Culture), Black Bay Bridge, Thunder Bay (Ministry of Culture)

Appendix D: Additional Applicable Policy

Places to Grow Act, 2005, S.O. 2005

The Places to Grow Act guides growth in the province and was consolidated on 1 June 2021. It is intended:

- a) to enable decisions about growth to be made in ways that sustain a robust economy, build strong communities and promote a healthy environment and a culture of conservation;
- b) to promote a rational and balanced approach to decisions about growth that builds on community priorities, strengths and opportunities and makes efficient use of infrastructure;
- c) to enable planning for growth in a manner that reflects a broad geographical perspective and is integrated across natural and municipal boundaries;
- d) to ensure that a long-term vision and long-term goals guide decision-making about growth and provide for the co-ordination of growth policies among all levels of government.¹⁴

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

The Property is located within the area regulated by *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the Growth Plan)*, which came into effect on 16 May 2019 and was consolidated on 28 August 2020.

In Section 1.2.1, the *Growth Plan* states that its policies are based on key principles, which includes:

Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.¹⁵

Section 4.1 Context, in the *Growth Plan* describes the area it covers as containing:

...a broad array of important hydrologic and natural heritage features and areas, a vibrant and diverse agricultural land base, irreplaceable cultural heritage resources, and valuable renewable and non-renewable resources.¹⁶

It describes cultural heritage resources as:

The GGH also contains important cultural heritage resources that contribute to a sense of identity, support a vibrant tourism industry, and attract investment

¹⁴ Province of Ontario, "Places to Grow Act, 2005, S.O. 2005, c. 13," last modified 1 June 2021, accessed 19 June 2023, <https://www.ontario.ca/laws/statute/05p13>, Section 1.

¹⁵ Province of Ontario, "A Place to Grow: Growth Plan for the Greater Golden Horseshoe," last modified 28 August 2020, accessed 19 June 2023, <https://files.ontario.ca/mmah-place-to-grow-office-consolidation-en-2020-08-28.pdf>, 6.

¹⁶ Province of Ontario, "A Place to Grow: Growth Plan for the Greater Golden Horseshoe," 39.

based on cultural amenities. Accommodating growth can put pressure on these resources through development and site alteration. It is necessary to plan in a way that protects and maximizes the benefits of these resources that make our communities unique and attractive places to live.¹⁷

Policies specific to cultural heritage resources are outlined in Section 4.2.7, as follows:

- i. Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas;
- ii. Municipalities will work with stakeholders, as well as First Nations and Métis communities, in developing and implementing official plan policies and strategies for the identification, wise use and management of cultural heritage resources; and,
- iii. Municipalities are encouraged to prepare archaeological management plans and municipal cultural plans and consider them in their decision-making.¹⁸

Amendment 1 to *A Place to Grow* aligns the definitions of *A Place to Grow* with the PPS 2020.

Regional Arts, Culture & Heritage Master Plan

The Arts, Culture and Heritage Master Plan of 2002 provided a series of recommendations and implementation strategies for identification, protection, promoting, and investing in arts, culture and heritage resources in Waterloo Region.

This document provided a definition of cultural heritage for the Region of:

Arts, culture, and heritage initiatives make a significant contribution to the well-being and quality of life of the residents of Waterloo Region. They reflect and enhance the community's unique identity and diversity, contribute to economic vitality, and shape future growth. Accordingly, the Region of Waterloo, alone or in partnership, will identify, protect, promote, and invest in existing resources; implement strategies to support existing and additional arts, culture, and heritage initiatives; and ensure their long-term prosperity and sustainability.¹⁹

The Plan offered five key goals, with the first, Community Identity and Character, stating:

"Community Identity and Character Develop a stronger cultural heritage identity for the region, one that celebrates its diversity, the character of its multiple towns and cities and the differing traditions of their founders; its natural features; and the richness of its arts, culture and heritage assets".²⁰

¹⁷ Province of Ontario, "A Place to Grow: Growth Plan for the Greater Golden Horseshoe," 39.

¹⁸ Province of Ontario, "A Place to Grow: Growth Plan for the Greater Golden Horseshoe," 47.

¹⁹ Region of Waterloo, "Arts, Culture and Heritage Master Plan (ACHMP)," accessed 19 June 2023, <https://www.regionofwaterloo.ca/en/exploring-the-region/resources/Documents/artsmasterplan.pdf>, 4.

²⁰ Region of Waterloo, "Arts, Culture and Heritage Master Plan," 5.

This document is important due to its role in helping provide guidance and direction for the region for protecting, identifying, and enhancing cultural heritage aspects for communities, and in serving as a primary document to help develop new policies and implementation strategies.