

APPENDIX J.6

MINISTRY OF TOURISM, CULTURE AND SPORT



Ministry of Tourism, Culture & Sport

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July 15, 2014

Mr. Alvaro Almuina (by email only)
Project Manager
Urban & Environmental Management Inc
5100 Orbitor Drive, Suite 300
Mississauga, ON L4W 4Z4

**Project: Ninth Line (Regional Road 13) Corridor Improvements from Highway 407
to 10th Side Road (Regional Road 10) – Municipal Class EA**

Location: Town of Halton Hills

MTCS File: 0001681

Dear Mr. Almuina

Thank you for providing the Ministry of Tourism, Culture and Sport (MTCS) with the Notice of Commencement for your project. MTCS's interest in this EA project relates to its mandate of protecting, conserving and preserving Ontario's culture heritage, which includes:

- Archaeological resources, including land-based and marine;
- Built heritage resources, including bridges and monuments; and,
- Cultural heritage landscapes.

Under the EA process, the proponent is required to determine a project's potential impact on cultural heritage resources. Please advise MTCS whether an archaeological assessment and/or a heritage impact assessment will be completed for your EA project, and provide them to MTCS before issuing a Notice of Completion.

Aboriginal communities may have knowledge that can contribute to the identification of cultural heritage resources, and we suggest that any engagement with Aboriginal communities includes a discussion about known or potential cultural heritage resources that are of value to these communities.

Project Summary

The purpose of this EA is to review, evaluate and recommend improvements to Ninth Line, including widening of the road to a four lane cross-section. Alternative design concepts will include road rehabilitation, widening and drainage works, changes to traffic control and operations, cycling provision, intersection improvements, and consideration of transit and improvements to pedestrian environment.

Archaeological Resources

Your EA project may impact archaeological resources and you may screen the project with the MTCS [Criteria for Evaluating Archaeological Potential](#) to determine if an archaeological assessment is needed.

In this regard, please be aware that our mapping indicates that there are a number of known archaeological sites and also a number of water courses within or near the study corridor. As such the study area would be considered to exhibit archaeological potential. Accordingly, an archaeological assessment (AA) by an *Ontario Heritage Act* (OHA) licensed archaeologist, who is responsible for submitting the report directly to MTCS for review, is recommended.

Built Heritage and Cultural Heritage Landscapes

The attached MTCS checklist *Screening for Impacts to Built Heritage and Cultural Heritage Landscapes* helps determine whether your EA project may impact cultural heritage resources. The clerk for the municipality encompassing your EA project can provide information on property registered or designated under the *Ontario Heritage Act*.

A Cultural Heritage Evaluation Report is used to determine the cultural heritage value or interest of a potential Provincial Heritage Property. If your EA project will impact heritage resources, MTCS recommends that a Heritage Impact Assessment (HIA) be prepared by a qualified consultant. Our Ministry's [Info Sheet #5: Heritage Impact Assessments and Conservation Plans](#) outlines the scope of HIAs. Please send HIAs to MTCS (and the local municipality as appropriate) for review, and make it available to local organizations or individuals who have expressed their interest in heritage.

Environmental Assessment Reporting

All technical heritage studies and their recommendations are to be addressed and incorporated into EA projects. If your screening has identified no known or potential cultural heritage resources, or no impacts to these resources, please include the completed checklists and supporting documentation in the EA report or file. MTCS is in no way liable if the information in the completed checklists is found to be inaccurate or incomplete.

Thank-you for circulating MTCS on this project: please continue to do so through the EA process, and contact me for any questions or clarification.

Sincerely,

Rosi Zirger
Heritage Planner
416-314-7159
rosi.zirger@ontario.ca

“Archaeological potential” is a term used to describe the likelihood that a property contains archaeological resources. This checklist is intended to assist non-specialists screening for the archaeological potential of a property where site alteration is proposed.

Note: for projects seeking a Renewable Energy Approval under Ontario Regulation 359/09, the Ministry of Tourism and Culture has developed a separate checklist to address the requirements of that regulation.

Project Name
Project Location
Proponent Name
Proponent Contact Information

Known Archaeological Sites	Yes	Unknown	No
1. Known archaeological sites within 300 m of property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Known Archaeological Sites	Yes	Unknown	No
2. Body of water within 300 m of property If yes, what kind of water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a) Primary water source (lake, river, large creek, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Secondary water source (stream, spring, marsh, swamp, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Past water source (beach ridge, river bed, relic creek, ancient shoreline, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Topographical features on property (knolls, drumlins, eskers, or plateaus)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Pockets of sandy soil (50 m ² or larger) in a clay or rocky area on property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Distinctive land formations on property (mounds, caverns, waterfalls, peninsulas, etc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cultural Features	Yes	Unknown	No
6. Known burial site or cemetery on or adjacent to the property (cemetery is registered with the Cemeteries Regulation Unit)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Food or scarce resource harvest areas on property (traditional fishing locations, agricultural/berry extraction areas, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Indications of early Euro-Canadian settlement within 300 m of property (monuments, cemeteries, structures, etc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Early historic transportation routes within 100 m of property (historic road, trail, portage, rail corridor, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Property-specific Information	Yes	Unknown	No
10. Property is designated and/or listed under the <i>Ontario Heritage Act</i> (municipal register and lands described in Reg. 875 of the <i>Ontario Heritage Act</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Local knowledge of archaeological potential of property (from aboriginal communities, heritage organisations, municipal heritage committees, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Recent deep ground disturbance [†] (post-1960, widespread and deep land alterations)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

[†] Archaeological potential can be determined not to be present for either the entire property or a part(s) of it when the area under consideration has been subject to widespread and deep land alterations that have severely damaged the integrity of any archaeological resources. Deep disturbance may include quarrying or major underground infrastructure development. Activities such as agricultural cultivation, gardening, minor grading and landscaping are not necessarily considered deep disturbance. Alterations can be considered to be extensive or widespread when they have affected a large area, usually defined as the majority of a property.

Scoring the results:

If **Yes** to **any** of **1, 2a, 2b, 2c, 6, 10, or 11** → high archaeological potential – assessment is required

If **Yes** to **two or more** of **3, 4, 5, 7, 8, or 9** → high archaeological potential – assessment is required

If **Yes** to **12** or **No** to all of **1 - 10** → **low** archaeological potential – assessment is not required

If 3 or more **Unknown** → an archaeological assessment is required (see note below)

† **Note:** If information requested in this checklist is unknown, a consultant archaeologist licensed under the *Ontario Heritage Act* should be retained to carry out at least a Stage 1 archaeological assessment to further explore the archaeological potential of the property and to prepare a report on the results of that assessment. The Ministry of Tourism and Culture reviews all such reports prepared by consultant archaeologists against the ministry's Standards and Guidelines for Consultant Archaeologists. Once the ministry is satisfied that, based on the available information, the report has been prepared in accordance with those guidelines, the ministry issues an acceptance letter to the consultant archaeologist and places the report into its registry where it is available for public inspection.

Screening for Impacts to Built Heritage and Cultural Heritage Landscapes

This checklist is intended to help proponents determine whether their project could affect known or potential cultural heritage resources. The completed checklist should be returned to the appropriate Heritage Planner or Heritage Advisor at the Ministry of Tourism and Culture.

Step 1 – Screening for Recognized Cultural Heritage Value

YES	NO	Unknown	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Is the subject property designated or adjacent* to a property designated under the <i>Ontario Heritage Act</i> ?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Is the subject property listed on the municipal heritage register or a provincial register/list? (e.g. Ontario Heritage Bridge List)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. Is the subject property within or adjacent to a Heritage Conservation District?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4. Does the subject property have an Ontario Heritage Trust easement or is it adjacent to such a property?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5. Is there a provincial or federal plaque on or near the subject property?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6. Is the subject property a National Historic Site?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7. Is the subject property recognized or valued by an Aboriginal community?

Step 2 – Screening Potential Resources

YES	NO	Unknown	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Built heritage resources
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Does the subject property or an adjacent property contain any buildings or structures over forty years old[†] that are:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	▪ Residential structures (e.g. house, apartment building, shanty or trap line shelter)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	▪ Farm buildings (e.g. barns, outbuildings, silos, windmills)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	▪ Industrial, commercial or institutional buildings (e.g. a factory, school, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	▪ Engineering works (e.g. bridges, water or communications towers, roads, water/sewer systems, dams, earthworks, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	▪ Monuments or Landmark Features (e.g. cairns, statues, obelisks, fountains, reflecting pools, retaining walls, boundary or claim markers, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Is the subject property or an adjacent property associated with a known architect or builder?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. Is the subject property or an adjacent property associated with a person or event of historic interest?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4. When the municipal heritage planner was contacted regarding potential cultural heritage value of the subject property, did they express interest or concern?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Cultural heritage landscapes
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5. Does the subject property contain landscape features such as:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	▪ Burial sites and/or cemeteries
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	▪ Parks or gardens
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	▪ Quarries, mining, industrial or farming operations
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	▪ Canals
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	▪ Prominent natural features that could have special value to people (such as waterfalls, rocky outcrops, large specimen trees, caves, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	▪ Evidence of other human-made alterations to the natural landscape (such as trails, boundary or way-finding markers, mounds, earthworks, cultivation, non-native species, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6. Is the subject property within a Canadian Heritage River watershed?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7. Is the subject property near the Rideau Canal Corridor UNESCO World Heritage Site?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8. Is there any evidence from documentary sources (e.g., local histories, a local recognition program, research studies, previous heritage impact assessment reports, etc.) or local knowledge or Aboriginal oral history, associating the subject property/ area with historic events, activities or persons?

Note:

If the answer is "yes" to any question in Step 1, proceed to Step 3.

The following resources can assist in answering questions in Step 1:

Municipal Clerk or Planning Department – Information on properties designated under the Ontario Heritage Act (individual properties or Heritage Conservation Districts) and properties listed on a Municipal Heritage register.

Ontario Heritage Trust – Contact the OHT directly regarding easement properties. A list of OHT plaques can be found on the website: [Ontario Heritage Trust](#)

Parks Canada – A list of National Historic Sites can be found on the website: [Parks Canada](#)

Ministry of Tourism and Culture – The Ontario Heritage Properties Database includes close to 8000 identified heritage properties. Note while this database is a valuable resource, it has not been updated since 2005, and therefore is not comprehensive or exhaustive. [Ontario Heritage Properties Database](#)

Local or Provincial archives

Local heritage organizations, such as the municipal heritage committee, historical society, local branch of the Architectural Conservancy of Ontario, etc.

Consideration should also be given to obtaining oral evidence of CHRs. For example, in many Aboriginal communities, an important means of maintaining knowledge of cultural heritage resources is through oral tradition.

If the answer is "yes" to any question in Step 2, an evaluation of cultural heritage value is required. If cultural heritage resources are identified, proceed to Step 3.

If the answer to any question in Step 1 or to questions 2-4, 6-8 in Step 2, is "unknown", further research is required.

If the answer is "yes" to any of the questions in Step 3, a heritage impact assessment is required.

If uncertainty exists at any point, the services of a qualified person should be retained to assist in completing this checklist. All cultural heritage evaluation reports and heritage impact assessment reports must be prepared by a qualified person. Qualified persons means individuals (professional engineers, architects, archaeologists, etc.) having relevant, recent experience in the identification and conservation of cultural heritage resources. Appropriate evaluation involves gathering and recording information about the property sufficient to understand and substantiate its heritage value; determining cultural heritage value or interest based on the advice of qualified persons and with appropriate community input. If the property meets the criteria in Ontario Regulation 9/06 under the Ontario Heritage Act, it is a cultural heritage resource.

† The 40 year old threshold is an indicator of potential when conducting a preliminary survey for identification of cultural heritage resources. While the presence of a built feature that is 40 or more years old does not automatically signify cultural heritage value, it does make it more likely that the property could have cultural heritage value or interest. Similarly, if all the built features on a property are less than 40 years old, this does not automatically mean the property has no cultural heritage value. Note that age is not a criterion for designation under the *Ontario Heritage Act*.

Step 3 – Screening for Potential Impacts	
YES NO	Will the proposed undertaking/project involve or result in any of the following potential impacts to the subject property or an adjacent* property?
<input type="checkbox"/>	<input type="checkbox"/> Destruction, removal or relocation of any, or part of any, heritage attribute or feature.
<input type="checkbox"/>	<input type="checkbox"/> Alteration (which means a change in any manner and includes restoration, renovation, repair or disturbance).
<input type="checkbox"/>	<input type="checkbox"/> Shadows created that alter the appearance of a heritage attribute or change the exposure or visibility of a natural feature or plantings, such as a garden.
<input type="checkbox"/>	<input type="checkbox"/> Isolation of a heritage attribute from its surrounding environment, context or a significant relationship.
<input type="checkbox"/>	<input type="checkbox"/> Direct or indirect obstruction of significant views or vistas from, within, or to a built or natural heritage feature.
<input type="checkbox"/>	<input type="checkbox"/> 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.
<input type="checkbox"/>	<input type="checkbox"/> Soil disturbance such as a change in grade, or an alteration of the drainage pattern, or excavation, etc.

* For the purposes of evaluating potential impacts of development and site alteration "adjacent" means: contiguous properties as well as properties that are separated from a heritage property by narrow strip of land used as a public or private road, highway, street, lane, trail, right-of way, walkway, green space, park, and/or easement or as otherwise defined in the municipal official plan.

Amanda Selig

From: Amanda Selig
Sent: Tuesday, May 05, 2015 1:36 PM
To: 'Zirger, Rosi (MTCS)'; Alvaro Almuina
Cc: alicia.jakaitis@halton.ca
Subject: RE: Ninth Line Corridor Improvements from Hwy 407 to 10 Sideroad
Attachments: Ninth Line Built Heritage Assessment Client Draft v1.pdf

Hello Rosi:

Thank you for responding to the TAC #2 invite. I will make sure that you receive a copy of the meeting minutes when they are done.

The PIF for the Stage 1 Archaeological Assessment is *P017-0322-2014* and please find attached the draft Built Heritage Assessment Report for your review. Let me know if there is anything else that you need.

Best regards,

Amanda Selig, BES, EPT

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From: Zirger, Rosi (MTCS) [mailto:Rosi.Zirger@ontario.ca]
Sent: Monday, May 04, 2015 3:49 PM
To: Alvaro Almuina; Amanda Selig
Cc: alicia.jakaitis@halton.ca
Subject: Ninth Line Corridor Improvements from Hwy 407 to 10 Sideroad

Thank you sending the Ministry of Tourism, Culture and Sport the invitation to the TAC #2 Meeting to take place on May 12th, 2015. As I have already advised Amanda Selig, MTCS will not be able to attend this meeting in person. However, we ask that the meeting minutes be sent to us as they are available.

Meanwhile, we see from the TAC#1 meeting notes that a Stage 1 archaeological assessment has been undertaken for this EA project. Would you please send us the Project Information Form (PIF) for this assessment. Your archaeologist would be able to provide this PIF number.

We also see that 8 built heritage resources have been identified within the study area. Would you please send any cultural heritage reports that have been completed for this EA directly to me.

Thanks you in advance.

Rosi Zirger

Heritage Planner

Ministry of Tourism, Culture & Sport

Culture Division | Programs & Services Branch | Culture Services Unit

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May 28, 2015

Mr. Alvaro Almuina (by email only)
Project Manager
Urban & Environmental Management Inc.
5100 Orbitor Drive, Suite 300
Mississauga, ON L4W 4Z4

**Project: Ninth Line (Regional Road 13) Corridor Improvements from Highway 407
to 10th Side Road (Regional Road 10) – Municipal Class EA**

Location: Town of Halton Hills

MTCS File: 0001681

Dear Mr. Almuina

Thank you for providing the Ministry of Tourism, Culture and Sport (MTCS) with draft Built Heritage Report as requested. MTCS's interest in this EA project relates to its mandate of protecting, conserving and preserving Ontario's culture heritage, which includes archaeological resources, built heritage resources and cultural heritage landscapes.

We have reviewed the report titled: *Built Heritage Review -Ninth Line (Regional Road 13) EA Study from Steeles Avenue to No. 10 Side Road (Regional Road 10), Geographical and Historical Township of Esquesing, Town of Halton Hills, Regional Municipality of Halton* dated August 2014 prepared by Detritus Consulting Ltd and has the following comments and recommendations:

As a general comment, the information provided in this report does not satisfactorily address the built heritage and cultural heritage landscape component for the Municipal Class EA process. We suggest you refer to the guidance provided in MTCS's letter of July 15, 2014. That said the following are MTCS's report-specific comments:

1.0 Executive Summary

2.1 Development Context

The report should clearly state the purpose for undertaking this technical study, including the proponent, the project and the legislative or regulatory framework (e.g. Municipal Class EA). In addition the Executive Summary states that the improvements to Ninth Line are part of the GTA West Transportation Corridor Project. Please clarify this statement.

2.3 Historical Context

This section cites the Halton Region Master Plan of Archaeological Resources as not listing Ninth Line as a historic road, and concludes that "no structures are depicted on this map in any of the lots fronting Ninth Line". It is not clear which map is being referred to, nor is it clear what

relevance the archaeological master plan has for this study. Ninth Line is clearly depicted on the 1858 Tremaine's Map and the 1877 Historical Atlas, and would be considered to be a historic road. Please clarify this information.

3.0 Built Heritage

We suggest that this section and this report could be better served by including information that may be relevant to this technical study rather than a forum for the author's opinion as to the subjectivity of determining heritage value. Perhaps this section could provide some background or methodology of the how the inventory was developed. For example: when was the site visit (e.g. windscreen survey?) undertaken? Was municipal staff contacted for information regarding designated or listed properties? If so who was contacted and when? Was the information obtained online? Are any properties subject to Notice of Intention to Designate etc.?

In addition, Cultural Heritage Landscapes should also be identified and evaluated in this report.

3.1 Determining Cultural Heritage Value or Interest (CHVI)

The Parks Canada Federal Heritage Buildings Review Evaluation form was developed for and is intended to be used to evaluate federally owned buildings. As such it is not appropriate to use for this Municipal Class EA. While the final paragraph of this section refers to Ontario Regulation 9/06, the report does not provide any evidence of how the evaluation criteria were applied, and the results of the evaluation.

Ontario Regulation 9/06 of the *Ontario Heritage Act* which establishes the Criteria for Determining Cultural Heritage Value or Interest should be used to evaluate all potential cultural heritage resources, including built heritage resources and cultural heritage landscapes. For criteria such as historical associations or contextual value, the report should demonstrate that sufficient research was conducted to inform the determination.

3.2 Built Heritage Resource Inventory

The report should provide some background as to the basis for the information presented in this inventory. See comments for section 3.1.

The report states that only those buildings or structures located within 100 metres of the project right of way were considered. Please provide a rationale for this 100 metre limit.

As mentioned above cultural heritage landscapes must also be identified and evaluated. Properties identified should be considered as a whole and not simply focus on the architectural details of the residence. For example, in previous sections of the report the overall study area is described as an intact rural residential landscape, and that the proposed construction may result in alterations to the "farmscapes" associated with four of the identified resources. It is not clear from the inventory which residences are part of farms or whether there are other associated farm buildings.

The inventory for each building includes the heading "Heritage Value" which provides a FHBRE "score" and a statement as to whether it has been identified as having CHVI under Ontario O. Reg 9/06. It is not clear whether the latter reflects information obtained from the existing municipal Heritage Register or whether each property was evaluated as part of this study. Please clarify.

4.0 Conclusions

The concluding sentence states that, “though there are a large number of other residences situated along Ninth Line adjacent to the project area, these are 20th Century homes with no currently appreciable CHVI”. This should be addresses in the body of the report. Even though these are “20th Century homes” it is still possible that some may meet the screening criteria of being older than 40 years. Also, please provide a basis for concluding that they have “no appreciable CHVI”. Does this mean they were evaluated?

Summary

This report in its current form does not satisfy the built heritage and cultural heritage landscape component for the Municipal Class EA process. In summary, we recommend the following:

- apply the screening criteria to identify known and potential cultural heritage resources within the study area
- each property should be evaluated to determine whether it meets the criteria of O. Reg 9/06 and is considered to have CHVI
- if a property is determined to have CHVI, then project impacts should be assessed, for mitigation recommendations. Our Ministry’s [Info Sheet #5: Heritage Impact Assessments and Conservation Plans](#) outlines the scope of HIAs.

Meanwhile, we would appreciate being kept informed of this project as it proceeds through the EA process. We would also appreciate being kept informed of the manner in which the Ministry’s input has been considered.

Please feel free to email or telephone me as necessary. I would be pleased to have further discussion with you.

Sincerely,

Rosi Zirger

Heritage Planner

416-314-7159

rosi.zirger@ontario.ca

copy: Amanda Selig, Urban & Environmental Management Inc.
Garth Grimes, Detrius Consulting Ltd.

The following table provides a summary of the Project Team’s responses to the comments/questions received from the Ministry of Culture, Tourism and Sport in a letter dated May 28, 2015 regarding the draft Built Heritage Assessment Report for the Ninth Line Class EA study.

MTCS Comment	Project Team Response
<p><i>2.1 Development Context</i></p> <p>The report should clearly state the purpose for undertaking this technical study, including the proponent, the project and the legislative or regulatory framework (e.g. Municipal Class EA). In addition the Executive Summary states that the improvements to Ninth Line are part of the GTA West Transportation Corridor Project. Please clarify this statement.</p>	<p>This section of the report will be updated as suggested.</p>
<p><i>2.3 Historical Context</i></p> <p>This section cites the Halton Region Master Plan of Archaeological Resources as not listing Ninth Line as a historic road, and concludes that “no structures are depicted on this map in any of the lots fronting Ninth Line”. It is not clear which map is being referred to, nor is it clear what relevance the archaeological master plan has for this study. Ninth Line is clearly depicted on the 1858 Tremaine’s Map and the 1877 Historical Atlas, and would be considered to be a historic road. Please clarify this information.</p>	<p>Comment noted. The map being referred to is the Historic Features Map (Fig. 2) in the Halton Region Master Plan of Archaeological resources. There are three structures in close proximity to the study area as shown on this map. The report will be revised to identify the map and the number of structures. Most historic roads listed in the AMP are major roads and probably existed as Macadamized roads or corduroy roads while secondary roads such as Ninth Line were muddy trails. The Team is trying to reconcile why Ninth Line is not on the AMP.</p> <p>This is section of the report will be expanded in the context of the requirements of the Class EA being undertaken.</p>
<p><i>3.0 Built Heritage</i></p> <p>We suggest that this section and this report could be better served by including information that may be relevant to this technical study</p>	<p>Comment noted. A Cultural and Built Heritage Assessment is required to fulfill the requirements of a Schedule C Class EA. Such a study consists of the physical, historical and development context for the project area, an inventory of</p>

MTCS Comment	Project Team Response
<p>rather than a forum for the author’s opinion as to the subjectivity of determining heritage value. Perhaps this section could provide some background or methodology of the how the inventory was developed. For example: when was the site visit (e.g. windscreen survey?) undertaken? Was municipal staff contacted for information regarding designated or listed properties? If so who was contacted and when? Was the information obtained online? Are any properties subject to Notice of Intention to Designate etc.?</p> <p>In addition, Cultural Heritage Landscapes should also be identified and evaluated in this report.</p>	<p>all built heritage structures located within 100m of the project area with FHBRE and Ontario Reg 9/06 evaluations and recommendations on mitigative measures for cultural heritage features documented in the report.</p> <p>The report also contains information on the farmscapes immediately surrounding the built heritage features and will be updated to include an assessment of the cultural heritage landscape within the project area.</p> <p>Based on MTCS feedback, the following will be added to the report:</p> <ul style="list-style-type: none"> • Dates for windscreen survey; • A list of Municipal staff contacted and date of contact; • Sources of information; • A list of any properties with notice of intention to designate; • A complete Reg 9/06 evaluations rather than just determinations.
<p><i>3.1 Determining Cultural Heritage Value or Interest (CHVI)</i></p> <p>The Parks Canada Federal Heritage Buildings Review Evaluation form was developed for and is intended to be used to evaluate federally owned buildings. As such it is not appropriate to use for this Municipal Class EA. While the final paragraph of this section refers to Ontario Regulation 9/06, the report does not provide any evidence of how the evaluation criteria were applied, and the results of the</p>	<p>FHBRE became a 'gold standard' in conservation and an international leader in managing public heritage and is a process adopted by most municipalities and provincial governments across Canada. FHBRE is not only used to evaluate existing federal heritage buildings but also on any privately, municipally or provincially owned building/property which the Federal Government has an</p>

MTCS Comment	Project Team Response
<p>evaluation.</p> <p>Ontario Regulation 9/06 of the <i>Ontario Heritage Act</i> which establishes the Criteria for Determining Cultural Heritage Value or Interest should be used to evaluate all potential cultural heritage resources, including built heritage resources and cultural heritage landscapes. For criteria such as historical associations or contextual value, the report should demonstrate that sufficient research was conducted to inform the determination.</p>	<p>interest in conserving.</p> <p>Please be advised that the report will be updated to show both the FHBRE and Reg 9/06 values.</p>
<p><i>3.2 Built Heritage Resource Inventory</i></p>	
<p>The report should provide some background as to the basis for the information presented in this inventory. See comments for section 3.1.</p>	<p>Noted. Please see response provided for previous comments (3.1).</p>
<p>The report states that only those buildings or structures located within 100 metres of the project right of way were considered. Please provide a rationale for this 100 metre limit.</p>	<p>The 100m limit on either side of the corridor is an accepted study area for Schedule C Class EAs. Please be advised that the preferred alternative for Ninth Line is to stay along the existing alignment and will have a maximum ROW of 42m.</p>
<p>As mentioned above cultural heritage landscapes must also be identified and evaluated. Properties identified should be considered as a whole and not simply focus on the architectural details of the residence. For example, in previous sections of the report the overall study area is described as an intact rural residential landscape, and that the proposed construction may result in alterations to the “farmscapes” associated with four of the identified resources. It is not clear from the inventory which residences are part of farms or whether there are other associated farm buildings.</p>	<p>A Cultural Heritage Landscape consists of a group of heritage features such as a farmhouse and out buildings, intervening and surrounding spaces and natural features which together form a defined area of heritage significance. Within the study area there are no large scale cultural landscapes. There are a few properties with features that include more than one building, some surrounding land and other features that are divided off from the surrounding landscape; these are considered to be “farmscapes.” Although the farmscapes surrounding some built heritage resources are touched on in the report,</p>

MTCS Comment	Project Team Response
	<p>the heritage resources with associated farmscapes can be documented as "Farmscapes" rather than "Built Heritage Resources."</p> <p>Please be advised that the report will be updated accordingly and will include specific references to any proposed impacts to farmscape resources.</p>
<p>The inventory for each building includes the heading "Heritage Value" which provides a FHBRE "score" and a statement as to whether it has been identified as having CHVI under Ontario O. Reg 9/06. It is not clear whether the latter reflects information obtained from the existing municipal Heritage Register or whether each property was evaluated as part of this study. Please clarify.</p>	<p>Each building was evaluated as part of the study and each building was evaluated independently through FHBRE and O. Reg 9/06. The Halton Heritage Registry does not contain O. Reg 9/06 scores for any of the buildings within the study area.</p> <p>The report will be revised to include complete O. Reg. 9/06 evaluations for each BHR based on our own evaluation.</p>
<p><i>4.0 Conclusions</i></p> <p>The concluding sentence states that, "though there are a large number of other residences situated along Ninth Line adjacent to the project area, these are 20thCentury homes with no currently appreciable CHVI". This should be addresses in the body of the report. Even though these are "20th Century homes" it is still possible that some may meet the screening criteria of being older than 40 years. Also, please provide a basis for concluding that they have "no appreciable CHVI". Does this mean they were evaluated?</p>	<p>Comment noted. The report will be revised to include complete evaluations for buildings older than 40 years.</p>
<p><i>Summary</i></p> <p>This report in its current form does not satisfy the built heritage and cultural heritage landscape component for the Municipal Class EA process. In summary, we recommend the following:</p>	<p>Comment noted and the report will be revised.</p>

MTCS Comment	Project Team Response
<ul style="list-style-type: none"> • apply the screening criteria to identify known and potential cultural heritage resources within the study area. 	<p>Comment noted. The screening criteria will be applied in the final report.</p>
<ul style="list-style-type: none"> • each property should be evaluated to determine whether it meets the criteria of O. Reg 9/06 and is considered to have CHVI. 	<p>Comment noted. The report will be updated to show O. Reg 9/06 evaluations in the appendix and O. Reg 9/06 results in the body of the report.</p>
<ul style="list-style-type: none"> • if a property is determined to have CHVI, then project impacts should be assessed, for mitigation recommendations. Our Ministry’s <i>Info Sheet #5: Heritage Impact Assessments and Conservation Plans</i> outlines the scope of HIAs. 	<p>Comment noted. Any mitigative measures identified in the report will be included within the mitigation and monitoring section of the ESR.</p>
<p>Meanwhile, we would appreciate being kept informed of this project as it proceeds through the EA process.</p> <p>We would also appreciate being kept informed of the manner in which the Ministry’s input has been considered.</p>	<p>MTCS is on the Technical Agency Committee (TAC) mailing list for this study and receives all notifications and minutes circulated to TAC members.</p> <p>Additional information is available on the Halton Region website (www.halton.ca/eaprojects).</p> <p>The purpose of this response table is to keep the MTCS informed of how the Project Team will address the input received on the draft Built Heritage Assessment report.</p>

Amanda Selig

From: Zirger, Rosi (MTCS) <Rosi.Zirger@ontario.ca>
Sent: Thursday, August 13, 2015 4:26 PM
To: garth@golden.net; Alvaro Almuina; Amanda Selig; alicia.jakaitis@halton.ca
Subject: Ninth Line EA
Attachments: Screening for Impacts to Built Heritage and Cultural Heritage Landscapes-MTC-Nov2010.pdf; OReg 9-06.pdf

Hi all,

Thank you for arranging the teleconference this afternoon. I hope you found the discussion helpful. As promised here is some guidance and reference material that may be useful in revising the cultural heritage report for the EA project.

1. MTCS checklist Screening for Impacts to Built Heritage and Cultural Heritage Landscapes (Nov 2010). This checklist was provided in July 2014 with our initial EA letter. The second page of the checklist includes a list of impact to be considered and direction on completing an cultural heritage evaluation report and heritage impact assessment report.

For your information, MTCS updated its checklist [Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes](#) earlier this year. While the criteria remains the same, the updated checklist includes guidance and instructions to assist in completing it. Please note that since you have already proceeded to completing a heritage report, a checklist does not need to be attached to the ESR. The checklist serves only as a screening tool.

2. Our Ministry's [Info Sheet #5: Heritage Impact Assessments and Conservation Plans](#) outlines the scope of Heritage Impacts Assessments. Generally for EA projects the HIA addresses the evaluation of properties to determine CHVI and assessment of impacts and mitigation.
3. Properties identified as having heritage potential are evaluated using the Ontario Regulation 9/06 of the *Ontario Heritage Act* which establishes the *Criteria for Determining Cultural Heritage Value or Interest*. For your convenience a copy of O Reg 9/06 is attached

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