

Proposed Burlington Quarry Expansion JART COMMENT SUMMARY TABLE – Cultural Heritage

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

	JART Comments (January 2021)	Reference	Source of Comment	Applicant Response	JART Response
Report/Date: Cultural Heritage Impact Assessment, April 2020		Author: MHBC			
1.	When reviewed against the submitted Terms of Reference, the Cultural Heritage Report is lacking “statements of significance of cultural heritage value and heritage attributes for any identified cultural heritage resources”.	General	As per Comment 2 below		
2.	The CHIA does not provide sufficient historical research of the general area of the subject site against which to evaluate Cultural Heritage Value or Interest (CHVI) under <i>Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest</i> .	General	Letourneau Heritage Consulting Inc.		
3.	Insufficient analysis or rationale has been provided to support the evaluations of built heritage resources and cultural heritage landscapes.	General	Letourneau Heritage Consulting Inc.		
4.	Although two late 20th century built heritage resources are evaluated within the report, the CHIA does not include any evaluation of the golf course lands as a significant cultural heritage landscape.	General	Letourneau Heritage Consulting Inc.		
5.	The summary of heritage character presented in section 5.4 does not include all of the content required of a Statement of Cultural Heritage Value or Interest.	General	Letourneau Heritage Consulting Inc.		
6.	Although the proposed extraction are is within approximately 15 m of the house at 2280 No. 2 Side Road, the impact assessment does not address the potential for indirect impacts due to vibrations and it is unclear how blasting will be designed to ensure the integrity of the building is being retained.	General	Letourneau Heritage Consulting Inc.		
7.	It is unclear when the site visit(s) were undertaken and if all of the properties discussed in this report were accessed during those site visits. In the event that site visits were undertaken from the public ROW, this should be stated as a limitation, as it would affect the evaluation.	General	Letourneau Heritage Consulting Inc.		
8.	It is unclear why the golf course has not been evaluated as a cultural heritage landscape when 2292 No. 2 Side Road and 2300 No. 2 Side Road have been evaluated as built heritage resources. Given that the proposed development results in the removal of the golf course lands, its potential CHVI should be addressed.	General	Letourneau Heritage Consulting Inc.		
9.	<p>The following aspects of <i>cultural heritage landscapes</i> need to be explored in the Cultural Heritage Impact Assessment</p> <ul style="list-style-type: none"> • Heritage landscape as it relates to indigenous community history. The report identifies historic ties to the Anishnaabe and the Haudenosaunee peoples • Heritage landscape as it relates to known archaeological sites identified in the submitted Stage 1-4 Archaeological Assessments • Interrelationships between known archaeological sites, indigenous community heritage, and natural heritage features present in the study area. • How the UNESCO designation applied to the properties affects the cultural heritage value of the area, as well as the principles of the Man in the biosphere program and how they apply to interrelationships of all aspects contained within the definition of cultural heritage landscapes provided by the NEP (2017). 	General	Niagara Escarpment Commission		

	<ul style="list-style-type: none"> How the cultural heritage landscape is defined by existing viewsheds, specifically, but not limited to, the Mount Nemo Plateau. 				
10.	Broadly, the report does not incorporate findings of other submitted reports (VIA, Archaeological, Planning, Natural Heritage) that directly contribute to the understanding of the <i>cultural heritage landscape</i> of the area.	General	Niagara Escarpment Commission		
11.	Photographs of the known/potential built heritage resources and cultural heritage landscapes discussed in this report do not adequately document/depict existing conditions. Photographs are limited to one or two elevations, are sometimes obstructed by trees, and all appear to have been taken from a distance.	General (Photograph)	Letourneau Heritage Consulting Inc.		
12.	A review of PPS policies suggests that the properties “have not been identified by provincial, federal or UNESCO bodies”. The lands are recognized through UNESCO as being within the Niagara Escarpment Biosphere Reserve and subject to the Man in the Biosphere program. Please address and consider the designation within the context of the cultural heritage landscape.	Section 2.2 (Page 4)	Niagara Escarpment Commission		
13.	The statement that “An onsite building” is listed on the City’s Heritage Register and is therefore considered to be a built heritage resource is not entirely accurate. Although the 1830 one-storey rubblestone Regency structure at 2280 No. 2 Side Road is described in the Register, Section 27, Part IV of the OHA applies to the property, as a whole.	Section 2.2 (Page 4) Last Sentence	Letourneau Heritage Consulting Inc.		
14.	Policies of the NEP (2017) are only stated with no real analysis provided. This lack of analysis is not rectified within the Planning Justification Report.	Section 2.3	Niagara Escarpment Commission		
15.	This background is very high-level and is not sufficient to adequately address O.Reg. 9/06 criteria related to historical or associative value. The history of Mount Nemo, for example, is not addressed.	Section 3.1	Letourneau Heritage Consulting Inc.		
16.	The lack of buildings depicted within the study area is not likely the result of there being no structures at the time. Often, only subscribers’ residences were depicted and the extensive landownership in the area, subdivision of farm lots, and lack of structures depicted in the majority of surrounding lots (coupled with the knowledge that at least one stone structure is understood to have been extant in the 1830s at present-day 2280 No.2 Side Road) indicates that this is the case here.	Section 3.2 (Page 11) Last Sentence	Letourneau Heritage Consulting Inc.		
17.	Given the likelihood that the 1858 atlas did not depict all of the extant resources, comparison with the 1877 does not necessarily reflect changes through the middle of the 19th century. This is particularly the case where individual owners did not change, or where the property remained in the family.	Section 3.2 (Page 12)	Letourneau Heritage Consulting Inc.		
18.	No sources other than the two atlases and the 1954 & 1988 air photos appear to have been reviewed as part of the background research for the site history. Census records and/or LRO documents should be reviewed – particularly for the Pitcher/Freeman and John Buckley properties. This site history does not provide sufficient information to adequately address O.Reg.9/06 criteria.	Section 3.2	Letourneau Heritage Consulting Inc.		
19.	The discussion of the historical atlases and air photos does not explicitly address any of the extant structures. There is no discussion about when extant structures may have been constructed or by whom.	Section 3.2	Letourneau Heritage Consulting Inc.		
20.	The study identifies the importance of <i>cultural heritage landscapes</i> as identified in the NEP, PPS, local and Regional OPs. However, the landscape setting and context only describes the landscape in terms of building clusters and agricultural lands.	Section 4.2	Niagara Escarpment Commission		
21.	It is unclear what the c.1860s date of construction is based upon.	Section 4.3.1 (Page 20) Line 1	Letourneau Heritage Consulting Inc.		
22.	The photographs presented do not provide any detail of the features of the structure. Only two elevations are presented and those photographs are very small.	Section 4.3.1 (Page 20)	Letourneau Heritage Consulting Inc.		

23.	The smaller outbuilding is described as being generally in poor condition; however, the view of the structure shown in Photo 15 (presumed to be correct structure) is obstructed by trees. It is unclear if the evaluation of the poor condition is based on closer evaluation of the structure.	Section 4.3.1 (Page 20) Last Paragraph	Letourneau Heritage Consulting Inc.		
24.	<p>The discussion of criterion 1.i. is incomplete. The analysis only addresses whether the style, described as Ontario Gothic Revival Cottage architectural style, is rare or unique, but does not address whether it is representative or early example, nor does it address whether it is a rare example of the style in stone. Despite additions to the structure, it appears to retain a number of characteristic features.</p> <p>It is unclear if the property was accessed and if the structure was reviewed up close. Evaluation of the degree of craftsmanship would be affected by lack of property access.</p> <p>The discussion of criterion 2 is incomplete. The background presented in sections 3.1 and 3.2 did not provide a basis to determine whether or not this property has any historical or associative value.</p> <p>Given that the development proposal results in the removal of this structure, its potential CHVI must be adequately addressed.</p>	Section 5.2 (5235 Cedar Springs Road)	Letourneau Heritage Consulting Inc.		
25.	<p>The report states that the property type is somewhat rare within the broader area. It is unclear if this refers to the Regency style, or stone construction. It is unclear if the property was accessed and if the structure was reviewed up close. Evaluation of the degree of craftsmanship would be affected by lack of property access.</p> <p>The discussion of criterion 2 is not supported by the background research presented in Sections 3.1 and 3.2.</p> <p>The discussion of criteria 1 and 2 does not address the barns. The small barn, in particular, is proposed to be removed. Its CHVI, as an individual built heritage resources and as it relates to the house and large barn, should be evaluated.</p>	Section 5.2 (2280 No. 2 Sideroad)	Letourneau Heritage Consulting Inc.		
26.	<p>The summary of heritage character presented in section 5.4 does not include all of the content required of a Statement of Significance/Statement of Cultural Heritage Value or Interest and list of heritage attributes as outlined in the <i>Ontario Heritage Toolkit</i>.</p> <p>It is unclear if the barn complex refers to the large barn, or to both barns described in Section 4.3.2.</p>	Section 5.4	Letourneau Heritage Consulting Inc.		
27.	The site plan and figures depicting the proposed development suggest that a portion of house extends into the Licence Boundary. This should be confirmed. This is the c.1830s Regency portion of the structure.	Section 6	Letourneau Heritage Consulting Inc.		
28.	<p>The CHIA makes a number of references to the rehabilitation of lands, post-extraction, to a level suitable to recreational use.</p> <ul style="list-style-type: none"> The report makes limited reference to whether this rehabilitation plan and after-use would be in keeping with the cultural heritage landscape of the area. NEC Staff note that this analysis would have to be predicated on a more thorough detailing of the cultural heritage landscape. The report seems to refer to the recreational after-use as the definite after-use. It would be more appropriate to provide an assessment of the after-use from a cultural heritage lens instead of reviewing on the basis that it is appropriate and will be accepted. Germane to this work would be a consideration of alternative after-use plans that might be better aligned with the existing and historic cultural heritage landscape (once described) if necessary. 	Sections 6 (Page 32) and Section 9 (Page 37)	Niagara Escarpment Commission		

29.	<p>It is stated in a review of impacts that:</p> <p><i>The area of the site proposed for aggregate extraction does not contain any built heritage resources or cultural heritage landscapes, therefore there are no direct or indirect impacts anticipated.</i></p> <p>NEC Staff contend this conclusion is premature given that a description and assessment of the cultural heritage landscape does not consider multiple components contained with the provided NEP and PPS definition that are present on and in proximity to the subject lands.</p>	Section 7	Niagara Escarpment Commission		
30.	<p>Extraction is proposed within ±15.0 m of an identified heritage resource located on 2280 No. 2 Sideroad. This seems very close to protect the structure(s) from vibration and dust generated by the extraction use. It is stated that blasting will be designed to ensure the integrity of the building is retained. Designed how?</p> <ul style="list-style-type: none"> • Recommendation # 2 of the Blasting Impact Analysis suggests monitoring for ground vibration and overpressure but the CHIA provides that the blasting itself will be designed in a way to protect the resource. There seems to be a discrepancy in the two reports regarding mitigation vs. monitoring. • The Blasting Impact analysis doesn't provide direction for a 15.0m setback being appropriate for protection of the resource. How was this proposed setback deemed appropriate? 	Section 7.1 (Page 33)	Niagara Escarpment Commission		
31.	<p>The proposed extraction area is approximately 15 metres from the house (and small barn) indirect impacts resulting from vibrations have not been addressed in the impact assessment.</p> <p>It is unclear how blasting will be designed to ensure the integrity of the building is retained (blasting is not addressed in the Noise Impact Assessment). What measures are being implemented?</p> <p>Figure 8 suggests that an acoustic and visual berm may be erected between the licence boundary and the line of extraction. The berm and its construction have not been addressed in the impact assessment.</p>	Section 7.1 (Page 33) Paragraph 4, Last Line	Letourneau Heritage Consulting Inc.		
32.	<p>In general, the conclusions of the report are not shared by NEC Staff. Broadly, NEC Staff would identify that the definition of the <i>cultural heritage resource</i> provided by the NEP (2017) includes <i>cultural heritage landscapes</i>. Any broad conclusion made on the topic of <i>cultural heritage resource</i> needs to be supported by a better analysis of the cultural heritage landscape of the area as detailed in the above comments.</p>	Section 9	Niagara Escarpment Commission		