

**Cultural Heritage Resource Assessment
Burnhamthorpe Class Environmental Assessment,
Lots 2-5, Concession 2 North of Dundas Street, and
Lots 1-5, Concession 1 North of Dundas Street,
Geographic Township of Trafalgar,
in the former Halton County, Ontario**

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Original Report

EXECUTIVE SUMMARY

Under a contract awarded in October 2017 by CIMA Canada on behalf of the City of Mississauga, Archaeological Research Associates Ltd. (ARA) carried out a Built Heritage and Cultural Heritage Landscape Assessment for the Class Environmental Assessment (Class EA) and Preliminary Design for the improvements of Burnhamthorpe Road in the City of Mississauga, Region of Peel, Ontario.

The City of Mississauga's Transportation and Works Department sought engineering services to complete the Municipal Class Environmental Assessment (EA) 'Schedule C' and Preliminary Design for improvements to Burnhamthorpe Road West from Loyalist Drive to the West City Limit, along with their intersections and approaches. The project will explore the need for improvements along the street, such as widening to four lanes, and the completion of the multi-use trail along the north side of the roadway to connect to the planned improvements by Halton Region.

The study area consists of an approximately 1.6 km corridor located in the City of Mississauga. This study area corridor is the east-west two lane arterial road, Burnhamthorpe Road West, from Loyalist Drive to the West City Limit. This section of Burnhamthorpe Road West falls on Lots 2-5, Concession 2 North of Dundas Street and Lots 1-5, Concession 1 North of Dundas Street, Geographic Township of Trafalgar, in the former Halton County, Ontario. The study area includes the road, the Highway 403 bridge, intersections and approaches. The Cultural Heritage Resource Assessment approach included:

- Background research concerning the project context and historical context of the study area;
- Consultation with the City of Mississauga, Town of Oakville, and Peel Art Gallery Museum + Archives (PAMA) staff regarding heritage matters in the study area;
- Identification of any designated or recognized properties within the limits of the study area; and
- On-site inspection and photo documentation.

After conducting historical research, consultation and field survey, no cultural heritage resources were identified within the study area. Therefore, there are no concerns with respect to built heritage resources and cultural heritage landscapes related to any proposed improvements to Burnhamthorpe Road West from Loyalist Drive to the West City Limit, in the City of Mississauga.

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GLOSSARY OF ABBREVIATIONS

ARA – Archaeological Research Associates Ltd.
BHR – Built Heritage Resource
CHVI – Cultural Heritage Value or Interest
CHL – Cultural Heritage Landscape
EA – Environmental Assessment
HIA – Heritage Impact Assessment
MCL – (Former) Ministry of Culture
MTC – (Former) Ministry of Tourism and Culture
MTCS – Ministry of Tourism, Culture and Sport
MCEA – Municipal Class Environmental Assessment
OHA – Ontario Heritage Act
OHT – Ontario Heritage Trust
O. Reg. – Ontario Regulation
PPS – Provincial Policy Statement

PERSONNEL

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Heritage Assessment: P. Young
Site Visit: S. Clarke, B.A. and J. McDermid, B.A.
Historical Research: S. Clarke
Photography: J. McDermid
Cartographer: K. Brightwell (GIS)
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1.0 PROJECT CONTEXT

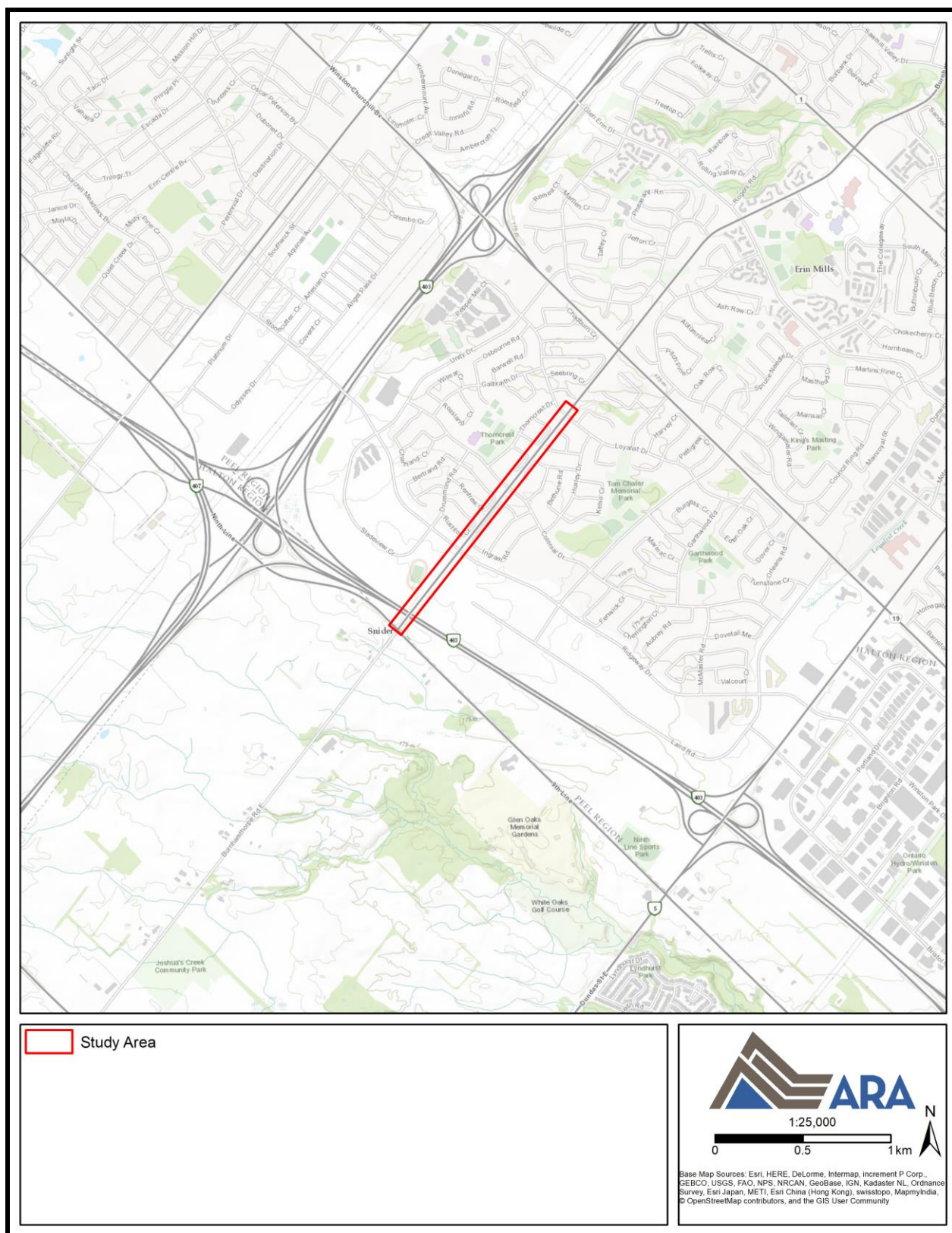
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The purpose of this assessment is to identify and evaluate the cultural heritage resources within the study area that may be impacted by the Municipal Class EA that is being conducted in relation to the improvements to Burnhamthorpe Road West. This assessment was conducted in accordance with the aims of the *Municipal Class Environmental Assessment* documented by the Municipal Engineers (October 2000, as amended in 2015), *Environmental Assessment Act*, R.S.O. 1990, *Provincial Policy Statement* (2014), *Ontario Heritage Act*, R.S.O. 1990, c. O.18, and *Mississauga Official Plan* (2017a).

All notes, photographs and records pertaining to the heritage assessment are currently housed in ARA's processing facility located at 1480 Sandhill Drive – Unit 3, Ancaster, Ontario. Subsequent long-term storage will occur at the same location.



Map 1: Study Area in the City of Mississauga
(Produced by ARA under licence using ArcGIS® software by Esri, © Esri)

2.0 METHOD

The framework for this assessment report is provided by provincial environmental and planning legislation and policies as well as regional and local municipal Official Plans and guidelines including: the *Provincial Policy Statement* (2014); the *Ontario Heritage Act* (R.S.O. 1990); *Environmental Assessment Act* (R.S.O. 1990); the *Guideline for Preparing the Cultural Heritage Resource Component of Environmental Assessments* (MCL 1992); the *Ontario Heritage Tool Kit* series (MCL 2006a); *Mississauga Official Plan* (2017a) and the *City of Mississauga Heritage Impact Assessment Terms of Reference* (2014). Appendix A provides more information on the Methodology.

2.1 Approach

ARA completes in depth research and evaluation of any potential cultural heritage resource within the project area. ARA's business practice also considers a larger study area that takes into account adjacent properties. This ensures that every built heritage resource (BHR) and cultural heritage landscape (CHL) that may be subject to potential indirect project impacts is identified.

A combination of background research, consultation with the local community and field survey is essential to identify and effectively evaluate properties with potential BHRs and CHLs in a meaningful and objective format.

2.1.1 Historical Research

Background information is obtained from aerial photographs, land registry information, historical maps (e.g., illustrated atlases), archival sources (e.g., historical publications and records), published secondary sources (online and print) and local historical organizations.

2.1.2 Consultation

Consultation with the local community is essential for determining the community value of cultural heritage resources. At project commencement, ARA contacts the relevant local and regional municipalities to inquire about: 1) protected properties in the study area, 2) properties with other types of recognition in the study area, 3) previous studies relevant to the current study, and 4) other heritage concerns regarding the study area or project area. Where possible, information is also sought directly from the MTCS and OHT. Public input is an ongoing process with stakeholders providing feedback at various stages in the project. Through this input, additional potential cultural heritage resources may be identified.

2.1.3 Field Survey

The field survey component of an assessment involves the collection of primary data through systematic photographic documentation of all potential cultural heritage resources within the study area, as identified through historical research and consultation. Generally, potential cultural heritage resources are identified by applying a 40-year rolling timeline. This timeline is considered an industry best practice (e.g., MTO 2008). A date of 40 years does not automatically attribute CHVI to a resource; rather, that it should be flagged as a potential resource and evaluated for CHVI.

Additional cultural heritage resources may also be identified during the survey itself. Photographs capturing all properties with potential BHRs and CHLs are taken, as are general views of the surrounding landscape. The site visit also assists in confirming the location of each potential cultural heritage resource and helps to determine the relationship between resources. Given that such surveys are limited to areas of public access (e.g., roadways, intersections, non-private lands, etc.), there is always the possibility that obscured cultural heritage resources may be missed or that heritage attributes may be refined with closer inspection.

Through a careful analysis of the heritage values and attributes of identified heritage resources, coupled with an analysis of project impacts and an outline of potential mitigation measures, while following industry best practices, the aims of provincial environmental and planning legislation and policies as well as regional and local municipal Official Plans and guidelines can be met.

3.0 SITE HISTORY

3.1 Trafalgar Township, Former County of Halton

The early history of the study area can be effectively discussed in terms of major historical events. The principal characteristics associated with these events are summarized in Table 1.

Table 1: County and Township Settlement History
(Wilson's Publishing Co. 2000, Warnock 1862; Cumming 1971; Town of Oakville 2008)

Historical Event	Timeframe	Characteristics
Loyalist Influx	Late 18 th century	United Empire Loyalist influx after the American Revolutionary War (1775–1783); British develop interior communication routes and acquire additional lands; <i>Constitutional Act</i> of 1791 creates Upper and Lower Canada.
Peel County Development	Late 18 th and early 19 th century	Area initially adjacent to York County's 'West Riding'; Became part of York County's 'West Riding' in 1798; Southern portion acquired as part of the 'First Purchase of the Mississauga Tract' in 1805; Northern portion acquired as part of the 'Second Purchase' or 'Ajetance Purchase' in 1818; Peel County established after the abolition of the district system in 1849.
Trafalgar Township Formation	Early 19 th century	First settlers arrived in southeastern part of Trafalgar (the 'Old Survey') ca. 1807; Prominent early families in the south included the Sovereigns, Proudfoots, Kattings, Freemans, Posts, Biggars, Mulhollands, Kenneys, Chalmers, Albertsons, Chisholms, Sproats, Browns and Hagars; Population reached 548 by 1817, with four saw mills and one grist mill in operation; the 'New Survey' comprised the northwestern lands acquired in 1818.
Trafalgar Township Development	Mid-19 th and early 20 th century	By 1846, 28,375 ha had been taken up in Trafalgar, with 11,404 ha under cultivation; 23 saw mills and seven grist mills in operation at that time; Population reached 4,513 by 1850; Traversed by the Hamilton & Toronto Branch of the Great Western Railway (1855), the Hamilton & North Western Railway (1877) and the Credit Valley Railway (1877); Communities at Milton, Hornby, Auburn, Boyne, Omagh, Drumquin in the north and Oakville, Bronte, Palermo, Trafalgar, Munn's Corner and Sheridan in the south.

Historical Event	Timeframe	Characteristics
Town of Oakville Amalgamation & Transfer to Peel	Mid-20 th and early 21 st century	In 1962, the Township of Trafalgar and the Town of Oakville amalgamated to form a new Town of Oakville with four wards (Town of Oakville 2008:3); At this time, the Township of Trafalgar was part of the County of Halton; In 2009, lands from the Town of Milton were annexed to become part of the City of Mississauga (City of Mississauga 2009).

3.2 Study Area

As discussed in Section 1.0, the study area for this assessment falls on Lots 2-5, Concession 2 North of Dundas Street, and Lots 1-5, Concession 1 North of Dundas Street, Geographic Township of Trafalgar, in the former Halton County, Ontario.

To reconstruct the historic land use of the study area, ARA examined three historical maps that documented past residents, structures (e.g., homes, businesses and public buildings) and features between the early-19th and late-19th centuries in addition to three aerial images from the mid- to late-20th century. Specifically, the resources outlined in Table 2 were consulted.

Table 2: Maps and Aerial Photographs Consulted

Year	Map Title	Reference
1800	Patent Plan	Wilmot
1858	Tremaine's Map of the County of Halton, Canada West	Tremaine
1877	Southern Part of Trafalgar	Walker & Miles
1954	Aerial Photo	U of T
1974	Aerial Photo	PAMA
1982	Aerial Photo	PAMA

The limits of the study area are shown on: 1) georeferenced versions of the consulted historical maps, and 2) georeferenced versions of the aerial images from 1954, 1974 and 1982 (see Map 2–Map 7).

Samuel Rogers, born in Ireland, made an application for land in Trafalgar Township on July 6, 1804. The deed was signed by Oapius Matthews, who represented the Crown, in 1829. Six generations of the Rogers family had lived in the district at the time of the publication of Erindale's Tweedsmuir history (EWI 1982).

Samuel Wilmot's patent plan for Trafalgar Township indicates that the study area was surveyed in 1800, with a road allowance laid out between Concessions 1 and 2. It appears the thoroughfare, which became Burnhamthorpe Road, was already in existence at this time as swamps were noted on the plan, along with a crossroad at Lot 5.

In the mid-19th century, the settlement of Burnhamthorpe was known as Sandy Hill. However, as it was often confused with Sandhill, John Abelson (a "Norfolk Englishman") suggested that its name be changed to Burnhamthorpe after the birth place of Lord Nelson (Perkins Bull n.d.). This name change took place circa 1860. Early or familiar names for Burnhamthorpe Road included

the “Back Dundas Street” and the “Back Line” (Savage n.d.). The “Back Road” is another iteration of Burnhamthorpe that is noted in Burnhamthorpe east of the study area on a 1906 map of Toronto Township (PAMA 1905). A 1964 plan indicates that Rogers Road, instead of Burnhamthorpe Road, was used by the Township of Toronto (Township of Toronto 1964).

Tremaine’s 1858 *Map of the County of Halton, Canada West* indicates that there was a school house on Lot 5, Concession 1 North of Dundas Street, and a church directly adjacent to the study area in Lot 6, Concession 2 North of Dundas St. The one-room schoolhouse was S.S. #4 Trafalgar, which has since been demolished (Mair 2008). The Wesleyan Church was built in 1839, and was replaced with a new building in 1886 (Mair 2008). Several of the lots had been subdivided into smaller parcels since the patent plan. Land ownership is indicated on the Tremaine’s map, which notes that David Snider owned land adjacent to the study area.

David Snider, a farmer, was a significant figure, as the crossroads of what is now Ninth Line and Burnhamthorpe Road were once known as Snider’s Corners (Mair 2008). The Snider family was renowned for their fine horses and David’s son, Joseph Marlatt Snider, worked as Postmaster, tavern inspector, assessor and tax collector. The hamlet had been well known as a social centre for the surrounding farm families (Mair 2008).

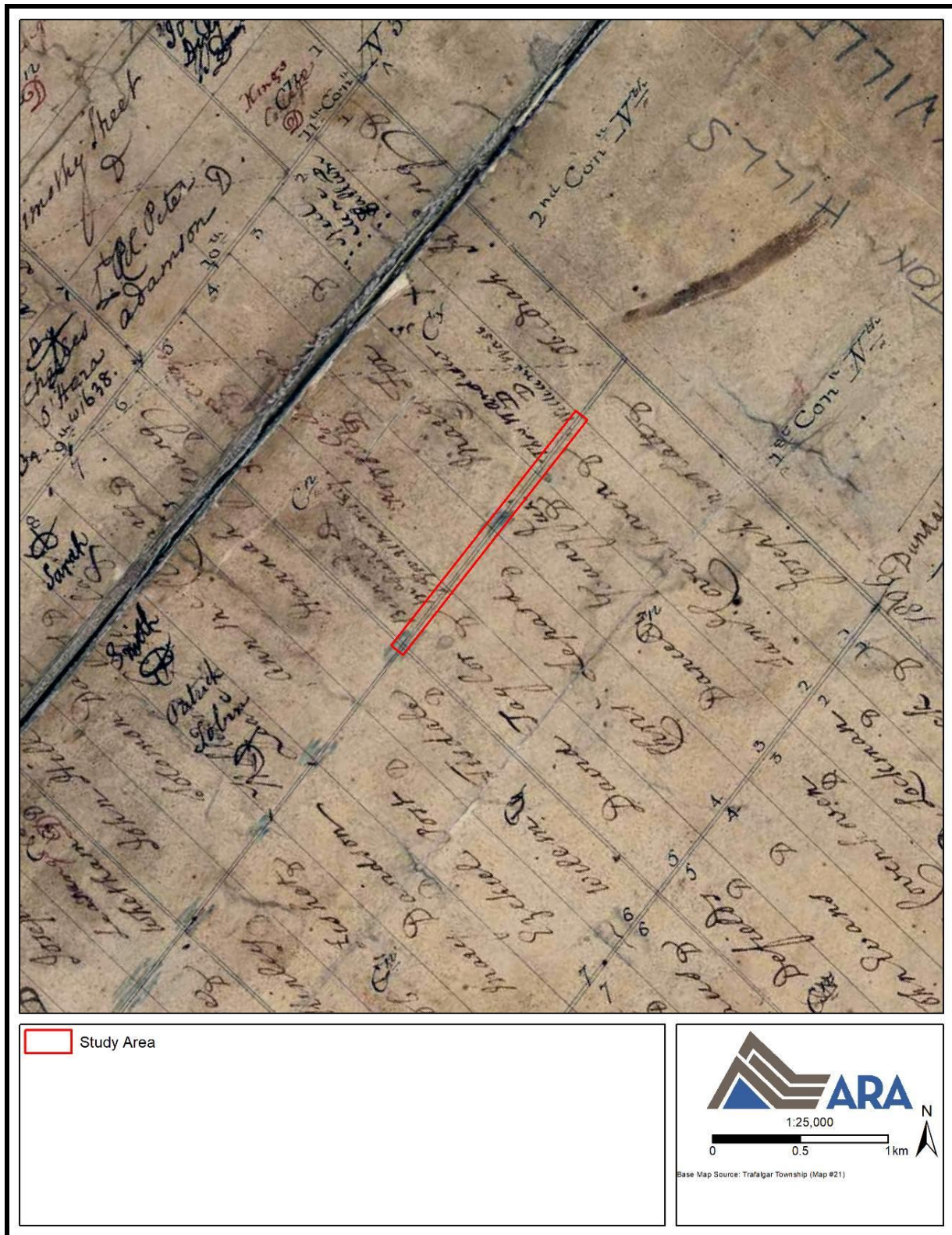
The Albertsons represented another prominent local family who settled at Snider’s Corners prior to 1823. It is claimed that William Albertson, who fought in the War of 1812, helped carry the injured General Sir Isaac Brock from the battlefield (Mair 2008).

The 1877 map, *Southern Part of Trafalgar*, indicates land ownership and illustrates structures on the lots within the study area. The church remained in the same location as in 1858, however, it appears that the location of the school house moved to the west side of the road allowance, adjacent to the crossroads. Several farm houses and orchards were located directly adjacent to the roadway within the study area. The Sniders and the Albertsons continued to own agricultural land and farm houses at Snider’s Corners.

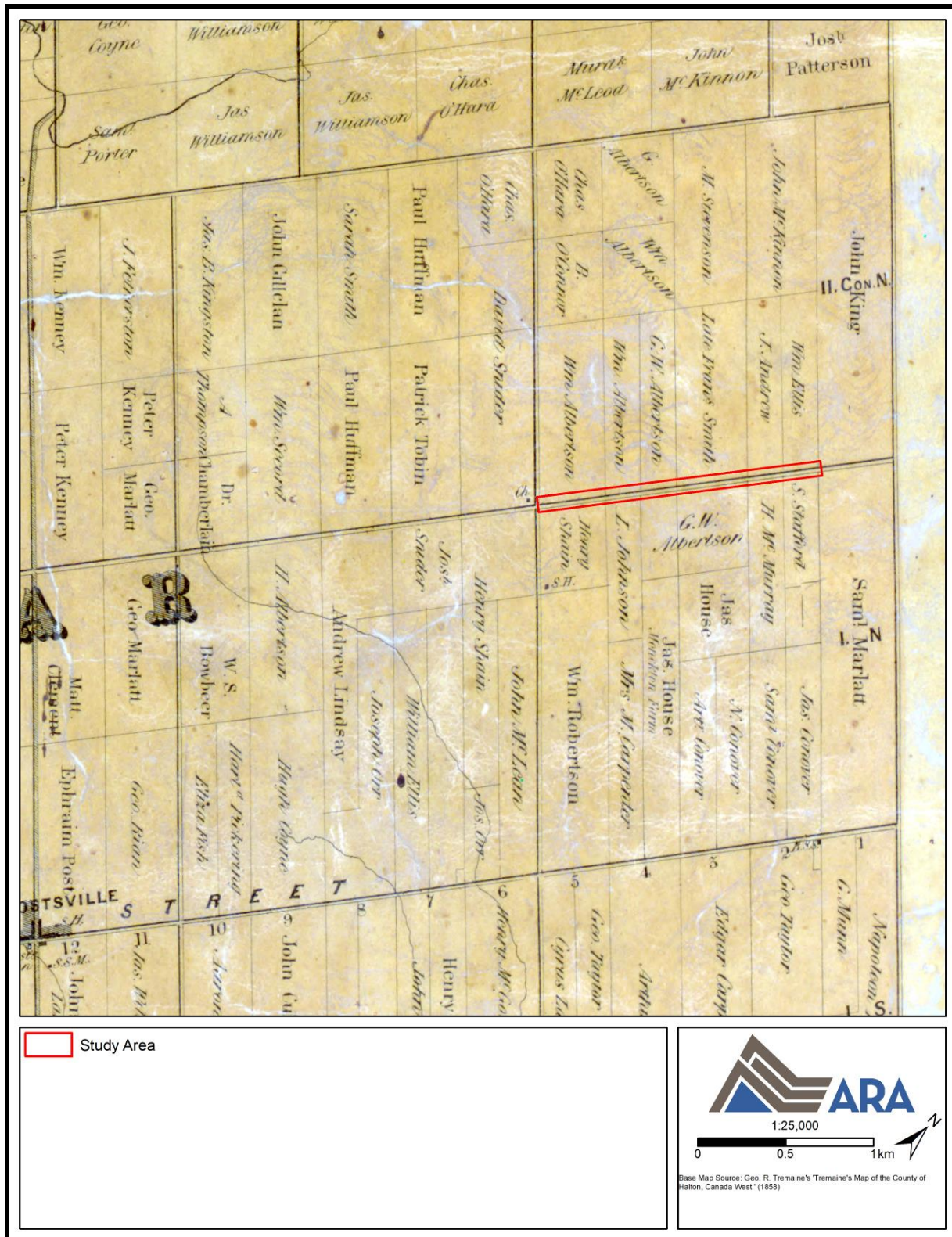
By 1954, additional north-south crossroads through Burnhamthorpe Road had been established. The land use appears to have remained largely agricultural, with orchards located towards the west end of the study area.

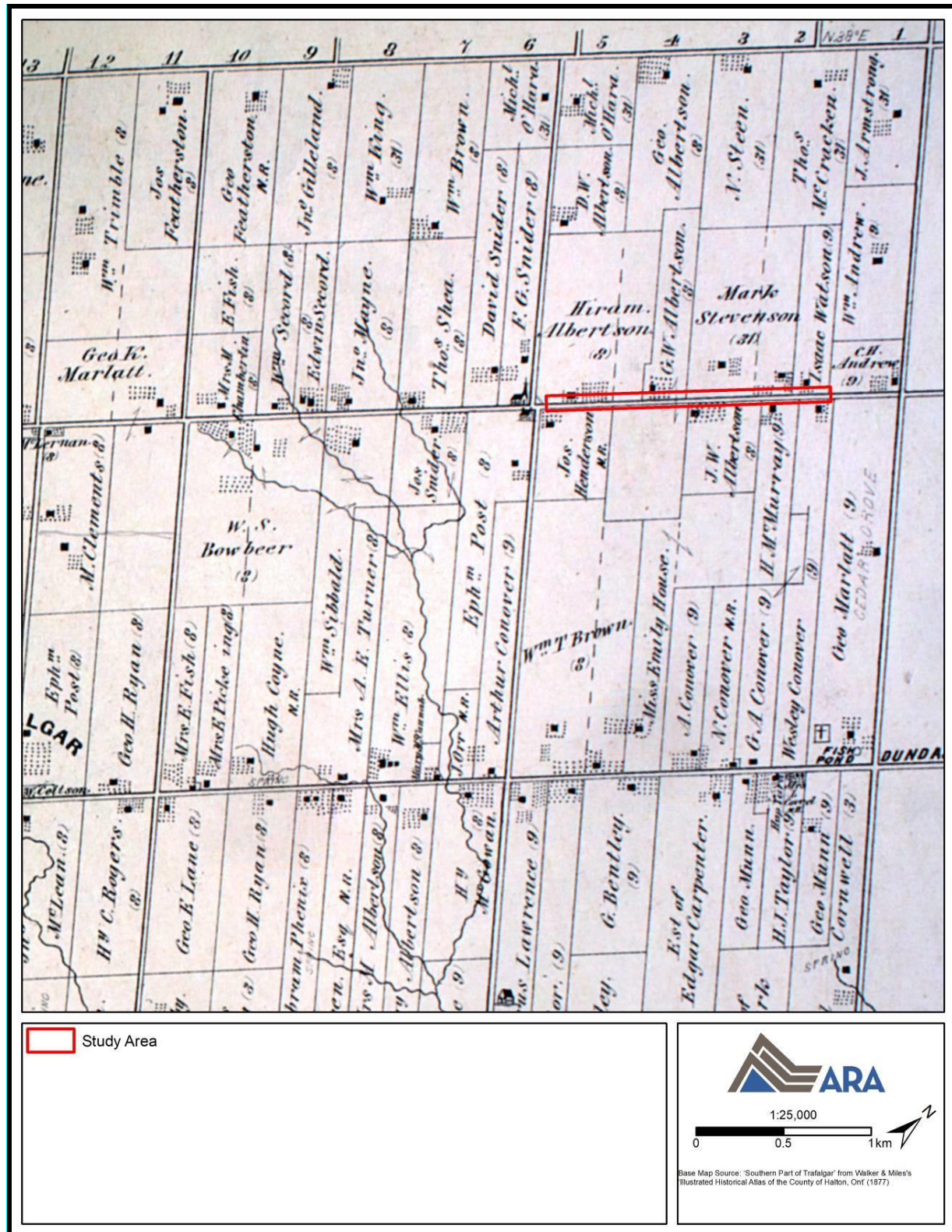
The 1974 aerial photograph only captures the eastern portion of the study area. It indicates that much of the land use was agricultural, with some of the farmhouses and orchards remaining from the aerial view captured in 1954.

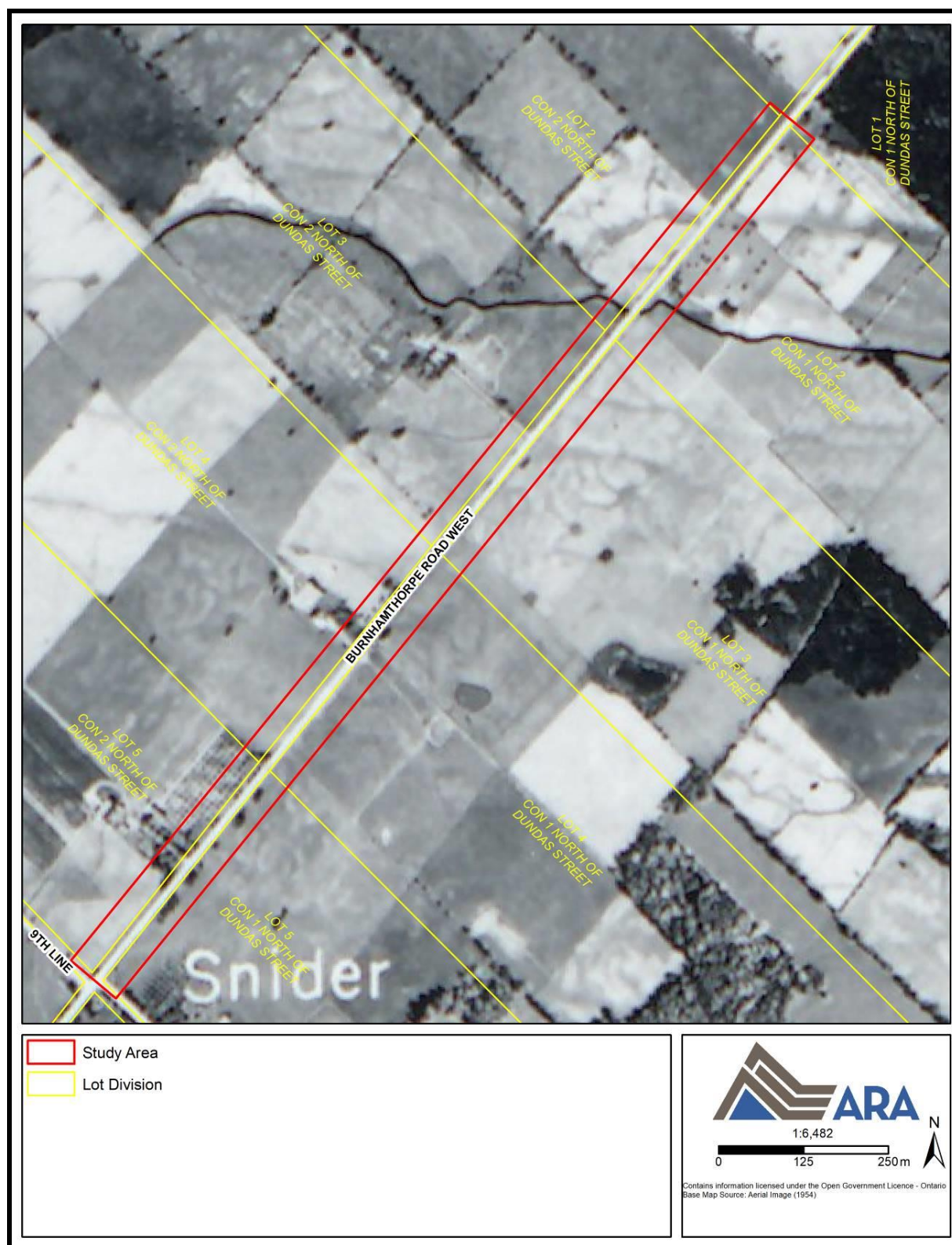
A significant development, the new Highway 403, which provided an alternative route to the west of Toronto, can be seen on the 1982 aerial photograph (Sewell 2009:70). The construction of Highway 403 between Erin Mills Parkway in Mississauga to the Queen Elizabeth Way in Oakville was completed in 1981 and cut through agricultural lands (Beverly n.d.). In the early 1990s, one of the last surviving Snider’s Corners built heritage resources (a red-brick Victorian farmhouse constructed in the 1870s) was demolished for the expansion of the highway (Mair 2008). This transportation development is representative of the rapid urbanization that took place in the late 20th century in the Greater Toronto and Hamilton Area, however, it “had not been planned with care or forethought to shape urban growth” (Sewell 2009:70).



Map 2: Patent Plan of Trafalgar Township (1800), Showing the Study Area (Wilmot 1800)



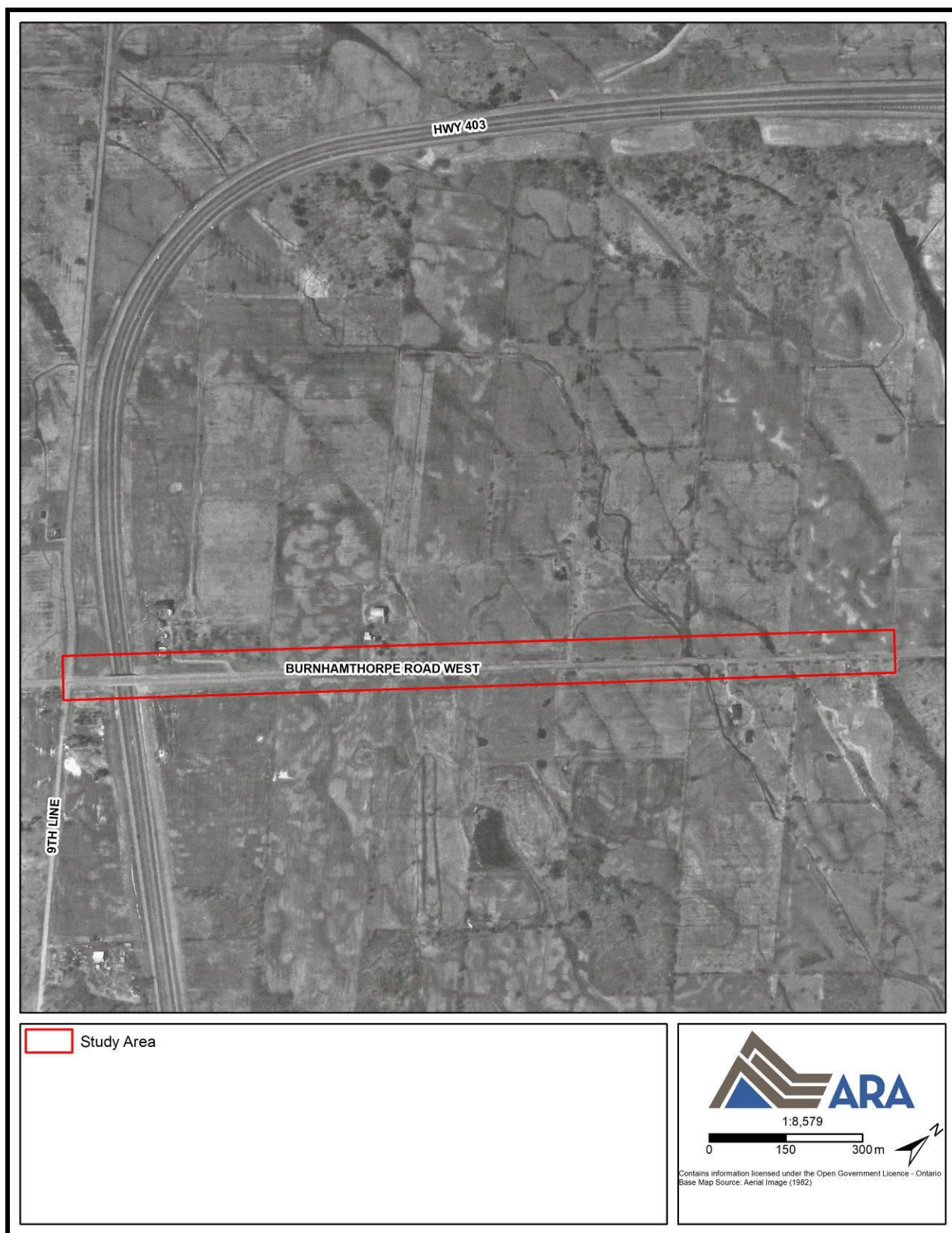




**Map 5: Historic Aerial Image (1954), Showing the Study Area
(University of Toronto 1954)**



**Map 6: Historic Aerial Image (1974), Showing the Study Area
(PAMA 1974)**



**Map 7: Historic Aerial Image (1982), Showing the Study Area
(PAMA 1982)**

4.0 HERITAGE CONTEXT

In order to determine whether any previously-identified properties of CHVI are located within the study area, ARA consulted a number of heritage groups and online heritage resources.

MTCS's current list of Heritage Conservation Districts was consulted. No designated districts were identified in the study area (MTCS 2016). The list of properties designated by the Ministry of Tourism, Culture and Sport under Section 34.5 of the *OHA* was consulted. No properties in the study area are listed. The OHT plaque database and the Federal Canadian Heritage Database were searched. None of the properties within the study area are commemorated with an OHT plaque.

ARA staff contacted the City of Mississauga and the Peel Art Gallery Museum + Archives (PAMA) via email on November 14, 2017. The City of Mississauga indicated they had no information on heritage resources in the study area. PAMA indicated that the local municipality would be best to reach out to for information related to heritage properties. They also stated that there may be useful records in the Archives. As the study area is adjacent to the Town of Oakville, ARA staff contacted the Town's heritage planners on November 20, 2017. A Town of Oakville heritage planner responded with information about a listed heritage property: Ephram Post, F.M. Brown Farm House, constructed circa 1886. The property is located south of Burnhamthorpe Road East at 3480 Ninth Line. Information related to a Part IV OHA designated property, which includes David Snider's 1848 home, was also shared by the Town's heritage planner. This structure is located north of Burnhamthorpe Road East at 1481 Burnhamthorpe Road East. Both properties are located beyond the study area of Burnhamthorpe Road West, in the City of Mississauga.

A site visit was conducted on November 1, 2017 to photograph and document the study area, and record any local features that could enhance ARA's understanding of their setting in the landscape and contribute to the cultural heritage evaluation process. The site visit was conducted from publicly accessible, non-private lands.

5.0 RESULTS

Based on consultation and field survey of the 1.6 km study area, no built heritage resources and cultural heritage landscapes were identified. The study area was photo-documented, and the locations of the photographs appear in Map 8 below.



Map 8: Photo Locations in the Study Area
(Produced by ARA under licence using ArcGIS® software by Esri, © Esri)



Image 1: View of Burnhamthorpe Road West from the western edge of the study area on the west side of Highway 403
(Photo taken on November 1, 2017; Facing Northeast)



Image 2: View of the Burnhamthorpe Road West study area from the Highway 403 bridge
(Photo taken on November 1, 2017; Facing Northeast)



Image 3: View of the Burnhamthorpe Road West from the eastern edge of the study area

(Photo taken on November 1, 2017; Facing Southeast)

6.0 PROPOSED DEVELOPMENT

The City of Mississauga's Transportation and Works Department as part of the Municipal Class Environmental Assessment (MCEA) 'Schedule C' study will explore potential road improvements in the study area of Burnhamthorpe Road West.

Burnhamthorpe Road West is an east-west arterial road. Within the study area, Burnhamthorpe Road West from Loyalist Drive to the West City Limit consists of a two-lane road cross-section, comprised of a mix of uses including commercial, place of worship, schools, and low-density residential areas. The West City Limit is defined as the municipal boundary between the City of Mississauga and Halton Region (see Image 1), specifically, where Burnhamthorpe Road crosses over Highway 403 (see Image 2) intersecting at Ninth Line. The eastern edge of the study area is Loyalist Drive (see Image 3). East of Loyalist Drive, Burnhamthorpe Road West is a four-lane road with an existing multi-use trail that runs parallel to the north side of the road. West of Loyalist Drive, the multi-use trail terminates and the four-lane road transitions into a two-lane road. As such, improvements considered include widening to four lanes and continuation of the multi-use trail.

7.0 SUMMARY STATEMENT

The study area consists of an approximately 1.6 km corridor of the east-west two lane arterial road, Burnhamthorpe Road West. The study area includes the road, the Highway 403 bridge, intersections and approaches. After conducting historical research, consultation and field survey, no cultural heritage resources were identified within the study area. Therefore, there are no concerns with respect to built heritage resources and cultural heritage landscapes related to

any proposed improvements to Burnhamthorpe Road West from Loyalist Drive to the West City Limit, in the City of Mississauga.

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2000 **Illustrated Historical Atlas of the County of Peel, Ont.** Reprint of 1877 Edition (Toronto: Walker & Miles). Campbellford: Wilson's Publishing Co.

Appendix A: Methodology

Within the *Environmental Assessment (EA) Act*, the environment includes “any building, structure, machine or other device or thing made by humans” (2010). An Environmental Assessment is a study that evaluates both the potential positive and/or negative effects of a project on the environment. This study is conducted as part of a streamlined self-assessment EA process called a Class EA that applies to routine projects grouped into classes for the Municipal Class EA (MCEA). The classes range from: A (minor undertakings) to C (construction of new large facilities). The Municipal Class EA applies to municipal infrastructure undertakings including roads, water and wastewater projects.

The *PPS 2014* promotes the conservation of cultural heritage resources through policies in Section 2.6 such that “Significant built heritage resources and significant cultural heritage landscapes shall be conserved” as per policy 2.6.1 (2014:29).

With respect to cultural heritage, the *Mississauga Official Plan* Policy 7.4.1 states that “Mississauga’s cultural heritage resources reflect the social, cultural and ethnic heritage of the city and, as such, are imperative to conserve and protect.” (2017a:7.7). Additionally, Policy 7.4.1.12 states that “the proponent of any construction, development, or property alteration that might adversely affect a listed or designated cultural heritage resource, or which is proposed adjacent to a cultural heritage resource will be required to submit a Heritage Impact Assessment (HIA), prepared to the satisfaction of the City and other appropriate authorities having jurisdiction” (2017:7.8). Additionally, the City of Mississauga Heritage Impact Assessment Terms of Reference outline the required elements for HIAs prepared on properties situated within the City of Mississauga.

Key Concepts

The following concepts require clear definition in advance of the methodological overview; proper understanding is fundamental for any discussion pertaining to cultural heritage resources:

- **Cultural Heritage Value or Interest (CHVI)**, also referred to as Heritage Value, is identified if a property meets one of the criteria outlined in O. Reg. 9/06 namely historic or associate value, design or physical value and/or contextual value. Provincial significance is defined under *Ontario Heritage Act (OHA)* O. Reg. 10/06.
- **Built Heritage Resource (BHR)** can be defined in the *PPS* as: “a building, structure, monument, installation or any manufactured remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the *OHA*, or included on local, provincial and/or federal registers” (MMAH 2014:39).
- **Cultural Heritage Landscape (CHL)** is defined in the *PPS* as: “a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated

under the *Ontario Heritage Act*; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g., a National Historic Site or District designation, or a UNESCO World Heritage Site)” (MMAH 2014:40).

It is recognized that the heritage value of a CHL is often derived from its association with historical themes that characterize the development of human settlement in an area (Scheinman 2006). In Ontario, typical themes that may carry heritage value within a community include, but are not limited to: 1) Pre-Contact habitation, 2) early European exploration, 3) early European and First Nations contacts, 4) pioneer settlement, 5) the development of transportation networks, agriculture and rural life, 6) early industry and commerce, and/or 7) urban development. Individual CHLs may be related to a number of these themes simultaneously.

The *Operational Guidelines for the Implementation of the World Heritage Convention* defines several types of CHLs: 1) designed and created intentionally by man, 2) organically evolved landscapes that fall into two-subcategories (relic/fossil or continuing), and 3) associative cultural landscapes (UNESCO 2008:86). *Information Sheet #2 Cultural Heritage Landscapes* (MCL 2006c) repeats these definitions to describe landscapes in Ontario.

- **Conserved** means “the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments” (MMAH 2014:40).
- **Heritage Attributes** are defined in the *Ontario Heritage Act* as: “the principal features or elements that contribute to a protected heritage property’s cultural heritage value or interest, and may include the property’s built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a protected heritage property means, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest” (Government of Ontario 2009).
- **Significant**, in reference to cultural heritage, is defined as: “resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people” (MMAH 2014:49).

Types of Recognition

BHRs and CHLs are broadly referred to as cultural heritage resources. A variety of types of recognition exist to commemorate and/or protect cultural heritage resources in Ontario.

The National Historic Sites program commemorates important sites, people or events that had a nationally significant effect on, or illustrate a nationally important aspect of, the history of Canada. The Minister of Canadian Heritage on the advice of the Historic Sites and Monuments Board of Canada (HSMBC) makes recommendations to the program. Another form of recognition at the federal level is the Canadian Heritage Rivers System program. It is a federal program to recognize and conserve rivers with outstanding natural, cultural and recreational heritage. It is important to note that both of these federal commemoration programs do not offer protection from alteration or destruction.

The Ontario Heritage Trust (OHT) operates the Provincial Plaque Program, which has over 1,250 provincial plaques recognizing key people, places and events that shaped the province. Additionally, properties owned by the province may be recognized as a “provincial heritage property” (MTC 2010). A cultural heritage resource may also be protected through an OHT or municipal easement. Many municipal heritage committees and historical societies provide plaques for local places of interest. “One role of municipal heritage groups (i.e. municipal heritage committees, historical societies) is to educate and inform the community on local heritage and several ways this could occur could include: producing descriptive guides and newsletters or by installing commemorative plaques” (MCL 2007:8).

Under *Section 27* of the *OHA*, a municipality must keep a Municipal Heritage Register. A Register lists designated properties, those protected by Part IV (individual properties) or Part V (Heritage Conservation Districts), under the *OHA* as well as other properties of cultural heritage value or interest in the municipality. Properties on this list that are not formally designated are commonly referred to as “listed.” Listed properties are flagged for planning purposes and are afforded a 60-day delay in demolition if a demolition request is received.

Evaluation of Significance

Local Value

To objectively identify cultural heritage resources, O. Reg. 9/06 made under the *OHA* sets out three principal criteria with nine sub-criteria for determining CHVI (MCL 2006a:20–27). The criteria set out in the regulation were developed to identify and evaluate properties for designation under the *OHA*. Best practices in evaluating properties that are not yet protected employ O. Reg. 9/06 to determine if they have CHVI. These criteria include: design or physical value, historical or associative value and contextual value.

Design or Physical Value manifests when a feature:

- is a rare, unique, representative or early example of a style, type, expression, material or construction method;
- displays a high degree of craftsmanship or artistic value; or
- displays a high degree of technical or scientific achievement.

Historical or Associative Value appears when a resource:

- has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to the community;
- yields or has the potential to yield information that contributes to the understanding of a community or culture; or

- demonstrates or reflects work or ideas of an architect, builder, artist, designer or theorist who is significant to the community.

Contextual Value is implied when a feature:

- is important in defining, maintaining or supporting the character of an area;
- is physically, functionally, visually or historically linked to its surroundings; or
- is a landmark.

If a potential cultural heritage resource (BHR or CHL) is found to meet any one of these criteria, it can then be considered an identified resource with CHVI.

Provincial Significance

Issued under the *OHA*, O. Reg. 10/06 outlines the criteria to determine if a property is of provincial significance. In order to be a “heritage property of provincial significance” a site must meet one or more of the following criteria:

- The property represents or demonstrates a theme or pattern in Ontario’s history;
- The property yields, or has the potential to yield, information that contributes to an understanding of Ontario’s history;
- The property demonstrates an uncommon, rare or unique aspect of Ontario’s cultural heritage;
- The property is of aesthetic, visual or contextual importance to the province;
- The property demonstrates a high degree of excellence or creative, technical or scientific achievement at a provincial level in a given period;
- The property has a strong or special association with the entire province or with a community that is found in more than one part of the province. The association exists for historic, social, or cultural reasons or because of traditional use;
- The property has a strong or special association with the life or work of a person, group or organization of importance to the province or with an event of importance to the province; or
- The property is located in unorganized territory and the Minister determines that there is a provincial interest in the protection of the property. O. Reg. 10/06, s. 1 (2).

Evaluation of Impacts

Any potential development impacts on identified BHRs or CHLs must be evaluated, including direct and indirect impacts. *InfoSheet #5: Heritage Impact Assessments and Conservation Plans* (2006b:3) provides an overview of several major types of negative impacts, including but not limited to:

- Destruction of any, or part of any, significant heritage attributes;
- 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 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; and
- Land disturbances such as a change in grade that alters soils, and drainage patterns that adversely affect an archaeological resource.

The above direct and indirect impacts are primarily negative impacts but there may be positive effects as a result of an *EA Act* project. For example, more recent infrastructure may be removed to restore the original views to cultural heritage resources.

Alternative Development Options and Mitigation Measures

If potential impacts on identified heritage resources are determined, proposed conservation or mitigative/avoidance measures must be recommended.

The Ministry of Culture's *InfoSheet #5: Heritage Impact Assessments and Conservation Plans* (2006b:3) lists several specific methods of minimizing or avoiding a negative impact on a cultural heritage resource, including but 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; and
- Buffer zones, site plan control, and other planning mechanisms.

Strategies also may be developed to enhance positive environmental effects as a result of an EA undertaking