

**TOWNSHIP OF WOOLWICH
ENGINEERING & PLANNING SERVICES**

REPORT: E09-2010

MEETING DATE: January 12, 2010

TITLE: Cultural Heritage Landscape Study for
West Montrose

MEETING TIME: 7:00 p.m.

FILE ID:

LOCATION: Council Chambers
24 Church Street West

PREPARED BY: Dan Kennaley *dk*

REVIEWED BY: Dan Kennaley *dk*

DATE REVIEWED BY MANAGEMENT TEAM: November 23, 2009

C.A.O.: _____ (signature not required if reviewed by SMT)

Recommendation

THAT the Council of the Township of Woolwich direct staff to commence a study and formal public process under both the Planning Act and the Heritage Act that would investigate and consider the potential identification and protection of a Cultural Heritage Landscape in the vicinity of West Montrose;

AND THAT Council direct staff to prepare an interim control by-law for Council's consideration for a Cultural Heritage study area in the vicinity of West Montrose;

AND THAT Council direct staff to report further with respect to a work program and timeline for the West Montrose Cultural Heritage Landscape Study that will also identify opportunities for public input through the course of the study.

Background

Section 2.6.1 of the Provincial Policy Statement 2005 ("PPS") states:

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

The PPS defines a cultural heritage landscape as:

"a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, railways and industrial complexes of cultural heritage value".

In the context of cultural heritage landscapes, the PPS says that significant means:

“resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people”.

Council for the Township of Woolwich has adopted Official Plan Amendment 13 (“OPA 13”) which consists of new mineral aggregate policies primarily aimed at indicating what studies need to be submitted by an applicant in support of an application for a rezoning to permit mineral aggregate extraction. Section 11.11.1 (e) indicates that one of the required studies is:

“a Cultural Heritage Impact Study as described by Section 11.11.7 which satisfactorily demonstrates that the proposal will not have any unacceptable impacts”.

Section 11.11.7, in turn, indicates that an applicant for a rezoning to permit mineral aggregate extraction in preparing a Cultural Heritage Impact Study shall provide the following information:

- a) an identification of the policy framework which is aimed at protecting cultural heritage resources, including provincial policy, Regional policy and Township of Woolwich policy and an analysis of how this policy framework is being satisfied by the subject proposal;
- b) an identification of all cultural heritage resources, including built heritage resources, archaeological resources, and cultural heritage landscapes, which may be impacted by the proposed operation; and
- c) the nature of the impacts on cultural heritage resources, how these impacts can be mitigated, the risks associated with mitigation, and the remaining impacts after mitigation”.

To assist applicants for rezoning for mineral aggregate extraction in identifying cultural heritage landscapes that might be impacted by their proposals, Township staff have prepared Guidelines for the Preparation of Cultural Heritage Landscape Studies Required in Support of Development Applications (attached as Appendix “A”). These guidelines identify the main steps in the process of preparing a cultural heritage landscape study as:

- a) Consideration of the major historic themes and sub themes that have shaped the history of an area;
- b) An inventory process that would look at the following components;
 - i. physiographic description
 - ii. processes that describe human interaction with the environment;
 - iii. character defining elements such as buildings and structures, and archaeological sites;
 - iv. study area context;
- c) An evaluation of importance and integrity in order to determine significance; and
- d) A determination of the appropriate boundary of the CHL.

On September 8, 2008 the Township of Woolwich received an application from Capital Paving Inc., for a rezoning to permit mineral aggregate extraction on approximately 38 hectares near West Montrose. As part of that application, Capital Paving submitted a Cultural Heritage Landscape (“CHL”) Study authored by Stantec and dated July 22, 2008. This report concludes that the lands proposed for extraction are not themselves a cultural heritage landscape, but does not address the issue of whether the lands proposed for extraction are part of a broader cultural heritage landscape or whether the proposed extraction might

have a negative impact on a CHL in the vicinity. In addition the Stantec CHL Study incorrectly indicates that the lands proposed for extraction are outside of an area identified as a CHL by a report prepared for the Region of Waterloo.

The Region of Waterloo report is entitled Cultural Heritage Landscapes in Waterloo Region: A Framework for Inventory, Assessment and Policy Development and is dated draft June 2006. The methodology for the identification of CHL's recommended by the Regional report is very similar to the methodology proposed by Township staff in its guidelines for applicants in preparing CHL studies. The Region's draft report did identify a candidate Cultural Heritage Landscape in West Montrose, but also called for a secondary process to confirm the identification of this area as a CHL. The recommendation for a secondary process was in large part recommended because of the lack of public input associated with the Region's report. The proposed boundary of the CHL identified by the Region's report is illustrated on Appendix "B" to this report. The lands proposed for extraction by Capital Paving are also indicated on Appendix "B".

It should be noted that the Regional Cultural Heritage Landscape draft report identified 30 candidate heritage landscapes throughout the Region for possible identification as cultural heritage landscapes. There may be other cultural heritage landscapes which also warrant identification, but the 30 identified in the Regional report would appear to be the most obvious and important candidates for identification. There were only two specific candidate landscapes located in the Township of Woolwich, one in the vicinity of West Montrose, the other in the vicinity of Maryhill. There was also a third, broader candidate cultural heritage landscape identified which was located in both Woolwich and the Township of Wellesley and referred to as "Old Order Mennonite Country".

In addition, on April 21, 2009, Township Council received a report from Professor Robert Shipley who is with The Heritage Resources Centre at the University of Waterloo. Dr. Shipley's report was entitled Cultural Heritage Landscape Designation for Area Centred on the West Montrose Covered Bridge. The report describes research undertaken by Dr. Shipley that was aimed at answering four questions:

1. Does the West Montrose area qualify as a CHL under the PPS?
2. If so, what are the appropriate boundaries for the designated CHL?
3. Is it locally, regionally or provincially significant?
4. Is it valued by the community?

In order to answer these four questions, the Shipley report reviewed previous work, consulted with long time residents or "elders" in the village of West Montrose and area, and conducted a web based survey of a much wider cross section of the community. The Shipley report concluded that the West Montrose area did qualify as a CHL under the PPS, that most people surveyed agreed that it was a CHL of Provincial significance and that it was valued by the community. The report recommended that the Township establish interim control and then begin the process of designating a CHL in the area centred on the West Montrose Bridge. The area proposed as a CHL by the Shipley report is illustrated in Appendix "C". Council asked that the Shipley report be referred back to staff and that a report come forward to Council at a later date.

Comments

Staff agree that there is sufficient evidence that a significant Cultural Heritage Landscape may exist in the vicinity of West Montrose to warrant a study and formal public process that could lead to its identification and protection. Protection could take a number of different forms including designation in the Township Official Plan under the Planning Act or designation as a Heritage Conservation District

under the Heritage Act, or some combination thereof. Staff are supportive of the study and public process not only because of the evidence that a significant Cultural Heritage Landscape exists in the vicinity of West Montrose, but also because the Township needs to understand the implications, if any, of the Capital Paving gravel pit application for a Cultural Heritage Landscape.

Township staff are aware that public support for the identification and protection of a CHL in West Montrose is not unanimous. Some members of the public are supportive because they feel that it is a way to prevent the establishment of the proposed Capital Paving gravel pit. Other members of the public are opposed because they feel that it will add restrictions on the use of their residential properties. Accordingly, it needs to be emphasized that in undertaking a study of the CHL issue, Township Staff would be doing so with an open mind as to whether there is a CHL in the vicinity of West Montrose, where the boundary of a CHL might be located, and the degree to which the Capital Paving application might have impacts for a CHL. It also needs to be emphasized that any rules that will govern a CHL may not have any significant implications for someone living in a newer house in West Montrose. The rules governing a CHL will be determined by Council only after considerable public input.

However, because of the possibility that the Capital Paving application could have serious impacts for a West Montrose CHL, staff are also recommending that Council pass a interim control by-law for the West Montrose area.

Interim control by-laws can be passed where the Council of a local municipality has directed that a review or study be undertaken with respect to land use planning policies in the municipality or in a part of the municipality. The interim control by-law enables a municipality to prohibit the use of land except as provided for in the by-law until such time as the study has been carried out and new land use policies, such as those that might be associated with a Cultural Heritage Landscape, have potentially been put in place. The length of time for interim control can be determined by the municipality up to an initial period of one year, but an interim control by-law could be passed for a further one year period if necessary. Staff would recommend that the initial period of the interim control by-law be for a one year period. It should be noted that interim control by-laws can be appealed to the Ontario Municipal Board.

CONCLUSION

Staff are recommending a study and formal public process under both the Planning Act and the Heritage Act that could lead to the identification and protection of a Cultural Heritage Landscape in the vicinity of West Montrose. Staff are also recommending that Council adopt an interim control by-law in the vicinity of West Montrose to allow the study to be carried out and to allow the implications of the Capital Paving proposed gravel pit for any Cultural Heritage Landscape to be understood. Staff are also proposing to report further with respect to a work program and timeline for the Cultural Heritage Landscape study that will also identify opportunities for public input through the course of the study.

FINANCIAL IMPLICATIONS

Staff time and planning approval costs (ie Regional fees for considering the approval of local OPA amendments). In the event of an appeal of the interim control by-law, legal costs of defending the by-law.

OTHER DEPARTMENT IMPLICATIONS

None

LIST OF ATTACHMENTS

Appendix "A" – Township of Woolwich Guidelines for the Preparation of Cultural Heritage Landscape Studies Required in Support of Development Applications.

Appendix "B" – Boundaries of CHL proposed by the report, Cultural Heritage Landscapes in Waterloo Region: A Framework for Inventory, Assessment and Policy Development.

Appendix "C" – Boundaries of CHL proposed by the report, Cultural Heritage Landscape Designation for Area Centred on the West Montrose Covered Bridge.

February 12, 2008

Township of Woolwich

Guidelines for the Preparation of Cultural Heritage Landscape Studies Required in Support of Development Applications

Cultural Heritage Landscapes are defined by the Provincial Policy Statement (2005) as a:

“geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value”.

Section 2.6.1 of the Provincial Policy Statement (2005) says:

“Significant built heritage resources and significant cultural heritage landscapes shall be conserved”.

In the context of cultural heritage landscapes the Provincial Policy Statement (2005) says that significant means:

“resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people”;

and conserved means:

“the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact statement”.

Cultural Heritage Landscapes (“CHL’s”) have not yet been inventoried by the Township of Woolwich. Until such an inventory is completed, and where it is determined by the Township that a development or redevelopment proposal is of a size and nature that it could have an effect on cultural heritage landscapes, a study will be completed by the development proponent to determine if there are candidate CHL’s which may be affected by the development proposal.

Identification

The process of identifying candidate CHLs begins with a thorough understanding of the place in its historical context derived through documentary and oral research, and physical investigation. Consultants who are conducting a study of CHL's in the context of a development proposal should meet with Township Staff early in the study process to discuss the scope of the study and identify information which may help inform the study. This is followed by the evaluation process, which determines whether or not the candidate CHL has heritage significance and thereby qualifies as as CHL.

CHL's can be categorized as:

Designed landscape – clearly defined landscape designed and created intentionally by man.

Organically evolved landscape – results from an initial social, economic, administrative, and/or religious imperative and has developed in its present form in response to its natural environment (two sub-categories):

- a) Relict landscape – in which an evolutionary process came to an end at some time in the past and for which significant distinguishing features are, however, still visible in material form; and
- b) Continuing landscape – which retains an active social role in contemporary society closely associated with the traditional way of life, and which the evolutionary process is still in progress.

Associative cultural landscape – which is justifiable by virtue of the powerful religious, artistic, or cultural associations of the natural element rather than material cultural evidence which may be insignificant or even absent.

An important consideration in identifying a candidate CHL is the candidate landscape's embodiment of, and/or connection or association with the major themes (contexts) which have shaped the area. Establishing the possible connection between an existing "place" and its historic themes indicates the potential of that place being of heritage significance and becomes the rationale for further study. At the outset of the evaluation process, a comprehensive, definitive list of such sub themes would be developed with a descriptive synopsis for each theme along with its sub-themes. See the Town of Caledon report Criteria for the Identification of Cultural Heritage Landscapes (2003) for an example of a list of such historic themes and sub themes.

The investigation of an area to determine if a candidate CHL may exist should include the following:

1. Physiographic Description

General description of the natural landscape forming “the ground” for all human activity.

2. Processes

A description of the human interaction with the environment, the forms this interaction has taken and what this interaction says about the culture and traditions of those that lived and laboured there, including:

- a) land uses and activities;
- b) patterns of spatial organization;
- c) response to the natural environment
- d) cultural traditions

For Designed Landscapes the following should also be considered:

- a) the landscape architect/designer if known;
- b) the historical style/tradition represented by the original design and/or subsequent alterations.

3. Character Defining Elements

A description of the physical elements which together constitute “the place”, and their interrelationship, including:

- a) circulation networks;
- b) boundary demarcations;
- c) vegetation related to land use;
- d) buildings, structures, and other man-made objects or land alterations;
- e) settlement clusters; and
- f) archaeological sites;

4. Study Area Context

A description of the relationship between the study area and the lands adjacent including links on the one hand and essential differences in topography, architecture etc. on the other.

The results of the above inventory and analysis will form the basis of an Inventory Section within the Study with mapping to delineate the preliminary boundaries of the

study area. The Inventory Section should include representative photographs and historical maps and plans.

Significance Criteria

Importance and Integrity = Significance

Importance

While it would be difficult to find a landscape in Woolwich Township that has not been modified by humans, only those landscapes that have a deep connection with the history of Woolwich Township can be considered to be cultural heritage landscapes. To be considered significant from a cultural heritage perspective the landscape must be demonstrated through the Inventory Section to be important with respect to one or more of the following criteria:

For Organically Evolved Landscapes and Associative Cultural Landscapes:

- A. Is associated with events that made significant contributions to the broad patterns of history (at any level – local, regional, national, etc.) i.e. strong association with central themes;
- B. Is closely associated with the lives of individuals and/or families who are considered significant to the history of the area;
- C. Embodies the distinctive characteristics of a particular settlement pattern or lifeway whether derived from ethnic background, imposed by the landscape, was the practice of a specific historic period or a combination of the above;
- D. Manifests a particularly close and harmonious long-standing relationship between the natural and domestic landscape;
- E. Has yielded or is likely to yield information important to prehistory or history;
- F. Is strongly associated with the cultural and/or spiritual traditions of First Nations or any other ethnic and/or religious group.

For Designed Landscapes the following criteria would additionally apply:

- G. Is a representative example of a distinctive style (trend, movement, or school of theory) tradition, time period, or a method of construction;
- H. Represents the work of a recognized master gardener, landscape architect, planner, architect, or horticulturalist;

- I. Possesses high artistic values or, as a whole, represents a significant and distinguishable entity whose components may lack individual distinction.

After reviewing the candidate CHL in relation to the above criteria a determination of the candidate CHL's historical importance should be made. The reasons for making this determination must be explained in a Statement of Importance within the Study.

Integrity

For a candidate Cultural Heritage Landscape to be finally considered a Cultural Heritage Landscape it must not only be determined to be important it must also be demonstrated to have integrity. For cultural heritage landscapes the assessment of integrity can be somewhat more difficult and complex than for individual structures or sites due to factors such as the size of the land base, the number and inter-relationship of elements, the range of land uses, and the nature of vegetative growth and change. For most sites, some loss of pure historic integrity must be accepted as inevitable. However, the key individual elements which constitute the cultural heritage landscape and the way in which their interweaving makes a special "place" must still sufficiently reflect the historic period and/or organic evolution from which their heritage importance derives.

For example, the continuing presence of site defining topographic features in an unchanged relationship to building complexes, yards, fields lane, concession roads and sideroads, presents a picture of integrity. A site centred on mill ruins, with the discernible remains of dam, flume, millpond, upstream from a small cluster of 19th century buildings originally constructed as a result of the mill's presence also retain integrity though key elements are, in fact, ruins.

However, the encroachment of some types of new development into the landscape, which can substantially change the historic relationships between landscape elements—either directly through loss of fields, woods and buildings and, also through alterations such as the widenings of roadways—might seriously undermine the integrity of a site.

More subtly, the loss of key elements such as a hay barn (often the most monumental buildings in the rural landscape) may likewise detract from the integrity and thus the validity of a candidate CHL being finally identified as a cultural heritage landscape.

The integrity of a candidate CHL may be examined, in part, through an analysis of the integrity of its character defining elements. These elements will vary with the nature of the site and the reasons for it being considered important. Thus the measure of integrity may differ from site to site and also with regard to the different types of elements of which the site contains.

Relevant questions in the context of integrity include:

- Is the site continuing in the same use and/or compatible use? Compatible here refers a use that hasn't resulted in the altering of key elements and their inter-relationship.
- Is there an actual continuity of ownership of the site?
- Have buildings survived in their original form and in relatively sound condition?
- Are historic complexes and their relationships to other elements, such as yard and fields, intact?
- To what extent have other build elements such as fences, walls, paths, bridges, corrals, and pens, survived?
- Does the historical relationship to prominent natural features (e.g. cliff, stream) still exist both for the site as a whole and within the site?
- Are designed plantings such as hedgerows, windows, gardens, and shade trees still discernible and is their traditional relationship to buildings, lanes, roadways, walks and fields still discernible?
- How closely does the existing view of the site compare to the same view captured in historic photographs?
- Can ruins and overgrown elements still convey a clear message?
- For Designed Landscapes, the following question should also be considered:
- Are changes to the landscape irrevocable or can they be corrected so that the property retains integrity?

In summary, those landscapes which clearly embody both heritage importance and integrity should be considered to be significant and therefore should be recognized as Cultural Heritage Landscapes.

Boundaries

At the initiation of the process to investigate a potential cultural heritage landscape a general geographic area is defined as the "study area". Through analysis and taking into account importance and integrity, these boundaries may be refined. The refinement may result from a more complete understanding of the history of the study area or from the loss of integrity at certain locations or parts of a study area.

Boundaries may be based on:

- Historic legal boundaries or current legal boundaries when they are coincidental or greater than the historic boundaries;
- Boundary demarcations of some permanence that are based on historic land uses (e.g. fences, fencerows, hedgerows, tree lines, drainage ditches);
- Roads, right-of-ways, rail lines, established paths or trails—both historic and active, that serve as separators to sites or areas;
- Natural features (e.g. rivers, water bodies, ridges or landforms or land features, forested areas) that have served as historic visual or physical separators;
- Viewsheds;
- Mature vegetation that mark the edges of the cultural heritage landscape (e.g. tree-lined road or lane, woodlot or stand of trees);
- Changes in pattern of development or spatial organization;
- Edges of new development (e.g. roads, buildings and their associated contextual landscape)

Buffers

In some instances, establishing a buffer to the CHL may be appropriate for protection purposes. The extent of the buffer will vary depending on the nature of the CHL, but may be coincidental with features (roads, changes in topography) which, although located outside of the CHL provide a convenient demarcation of the buffer area.

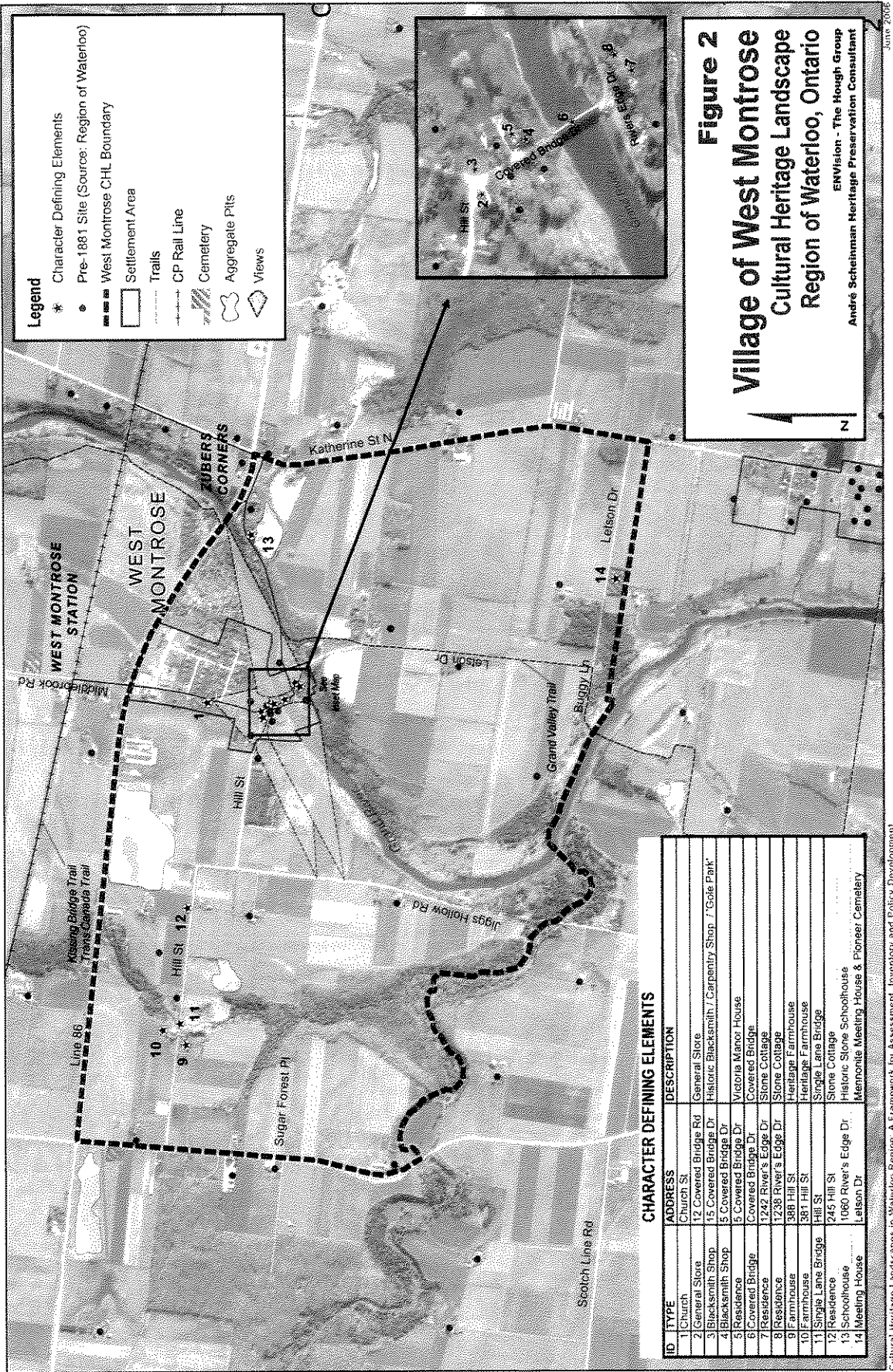
New Information

It is possible that the understanding and appreciation of the importance of landscape may change over time due to the availability of more detailed information, changed cultural perceptions and because of the increasing rarity of certain types of cultural landscapes or certain types of character defining elements within a landscape. Consequently the initial determination that a landscape is not significant enough to be identified as a cultural heritage landscape could also change over time.

Additional Sources of Information

Town of Caledon, Criteria for the Identification of Cultural Heritage Landscapes, 2003

Region of Waterloo, Cultural Heritage Landscapes in Waterloo Region: A Framework for Inventory Assessment and Policy Development, 2006



Appendix "C"
Boundaries of CHL proposed by the report,
Cultural Heritage Landscape Designation for
Area Centered on the West Montrose Covered Bridge

