

## Report to Council

|                       |  |                     |        |
|-----------------------|--|---------------------|--------|
| <b>Report Title:</b>  | MZO Application                                    |                     |        |
| <b>Prepared By:</b>   | Sonya Watson, Chief Administrative Officer         |                     |        |
| <b>Department:</b>    | Planning   |                     |        |
| <b>Date:</b>          | March 8, 2022                                      |                     |        |
| <b>Report Number:</b> | PLN2022-01   | <b>File Number:</b> | C11PLN |
| <b>Attachments:</b>   | Brockton MZO Map,<br>Planning Justification Report |                     |        |

### Recommendation:

That the Council of the Municipality of Brockton hereby receives Report Number PLN2022-01 - MZO Application, prepared by Sonya Watson, Chief Administrative Officer, and in doing so approves the Planning Justification Report dated March, 2022 and further supports submission of the Minister's Zoning Order to the Ministry of Municipal Affairs and Housing for consideration to support the creation of more than 500 additional housing units and additional employment lands in the community of Walkerton.

### Report:

#### Background:

On December 14, 2021, Council approved the Municipality of Brockton proceeding to initiate the process to apply for a Ministerial Zoning Order (MZO) for Lots 1-6 in the East Ridge Business Park in Walkerton, shown on the attached map.

On February 10, 2022, staff held a Community Information Meeting at which, Jay McGuffin of Monteith Brown Planning Consultants, presented.

This MZO application is requesting a rezoning of specific lands within the East Ridge Business Park (ERBP) that would be better suited to residential use as well as rezoning the newly acquired municipal lands to the north of ERBP from agriculture to industrial uses. The total affected land is 24.18 hectares or 59.75 acres. The proposed residential lands have the potential for more than 500 additional housing units, including the proposed hospice, residential care facility and apartment building complexes.

Staff have spent considerable time on this application as each parcel has been considered individually based on zoning and other planning requirements. Within an MZO approval, there are established requirements, such as building height, parking spaces, access and servicing requirements and new developments must conform to the requirements as outlined, unless a separate planning application is applied for after MZO

approval. MZO applications are non-appealable. Therefore, much thought and discussion between developers, staff and our consultants have occurred in preparation of the Planning Justification Report and the proposed Order.

**Analysis:**

The MZO application has multiple steps:

1. Community Consultation
2. Council Approval and Resolution
3. MZO Request to Ministry
4. Decision by Minister

Through the Community Consultation, staff and the consultants engaged agencies and the First Nations directly. Through the Community Information Meeting, residents and businesses were able to provide comments. Two local major employer provided comments in favour of the MZO application at the meeting while stressing the need for affordable housing within Brockton.

No concerns have been raised to date with this application.

A Planning Justification Report has been prepared by Monteith Brown Planning Consultants that has been attached for Council’s review. This is a final draft pending any further Council comments at the meeting. Jay McGuffin of Monteith Brown Planning Consultants will be attending the Council meeting to further outline the process to date for Council.

We will be seeking final approval of the proposed Planning Justification Report and associated Order by way of a Council resolution to proceed with submission of the package to the Minister of Municipal Affairs and Housing (MMAH).

**Strategic Action Plan Checklist:**

What aspect of the Brockton Strategic Action Plan does the content/recommendations in this report help advance?

- |   |     |
|---|-----|
| • Recommendations help move the Municipality closer to its Vision                       | Yes |
| • Recommendations contribute to achieving Heritage, Culture, and Community              | N/A |
| • Recommendations contribute to achieving Quality of Life                               | Yes |
| • Recommendations contribute to achieving Land Use Planning and the Natural Environment | Yes |
| • Recommendations contribute to achieving Economic Development                          | Yes |
| • Recommendations contribute to achieving Municipal Governance                          | Yes |

**Financial Impacts/Source of Funding:**

- Do the recommendations represent a sound financial investment from a sustainability perspective? Yes

**Reviewed By:**

A handwritten signature in black ink, appearing to read 'Trish Serratore', with a stylized flourish at the end.

Trish Serratore, Chief Financial Officer

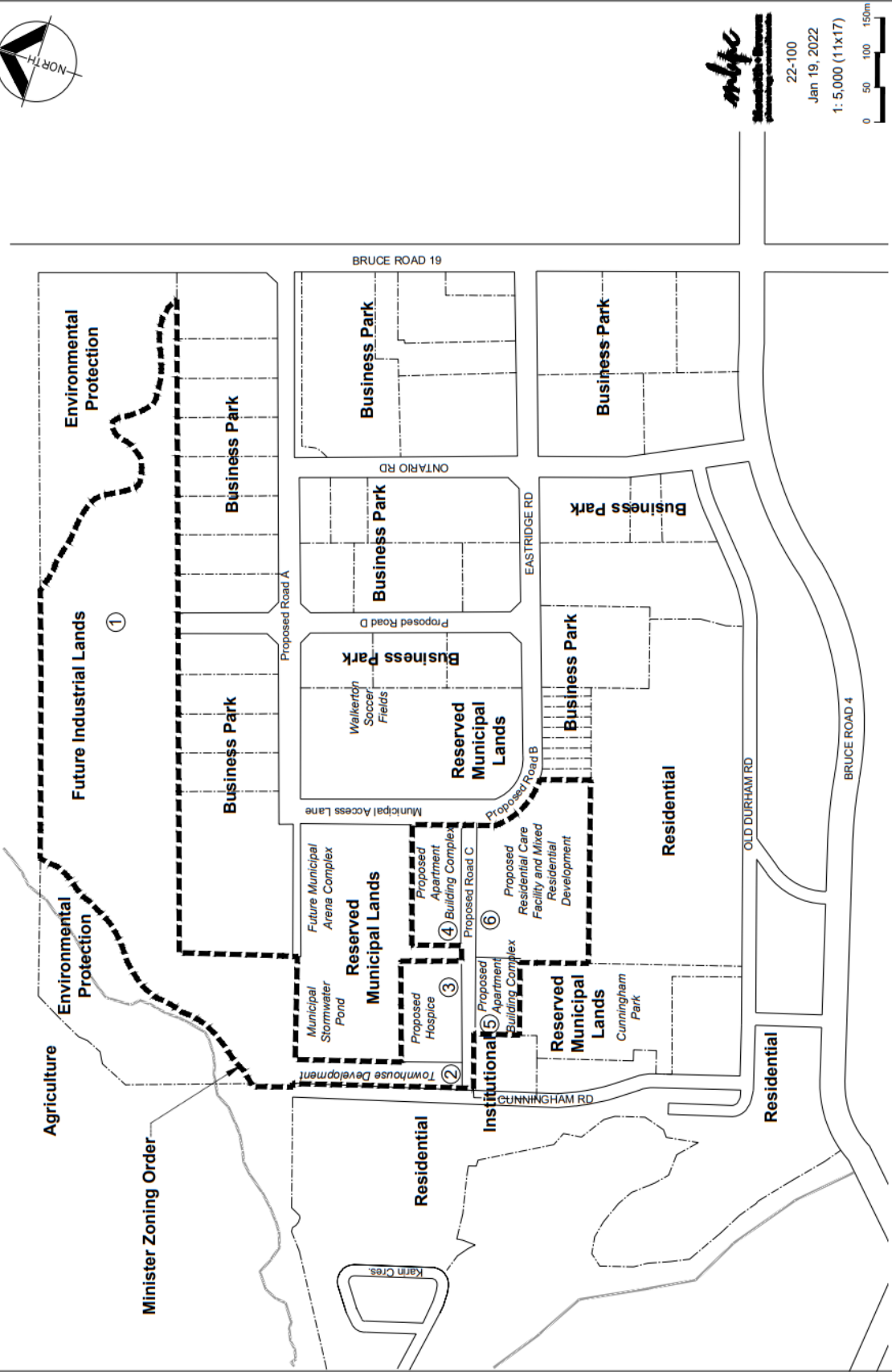
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**Respectfully Submitted by:**

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Sonya Watson, Chief Administrative Officer

# Schedule A - Minister's Zoning Order



22-100  
 Jan 19, 2022  
 1: 5,000 (11x17)  
 0 50 100 150m

# PLANNING JUSTIFICATION REPORT

## Proposed Minister's Zoning Order

Proposed Land Conversion

Walkerton, Ontario

N0G 2V0

Municipality of Brockton

March 2022

Prepared for:

**Municipality of Brockton**

c/o Sonya Watson

100 Scott Street

Walkerton, ON, N0G 2V0

Prepared by:



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## 1. INTRODUCTION

### 1.1 Purpose

**Monteith Brown Planning Consultants (“MBPC”)** has been retained by the Municipality of Brockton to assist Council in their request for a Minister’s Zoning Order (“MZO”) to address an urgent need for additional residential lands in the community of Walkerton. The MZO is proposed to apply to lands owned both by the Municipality and MB Civil Design Group.

The purpose of this request for an MZO is to rezone lands within and adjacent to the East Ridge Business Park in the urban settlement of Walkerton. The East Ridge Business Park, comprising approximately 64 hectares (157 acres) of partially developed and serviced lands, is situated in the north-easterly quadrant of Walkerton on Bruce Road 4. The Park represents the Municipality’s premier focal point for future growth and development within Walkerton and continues to capture the attention and interest of the development community.

While the conversion of employment lands and expansion to settlement boundaries would be determined, as required by the Province, at the time of a comprehensive review of the Official Plan, the Municipality of Brockton is currently experiencing a significant increased demand for housing as the province emerges deeper into a severe housing crisis in addition to a lack of available vacant residential land that is not already in the process of being developed. Accordingly, this request for an MZO will address this short-term demand and assist in delivering provincial priorities, including the increase in the supply and provision of affordable housing.

Consultation with the public through a formal Public Information Session was conducted on February 10, 2022, receiving positive feedback, as well as consultation with agencies, all of which is documented in Appendices 2 through 7 inclusive of this Report. Opportunities for public feedback were also available at a Council Meeting on March 8, 2022 where the MZO request was brought forward for approval and endorsement by the Municipality of Brockton Council. The underlying theme through that consultation process was significant concern being expressed by local industrial leaders expressing need for additional housing at attainable prices to attract the necessary work force to staff their growing industrial operations.

The lands subject to the requested MZO are zoned as employment and industrial lands, as well as agriculture. The MZO would convert the employment lands to accommodate more appropriate residential development adjacent existing residential areas. Such a conversion would result in the potential for approximately 508 new dwelling units in the form of a variety of housing types, including single detached dwellings, townhouse units, apartment units, residential care facility units, and a hospice. The Municipality intends to convey the lands they own to various

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developers to facilitate the development of much needed housing within the community. The MZO would also seek to expand the settlement boundary northward abutting the existing business park lands by rezoning agricultural land to employment lands to replace the lands proposed to be converted to residential, as well as provide opportunities for future growth. The proposed zoning changes are shown and described in Appendix 1 and 9 of the report.

The intent of this report is to analyze the land use planning merits of the requested Minister's Zoning Order to determine the appropriateness of the proposed uses. The request will be analyzed within the context of the surrounding community and the relevant planning documents, including the Provincial Policy Statement, the Bruce County Official Plan, the Municipality of Brockton Official Plan and the Municipality of Brockton Zoning By-law.

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## 1.2 Site Description

The subject lands have a total area of approximately 24.18 hectares (Figure 1) and are in the process of being divided into six parcels of land of varying sizes and dimensions, with the largest being Parcel 1 having an area of approximately 15.61 hectares (59.75 acres) (Figure 2). Parcel 1 is the only parcel that is not included within the Walkerton urban settlement boundary and consists of agricultural land used for the growing of crops. Parcel 1 is irregular in shape insofar as it follows the current boundary between the land that is used for agriculture and the adjacent environmental lands.

The remaining Parcels 2, 3, 4, 5 and 6 are all located within the settlement boundary and range in area from approximately 0.72 hectares (1.77 acres) to approximately 3.92 hectares (9.31 acres). Each of these parcels is currently undeveloped and is currently used, or was previously used, for agriculture as an interim land use. These parcels are proposed to be the site of various residential developments that would support a variety of different housing options for the community. The parcels are generally rectangular in shape and are currently undeveloped, either left vacant or are being used for agriculture as an interim land use.

Figure 1 – Aerial Photo of the Subject Lands

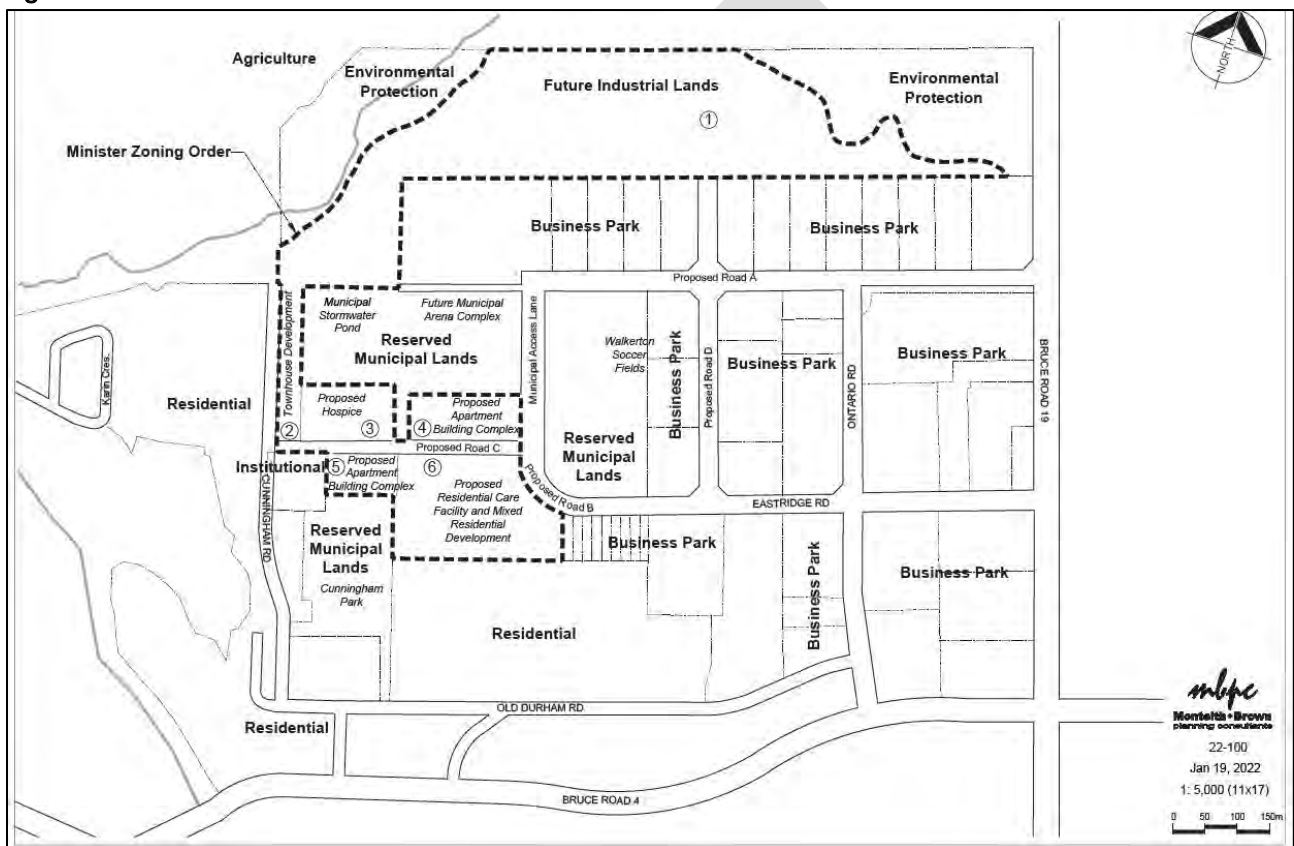


Source: Bruce County Mapping, 2022

### 1.3 Land Use Context

The subject lands are located within and adjacent to the East Ridge Business Park. Directly adjacent to Parcel 1 to the north is agricultural farmland outside of the Walkerton settlement area. To the northeast and northwest are Environmental Protection lands that contain a wooded, unevaluated wetland area and a small creek that flows to the west of the subject lands. These lands are not included as part of the requested MZO and would retain their environmental protection designation. To the west of Parcel 1 is Bruce Road 19.

Figure 2 – Land-Use Context



Source: MBPC, 2022

The adjacent lands to the west consist of a draft approved plan of subdivision for a low-density residential development, primarily townhouse dwelling units. Further to the west is an existing low density residential neighbourhood consisting of single detached dwellings, a woodland area, and the Saugeen River.

The subject lands are bordered to the south by the Rotary Nature Park and vacant lands currently in the process of being developed for residential uses. An established residential neighbourhood

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lies further to the south along the north side of Bruce County Road 4, which provides a major east-west connection through the settlement of Walkerton.

To the east of the subject lands are additional municipally owned lands that are proposed to contain a future municipal stormwater management pond and a municipal arena complex. Further to the east are the existing Bruce Power Soccer Complex and vacant and developed lands within the East Ridge Business Park. The Business Park is bordered to the east by Bruce County Road 19, which represents the boundary of the Walkerton settlement area. Beyond County Road 19 is agricultural land.

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## 2. DEVELOPMENT PROPOSAL

The subject lands are intended for future residential and industrial development by MB Civil Design Group, which owns a portion of the subject lands, as well as several other developers with Offer to Purchase Agreements conditional on the approval of the MZO request to support residential development. The proposed MZO is intended to rezone the subject lands from employment to residential zones and agricultural to employment zones under the Municipality of Brockton Zoning By-law. The proposed changes in zoning would provide flexibility for future development on the six parcels described below while specific proposals for each parcel are refined and brought forward. A brief description of the development plans for each parcel has been provided below.

There are currently no specific development plans for **Parcel 1**. The site is proposed to be rezoned to permit a wide array of industrial uses that would provide a range of options for future growth and expansion in the East Ridge Business Park.

**Parcel 2** is proposed to be used for medium density residential development in the form of 22 townhouse units. These units are to be developed in a linear strip with the units fronting onto Cunningham Road. The proposed development would be incorporated into the existing draft approved plan of subdivision lying adjacent to, and west of, the proposed units.

**Parcel 3** is being considered for the future development of a one-storey hospice that would provide end-of-life care for residents. The proposed rezoning of this parcel would also permit a variety of other medium density residential units in the event that the hospice development does not proceed.

Multi-unit apartment buildings are proposed on **Parcels 4 & 5**. Parcel 4 would contain two apartment buildings, each with 59 dwelling units for a total of 108 dwelling units. A third 59-unit apartment building is planned for construction on Parcel 5. The apartment buildings are proposed to be located towards the front of the parcels along a future municipal road.

**Parcel 6** is proposed to be the site of a multi-residential type development. A residential care facility to be located on the east side of the site would provide approximately 250 units for senior's accommodation. The development would also include 43 townhouse dwelling units, 16 single detached dwelling units and landscaped parkland for nearby residents.

The low density development on Parcels 2, 3, and the west and south sides of Parcel 6 would provide a transition between the existing low density residential areas to the south and west and the proposed medium density apartment buildings and residential care facility. The employment

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lands proposed to be converted for residential uses would represent a better fit and would be more compatible with neighbouring lands given that the lands are flanked to the west and south by existing residential areas. The proposed residential uses would have access to future municipal recreational facilities to be established on the lands to the east of the site. The recreational facilities would also provide a buffer between the proposed residential uses and the existing and proposed industrial uses within the East Ridge Business Park.

Future development would be provided suitable access through the construction of several proposed roads throughout the subject lands which would connect to the existing municipal road network. Parcel 1 would have frontage on, and direct access to, County Road 19. The lands are also in close proximity to County Road 4, which would facilitate direct and ready access for the transportation of goods and access to services that would support future industrial uses.

As previously noted, these development plans are preliminary and would be subject to additional planning approvals, such as Site Plan Control, to ensure the appropriateness and scale of the proposed developments in the context of the surrounding community and to ensure a high degree of site design and amenity.

### 3. PUBLIC ENGAGEMENT STRATEGY

Section 47(2) of the Planning Act does not require public notice or statutory consultation requirements for the request for approval of a Minister's Zoning Order. The Municipality of Brockton, nevertheless, recognizes that the proposal includes significant zoning changes and has, accordingly, made effort to engage interested parties to address potential concerns with the proposed MZO.

In order to ensure that the public and stakeholder agencies were informed of the proposed changes to the subject lands, the Municipality of Brockton and MBPC organized a public information session in February 2022 prior to the submission of the MZO request. Due to COVID-19 public health concerns, an in-person meeting could not be held to discuss our client's proposal. As an alternative, a Virtual Public Information Session was held on February 10<sup>th</sup> at 7:00 PM, via a Zoom webinar.

On January 24<sup>th</sup>, a public notice was posted on the Municipality's website informing the public of the Virtual Public Information Session as well as emailed to agencies. Copies of the public notice are included in Appendix 2 of this report. The notice provided a description of the proposed zoning changes, including a draft of Schedule 'A', as well as details of how to participate in the meeting. A copy of the agenda and presentation for the meeting was also posted in the municipal webpage developed for the MZO request and social media on February 9<sup>th</sup>, 2022. The municipal webpage also included details of the MZO process and to provide information to the public.

At the Virtual Public Information Session, MBPC and Municipality of Brockton staff facilitated a presentation to introduce the issues and background of housing demand and supply in the Municipality, provided context of the subject lands, and described the proposed zoning changes that are proposed within the MZO. Following the formal presentation, the meeting was opened to comments and questions from those in attendance. A copy of the presentation and minutes from the comment period are enclosed in Appendix 3 & 4. Overall, the reception to the development was positive and members of the community provided comments in support of the MZO raising concerns of the lack of available and affordable housing within the community to support local businesses.

Written comments were also provided during the preparation of the MZO request. Letters of support have been received by each of the prospective purchasers of the lands proposed to be rezoned and developed. In addition, written comments were received by a local business owner in support of the MZO, raising concerns for the lack of available rental housing in the community

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to provide accommodations for its employees. A copy of the written comments has been enclosed within Appendix 5 of this report.

In addition to the Public Information Session, the Municipality has circulated agencies, including First Nation's stakeholders, to provide the opportunity to address potential concerns with the proposed changes. A list of agencies that were circulated notice is included in Appendix 6. Comments were received from the Bluewater District School Board raising no objections to the proposed zoning changes and will provide further comments and conditions for future development when it takes place.

Comments were also received from the Saugeen Ojibway Nation (SON), expressing interest and concern due to the potential archaeological resources on the subject lands and adjacent environmental lands. SON has commented that it does not take issue with the proposed zoning changes, however, further consultation is needed when future development applications and site alteration is to take place. Municipal staff have confirmed that archaeological assessments have been completed for Parcels 2 to 6 and copies have been provided to SON for review. The Municipality has also confirmed that an archaeological assessment would be required before development is to take place on Parcel 1 and SON would be notified prior to any further development on the lands subject to the MZO. A copy of comments received has been included in Appendix 7 of this report.

## 4. BACKGROUND AND TECHNICAL STUDIES

### 4.1 Archaeological Assessments

The Municipality of Brockton has retained Amick Consultants Limited to evaluate the subject lands for potential archaeological resources. The evaluation of the subject lands was carried out through two separate Stage 1 & 2 Archaeological Assessments. Assessments were completed for Parcels 2, 3, 4, 5, and 6. The Archaeological Assessments concluded that there were no archaeological resources encountered and that there was no further archaeological assessment of the subject lands required. Copies of the archaeological assessments have been attached within Appendix 8 of this report.

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## 5. PLANNING FRAMEWORK AND ANALYSIS

The following section provides an overview and analysis of the existing planning framework, identifies the key policy initiatives and by-laws that relate to the subject lands, and discusses the Zoning Order required to permit the proposed development.

### 5.1 Planning Act

Section 2 of the Planning Act sets out matters of Provincial interests that municipalities shall have regard for when making land use planning decisions. The Planning Act identifies the importance of protecting agricultural resources. Parcel 1 is the only parcel that is outside of the settlement area and is designated and zoned for agricultural uses. However, while agricultural land is proposed to be removed from production, the proposed expansion to the settlement area would result in contiguous development adjacent to the settlement area and would prevent fragmentation and negative impacts on the surrounding agricultural areas.

The Planning Act also supports the conservation of cultural, historical, archaeological or scientific interest. In advance of the subject lands being developed, the Municipality of Brockton has retained the services of an archaeological consultant to conduct Stage 1 and 2 archaeological assessments for Parcels 2-6. It was determined that there were no archaeological features were identified on the parcels and no further required assessment was recommended. A holding provision is proposed to be included in the rezoning of Parcel 1 to address the need for an archaeological assessment to ensure there are no negative impacts on potential archaeological resources.

Ecological systems, including natural areas, features and functions are also to be protected. Approximately half of the lands proposed to be rezoned are already designated as employment lands for development and there are no natural areas or features located within the entirety of the subject lands. Adjacent lands to the northwest and northeast of Parcel 1 contain natural features which includes a small creek that flows southwest to the Saugeen River and woodland which contains an unevaluated wetland. The proposed MZO would include a holding provision that would require an Environmental Impact Study to be conducted for Parcel 1 that would ensure that there are no negative impacts from future industrial development on these natural heritage features.

Provincial priorities under the Planning Act also include the efficient use and adequate provision of transportation, sewage and water services, and waste management systems. Development on the subject lands would be provided access by several proposed roads that would tie into the existing local road network. Future industrial development would also have direct access to major

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transportation connections in the area to support the movement of goods and services. Future development will be serviced by full municipal water and sewer services.

Development is also to be located in areas that are appropriate for growth. Future development on the subject lands would address a lack of housing supply in the community and would be serviced by full municipal water and sewer services. The proposed zoning changes would support development that would have adequate access to educational, social, cultural and recreational facilities.

The Planning Act identifies the adequate provision of a full range of housing, including affordable housing, as well as employment opportunities as a priority. The requested MZO proposes to permit a range of residential types and densities that would support the increase in housing choice and affordability, as well as employment and industrial uses that would provide options for future economic growth.

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## 5.2 Provincial Policy Statement

While Bill 257 removed the requirement that Minister Zoning Order's under Section 47 of the Planning Act must be consistent with policy statements issued under Section 3(1), an analysis of these policies has been included below.

The Provincial Policy Statement, 2020 ("PPS") provides policy direction on matters of provincial interest related to land use planning and development. Any decision by a planning authority that requires approval under the Planning Act "shall be consistent with" policy statements issued under the Act. The PPS is intended "to be read in its entirety", and decision makers must balance a range of policy directives when deciding whether or not a planning proposal is consistent with the PPS, rather than prioritizing one set of policies over another (PPS, Part III).

The proposed development is consistent with Provincial policy directives regarding healthy, liveable, and safe communities and development within settlement areas, as the proposed conversion of employment lands to residential contributes to the provision of a range and mix of residential types within the community [Policies 1.1.1 a) and b)]. The lands proposed to be rezoned to employment lands would be directly adjacent to the existing settlement area boundary and would be a natural extension of the East Ridge Business Park, which is the site of a significant amount of Walkerton's current employment land supply [Policy 1.1.1 d)]. The subject lands are located within or directly adjacent to an established and serviced settlement area and the proposed MZO would facilitate the development of a mix of uses and densities, as well as make efficient use of the subject lands (Policies 1.1.3.1, 1.1.3.2, 1.1.3.4).

The PPS directs that planning authorities are to "maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development" (Policy 1.4.1). The County of Bruce is currently undertaking a municipal comprehensive review during the five-year review of the County Official Plan. As part of its review, the County has prepared the 'Good Growth Report', which forecasts population and allocates future growth. The 'Good Growth Report' identifies a deficit of approximately 353 residential units for the Municipality of Brockton over the long-term planning horizon. However, no expansion to the Walkerton settlement area is currently being contemplated as there is a surplus of residential land supply within the County as a whole, which is being used as the regional market area. This limits the ability of the Municipality of Brockton to address the short term and long term demands for housing, as it must compete with other municipalities that have historically large amounts of vacant residential lands, much of which does not currently have access to full or partial municipal services.

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A planning authority may allow for the expansion of a settlement area boundary and convert employment lands to non-employment uses only at the time of a municipal comprehensive review, subject to certain criteria (Policy 1.1.3.8, 1.3.2.4). Due to the length of time to complete the County's comprehensive review process, and the more immediate need for conversion of vacant employment land to residential uses to meet current housing demand, the Municipality of Brockton is seeking to expand the settlement boundary to add additional employment lands.

The proposed MZO would meet the criteria set out in the PPS for expansions to settlement area boundaries. The Municipality of Brockton has identified that there are insufficient opportunities to accommodate growth through redevelopment and intensification and there are suitable infrastructure services available for development over the long term [Policy 1.1.3.8 a) b)]. There are no specialty crop areas within the subject lands proposed to be added to the settlement boundary and there are no other suitable areas where sub-prime agricultural land could be added to the settlement area [Policy 1.1.3.8 c), 2.3.5.1]. The proposed expansion would result in contiguous development directly adjacent to the settlement area and would prevent further fragmentation and negative impacts to agricultural areas [Policy 1.1.3.8 e)].

The PPS directs municipalities to *“provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area”* by permitting and facilitating intensification, and promoting densities for new housing which efficiently use land, resources, infrastructure, and public service facilities [Policies 1.4.3, 1.7.1 b)].

The proposed expansion of the Municipality's employment lands would provide opportunities for a range and mix of industrial uses and economic development, as well as service future development with full municipal services [Policy 1.3.1 a) b) c) e)]. The proposed land uses would be generally compatible with the surrounding area, as the proposed industrial lands would be directly adjacent to the existing Business Park to the south and would be separated from the proposed residential uses on the subject lands by a future Municipal Arena Complex and municipal stormwater management pond [Policy 1.3.1 d)].

The Good Growth Report prepared by the County of Bruce as part of its Official Plan Review has identified that the existing land supply is insufficient to meet long term needs and there is a projected deficit of employment lands of approximately five hectares for the Municipality of Brockton. The Good Growth Report recommends the expansion of the settlement area by five hectares for future employment land needs. The addition of Parcel 1 to the settlement would contribute to meeting the current and future employment needs of the municipality (Policy 1.3.2.1, 1.3.2.2). Lands proposed for a future Municipal Arena Complex, municipal stormwater management pond, and existing recreational facilities provides a separation buffer from the

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proposed residential uses on the subject lands, as well as provides for a transition between the two classes of land uses (Policy 1.3.2.2, 1.3.2.3).

The PPS promotes the provision of a full range of adequate recreation facilities to support communities, including parklands, public spaces, and open space areas (s. 1.5.1b). The proposed residential development would be located in close proximity to existing recreational amenities, including the Bruce Power Soccer Complex and the Rotary Cunningham Park, as well as being adjacent to a future Municipal Arena Complex.

The PPS directs that natural heritage features are to be protected over the long term and development and site alteration shall not be permitted in significant natural heritage features (s. 2.1.1, 2.1.4, 2.1.4). Development is also not permitted on adjacent lands to natural heritage features unless it can be demonstrated that there will be no negative impacts on the natural features and their ecological functions (S. 2.1.7). There are no natural heritage features located on the subject lands. A portion of Parcel 1 is located within adjacent lands to natural heritage features, including a creek and an unevaluated wetland. To ensure that there are no negative impacts on any natural heritage features that may be present on adjacent lands, the proposed zoning for Parcel 1 would include a holding provision for the requirement of an Environmental Impact Study prior to development occurring.

Development is to be directed away from areas susceptible to flooding including hazardous lands adjacent to rivers, streams, and bodies of water (s. 3.1.1). Lands containing natural hazards are designated as 'Hazard Lands' under the Bruce County Official Plan and 'Environmental Protection' under the Municipality of Brockton Official Plan, as well as identified through the 'Environmental Protection' zone of the Municipality of Brockton Zoning By-law. There are no identified hazard areas on the subject lands; however, there are areas adjacent to hazard lands on Parcel 1. These adjacent lands would be located within Conservation Authority regulated areas, and any development may require approval from the Saugeen Valley Conservation Authority.

The PPS directs that development shall not be permitted on lands containing archaeological resources and areas of archaeological potential unless significant archaeological resources have been conserved (s. 2.6.1). Archaeological assessments have been completed for Parcels 2 to 6 prior to the submission of this MZO request. The Stage 1 & 2 Archaeological Assessments determined that there were no archaeological resources identified on the site and recommended that no further assessment was required. During consultation with agencies and stakeholders, the Saugeen Ojibway Nation has provided comments on the proposed MZO and raised concerns for impacts to potential archaeological resources on Parcel 1 (s. 2.6.5). To address these concerns, a holding provision has been included for the proposed zoning order for Parcel 1 that would

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require the completion of an archaeological assessment to be completed before development of the site can proceed.

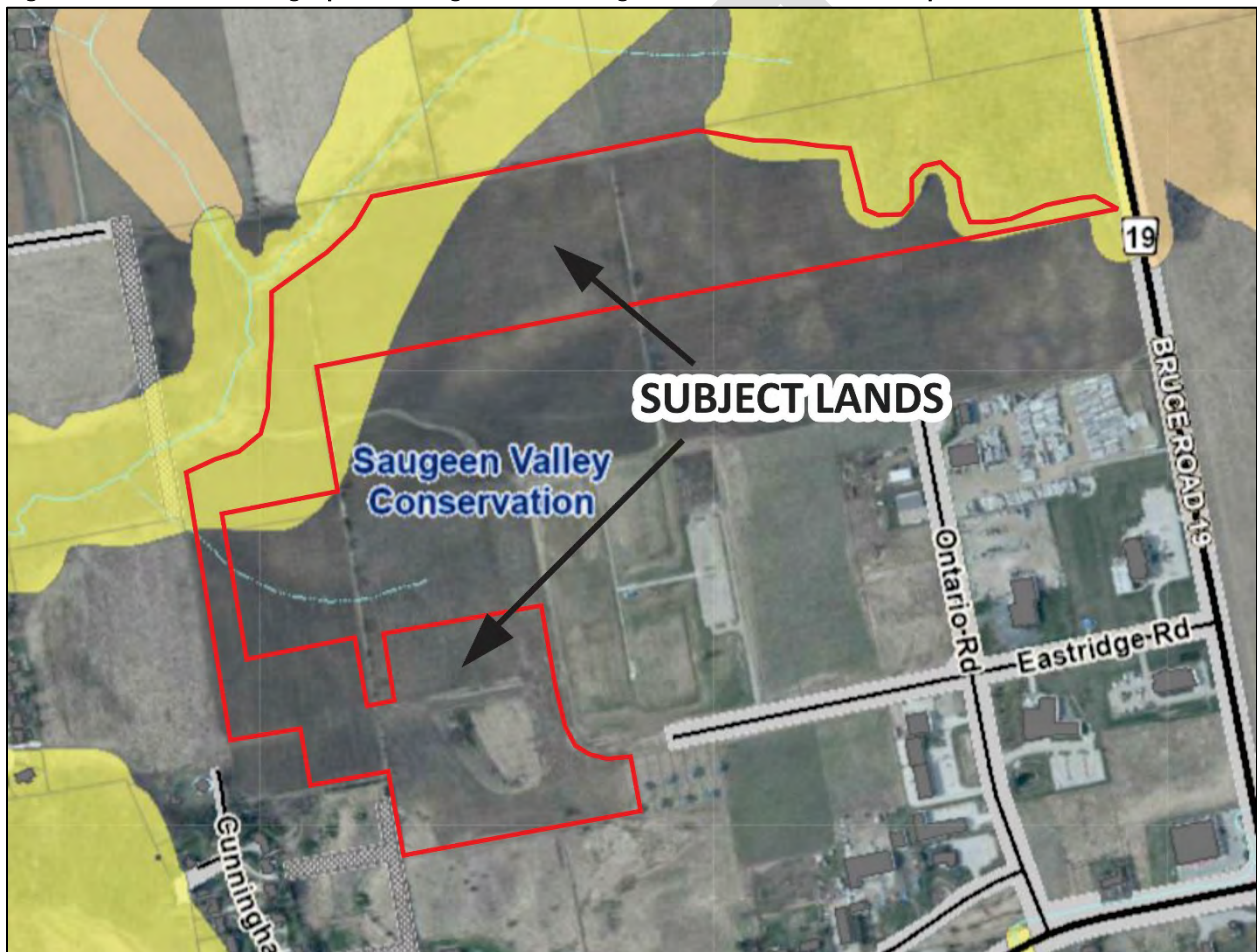
In light of the above analysis, the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement.

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### 5.3 Saugeen Valley Conservation Authority

The northern portion of Parcel 1 of the subject lands are located within an area regulated by the Saugeen Valley Conservation Authority, as shown below on Figure 4. No development or site alteration is currently proposed within the regulated areas and none of the natural heritage features adjacent to the subject lands to the north are proposed to be included within the MZO. Future development on these sites within the regulated areas would require permits from the Saugeen Valley Conservation Authority in order to proceed.

Figure 3 - Aerial Photograph Showing the SVCA Regulated Area Over the Subject Lands

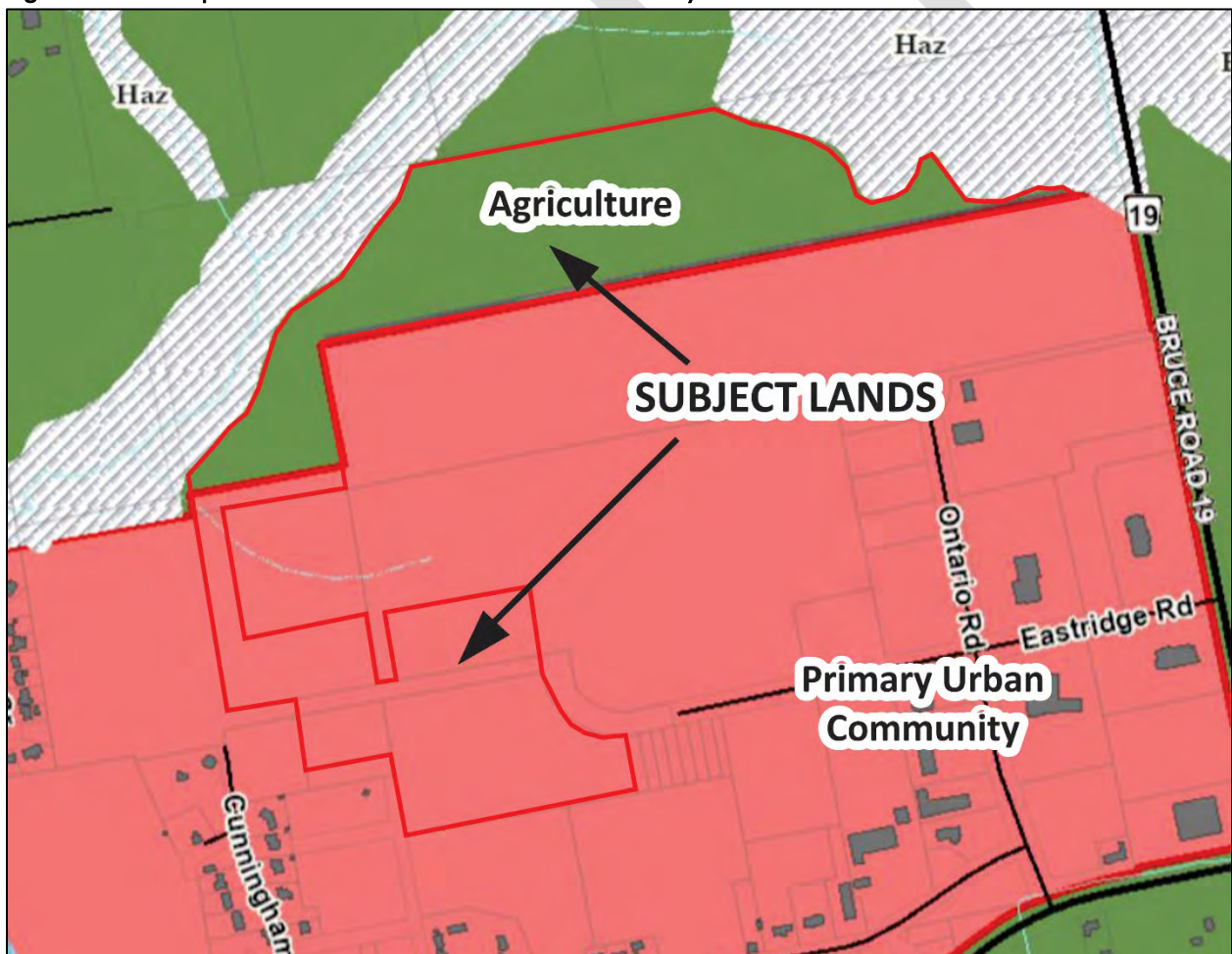


Source: Bruce County Mapping, 2022

## 5.4 Bruce County Official Plan

The subject lands are designated as 'Primary Urban Area' and 'Agriculture' under Schedule 'A' of the Bruce County Official Plan (Figure 5 below). The majority of growth within the county is to be directed to primary urban communities and that development is serviced with municipal water and sewer infrastructure, including industrial development (Policy 5.2.2.2.2, 5.2.2.2.4, 5.2.2.2.6). A broad range of residential, home occupations, commercial, industrial and institutional uses shall be permitted within primary urban communities (Policy 5.2.2.3). Non-farm development will be encouraged to locate in existing built-up areas in order to protect productive agricultural lands (Policy 4.4.3.3). If the MZO is approved, all of the proposed development would be located within the settlement area and the subject lands would be serviced by full municipal water and sanitary services.

Figure 4 - Excerpt from Schedule 'A' from the Bruce County Official Plan.



Source: Bruce County Mapping, 2022



The proposed uses for the subject lands are consistent with the 'General Housing' policies of the Official Plan, particularly the policies encouraging local municipalities to "ensure a wide range of housing types, housing densities, and housing options to meet the needs of local residents" [Policy 4.4.4.1.1 i)]. This includes housing types that are considered affordable to residents within the County and "all forms of housing required to meet the social, health and well-being requirements of current and future residents" [Policy 4.4.4.1.1 iv)]. The proposed residential zones would enable intensification that would be located in areas with adequate availability of municipal services, parks and schools, compatibility with adjacent land uses, and housing types that are in demand within the community [Policy 4.4.4.1.1 v) vi)]. The proposed future residential development would contribute to the County meeting its goals of reaching "30% of new residential development and residential intensification shall be affordable to meet the housing needs of family incomes up to the 60th percentile" (Policy 4.4.4.2.1).

As directed by the PPS, a 10-year supply of residential land should be maintained to accommodate the growth [Policy 4.4.4.1 iii)]. The County of Bruce is currently in the process of conducting its Five-Year Official Plan Review, which includes a municipal comprehensive review to forecast growth and allocate lands for future development. In September 2021, the County released the 'Good Growth Report' which population projections and forecasts growth for communities within the County. This report currently forecasts a deficit of approximately 353 residential units within the Municipality of Brockton over the long-term planning horizon. However, due to surplus of vacant residential land in other municipalities, there is no expansion of the Walkerton settlement area being contemplated. Therefore, while the County as a whole would be able to meet its housing demand for the regional market area, the municipality would face a lack of availability for housing in the community. The proposed MZO would increase the supply of residential units to meet current and future housing demands on vacant lands that would be suitable for residential development.

Within the 'Agriculture' designation, uses permitted include *"the growing of crops or raising of livestock and other animals for food, fur or fibre, including poultry and fish and small-scale farm-related commercial and industrial uses that are directly related to the farm operation and need to be in close proximity to the farm operation"* (Policy 5.5.4). The County Official Plan directs that agricultural areas may be excluded from the policies of Section 5.5 provided that development complies with Section 2.3.5 of the PPS, which permits development on agricultural lands that have been added to a settlement boundary during a municipal comprehensive review. As discussed in Section 5.2 of this report, the MZO proposes to permit the expansion of the settlement boundary to add employment lands to the East Ridge Business Park. The subject lands to be added to the settlement boundary are directly adjacent to the settlement area and are separated from surrounding agricultural lands, making it a more suitable location for future growth compared to other areas surrounding Walkerton.

## PLANNING JUSTIFICATION REPORT – DRAFT FOR COUNCIL CONSIDERATION

Municipality of Brockton  
Walkerton, Ontario

The protection of locally significant wetlands shall be encouraged and development may require the completion of an Environmental Impact Study to ensure there are no negative impacts of the proposed development (Policy 4.3.2.4). Development proposed within 50 metres of lands that may exhibit natural hazards, such as flooding, may be required to submit an Environmental Impact Study, unless confirmed that site conditions indicate that the preparation of a Study is deemed unnecessary (Policy 5.8.5.15). There are no designated natural heritage features or hazard lands on the subject lands. However, Parcel 1 is adjacent to designated 'Hazard Lands' and unevaluated natural heritage features. Potential concerns of negative impacts on these natural heritage features are proposed to be addressed through the inclusion of a holding provision for a requirement that an Environmental Impact Study be conducted.

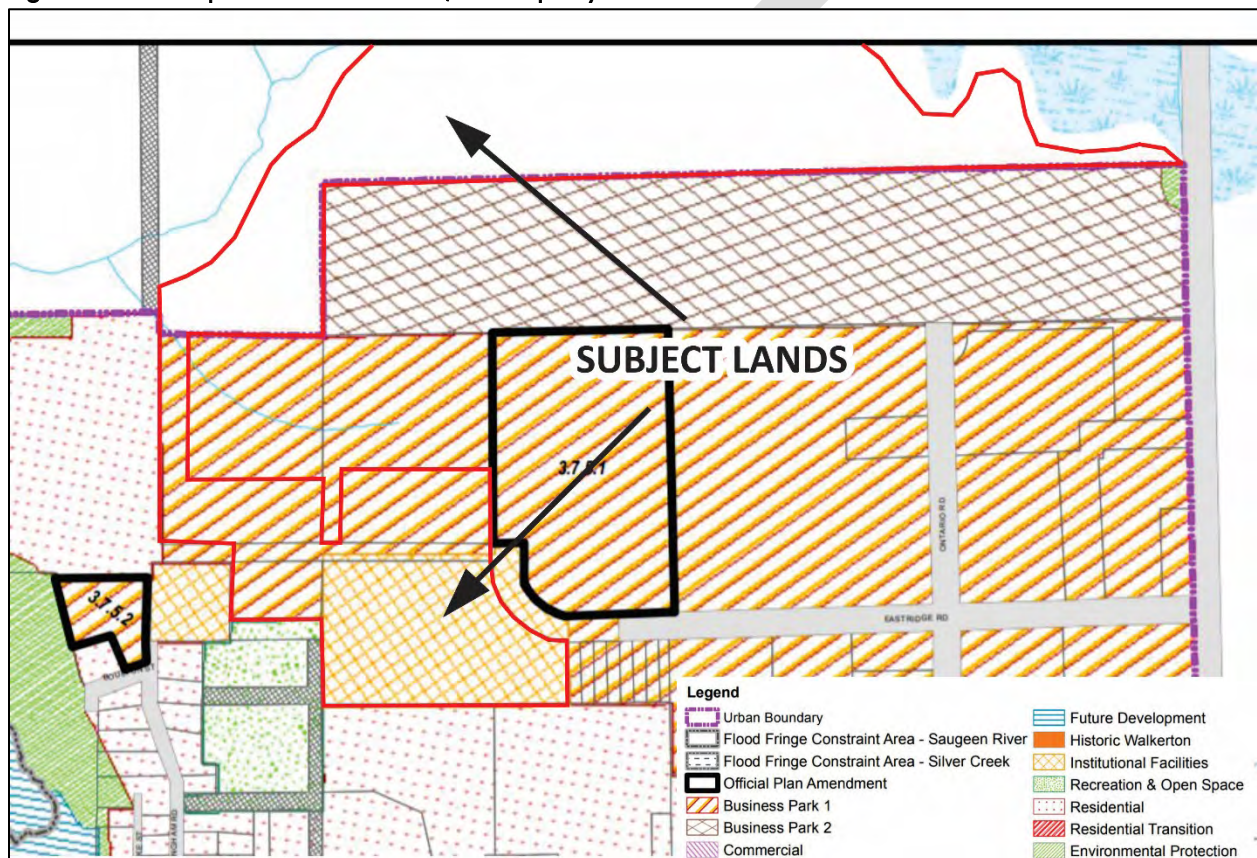
The conservation of areas of archaeological value and resources is encouraged. Development on lands containing possible archaeological resources or areas of archaeological potential should occur in manner that avoids the destruction of alteration of said resources (Policy 4.10.1.1, 4.10.1.4). Stage 1 & 2 Archaeology Assessments have been completed for Parcels 2 to 6 and the reports found no sources of archaeological potential on those lands and no further assessment was required. A holding provision has been included within the proposed rezoning of Parcel 1 to ensure that there are no negative impacts to potential archaeological resources.

Based upon the above, the proposed zoning changes conform to the general intent and purpose of the policies of the Bruce County Official Plan.

## 5.5 Municipality of Brockton Official Plan

The majority of the subject lands are designated under the Municipality of Brockton Official Plan (“Local Official Plan”). Parcel 1 is located outside of the settlement area boundary and, therefore, is not subject to the Local Official Plan policies. Parcels 2, 3, 4, and 5 are designated as ‘Business Park 1’ and Parcel 6 is designated as ‘Institutional Facilities’ under Schedule ‘A’ of the Local Official Plan (Figure 6 below).

Figure 5 - Excerpt from Schedule ‘A’, Municipality of Brockton Official Plan



Source: Municipality of Brockton Official Plan, 2017

The ‘Institutional Facility’ designation permits uses “associated with public health, welfare and education such as hospitals, nursing homes, public libraries and schools” (Policy 3.4.3). The Local Official Plan permits the redevelopment of surplus institutional lands for residential development without an amendment to the Official Plan provided that residential uses are compatible with the surrounding area (Policy 3.4.4). The proposed residential uses would assist in meeting an increasing demand for housing within the community and would be compatible with adjacent residential designated lands and future recreational and municipal services that are proposed to the east of the subject lands.

## PLANNING JUSTIFICATION REPORT – DRAFT FOR COUNCIL CONSIDERATION

Municipality of Brockton  
Walkerton, Ontario

The 'Business Park 1' designation permits a variety of commercial, light industrial and related uses including, but not limited, to building supply outlets, automotive services stations, fuel storage depots, warehouse facilities, contractor's yards, transportation and communication facilities, professional offices, and municipal services (Policy 3.5.3.1). Future development on the subject lands proposed for employment uses would be serviced by full municipal water and sewer services and would proceed by registered plan of subdivision or consent [Policy 3.5.4 a) c), 5.3 c)]. Additionally, future development on the proposed employment lands would be integrated into the existing pattern of development and appropriate municipal servicing, as well as utilize the existing road network to provide access to arterial and collector roads for the movement of goods and services [Policy 3.5.4 e), 6.4 a)].

A range of residential uses are permitted under the 'Residential' designation, including single detached, semi-detached, duplex, three-plex, street, block and stacked townhouse, apartment dwellings, long term care facilities, seniors/retirement homes and special needs housing [Policy 3.1.3 a)]. The proposed residential uses consist of permitted uses and would assist in achieving municipal priorities such as maintaining a three-year supply of serviceable draft approved land and providing access to housing for seniors (Policy 3.1.4). The proposed residential uses would also support the provision a wide range of housing types and affordable forms of housing through residential intensification, particularly municipally owned lands that are deemed surplus to its' needs [Policy 3.1.5, 3.1.6 b)].

The MZO proposes to permit a range of residential uses on Parcels 2-6. Future development would be subject to the density policies under Section 3.1.7, 3.1.8, and 3.1.9. The proposed MZO would also encourage residential intensification by permitting medium and high-density residential uses [Policy 3.1.10 a)]. Future residential development on the subject lands would be subject to other development control tools, such as Site Plan Control, to ensure that development is appropriate for the area (Policy 3.1.10).

Development that may have a significant impact on valleylands may require the completion of an Environmental Impact Study (Policy 3.7.5). No valleylands are located on these object lands, but may be located within adjacent natural features. An Environmental Impact Study would be required as part of a holding provision on Parcel 1 to address potential impacts of future development on natural features, including areas of valleylands.

The identification, restoration, protection, maintenance and enhancement of cultural heritage resources is encouraged (Policy 4.2.3 a)). New development shall have regard for cultural heritage resources and encourage their conservation (Policy 4.2.3 f)). No archaeological resources were identified in the Stage 1 & 2 Archaeological Assessments completed for Parcels 2

## PLANNING JUSTIFICATION REPORT – DRAFT FOR COUNCIL CONSIDERATION

Municipality of Brockton  
Walkerton, Ontario

to 6. The potential for archaeological resources for Parcel 1 would be evaluated through a holding provision for the completion of an archaeological assessment.

Based upon the above, the proposed development conforms to the general intent and purpose of the Municipality of Brockton Official Plan.

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## 5.6 Municipality of Brockton Strategic Action Plan

The Strategic Action Plan (SAP) was approved in 2021 and was implemented to provide a framework for achieving specific goals of the community to the end of 2025. These goals also provide direction for actions of the Municipality as it relates to future growth and development.

The SAP recognizes the lack of attainably priced rental units within Brockton, as well as throughout other Ontario municipalities. The SAP encourages greater variety in housing types, including semi-detached or townhouse units, as well as multi-residential buildings or seniors-oriented accommodations in commercial areas within a short distance of services and amenities. As part of its plan to address this, the MZO proposes to establish zones that would broadly permit a range of housing types and densities. Development would also be located in proximity to the future community complex that would provide recreation and community amenities. The SAP outlines a specific goal of establishing a hospice in the Municipality of Brockton to support residents within the community. The proposed MZO would facilitate the future development of a hospice through the employment land conversion.

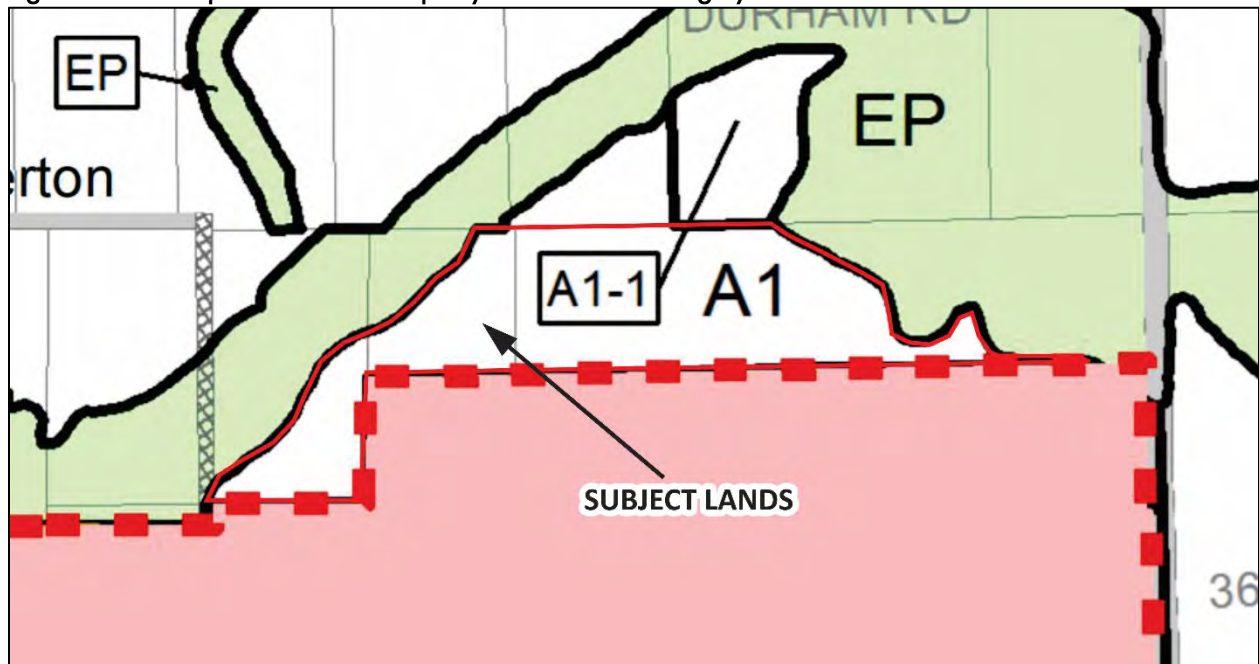
The SAP also supports initiatives to support existing and future businesses within the community. This includes investigating opportunities to streamline development approval processes, including increasing pre-zone designated commercial and industrial areas. The proposed MZO would streamline the development process by removing delays that may arise from individual developers seeking approval to convert employment lands to residential. The MZO would also support the pre-zoning of land for residential and industrial uses to encourage development within the community.

The SAP also seeks to advance the expansion of the East Ridge Business Park. With construction underway and high interest and land sales pending for Phase 1 of the Phase 2 expansion of the East Ridge Business Park, the Municipality needs to expand and prepare for future employment land needs now. A deficit in industrial land has been identified during the Bruce County Official Plan Review. The proposed MZO would add approximately 15 hectares of land to the business park for future employment land needs and support economic development opportunities.

## 5.7 Municipality of Brockton Zoning By-law 2013-026

The subject lands are currently zoned 'Agriculture (A1)' under Schedule 8, and 'Business Park 1', 'Business Park 1 – Special (BP1-2)' and 'Business Park 2' on Schedule 18 of the Municipality of Brockton Zoning By-law No. 2013-26, as shown on Figure 7 & 8, below.

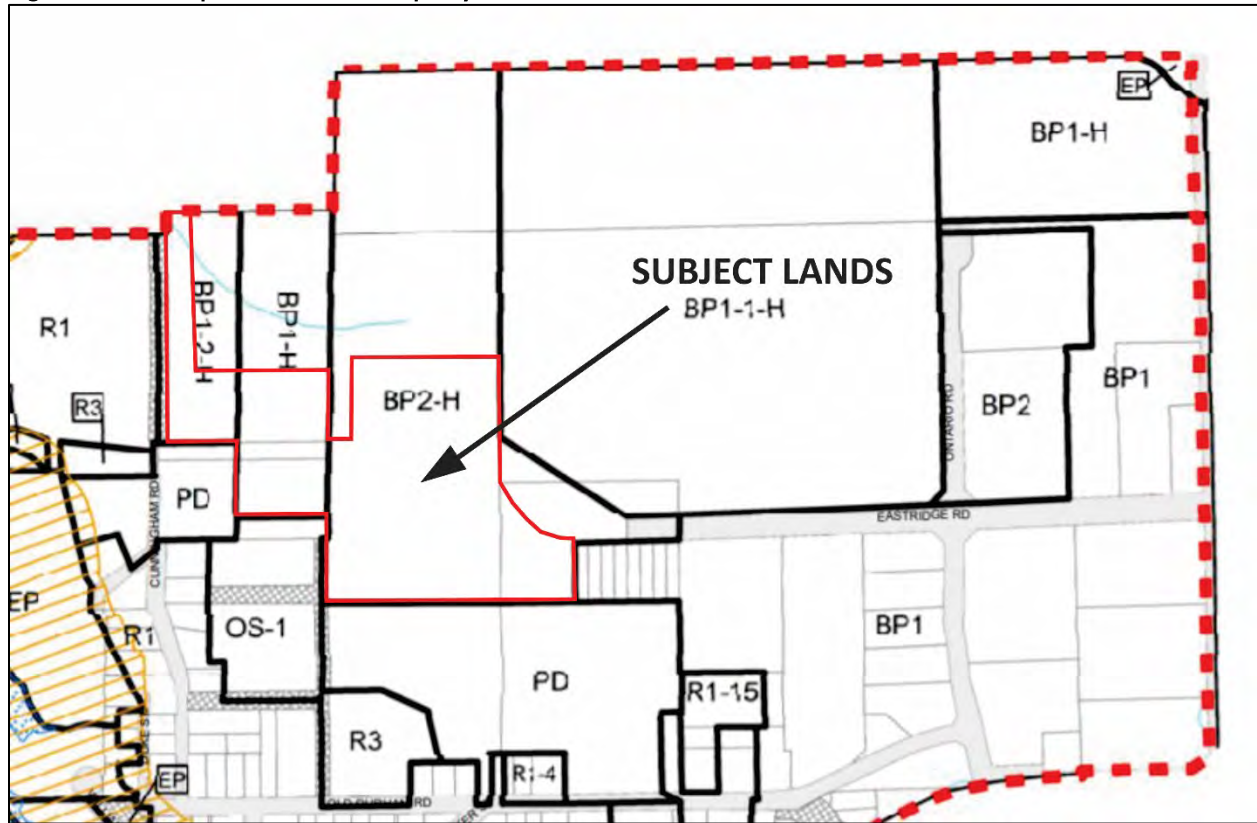
Figure 6 - Excerpt from the Municipality of Brockton Zoning By-law - Schedule '8'



Source: Zoning By-law 2013-026

The General Agriculture zone permits single detached dwellings, agricultural and agritainment uses, livestock facilities, kennels, forestry, greenhouses, home occupations, home industries, equestrian centre, and wayside pits and quarries.

Figure 7 - Excerpt from the Municipality of Brockton Schedule '18'



Source: Municipality of Brockton Zoning By-law 2013-026

The Business Park 1 and Business Park 2 zones, which apply to all the lands within the East Ridge Business Park, regulate and permit industrial uses. The Business Park 1 zone applies to lands that are intended for light industrial uses and permits uses including but not limited to agricultural sales establishments, automotive service establishments, commercial college, contractor's yard, factory sales outlet, large retail establishments, technology industries, gas bars, professional offices and veterinary clinics. The parcel of land zoned Business Park 1 – Special is a site-specific zone that limits permitted uses to automobile sales establishment, business or professional office, commercial college, computer/data processing centre, convenience store, fitness centre, funeral home, garden centre, hotel/motel, restaurant, restaurant, take-out, research establishment/laboratory, retail, service establishment, warehouse, rental establishment, and veterinary clinic.

The Business Park 2 Zone has similar provisions to the Business Park 1 Zone, but limits permitted uses to more heavy industrial uses, including but not limited to a bulk fuel depot, commercial motor vehicles sales establishments, public garages and utility buildings, recycling centres and depots, transportation depot, and warehouse uses.



## PLANNING JUSTIFICATION REPORT – DRAFT FOR COUNCIL CONSIDERATION

Municipality of Brockton  
Walkerton, Ontario

In order to permit residential and industrial uses on the subject lands, amendments to the Zoning By-law are required. Since the conversion of employment lands and expansion of settlement boundaries can only take place through a municipal comprehensive review, the Municipality of Brockton is requesting the approval of an MZO to permit the proposed zoning changes.

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## 6. PROPOSED PLANNING APPROVALS

### 6.1 Minister’s Zoning Order

As previously noted in this report, the request for an MZO would effectively rezone the subject lands to generally permit a range of residential and industrial uses on the subject lands to facilitate future development. The proposed zone changes for each parcel of land are summarized in Table 1 below.

**Table 1 – Current and Proposed Zones of Subject Lands**

| Property | Existing Zoning                                    | Proposed Zoning                              |
|----------|--|--|
| Parcel 1 | General Agriculture (A1)                           | Business Park 1 – Special (BP1-5-H)          |
| Parcel 2 | Business Park 1 – Special (BP1-2)                  | Medium Density Residential – Special (R3-14) |
| Parcel 3 | Business Park 1 – Special (BP1-2), Business Park 1 | Medium Density Residential (R3)              |
| Parcel 4 | Business Park 2 (BP2)                              | Medium Density Residential (R3)              |
| Parcel 5 | Business Park 1 (BP1)                              | Medium Density Residential (R3)              |
| Parcel 6 | Business Park 2 (BP2)                              | Low Density Multiple Residential (R2)        |

The ‘BP1-4-H’ zone is proposed to be applied to Parcel 1. As previously noted in Section 5.7 of this report, the Business Park 1 permits a variety of industrial uses and would provide a range of options for future employment growth in the community. These include agricultural sales establishments, automotive service establishments, commercial college, contractor’s yard, factory sales outlet, large retail establishments, technology industries, gas bars, professional offices and veterinary clinics. The ‘BP1-5-H’ zone would include a special holding provision that would prohibit site alteration until an archaeological assessment has been completed for the site and it has been confirmed that the potential for archaeological resources, if any, are addressed. The report would also include a holding provision to address the requirement for an Environmental Impact Study to address potential impacts of future development on adjacent natural features.

The ‘R3-14’ zone is proposed to be applied to Parcel 2 to permit the development of townhouse dwelling units, which are a permitted use under the ‘R3’ zone. The rezoning is also proposed to include special provisions that would permit a reduced exterior side yard setback from 6 metres to 4.5 metres; reduce the interior side yard setback of the end units from 3 metres to 2.5 metres; reduce the rear yard setback from 7.5 metres to 4.5 metres; and increase the maximum lot coverage from 40% to 60%. The proposed special provisions for side yard setbacks and lot coverage would support the efficient development of Parcel 2. The Municipality’s engineer has confirmed that the proposed increase in lot coverage and average site imperviousness would not impact stormwater management on site and the capacity of the municipal stormwater

## PLANNING JUSTIFICATION REPORT – DRAFT FOR COUNCIL CONSIDERATION

Municipality of Brockton  
Walkerton, Ontario

management pond proposed to the east of Parcel 2. Additionally, the proposed rear yard setback reduction of 3 metres would only be applied to the proposed covered decks. The main building units would continue to maintain the required rear yard setback. It is also worth noting that the Municipality of Brockton Zoning By-law permits a 1.5 metre encroachment for covered decks, so the proposed special provision can be considered as a reduction of 1.5 m, as opposed to 3 metres.

The 'R3' zone is proposed to be applied to Parcels 3, 4, and 5. The Medium Density Residential (R3) zone permits housing types of a higher density than the other residential zones, specifically permitting multiple unit dwellings, townhouse units, apartment buildings, and residential care facilities. The proposed hospice and apartment buildings on these parcels would all be permitted uses and future development would take place in accordance with the setback and building provisions of the 'R2' zone.

The 'R2' zone is proposed to be applied to Parcel 6. The Low-Density Multiple (R2) permits a range of housing types, including single detached dwellings, semi-detached dwellings, duplexes, multiple unit dwellings, townhouse dwellings units, and residential care facilities. The proposed single detached dwellings, townhouse units, and residential care facility are all permitted uses and future development would take place in accordance with the setback and building provisions of the 'R2' zone.

If approved, the zoning provisions would be incorporated into the Municipality of Brockton's Zoning By-law at the time of a Comprehensive Review. A copy of the proposed Form of the Order can be found in Appendix 9 of the report.

## 7. CONCLUSION

Based on the above analysis, the proposed Minister’s Zoning Order request is consistent with the Provincial Policy Statement, maintains the general intent and purposes of the Bruce County Official Plan and the Municipality of Brockton Official Plan, and maintains the general intent and purpose of the Municipality of Brockton Zoning By-law. Further, it supports the Municipality of Brockton Council’s efforts to promote and encourage a variety of housing options to provide a liveable community for current and future residents, as well as to establish an appropriate location for an expansion of the existing East Ridge Business Park.

Respectfully Submitted,

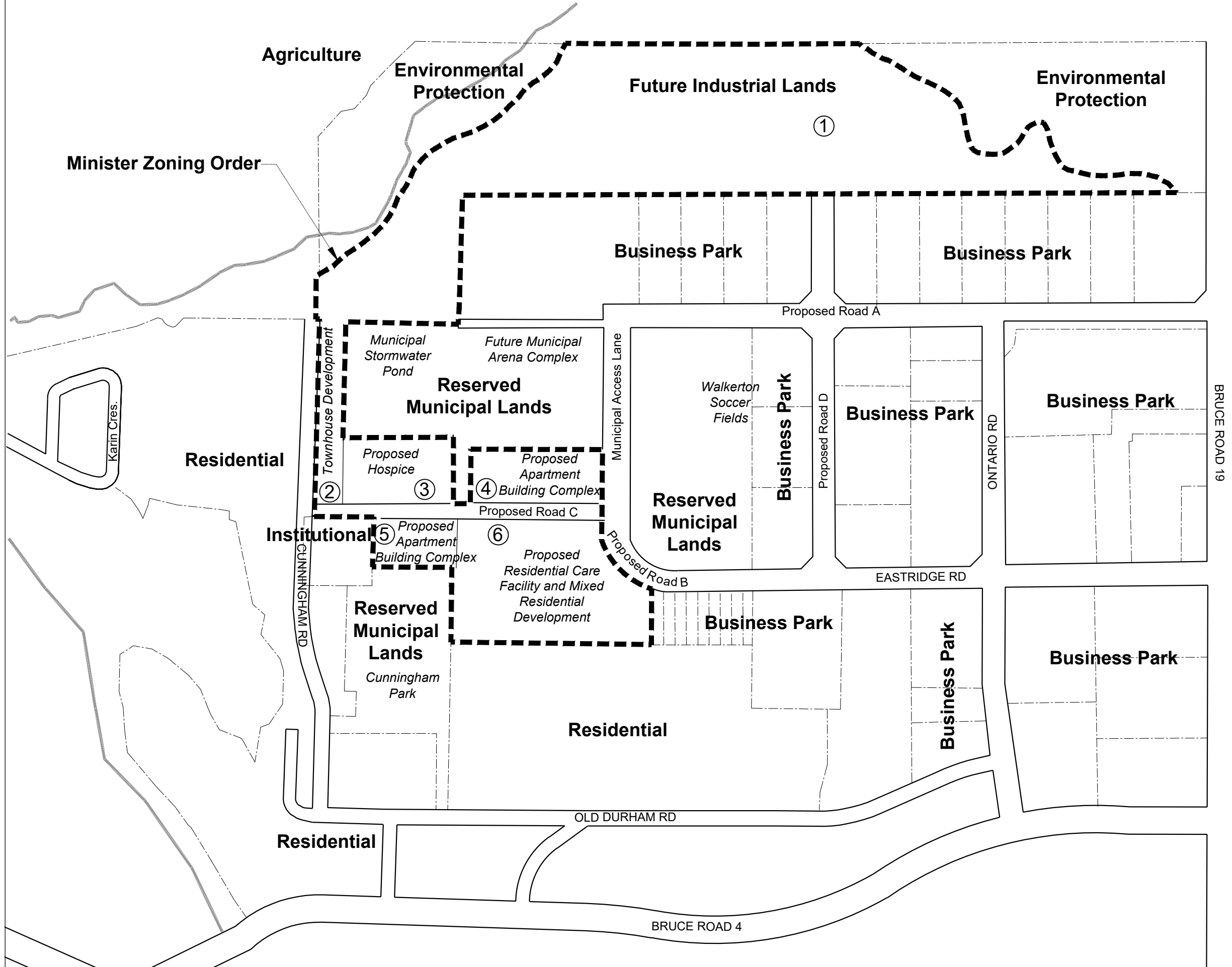
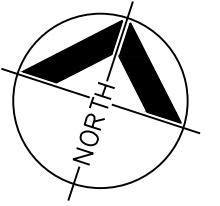
MONTEITH BROWN PLANNING CONSULTANTS

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Appendix 1 Schedule 'A'

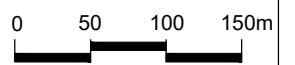
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# Schedule A - Minister's Zoning Order



**mbpc**  
**Montelith + Brown**  
 planning consultants

22-100  
 Jan 19, 2022  
 1: 5,000 (11x17)



Appendix 2 [Public Information Session Notice](#)

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Municipality of Brockton  
100 Scott Street, P.O. Box 68  
Walkerton, ON N0G 2V0  
www.brockton.ca  
519-881-2223

January 21, 2022

## Public Meeting Notice - Webinar You are invited to participate Thursday, February 10, 2022 at 7:00 pm

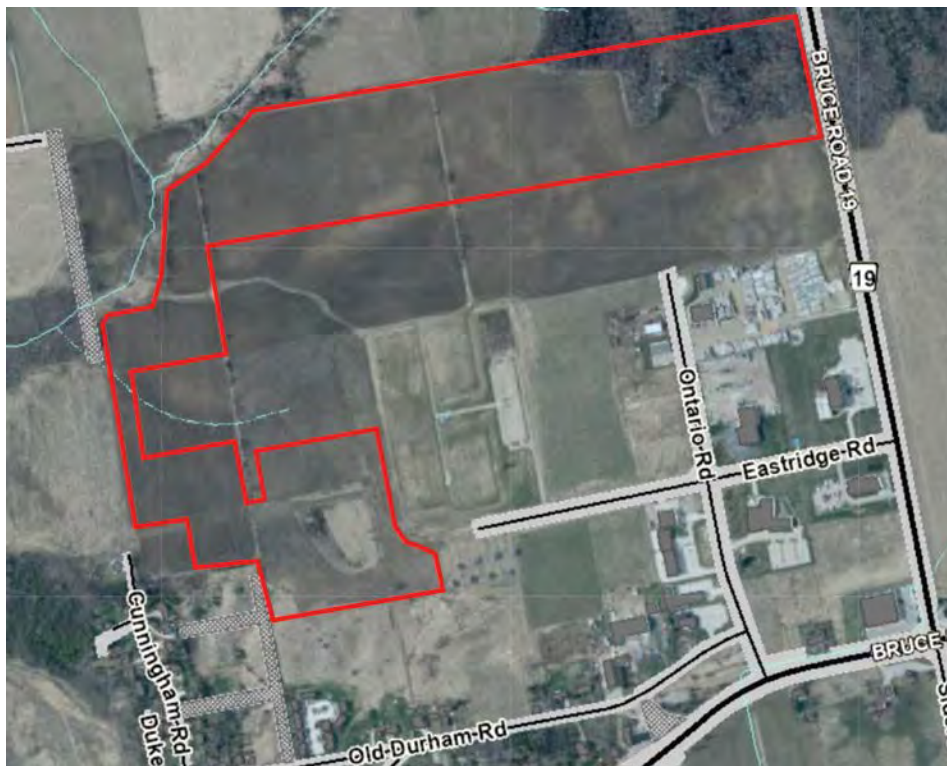
As a result of the COVID-19 Pandemic, this meeting is being held in electronic format. For information on how to participate in the webinar, please refer to the information below or visit the municipal website at:

<https://www.brockton.ca/en/do-business/ministerial-zoning-order-application.aspx>

Please contact the Municipality of Brockton at [fhamilton@brockton.ca](mailto:fhamilton@brockton.ca) or 519 881 2223 ext 124 if you have any questions regarding how to participate in the meeting.

### **A change is proposed in your neighbourhood:**

The Municipality of Brockton is in the process of passing a resolution to request a Minister's Zoning Order (MZO) under Section 47 of the Planning Act. The MZO would apply to certain lands situated within or adjacent to the East Ridge Business Park located west of Bruce Road 19 north of Old Durham Road in the north-easterly quadrant of the Town of Walkerton.





## What is an MZO?

A Minister's Zoning Order (MZO) is an Order issued by the Minister of Municipal Affairs and Housing under the Planning Act to approve changes in zoning in instances where there is an identified need to accelerate development approvals for certain lands in a Municipality.

The purpose of the MZO is to expedite the zoning approvals necessary to change the use of certain lands from Employment to Residential and from Agricultural to Employment in advance of the lengthier planning process now underway as part of the Bruce County Official Plan review and update. The MZO is proposed to expedite the conversion of certain employment lands to residential and related land uses and the expansion of the Walkerton settlement area boundary to accommodate more appropriately located industrial land use. The lands affected by this MZO include the proposed development of six vacant parcels of land situated within or adjacent to the East Ridge Business Park as shown on the attached Schedule 'A'. The proposed use and development of the lands will serve to provide an expanded range of housing options including additional affordable housing units and a senior's residence in the Municipality, as well as lands considered suitable for inclusion within the settlement area boundary of Walkerton as future employment lands.

While detailed plans for each of the vacant parcels are still underway, the form of development being proposed by the MZO is as follows:

**Lot 1:** To rezone the property from 'General Agriculture (A1)' to Business Park 1 (BP1)' to permit industrial uses and expand the East Ridge Business Park.

**Lot 2:** To rezone the property from 'Business Park 1 – Special (BP1-2)' to 'Medium Density Residential (R3)' to permit a townhouse development.

**Lot 3:** To rezone the property from 'Business Park 1 – Special (BP1-2)' to 'Medium Density Residential (R3)' to permit a hospice.

**Lot 4:** To rezone the property from 'Business Park 2 (BP2)' to 'Medium Density Residential (R3)' to permit an apartment building complex.

**Lot 5:** To rezone the property from Business Park 1 (BP1)' to 'Medium Density Residential (R3)' to permit an apartment building complex.

**Lot 6:** To rezone the property from 'Business Park 2 (BP2)' to 'Low Density Multiple Residential (R2)' to permit a residential care facility and mixed residential uses.

## Learn more

You can view more information about the MZO at <https://www.brockton.ca/en/do-business/ministerial-zoning-order-application.aspx>. Our staff would be pleased to connect with you by email ([fhamilton@brockton.ca](mailto:fhamilton@brockton.ca)) or phone 519 881 2223 ext 124.

The Municipality of Brockton has retained the services of Monteith Brown Planning Consultants (MBPC) to assist with the preparation and submission of the MZO. The Planner on the file is: Jay McGuffin, Mr. McGuffin may be reached at: [jmCGuffin@mbpc.ca](mailto:jmCGuffin@mbpc.ca).

## Have your say

Comments and opinions submitted on this matter, including the originator's name and address, become part of the public record, may be viewed by the general public and may be published in future planning reports and Council agendas.

1. Please contact us by email [fhamilton@brockton.ca](mailto:fhamilton@brockton.ca), mail, or phone 519 881 2223 ext 124 if you have any questions, concerns or objections about the application.
2. You can participate in the public meeting. For information on how to participate in the public meeting, please visit the municipal website at: <https://www.brockton.ca/en/do-business/ministerial-zoning-order-application.aspx>

## How to access the public meeting

Click the link below to join the webinar:

Topic: Ministerial Zoning Order Application Information and Consultation Session  
When: Feb 10, 2022 07:00 PM Eastern Time (US and Canada)

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84806587087?pwd=YkJKV01hZG5JUGUzZXRETE9JVW8rdz09>

Passcode: 380400

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

Canada: +1 778 907 2071 or +1 204 272 7920 or +1 438 809 7799 or +1 587 328 1099  
or +1 647 374 4685 or +1 647 558 0588

Webinar ID: 848 0658 7087

Passcode: 380400

International numbers available: <https://us02web.zoom.us/j/84806587087?pwd=YkJKV01hZG5JUGUzZXRETE9JVW8rdz09>

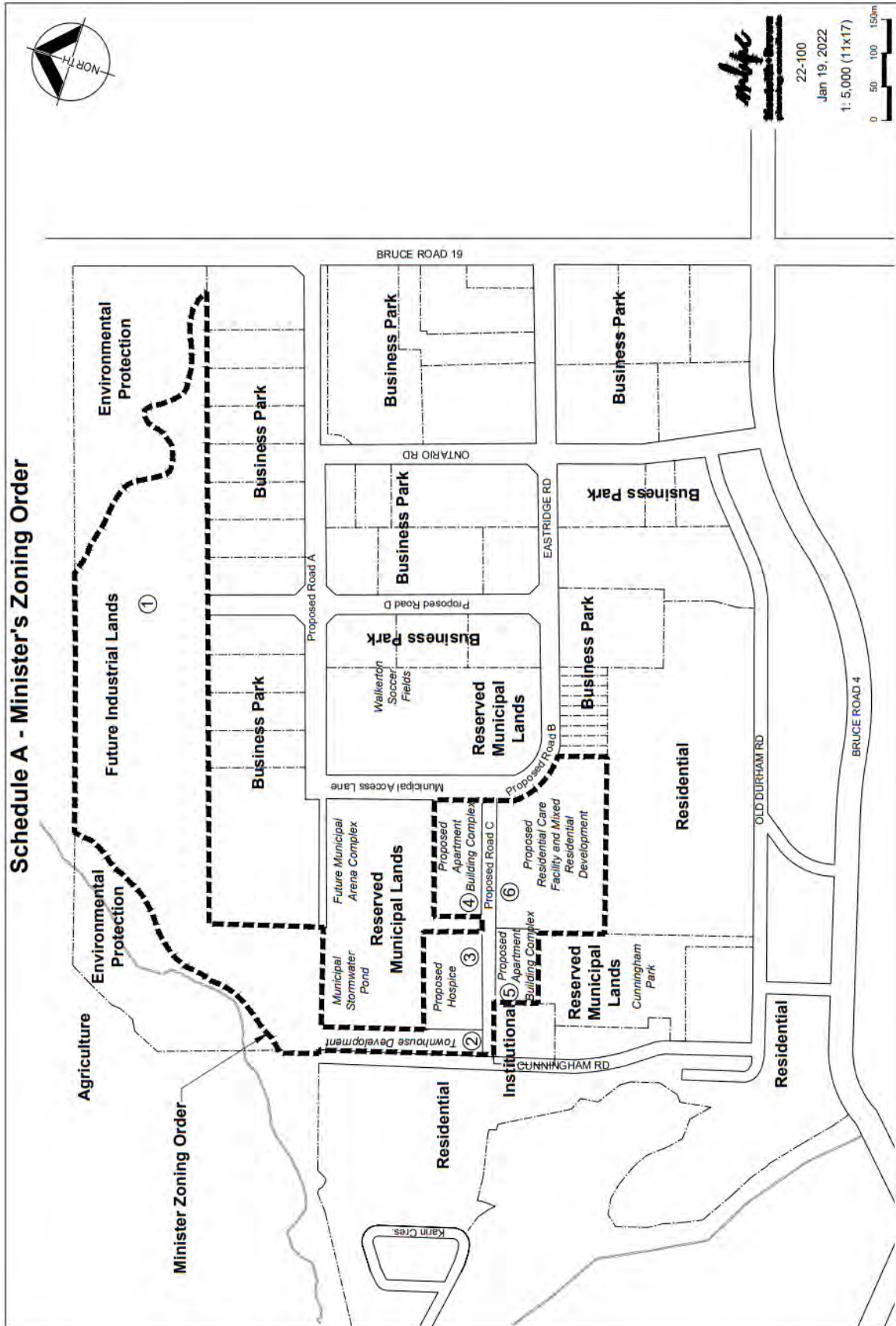
## Stay in the loop

If you'd like to be notified of the Minister's Zoning Order, it is recommended that you monitor the Province of Ontario's Environmental Registry at: <https://ero.ontario.ca/>

## Know your rights

Section 47 of the Planning Act outlines the rules and regulations applicable to a Minister's Zoning Order. Unlike a zoning by-law amendment considered under Section 34 of the Planning Act, the Act does not require that notification be given or that a public meeting is held in the case of a MZO. Anyone may request an amendment to the Order and the Minister may refer a request to the Ontario Lands Tribunal (OLT), but the OLT can only make recommendations which the Minister may accept or may reject. **Once the Minister has issued the Order, it is filed in the offices of the Municipal Clerk and is posted on the Province's Environmental Registry.**

# Schedule 'A'



Appendix 3 **Public Information Session Presentation**

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# Municipality of Brockton – Minister’s Zoning Order Employment & Residential Land Conversion

Virtual Community Information Meeting – February 10, 2022



# AGENDA

- Introductions
- Issue & Background
- What is an MZO?
- What Happens Next?
- Questions & Comments

# OBJECTIVES

- To **introduce** the housing and land supply concerns affecting Brockton.
- To **inform** the community about the Minister's Zoning Order request process.
- To **answer questions** about the details of the proposed changes to the Brockton Zoning By-law.

## HOUSEKEEPING



Please mute your mic if you are not speaking



Type your question or comment in the Q&A box



Please “raise your hand” if you would like to speak



This presentation is being recorded

## WHO WE ARE

### Monteith Brown Planning Consultants (MBPC)

- MBPC is an award-winning urban and regional planning firm that has been in business for over 40 years offering a full range of land use planning services to the public and private sectors.
- We have expertise in the preparation of Official Plans, Zoning By-Laws, Amendments to planning documents, Secondary Plans, Comprehensive Reviews, Boundary Expansions, Subdivision Development, Community Improvement Plans, Public Consultation and a wide variety of other planning studies.



## WHY ARE WE HERE?

- The Municipality of Brockton is in the process of considering a resolution to request for the approval of a Minister's Zoning Order ("MZO") to rezone lands within and adjacent to the East Ridge Business Park to respond in the increasing demand for housing in the community.
- As part of that consideration, the Municipality is engaging the public to obtain feedback on a proposal to change the zoning on parcels in and adjacent to the East Ridge Business Park in Walkerton.

## HOUSING DEMAND v. SUPPLY

- During the COVID-19 Pandemic, there has been a significant increase in the demand for housing and rising housing prices.
- The community of Walkerton is experiencing significant growth and the available supply of vacant residential lands for development is being consumed at an increasing rate.
- A lack of vacant developable land will limit opportunities for future growth in the community, as well as contribute further to a reduced availability of housing.

## PLANNING CONTEXT

- The Provincial Policy Statement permits changes to employment lands and settlement boundaries during a comprehensive review of a Municipality's Official Plan.
- Currently, the County of Bruce is reviewing its Official Plan, which provides direction for future growth in communities throughout the County, including Brockton.
- An Official Plan Review is a lengthy, in-depth process and is not anticipated to be completed until the end of 2022.

## PLANNING APPROVALS

- There are lands in Walkerton that are of interest for future residential and industrial development. However, these lands are not appropriately zoned to support the proposed uses.
- The Municipality of Brockton is in the process of requesting the Minister of Municipal Affairs and Housing to approve an MZO to rezone several properties within and adjacent to the East Ridge Business Park. This would include rezoning land from agricultural to industrial uses and to rezone vacant employment lands in Walkerton that would be more appropriate for residential uses.

# COMMUNITY CONTEXT



# WHAT IS A MINISTER'S ZONING ORDER?

- Section 47 of the Planning Act gives the Minister of Municipal Affairs and Housing powers to zone property for different land uses in Ontario and are only issued at the discretion of the Minister.
- An MZO is a tool that can support and expedite the delivery of government priorities such as affordable housing.

# WHAT IS A MINISTER'S ZONING ORDER?

- There is no formal process for applying. Requesting an MZO typically starts with a municipal council passing a resolution and a written request to the province. The request would include details of the lands to be rezoned and the proposed zoning changes.
- No formal consultation is required under the *Planning Act* prior to requesting an MZO, however, the Municipality of Brockton wants to consult with the community prior to proceeding to receive your input.
- The Province receives the MZO request and the Minister considers it and issues a decision either in favour or against the request. Decisions by the Minister cannot be appealed to the Ontario Land Tribunal.

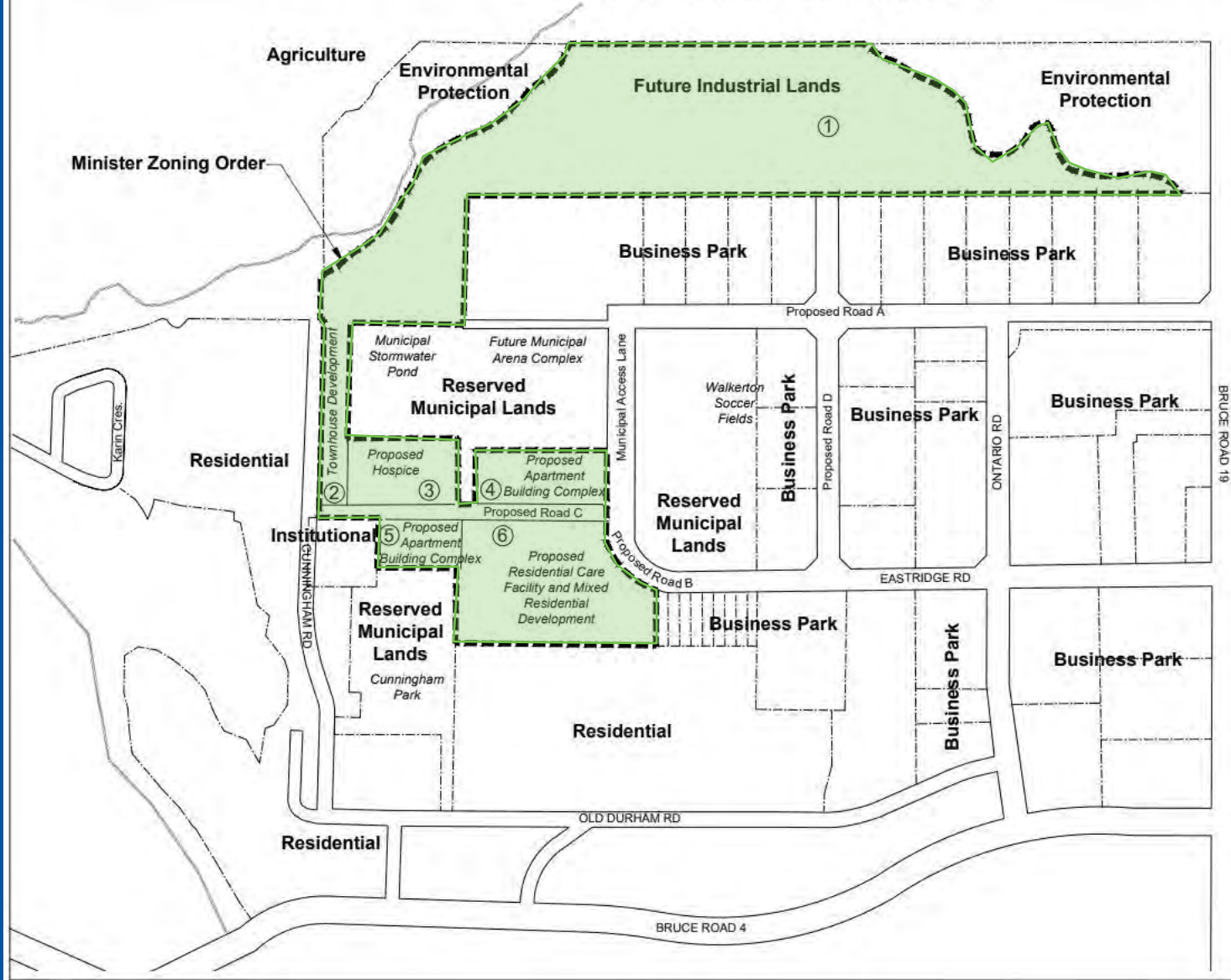
# WHY USE AN MZO?

- An MZO is a tool that can be used to rezone employment lands outside of a municipal comprehensive review.
- An MZO will expedite the process of converting these lands to address housing need in the community, including a variety of rental options.
- The MZO process is typically initiated by the local municipality to request zoning changes and would still require land owners to proceed through planning processes (Site Plan) to ensure specific development proposals are appropriate for the community.

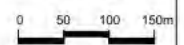


# PROPOSED ZONING ORDER

## Schedule A - Minister's Zoning Order

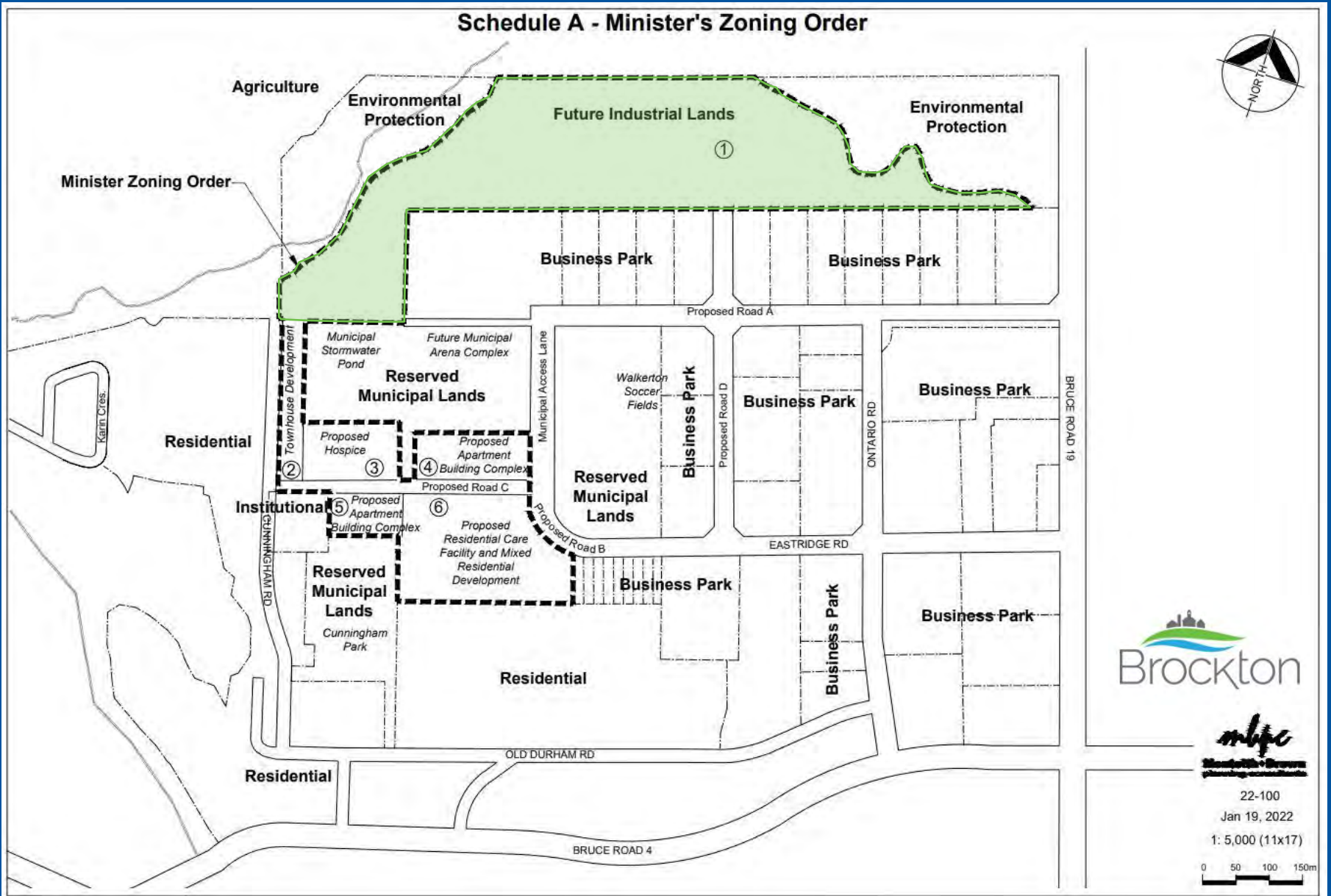


22-100  
Jan 19, 2022  
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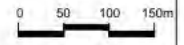


# PARCEL 1

## Schedule A - Minister's Zoning Order



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Jan 19, 2022  
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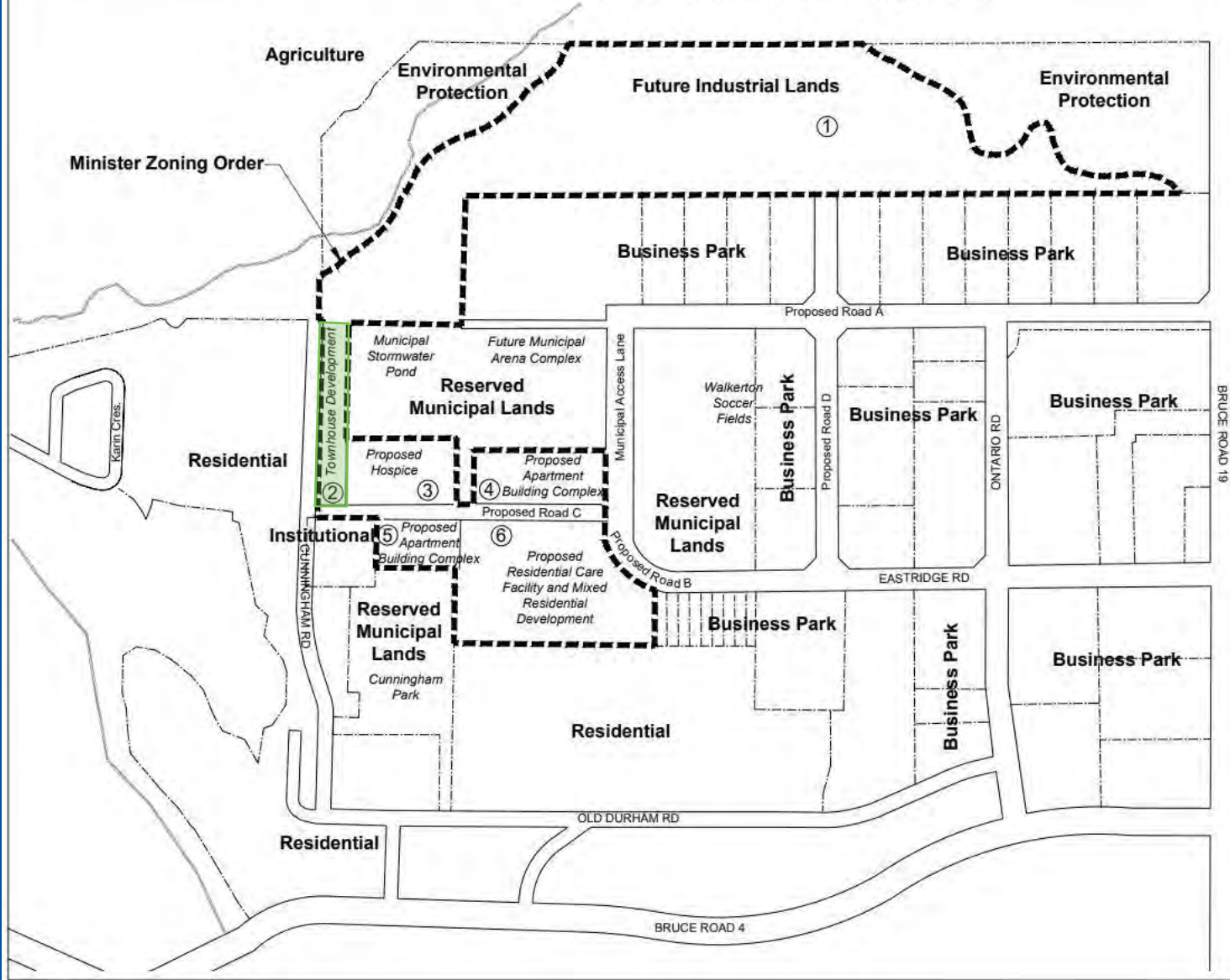


# PARCEL 1

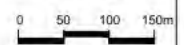
|            | Existing                    | Proposed                     |
|------------|-----------------------------|------------------------------|
| Zone:      | General Agriculture (A1)    | Business Park 1 (BP1)        |
| Use:       | Agricultural Farmland       | Employment & Industrial Uses |
| Land Area: | 15.6 hectares (38.57 acres) |                              |

# PARCEL 2

## Schedule A - Minister's Zoning Order



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Jan 19, 2022  
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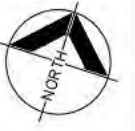
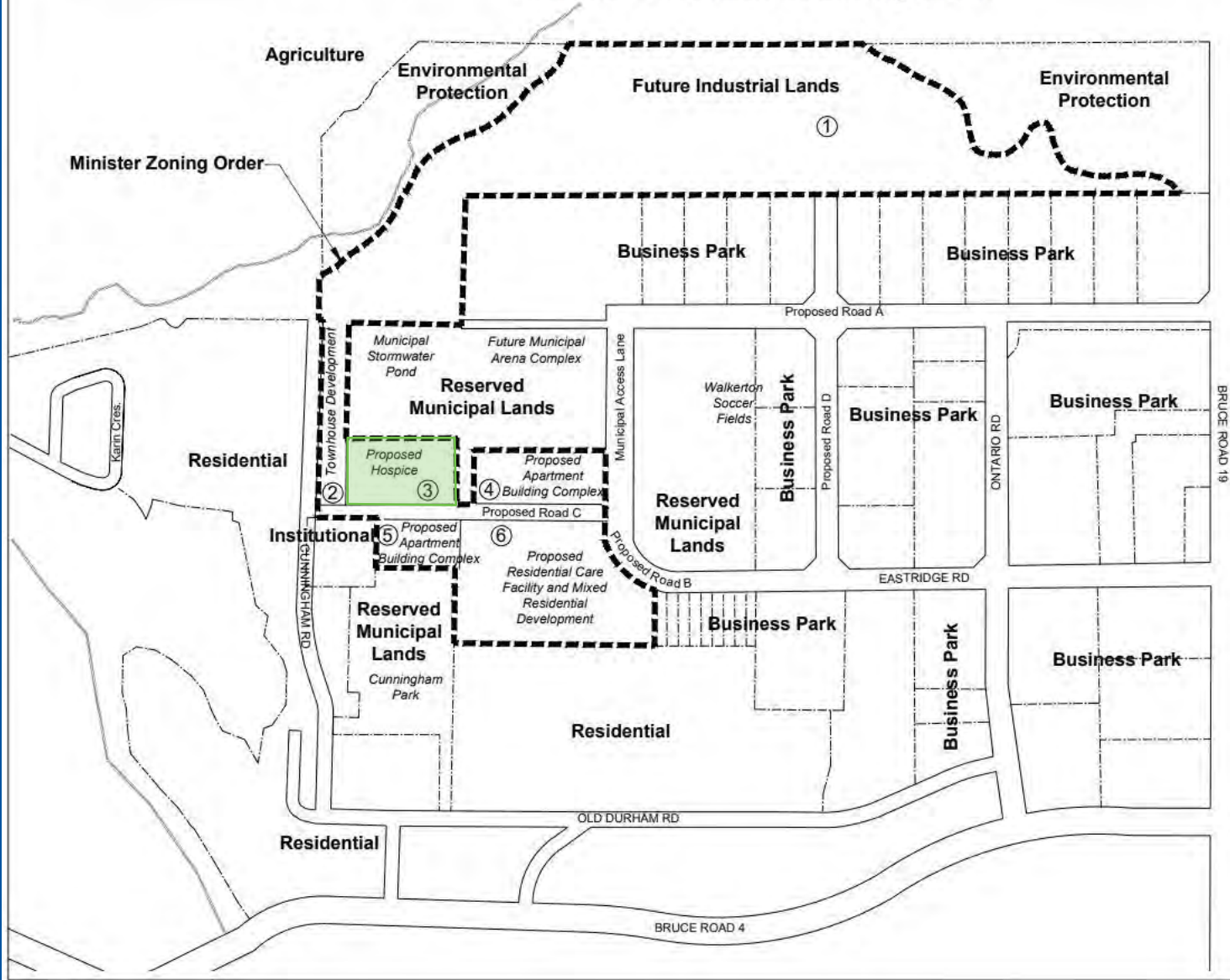


# PARCEL 2

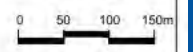
|             | Existing                          | Proposed  |
|-------------|-----------------------------------|---|
| Zone:       | Business Park 1 – Special (BP1-2) | Medium Density Residential (R3)   |
| Use:        | Vacant Land                       | Residential - 22 Townhouse Dwelling Units incorporated into the existing Draft Plan of Subdivision to the west. |
| Total Area: | 0.85 hectares (2.10 acres)        |   |

# PARCEL 3

## Schedule A - Minister's Zoning Order



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Jan 19, 2022  
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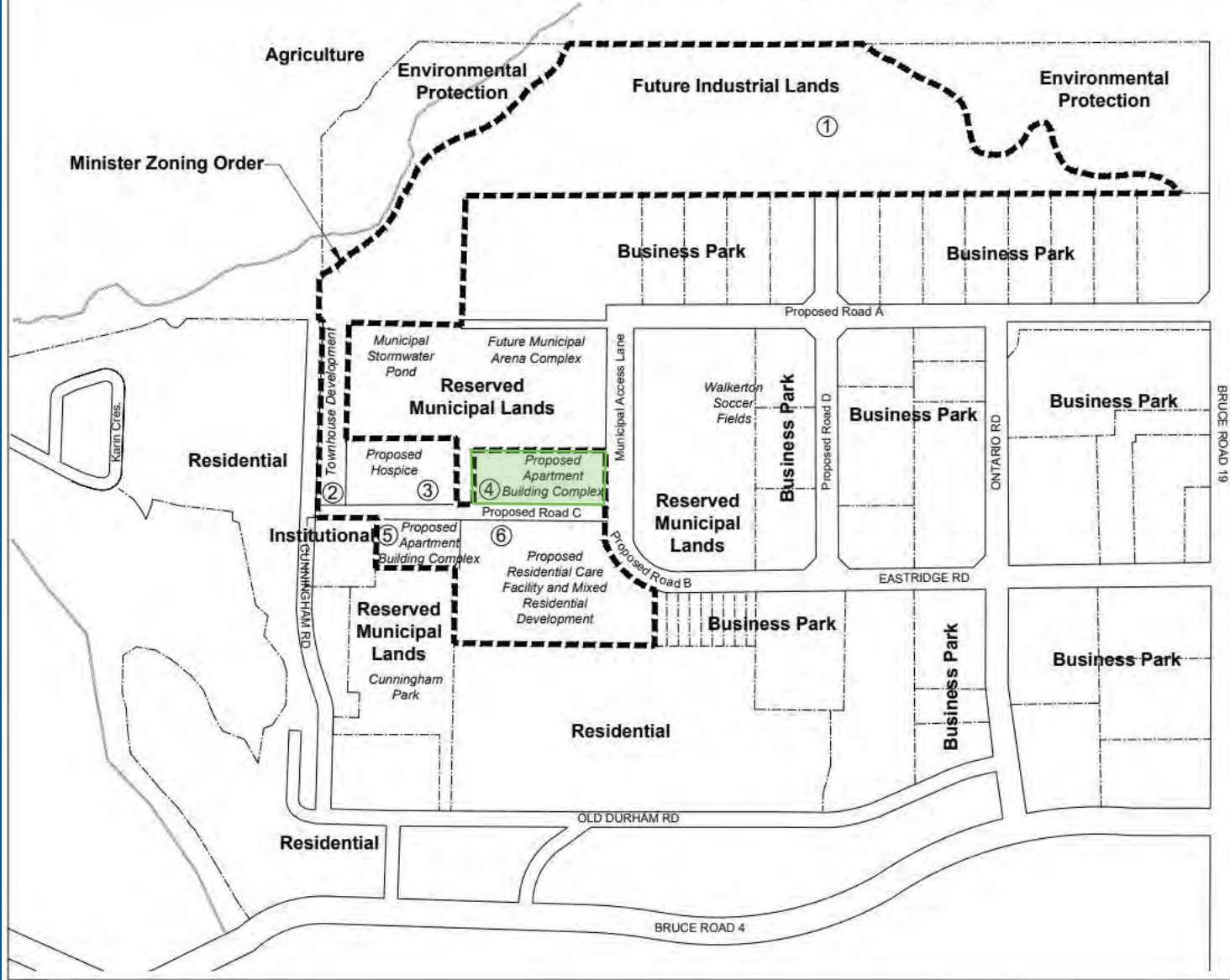


# PARCEL 3

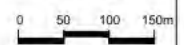
|            | Existing                          | Proposed                        |
|------------|-----------------------------------|---------------------------------|
| Zone:      | Business Park 1 – Special (BP1-2) | Medium Density Residential (R3) |
| Use:       | Vacant Land                       | One-storey hospice              |
| Land Area: | 1.26 hectares (3.1 acres)         |                                 |

# PARCEL 4

## Schedule A - Minister's Zoning Order



22-100  
Jan 19, 2022  
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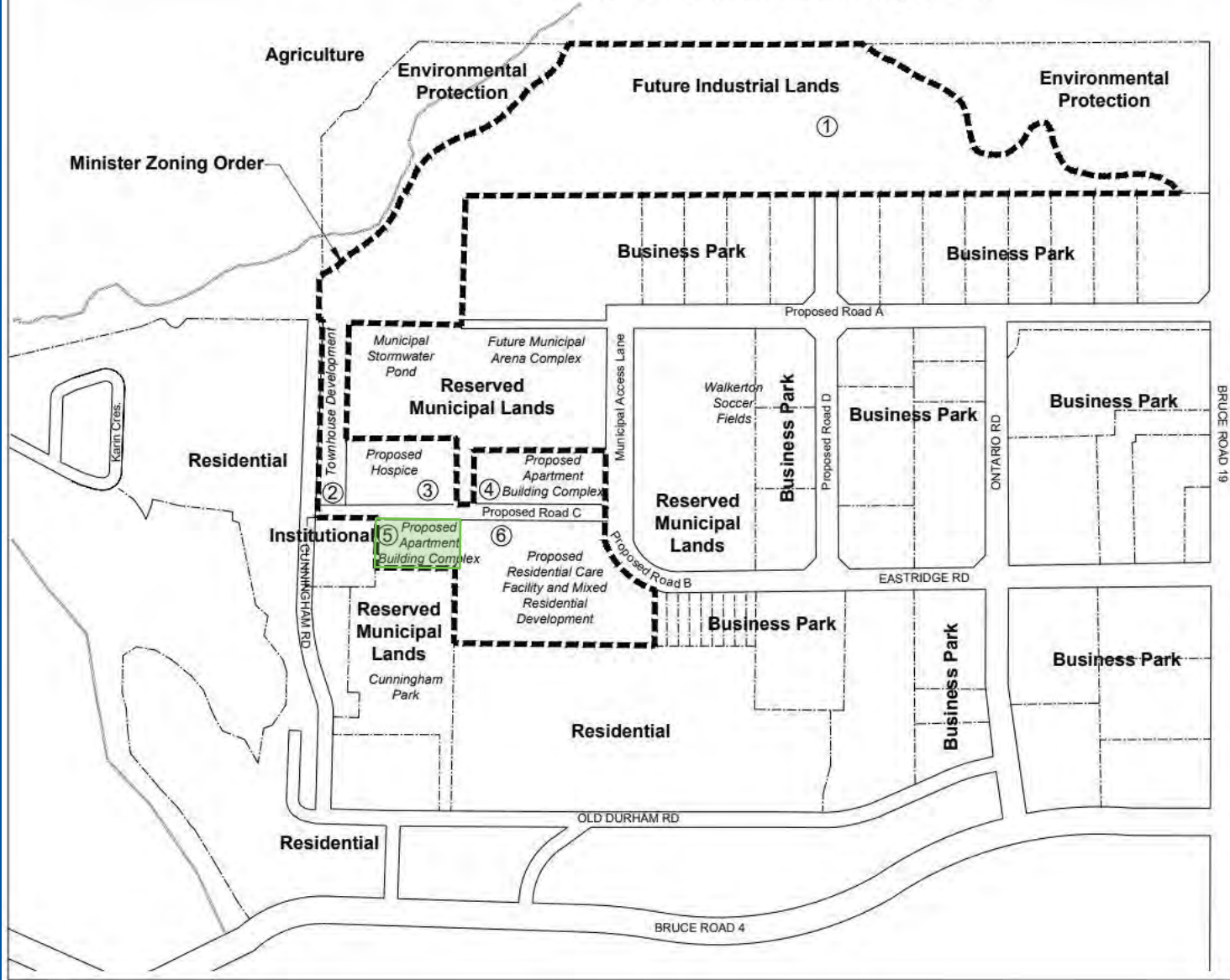


# PARCEL 4

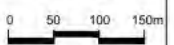
|            | Existing                   | Proposed  |
|------------|----------------------------|---|
| Zone:      | Business Park 2 (BP2)      | Medium Density Residential (R3)                                 |
| Use:       | Vacant Land                | Residential – Two apartment buildings with a total of 118 units |
| Land Area: | 1.23 hectares (3.03 acres) |   |

# PARCEL 5

## Schedule A - Minister's Zoning Order



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Jan 19, 2022  
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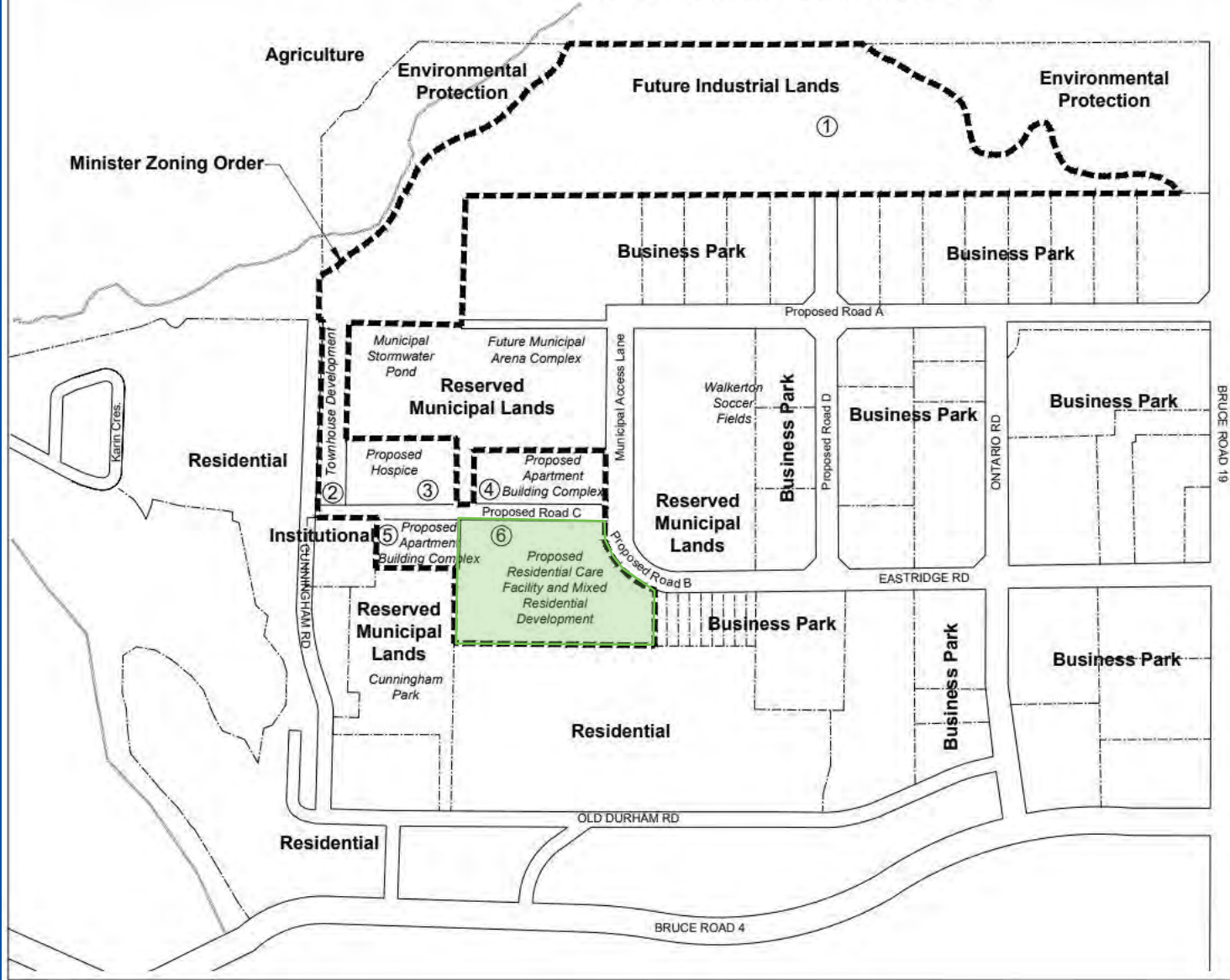


# PARCEL 5

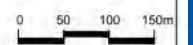
|            | Existing                   | Proposed   |
|------------|----------------------------|--|
| Zone:      | Business Park 1 (BP1)      | Medium Density Residential (R3)                                |
| Use:       | Vacant Land                | Residential – One apartment building with a total of 59 units. |
| Land Area: | 0.72 hectares (1.77 acres) |  |

# PARCEL 6

## Schedule A - Minister's Zoning Order



22-100  
Jan 19, 2022  
1: 5,000 (11x17)



# PARCEL 6

|            | Existing                   | Proposed   |
|------------|----------------------------|--|
| Zone:      | Business Park 2 (BP2)      | Low Density Multiple Residential (R2)  |
| Use:       | Vacant Land                | Institutional – Residential Care Facility with 250 units<br>Residential – 43 townhouses and 16 single detached dwellings |
| Land Area: | 3.77 hectares (9.31 acres) |  |

## WHAT HAPPENS NEXT?

### COMMUNITY CONSULTATION

- Introducing proposed zoning changes to community, gathering feedback

### COUNCIL APPROVAL AND RESOLUTION

- Evaluate feedback from consultation
- Finalize proposal and content of MZO request
- Present to Council

### MZO REQUEST TO MINISTRY

- Submit resolution and request with planning justification to the Minister for review.

### DECISION BY MINISTER

- The Minister issues a decision on the proposed MZO for Brockton.

WE ARE HERE

# QUESTIONS & COMMENTS

## THANK YOU!

**Appendix 4**    **Public Information Session Meeting Minutes**

DRAFT



## Community Information Meeting Minutes

---

Client: Municipality of Brockton  
File #: 21-2300  
Date: February 10, 2022

Place / Time: Zoom, 7:00 PM – 7:30 PM

In Attendance: Sonya Watson (Municipality of Brockton)  
Dieter Weltz (Municipality of Brockton)  
Fiona Hamilton (Municipality of Brockton)  
Jay McGuffin (MBPC)  
Dan Smith (MBPC)  
Eric Steele (MBPC)  
+ ~12 attendees from the community

**Reference: Municipality of Brockton – Minister’s Zoning Order**

---

### Presentation

- MBPC planners began the meeting by running through a presentation (slides enclosed) outlining the proposed zoning changes for the subject lands and provided information on the MZO process.
- At the beginning of the presentation, MBPC staff let attendees know that the presentation was being recorded for note-taking purposes.

### Questions & Answers

- After the presentation concluded, MBPC opened up the meeting for questions and comments from attendees, which are transcribed below.

**Mary Jane Bushell:** I am the President of Larson & Shaw. We are a manufacturing company in Walkerton and employ about 100 people. This topic is of great interest to us. The one problem that goes hand in hand with the lack of housing that is available in the community is the tight labour market and the skills shortage that we have. So, what we are faced with is that we need to be recruiting from outside of the area and that is increasingly difficult when we don't have housing available. This is a very dire situation. We have had situations where we are hiring one single individual and it is difficult to find them housing. So this problem is only growing in magnitude, not only on the recruitment side of things, but retention. Folks that are moving into the area for these good quality jobs need to know there is a place for them and participate in an active life here. This is an incredibly serious situation and it is impacting employment in the area and will impact the success of businesses going forward. I am in full and complete support in expediting the changes that are proposed and this Zoning Order.

**David Bradley:** What is the timeline for this approval process?

**Jay McGuffin:** That is a question that we do not have a specific answer for. The direction that we have been provided is to move forward with the formal application as soon as possible. We have been

## PLANNING JUSTIFICATION REPORT – DRAFT FOR COUNCIL CONSIDERATION

Municipality of Brockton  
Walkerton, Ontario

generating background planning analysis and the next steps are to undertake public consultation and get input from the community. This would also include the preparing a request and formalizing what the zoning order is going to approve for review and endorsement by Council, which we anticipate happening within the next month. At that point in time, it will be in the hands of the Minister and the Minister's Office during the review process. We have not received any specifics on what the Province's timeline is going to be. I am not sure if any other staff on the line have received any feedback from the Ministry in that regard. We are cognizant of the fact that we are moving into a provincial election in June and time is of the essence to get this in front of the Minister as soon as possible so it can be approved.

**Mayor Peabody:** I was able to meet with an assistant of the Minister of Municipal Affairs to present the proposal to Ministry and discuss the issues that we have been facing. Ian Curr, regional director out of London for the Ministry outlined the key thing that Ministry is looking for is consultation with First Nations. Once we have fulfilled that part of the process, we will be able to move forward. We do not anticipate many issues with that process as these lands are being rezoned from Business Park to residential and doesn't involve environmental lands. An Environmental Assessment has already been completed for it. We look forward to that engagement.

**Jay McGuffin:** For clarity, none of the Environmental Protection land has been incorporated into the MZO so it will all be protected.

**Mayor Peabody:** A last note on environmental protection. The Municipality has acquired the environmental lands at the north end of the property, and it is quite a nice woodlot. In the future, we look forward to potentially developing that into a municipal park. There are some good amenities there and it may be able to be connected into the municipal trail system.

**David Bradley:** The need for housing is widespread across Grey-Bruce and this sounds like a good plan.

**Mary Jane Bushell:** Thank you for taking this initiative. We are in urgent need of affordable housing. We cannot successfully recruit talent for our business without access to housing

**Fiona Hamilton:** Thank you for those that have offered comments and appreciate the feedback. If there are other comments people would like to offer, you are welcome to email municipal staff and we will be sure to include them.

Appendix 5 **Public Comments**

DRAFT

December 16, 2021

Sonya Watson, Chief Administrative Officer  
Municipality of Brockton,  
100 Scott Street, P.O. Box 68,  
Walkerton, ON N0G 2V0

**Subject: Letter of Support for Minister's Zoning Order**

To Whom It May Concern:

I am writing to you in support of the Municipality of Brockton's application for a Ministerial Zoning Order to further the development of the East Ridge Business Park.

As the current owner of Parcel 1 on the attached reference map, I am supportive of the Municipality's initiative to plan for the future of the community and expansion of the Business Park. My family has owned these lands for many years and have used them for organic soybean farming purposes over the past few years. We support the Municipality looking to the future on growth needs and acting now as we look to sell our lands. I am in favour of the Municipality's proposal to re-zone the lands for future Industrial Purposes and becoming part of the Employment Lands available in the community of Walkerton. This MZO application will advance multiple residential developments, including retirement housing, apartments and townhouses, and a hospice facility. Attainable housing is a priority for our community. Increasing the supply of alternative housing in Brockton would benefit our businesses, residents, and Brockton's longevity. Further to doing this, the Municipality is still ensuring an adequate supply of Employment Lands for future growth

This proposal further supports the growth of the entire East Ridge Business Park and the Town of Walkerton's Urban Boundary.

I fully support the Municipality of Brockton's application for a Minister's Zoning Order, and look forward to the benefits this growth will provide our community.

Sincerely,

Angela Kleist

A handwritten signature in cursive script that reads "Deana Angela Kleist". The signature is written in black ink and is positioned below the printed name.

**BARRY'S CONSTRUCTION AND INSULATION LTD.  
RR 2, ALLENFORD, ONTARIO N0H 1A0  
(519) 934-3374 FAX (519) 934-3461**

January 25, 2022

**Sonya Watson  
Chief Administrative Officer  
Municipality of Brockton**

Via email

**Re: Letter of Support Minister's Zoning Order – Municipality of Brockton**

Mrs. Watson,

Thank you for including Barry's Construction in the application for a Minister's Zoning Order (MZO) to further residential development in Walkerton. We would like to offer our support of the application by way of this letter.

As the current owner of lands identified as #2 on the attached reference map, we are supportive of the Municipality's initiative to plan for the future of the community, offer additional residential lands to increase the availability of housing types and support the future expansion of the Business Park to continue to allow added jobs and employment in the community to support our residential plans.

Our proposed development will be incorporated into the existing residential Draft Plan of Subdivision directly to the west by adding 22 new townhouse units to the overall development. This proposal will allow for additional housing opportunities in proximity to the business park and the other existing and proposed amenities. Currently the local soccer complex is within walking distance as will the new Municipal Arena complex.

The new townhouses are ideally situated for a residential development as they lie directly between the existing residential Draft Plan of Subdivision and the stormwater management pond that services the business park. The townhouses will act as an effective transition from the residential developments to the employment lands. If approved, the overall proposed changes will reflect an incremental transition from the existing low-density single family homes to the west with a gradually increasing density before reaching the existing business park.

The addition of the townhouses will provide an opportunity for a partnership between Barry's Construction and the Municipality for shared services. The new lots will make use of the shared stormwater management pond that will be cost shared between both parties. The approval will also allow for efficient land use and servicing by permitting compatible development on both sides of the Cunningham Road extension.

This MZO application will allow us to start work in 2022 and avoid planning delays due to the lengthy justification report that will be required to convert these lands and will help us avoid an unfortunate appeal to an appropriate and needed use in the community.

We fully support the Municipality of Brockton's application for a Minister's Zoning Order, and look forward to working with the Municipality and adding to the communities housing supply and the Province's plans to increase housing supply for a mutually beneficial arrangement for all.

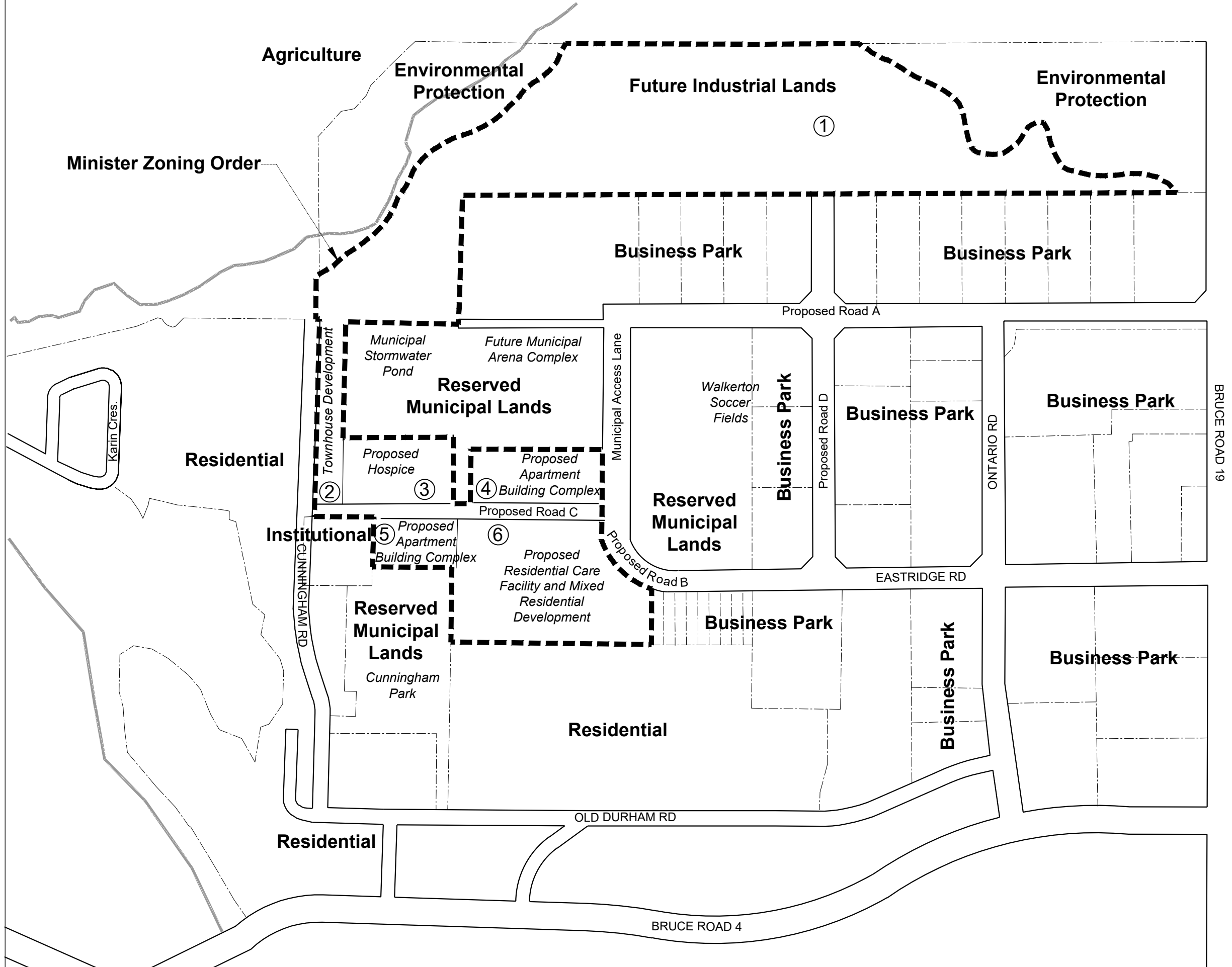
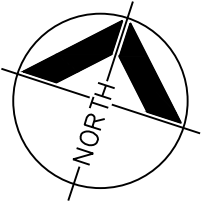
Attached please find a plan of our proposed development for reference.

Regards,

A handwritten signature in black ink, appearing to read 'Stuart Doyle', written in a cursive style.

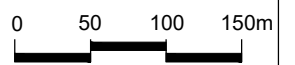
Stuart Doyle, C.E.T.  
Barry's Construction and Insulation Ltd.

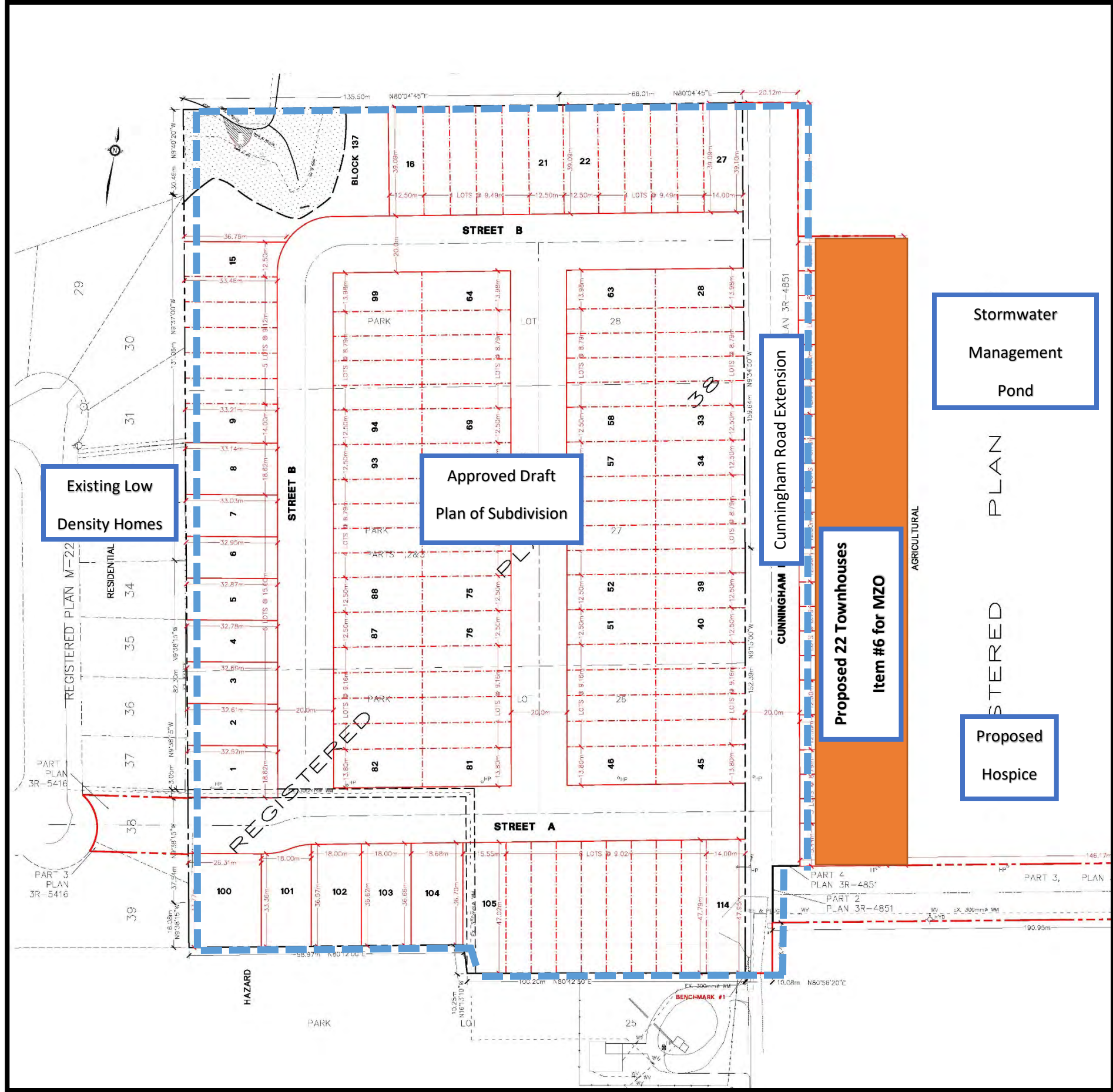
# Schedule A - Minister's Zoning Order



**mbpc**  
**Montelith + Brown**  
 planning consultants

22-100  
 Jan 19, 2022  
 1: 5,000 (11x17)









January 4, 2022

Sonya Watson  
Chief Administrative Officer  
Municipality of Brockton,  
100 Scott Street, P.O. Box 68,  
Walkerton, ON N0G 2V0

**Subject: Letter of Support for Minister's Zoning Order**

To the Minister of Municipal Affairs and Housing:

I am writing to you as Chair of Saugeen Hospice Inc., the not-for-profit Ontario charitable corporation working towards the design and build of a six-bed residential hospice in Brockton under the Ontario Compassionate Care Act of 2020. As you know, this Act provides the development of a framework to ensure that every Ontarian has access to quality palliative care. This submission is in support of the Municipality of Brockton's application for a Ministerial Zoning Order to further residential development within the previous boundaries of the East Ridge Business Park. Brockton has graciously designated three acres in the Eastridge Business Park for our hospice, and this will save the corporation a full year of fundraising to get shovels in the ground.

The Board of Directors of Saugeen Hospice is unanimously in favour of Brockton seeking a Minister's Zoning Order on the reference map. The designated hospice lands are adjacent to the storm water pond, proposed mixed residential, and across the road from a proposed retirement home. All of these are desirable, and even essential, elements to the concept of 'residential hospice' in Ontario Ministry of Health planning. Currently the closest hospice in a residential setting is one hour north, in Owen Sound, and is next to impossible to access for older family members in winter. Many have experienced hazardous trips, or simply given up and had to book hotels in Owen Sound while their loved one lay dying in hospice.

The choice of this location was not an arbitrary decision. It resulted from an intensive study of multiple sites in southern Grey Bruce. All hospitals, nursing homes, retirement homes and potential rural and urban properties, both vacant and in the need of renovations, were researched and a cost analysis was done on all aspects of work necessary to bring the location up to hospice standards. The property in question in the East Ridge Business Park is the only site that met all the conditions.

Saugeen Hospice will be a one-story residential style building in keeping with the Ontario government's concept of residential hospice. It is planned to contain 6 beds and from an architectural standpoint 3-4 acres is the minimum size required to allow for family, visitor, and staff parking. It will employ 8-10 permanent staff as well as clinical support (doctors, nurses, PSW's).

We commend the Municipality's initiative to thoughtfully plan for the future of our community by offering additional residential lands to mitigate a severe shortage of sustainable living spaces, increase the availability of housing types and at the same time support the future expansion of the Business Park to stimulate economic growth in the community.

This MZO application will advance multiple needed residential developments, including retirement housing, apartments and townhouses, and our hospice. We support fully the insightful strategic thinking of ensuring that residential developments are developed in parallel with Employment Lands, without which the employment generated will still have nowhere suitable to live.

Sincerely yours,



B. Carl Kuhnke

Chair



January 24, 2022

Sonya Watson, Chief Administrative Officer  
Municipality of Brockton,  
100 Scott Street, P.O. Box 68,  
Walkerton, ON N0G 2V0

**Subject: Letter of Support for Minister's Zoning Order**

To Whom It May Concern:

I am writing to you in support of the Municipality of Brockton's application for a Ministerial Zoning Order to further Residential development within the previous boundaries of the East Ridge Business Park.

As the current owner of Parcels 4 & 5 on the attached reference map, I am supportive of the Municipality's initiative to plan for the future of the community, offer additional residential lands to increase the availability of housing types and support the future expansion of the Business Park to continue to allow added jobs and employment in the community to support our residential plans

We support the Municipality looking to the future on growth needs and acting now in a timely and responsible manner. As a local developer and owner of lands I am in favour of the Municipality's proposal to re-zone the lands from Employment Lands to Residential to support additional land for housing in the community of Walkerton. This MZO application will help to advance multiple residential developments, including retirement housing, apartments and townhouses, and a hospice facility. Attainable housing and additional housing options is a priority for the community of Walkerton as a result of the recent Strategic Action Planning process the Municipality conducted with area residents.

We plan on contributing to this by increasing the supply of alternative housing forms by constructing 3 multi-unit 5 storey apartment buildings with 59 units each.

These units will benefit Brockton and surrounding area by supplying the area with much needed rental housing.

Investment being made with this development will support the local community using local trades for the construction of the buildings over the next 3 years.

This MZO application will allow us to start work in 2022 on our first apartment unit and avoid planning delays due to the lengthy justification report that will be required to convert these lands and will help us avoid an unfortunate appeal to an appropriate and needed use in the community. We have previous experience with developments and offering affordable and fair market units in other communities (Durham and Mount Forest).

The Municipality is working hard to address a lack of housing supply in the community while still ensuring an adequate supply of Employment Lands for future growth.



We fully support the Municipality of Brockton's application for a Minister's Zoning Order, and look forward to working with the Municipality and adding to the communities housing supply and the Province's plans to increase housing supply for a mutually beneficial arrangement for all.

Sincerely,

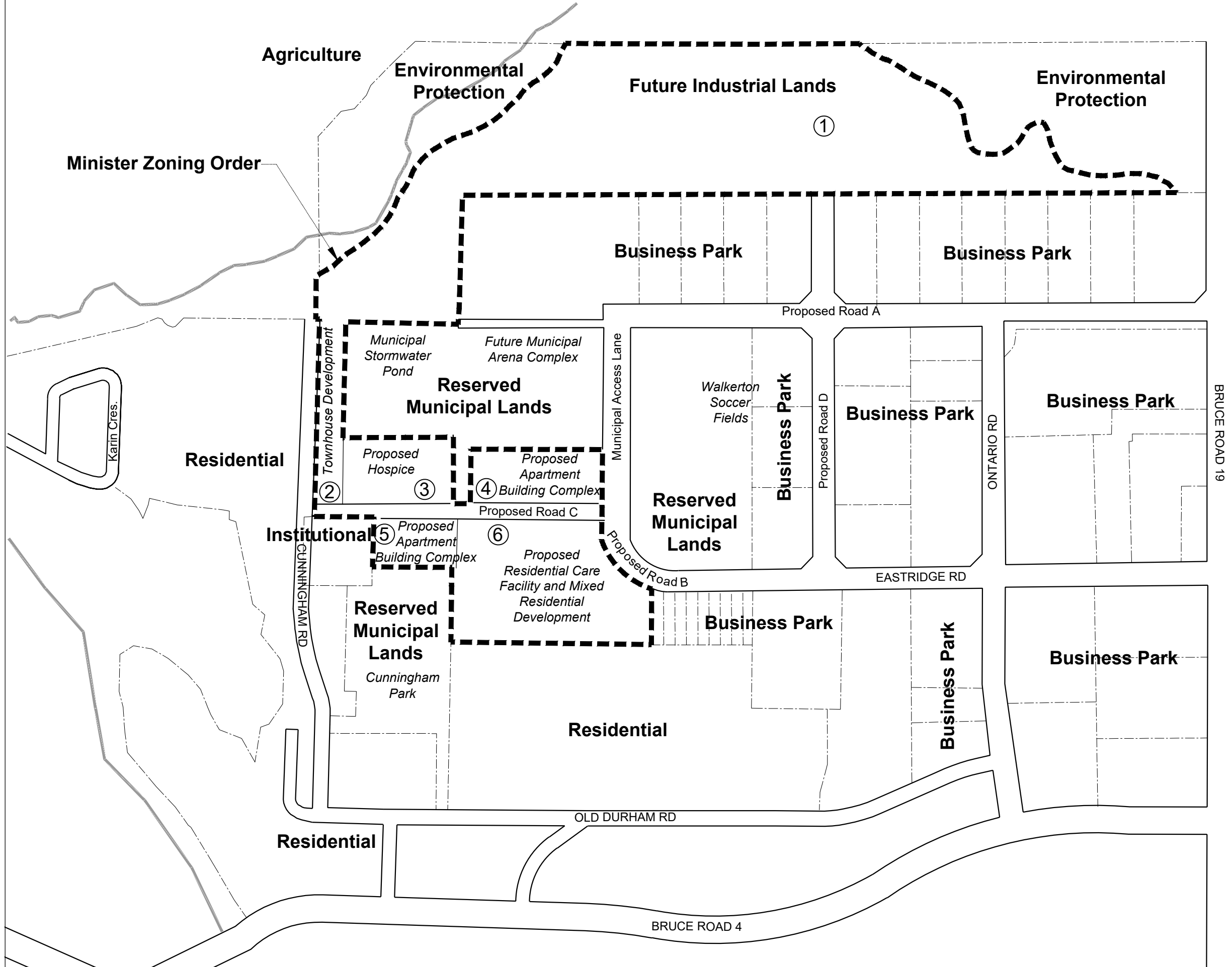
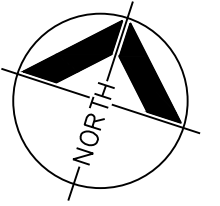
A handwritten signature in blue ink, appearing to read 'KT', is placed above the name Kevin Tremble.

Kevin Tremble  
Partner  
WT Land LP

A handwritten signature in blue ink, appearing to read 'BW', is placed above the name Brad Wilson.

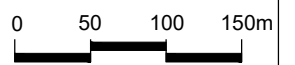
Brad Wilson  
Partner  
WT Land LP

# Schedule A - Minister's Zoning Order



*mbpc*  
**Montelth + Brown**  
 planning consultants

22-100  
 Jan 19, 2022  
 1: 5,000 (11x17)



January 24, 2022

Sonya Watson, Chief Administrative Officer  
Municipality of Brockton,  
100 Scott Street, P.O. Box 68,  
Walkerton, ON N0G 2V0

**Subject: Letter of Support for Minister's Zoning Order**

To Whom It May Concern:

I am writing to you in support of the Municipality of Brockton's application for a Ministerial Zoning Order to further Residential development within the previous boundaries of the East Ridge Business Park.

The current owner of Lot 6 on the attached reference map, MB Civil Design Group has authorized Seawaves Development Services for all planning and development correspondence regarding the subject lot. we are supportive of the Municipality's initiative to plan for the future of the community, offer additional residential lands to increase the availability of housing types and support the future expansion of the Business Park to continue to allow added jobs and employment in the community to support our residential plans

We support the Municipality looking to the future on growth needs and acting now in a timely and responsible manner. As a local developer and owner of lands we are in favour of the Municipality's proposal to re-zone the lands from Employment Lands to Residential to support additional land for housing in the community of Walkerton. This MZO application will help to advance multiple residential developments, including retirement housing, apartments and townhouses, and a hospice facility. Attainable housing and additional housing options is a priority for the community of Walkerton as a result of the recent Strategic Action Planning process the Municipality conducted with area residents.

We plan on contributing to this growth in the community by developing total land area of 9.7 acres consisting of the following:

- i) **Residential Care Facility** with 250 residential units with different sizes suitable for independent living, assisted living, and long-term care. This facility will include various amenities including laundry, medical services, pharmacy, community cooking and dining hall, exercise room, etc.
- ii) **Rest of the subdivision** will consist of a 1990 m<sup>2</sup> landscaped parkland in the form of a garden and will provide a green space and exercise area for the residents of the care home. This will also include 43 townhouses and 16 single detached dwellings.



These units will benefit Brockton and surrounding area by supplying housing for approximately 350 seniors and 59 families.

Investment being made with this development is collected through private investors looking for a long-term investment and serve the community of Brockton.

This MZO application will allow us to start work in 2022 on our residential care facility and avoid planning delays due to the lengthy justification report that will be required to covert these lands and will help us avoid an unfortunate appeal to an appropriate and needed use in the community.

The Municipality is working hard to address a lack of housing supply in the community while still ensuring an adequate supply of Employment Lands for future growth.

We fully support the Municipality of Brockton's application for a Minister's Zoning Order and look forward to working with the Municipality and adding to the communities housing supply and the Province's plans to increase housing supply for a mutually beneficial arrangement for all.

Should there be any need of the draft concept plan, please do not hesitate to contact us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Punya S Marahatta", with a long horizontal line extending to the left.

**Punya S Marahatta, Ph.D., MCIP, RPP**  
Manager- Planning and Development

**Appendix 6** List of Circulated Agencies

DRAFT



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<SJohnson@brockton.ca>  
y 24, 2022 3:48 PM

**To:** MPAC; Saugeen Valley - Conservation Authority (bruce.county@SVCA.ON.CA); Hydro One; Hydro One Networks Inc. (customercommunications@HydroOne.com); Al Hastie; Jayme Bastarache; Shelley Crummer; lisa.thompsonco@pc.ola.org; Candace Hamm  
**Cc:** Sonya Watson; Dieter Weltz; Fiona Hamilton; Gregory Furtney; John Strader; Chris Wells; jmcguffin@mbpc.ca  
**Subject:** Notice of Public Meeting for Minister's Zoning Order  
**Attachments:** Municipality-of-Brockton-Notice-of-Public-Meeting-for-Ministers-Zoning-Order.pdf

Good afternoon everyone,

Please see the attached Notice of Public Meeting regarding the Municipality of Brockton's request for a Minister's Zoning Order (MZO) under Section 47 of the Planning Act. The MZO would apply to certain lands situated within or adjacent to the East Ridge Business Park located west of Bruce Road 19 north of Old Durham Road in the north-easterly quadrant of the Town of Walkerton.

The Public Meeting will be held **electronically on Thursday, February 10, 2022 at 7:00 p.m.** through Zoom Video Conferencing. The link to join the meeting by phone or email are available in the Notice.

Additional information is also available on our website: [www.Brockton.ca/MZO](http://www.Brockton.ca/MZO).

Sincerely,

**Sarah Johnson, Dipl. M.A., AMP**  
Deputy Clerk


Phone: 519-881-2223 Ext. 159  
Email: [sjohnson@brockton.ca](mailto:sjohnson@brockton.ca)

**Municipality of Brockton**  
100 Scott Street, P.O. Box 68,  
Walkerton, ON N0G 2V0

Toll-Free: 1-877-885-8084  
Fax: 519-881-2991

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to protect the health and well-being of our staff and residents during the  
services. ALL Brockton facilities are closed to the public except for the  
Hanover/Walkerton Landfill remain open. Brockton staff are available by  
community and respond to the COVID-19 outbreak. Updated information about  
[.ca/COVID19](#). Please continue to practice social distancing, wear a mask and  
Canada, check in on your neighbours, and support local businesses where

possible. Thank you for your understanding and cooperation.

Appendix 7 Agency Comments

DRAFT



# Bluewater District School Board

P.O. Box 190, 351 1<sup>st</sup> Avenue North  
Chesley, Ontario N0G 1L0  
Telephone: (519) 363-2014 Fax: (519) 370-2909  
www.bwdsb.on.ca

February 9, 2022

Fiona Hamilton  
Director of Legislative and Legal Services (Clerk)  
Municipality of Brockton  
100 Scott Street, P.O. Box 68  
Walkerton, ON N0G 2V0  
[fhamilton@brockton.ca](mailto:fhamilton@brockton.ca)

RE: Walkerton Ministerial Zoning Order (MZO)  
Lots 1-6 in the East Ridge Business Park in Walkerton

Attention: Fiona Hamilton,

Thank you for circulating notification with respect to the Ministerial Zoning Order application located as specified above to permit the rezoning of Lots 1-6 in East Ridge Business Park. When available, Bluewater District School Board (BWDSB) requests information on residential unit types and number of units as this will assist the board in ensuring accommodation capacity for the pupils generated from the MZO within the local community.

BWDSB has no objection to this development. Planning staff request that urban standards such as sidewalks be included throughout the proposed development to facilitate heavy foot traffic areas and promote walkability. BWDSB requests the following conditions be included as part of draft plan approval:

1. "That the owner(s) agree in the Subdivision Agreement to include in all Offers of Purchase and Sale a statement advising prospective purchasers that accommodation within a public school operated by Bluewater District School Board in the community is not guaranteed and students may be accommodated in temporary facilities; including but not limited to accommodation in a portable classroom, a "holding school", or in an alternate school within or outside of the community."
2. "That the owner(s) shall agree in the Subdivision Agreement to include in all Offers of Purchase and Sale a statement advising prospective purchasers that student busing is at discretion of the Student Transportation Service Consortium of Grey-Bruce."
3. "That the owners(s) agree in the Subdivision Agreement to include in all Offers of Purchase and Sale a statement advising prospective purchasers that if school buses are required within the Subdivision in accordance with Board Transportation policies, as may be amended from time to time, school bus pick up points will generally be located on the through street at a location as determined by the Student Transportation Service Consortium of Grey Bruce."

Please provide BWDSB with a copy of the Notice of Decision, including a copy of the draft approved conditions for our files. Once the Subdivision Agreement has been registered, please provide BWDSB with a copy of the registered agreement in electronic format. Once the Plan has been registered, please provide BWDSB with a copy of the registered plan in electronic format.

Please do not hesitate to contact us by telephone at 519-363-2014 ext. 2101 or by email at [shelley\\_crummer@bwdsb.on.ca](mailto:shelley_crummer@bwdsb.on.ca) if you have any questions, concerns or for more information.

Sincerely,



Shelley Crummer  
Business Analyst

c.c.: Rob Cummings, Superintendent of Business Services, BWDSB  
Dennis Dick, Manager of Plant Services, BWDSB  
Jay McGuffin, Planner, Monteith Brown Planning Consultants (MBPC)

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<fhamilton@brockton.ca>  
February 28, 2022 7:32 PM

**To:** Sonya Watson; Eric Steele; Dieter Weltz  
**Subject:** Fwd: Municipality of Brockton - Application for a Minister's Zoning Order

Sent from my iPhone

Begin forwarded message:

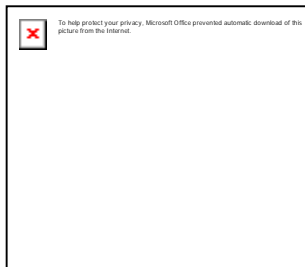
**From:** Emily Martin <manager.ri@saugeen ojibwaynation.ca>  
**Date:** February 28, 2022 at 9:03:01 AM EST  
**To:** Fiona Hamilton <fhamilton@brockton.ca>  
**Cc:** Juanita Meekins <execassist.ri@saugeen ojibwaynation.ca>  
**Subject: Re: Municipality of Brockton - Application for a Minister's Zoning Order**

Yes please, thanks Fiona.

Emily

**Emily Martin**  
Resources and Infrastructure Manager  
[manager.ri@saugeen ojibwaynation.ca](mailto:manager.ri@saugeen ojibwaynation.ca)  
T: (519) 379-0849


*I am grateful to live, work, and benefit from the Territorial lands and waters of the Saugeen Ojibway Nation.*



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Ontario, N0H 2T0  
[saugeen ojibwaynation.ca](http://saugeen ojibwaynation.ca)

On Thu, Feb 24, 2022 at 12:01 PM Fiona Hamilton <[fhamilton@brockton.ca](mailto:fhamilton@brockton.ca)> wrote:

Hello Emily,



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Thank you for getting back to us. The Municipality of Brockton has completed archeological assessments for most of the lands included in the MZO (aside from the most northern parcel) and I have attached them to this email for your reference.

I can further confirm that the Municipality of Brockton will obtain archeological assessments for the remaining parcel prior to any development occurring on that site. We will ensure that SON is notified prior to any further development on the lands within the MZO.

Would you like us to send you a copy of the final Order if/when received?

I hope you have a great weekend. Thank you again,

Fiona

**Fiona Hamilton**

Director of Legal and Legislative Services (Clerk)

Phone: 519-881-2223 Ext. 124

Email: [fhamilton@brockton.ca](mailto:fhamilton@brockton.ca)

**Municipality of Brockton**

100 Scott Street, P.O. Box 68,  
Walkerton, ON N0G 2V0

Toll-Free: 1-877-885-8084

Fax: 519-881-2991

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The Municipality of Brockton is taking extra precautions to protect the health and well-being of our staff and residents during the COVID-19 outbreak, while continuing to deliver essential services. The Municipal Office, Brockton Child Care Centre, Brant, Greenock, and Hanover/Walkerton Landfills are open to the public with capacity restrictions. The Recreation Office at the Walkerton Community Centre and the Walkerton Fire Hall can be visited by appointment only. All outdoor amenities, recreation fields and parks are open to the public. Brockton staff are working diligently to serve the community and respond to the COVID-19 outbreak. Updated information about the coronavirus is available on our website, at [www.brockton.ca/COVID-19](http://www.brockton.ca/COVID-19). Please continue to practice social distancing, wear a mask and follow all health measures recommended by Health Canada, check in on your neighbours, and support local businesses where possible. Thank you for your understanding and cooperation.

**From:** Emily Martin <[manager.ri@saugeenojibwaynation.ca](mailto:manager.ri@saugeenojibwaynation.ca)>  
**Sent:** Tuesday, February 22, 2022 9:33 AM  
**To:** Fiona Hamilton <[fhamilton@brockton.ca](mailto:fhamilton@brockton.ca)>  
**Cc:** Juanita Meekins <[execassist.ri@saugeenojibwaynation.ca](mailto:execassist.ri@saugeenojibwaynation.ca)>  
**Subject:** Re: Municipality of Brockton - Application for a Minister's Zoning Order

Good morning Fiona,

Thanks for this information on the proposed Minister's Zoning Order for land in the East Ridge Business Park in Walkerton. This land is of interest and concern to SON due to its proximity to the Saugeen River. From an aquatics perspective, the west and northwest corner are of interest/concern relative to the watercourses. From an archeological perspective, these lands are of high archeological potential and SON would require an archaeological assessment be done prior to any disturbance. There are materials about SON's archeological review process on our



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y gbsite under "Resources". I would suggest this as due diligence at this point as the results of the assessment would inform future potential development options.

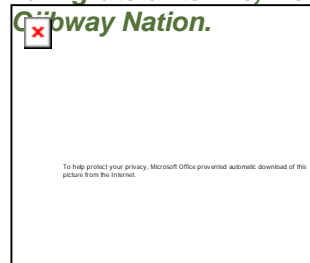
I don't see an issue with the current rezoning itself. However, **SON should be consulted on any future developments proposed for these lands. Please confirm that when an actual development/disturbance is proposed that SON will be notified through the Environment Office.**

Miigwetch,  
Emily

---

**Emily Martin**  
Resources and Infrastructure Manager  
[manager.ri@saugeenojibwaynation.ca](mailto:manager.ri@saugeenojibwaynation.ca)  
T: (519) 379-0849

*I am grateful to live, work, and benefit from the Territorial lands and waters of the Saugeen*



---

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[saugeenojibwaynation.ca](http://saugeenojibwaynation.ca)

---

On Wed, Feb 16, 2022 at 9:38 AM Emily Martin <[manager.ri@saugeenojibwaynation.ca](mailto:manager.ri@saugeenojibwaynation.ca)> wrote:

Please note that the Saugeen Ojibway Nation (SON) is receiving an unprecedented number of consultation requests for proposed development in **SON Territory**, and our response times are delayed as a result.

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"

**We will respond to consultation requests in the order in which they are received. No response does not mean that SON does not require consultation on your proposal.**

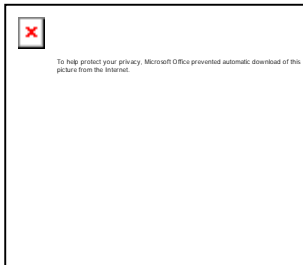
Please refer to SON's website at <https://www.saugeenojibwaynation.ca/> as you may find the information you are looking for there including resources on SON's consultation process.

Thank you for your patience and participation in consultation and accommodation with the Saugeen Ojibway Nation.

Please do not respond to this email.

**Emily Martin**  
~~Resources and Infrastructure Manager~~  
[manager.ri@saugeenojibwaynation.ca](mailto:manager.ri@saugeenojibwaynation.ca)  
T: (519) 379-0849

*I am grateful to live, work, and benefit from the Territorial lands and waters of the Saugeen Ojibway Nation.*



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**Emily Martin**  
~~Resources and Infrastructure Manager~~  
[manager.ri@saugeenojibwaynation.ca](mailto:manager.ri@saugeenojibwaynation.ca)  
T: (519) 379-0849

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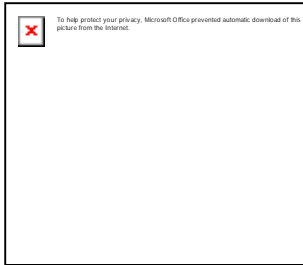
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**Emily Martin**  
Resources and Infrastructure Manager  
[manager.ri@saugeenojibwaynation.ca](mailto:manager.ri@saugeenojibwaynation.ca)  
T: (519) 379-0849

*I am grateful to live, work, and benefit from the Territorial lands and waters of the Saugeen Ojibway Nation.*



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On Wed, Feb 9, 2022 at 11:54 AM Fiona Hamilton <[fhamilton@brockton.ca](mailto:fhamilton@brockton.ca)> wrote:

Good morning Juanita and Emily,



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hope you are enjoying this beautiful sunny day.

I am following up on an email I sent earlier in the year about Brockton's Application for a Minister's Zoning Order for land in the East Ridge Business Park in Walkerton. I have attached our Public Notice with the details about the application.

Have you had any opportunity to review the Notice? We welcome any comments or feedback that you can provide to us. If you require any additional information or would like to meet with us, please let me know.

I look forward to hearing from you in the near future. Have an excellent week.

Fiona

**Fiona Hamilton**

Director of Legal and Legislative Services (Clerk)

Phone: 519-881-2223 Ext. 124

Email: [fhamilton@brockton.ca](mailto:fhamilton@brockton.ca)

**Municipality of Brockton**

100 Scott Street, P.O. Box 68,  
Walkerton, ON N0G 2V0

Toll-Free: 1-877-885-8084

Fax: 519-881-2991

**Appendix 8** **Archaeological Assessments**

DRAFT



## **1.0 PROJECT REPORT COVER PAGE**

### **LICENSEE INFORMATION:**

Licensee: Michael B. Henry CD BA  
Archaeology Licence: P058  
Contact Information: Lakelands District Office  
380 Talbot Street, P.O. Box 29  
Port McNicoll, ON L0K 1R0  
Phone: (705) 534-1546 Fax: (705) 534-7855  
Email: [mhenry@amick.ca](mailto:mhenry@amick.ca)  
www.amick.ca

### **PROJECT INFORMATION:**

AMICK Project Number: 12028-P  
MTCS Project Number: P058-892-2012  
Investigation Type: Stage 1-2 Archaeological Assessment  
Project Name: Zettler Lands - Walkerton Settlement Area Expansion  
Project Location: Part of Lots 32, 33, 34 and 35 Concession 1  
North of Durham Road  
Geographic Township of Brant, Formerly Town of Walkerton  
And Part of Park Lots 47 and 48  
Registered Plan No. 162  
Formerly in Town of Walkerton, Municipality of Brockton, County of Bruce

### **APPROVAL AUTHORITY INFORMATION:**

File Designation Number: N/A

### **REPORTING INFORMATION:**

Site Record/Update Forms: N/A  
Date of Report Filing: 18 December 2012  
Type of Report: ORIGINAL

## **2.0 EXECUTIVE SUMMARY**

This report describes the results of the 2012 Stage 1-2 Archaeological Assessment of Zettler Lands - Walkerton Settlement Area Expansion, Part of Lots 32, 33, 34 and 35 Concession 1 North of Durham Road, Geographic Township of Brant, Formerly Town of Walkerton And Part of Park Lots 47 and 48, Registered Plan No. 162, Formerly in Town of Walkerton, Municipality of Brockton, County of Bruce, conducted by AMICK Consultants Limited. This study was conducted under Archaeological Consulting License #P058 issued to Michael Henry by the Minister of Tourism, Culture and Sport for the Province of Ontario. This assessment was undertaken as a requirement under the Planning Act (RSO 1990b) in order to support a Draft Plan of Subdivision application and companion Zoning By-law Amendment application as part of the pre-submission process. All work was conducted in conformity with Ontario Ministry of Tourism and Culture (MTC) Standards and Guidelines for Consultant Archaeologists (MTC 2011), the Ontario Heritage Act (RSO 1990a), and the Ontario Heritage Amendment Act (SO 2005).

AMICK Consultants Limited was engaged by the proponent to undertake a Stage 1-2 Archaeological Assessment of lands potentially affected by the proposed undertaking and was granted permission to carry out archaeological work on 16 July 2012. The entirety of the study area was subject to reconnaissance, photographic documentation and physical assessment on 29 August 2012 and 2 December 2012, consisting of high-intensity test pit survey at an interval of five metres between individual test pits and high intensity pedestrian survey at an interval of five metres between individual transects. All records, documentation, field notes, photographs and artifacts (as applicable) related to the conduct and findings of these investigations are held at the Lakelands District corporate offices of AMICK Consultants Limited until such time that they can be transferred to an agency or institution approved by the Ontario Ministry of Tourism, Culture and Sport (MTCS) on behalf of the government and citizens of Ontario.

As a result of the physical assessment of the study area, no archaeological resources were encountered. Consequently, it is recommended no further archaeological assessment of the property is required.

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*2012 Stage 1-2 Archaeological Assessment of Zettler Lands - Walkerton Settlement Area Expansion, Part of Lots 32, 33, 34 and 35 Concession 1, North of Durham Road, Geographic Township of Brant, Formerly Town of Walkerton And Part of Park Lots 47 and 48, Registered Plan No. 162, Formerly in Town of Walkerton, Municipality of Brockton, County of Bruce (AMICK File #12028-P/MTC File #P058-892-2012)*

|             |  |           |
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## **4.0 PROJECT PERSONNEL**

### **CONSULTING ARCHAEOLOGIST**

Michael Henry (MTCS Professional Archaeologist Licence #P058)

### **PROJECT ARCHAEOLOGIST**

Kayleigh MacKinnon (MTCS Research Archaeologist Licence #R391)

Michael Henry (MTCS Professional Archaeologist Licence #P058)

### **PROJECT ADMINISTRATION**

Melissa Milne

### **FIELD ASSISTANTS**

Colleen Dirmeitis

Daniel Ventresca

Jeremy Hamburg

Sarah MacKinnon (MTCS Research Archaeologist Licence #R389)

Marilyn Cornies (MTCS Professional Archaeologist Licence #P038)

### **REPORT PREPARATION**

Melissa Milne

### **DRAUGHTING**

Sarah MacKinnon (MTCS Research Archaeologist Licence #R389)

### **PHOTOGRAPHY**

Kayleigh MacKinnon (MTCS Research Archaeologist Licence #R391)

Michael Henry (MTCS Professional Archaeologist Licence #P058)

## **5.0 PROJECT BACKGROUND**

### **5.1 DEVELOPMENT CONTEXT**

This report describes the results of the 2012 Stage 1-2 Archaeological Assessment of Zettler Lands - Walkerton Settlement Area Expansion, Part of Lots 32, 33, 34 and 35 Concession 1 North of Durham Road, Geographic Township of Brant, Formerly Town of Walkerton And Part of Park Lots 47 and 48, Registered Plan No. 162, Formerly in Town of Walkerton, Municipality of Brockton, County of Bruce, conducted by AMICK Consultants Limited. This study was conducted under Archaeological Consulting License #P058 issued to Michael Henry by the Minister of Tourism, Culture and Sport for the Province of Ontario. This assessment was undertaken as a requirement under the Planning Act (RSO 1990b) in order to support a Draft Plan of Subdivision application and companion Zoning By-law Amendment application as part of the pre-submission process. All work was conducted in conformity with Ontario Ministry of Tourism and Culture (MTC) Standards and Guidelines for Consultant Archaeologists (MTC 2011), the Ontario Heritage Act (RSO 1990a), and the Ontario Heritage Amendment Act (SO 2005).

AMICK Consultants Limited was engaged by the proponent to undertake a Stage 1-2 Archaeological Assessment of lands potentially affected by the proposed undertaking and was granted permission to carry out archaeological work on 16 July 2012. The entirety of the study area was subject to reconnaissance, photographic documentation and physical assessment on 29 August 2012 and 2 December 2012, consisting of high-intensity test pit survey at an interval of five metres between individual test pits and high intensity pedestrian survey at an interval of five metres between individual transects. All records, documentation, field notes, photographs and artifacts (as applicable) related to the conduct and findings of these investigations are held at the Lakelands District corporate offices of AMICK Consultants Limited until such time that they can be transferred to an agency or institution approved by the Ontario Ministry of Tourism, Culture and Sport (MTCS) on behalf of the government and citizens of Ontario.

### **5.2 HISTORICAL CONTEXT**

As part of the present study, background research was conducted in order to determine the archaeological potential of the proposed project area.

*“A Stage 1 background study provides the consulting archaeologist and Ministry report reviewer with information about the known and potential cultural heritage resources within a particular study area, prior to the start of the field assessment.”* (OMCzCR 1993)

The evaluation of potential is further elaborated Section 1.3 of the Standards and Guidelines for Consultant Archaeologist (2011) prepared by the Ontario Ministry of Tourism and Culture:

**2012 Stage 1-2 Archaeological Assessment of Zettler Lands - Walkerton Settlement Area Expansion, Part of Lots 32, 33, 34 and 35 Concession 1, North of Durham Road, Geographic Township of Brant, Formerly Town of Walkerton And Part of Park Lots 47 and 48, Registered Plan No. 162, Formerly in Town of Walkerton, Municipality of Brockton, County of Bruce (AMICK File #12028-P/MTC File #P058-892-2012)**

*“ The Stage 1 background study (and, where undertaken, property inspection) leads to an evaluation of the property’s archaeological potential. If the evaluation indicates that there is archaeological potential anywhere on the property, the next step is a Stage 2 assessment.”*  
(MTC 2011: 17)

Features or characteristics that indicate archaeological potential where found anywhere on the property include:

*“ - previously identified archaeological sites*

- *water sources (It is important to distinguish types of water and shoreline, and to distinguish natural from artificial water sources, as these features affect site locations and types to varying degrees.):*
  - *primary water sources (lakes, rivers, streams, creeks)*
  - *secondary water sources (intermittent streams and creeks, springs, marshes, swamps)*
  - *features indicating past water sources (e.g., glacial lake shorelines indicated by the presence of raised sand or gravel beach ridges, relic river or stream channels indicated by clear dip or swale in the topography, shorelines of drained lakes or marshes, cobble beaches)*
  - *accessible or inaccessible shoreline (e.g., high bluffs, swamp or marsh fields by the edge of a lake, sandbars stretching into marsh)*
- *elevated topography (e.g., eskers, drumlins, large knolls, plateaux)*
- *pockets of well-drained sandy soil, especially near areas of heavy soil or rocky ground*
- *distinctive land formations that might have been special or spiritual places, such as waterfalls, rock outcrops, caverns, mounds, and promontories and their bases. There may be physical indicators of their use, such as burials, structures, offerings, rock paintings or carvings.*
- *resource areas, including:*
  - *food or medicinal plants (e.g., migratory routes, spawning areas, prairie)*
  - *scarce raw materials (e.g., quartz, copper, ochre or outcrops of chert)*
  - *early Euro-Canadian industry (e.g., fur trade, logging, prospecting, mining)*
- *areas of early Euro-Canadian settlement. These include places of early military or pioneer settlement (e.g., pioneer homesteads, isolated cabins, farmstead complexes), early wharf or dock complexes, pioneer churches and early cemeteries. There may be commemorative markers of their history, such as local, provincial, or federal monuments or heritage parks.*
- *Early historical transportation routes (e.g., trails, passes, roads, railways, portage routes)*
- *property listed on a municipal register or designated under the Ontario Heritage Act that is a federal, provincial or municipal historic landmark or site*
- *property that local histories or informants have identified with possible archaeological sites, historical events, activities, or occupations”*

(MTC 2011: 17-18)

The evaluation of potential does not indicate that sites are present within areas affected by proposed development. Evaluation of potential considers the possibility for as yet undocumented sites to be found in areas that have not been subject to systematic archaeological investigation in the past. Potential for archaeological resources is used to determine if physical assessment of a property or portions of a property is required.

*“Archaeological resources not previously documented may also be present in the affected area. If the alternative areas being considered, or the preferred alternative selected, exhibit either high or medium potential for the discovery of archaeological remains an archaeological assessment will be required.”*

(MCC & MOE 1992: 6-7)

*“The Stage 1 background study (and, where undertaken, property inspection) leads to an evaluation of the property’s archaeological potential. If the evaluation indicates that there is archaeological potential anywhere on the property, the next step is a Stage 2 assessment.”*

(MTC 2011: 17)

In addition, the collected data is also used to determine if any archaeological resources had been formerly documented within or in close proximity to the study area and if these same resources might be subject to impacts from the proposed undertaking. This data was also collected in order to establish the significance of any resources that might be encountered during the conduct of the present study. The requisite archaeological sites data was collected from the Programs and Services Branch, Culture Programs Unit, MTCS and the corporate research library of AMICK Consultants Limited

### **5.2.1 CURRENT CONDITIONS**

The present use of the study area is as a primarily agricultural. The study area is roughly 21.3 hectares in size consists of mostly ploughable lands. The study area also consists of a hydro corridor. Located adjacent to Bruce Road 19 is a small lawn area. The study area is bound on the north, east, south and west by agricultural lands. The small parcel is bound on the west by Cunningham Road and the large parcel is bound on the east by Bruce Road 19. The study area is approximately 628 metres to the north of the intersection of the Bruce Road 19 and County Road 4. A plan of the study area is included within this report as Figure 3.

### **5.2.2 GENERAL HISTORICAL OUTLINE**

Figure 2 illustrates the location of the study area and environs as of 1877. The study area is shown to belong to two individual property owners; Hugh William Todd and Arch Todd, no structures are present within the property. The study area is situated within 100 metres of a Euro-Canadian Anglican Cemetery 1865-1880). Accordingly, it has been determined that

there is potential for archaeological deposits related to early Euro-Canadian settlement within the study area.

Bruce County was first inhabited by various First Nation cultures, who were attracted to this area because of the abundant fishing, clear waters and offered secure living conditions. It was not until the 1800's that this area started to see an influx of settlers from Europe, although there had been a few explorers who had previously based through this area, the information they provided was not substantial. This area was originally settled by those living in the more populated areas of Canada, as well as Europeans. The area was surveyed and divided into lots for farming. The first settlers did not arrive in this area until 1850. And growth in this area was slow, due to the difficulties in transportation to the area. Bruce officially became an independent county in 1867, as it had been previously part of the United Counties of Huron and Perth ("History of the,"2012 )

The community of Walkerton was first incorporated in 1871, the area was named after Joseph Walker, who first settled in this area in 1850. Mr. Walker was responsible for the construction of a dam across the Saugeen River, and mills that would produce lumber and flour, However the area was first settled by William Jasper and Edward Boulton, who both established farms in 1849. The history of Walkerton is very closely associated with the Township of Brant. By 1875 Walkerton consisted of a public library, school house, bank, newspaper, several churches, mills and shops. ("History of the,"2012 ).

### **5.2.3 SUMMARY OF HISTORICAL CONTEXT**

The brief overview of documentary evidence readily available indicates that the study area is situated within an area that was close to the historic transportation routes and in an area well populated during the nineteenth century and as such has potential for sites relating to early Euro-Canadian settlement in the region. Background research indicates the property has potential for significant archaeological resources of Native origins.

### **5.3 ARCHAEOLOGICAL CONTEXT**

The Archaeological Sites Database administered by the Ministry of Tourism, Culture and Sport (MTCS) indicates that there are no previously documented sites within the study area or within 1 kilometre of the study area. However, it must be noted that this is based on the assumption of the accuracy of information compiled from numerous researchers using different methodologies over many years. AMICK Consultants Limited assumes no responsibility for the accuracy of site descriptions, interpretations such as cultural affiliation, or location information derived from the Archaeological Sites Database administered by MTCS. In addition, it must also be noted that a lack of formerly documented sites does not indicate that there are no sites present as the documentation of any archaeological site is contingent upon prior research having been conducted within the study area.

*2012 Stage 1-2 Archaeological Assessment of Zettler Lands - Walkerton Settlement Area Expansion, Part of Lots 32, 33, 34 and 35 Concession 1, North of Durham Road, Geographic Township of Brant, Formerly Town of Walkerton And Part of Park Lots 47 and 48, Registered Plan No. 162, Formerly in Town of Walkerton, Municipality of Brockton, County of Bruce (AMICK File #12028-P/MTC File #P058-892-2012)*

To our current knowledge no archaeological assessments have been conducted within 50 metres of the study area. AMICK Consultants Limited assumes no responsibility for the accuracy of previous assessments, interpretations such as cultural affiliation, or location information derived from the Archaeological Sites Database administered by MTCS. In addition, it must also be noted that the lack of formerly documented previous assessments does not indicate that no assessments have been conducted.

### **5.3.1 FIRST NATIONS REGISTERED SITES**

A summary of registered and/or known archaeological sites within a 1-kilometre radius of the study area was gathered from the Archaeological Sites Database, administered by MTCS. As a result it was determined that no (0) archaeological sites relating directly to First Nations habitation/activity had been formally documented within the immediate vicinity of the study area. However, the lack of formally documented archaeological sites does not mean that First Nations people did not use the area; it more likely reflects a lack of systematic archaeological research in the immediate vicinity.

The distance to water criteria used to establish potential for archaeological sites suggests potential for First Nations occupation and land use in the area in the past. This consideration establishes archaeological potential within the study area.

### **5.3.2 EURO-CANADIAN REGISTERED SITES**

A summary of registered and/or known archaeological sites within a 1-kilometre radius of the study area was gathered from the Archaeological Sites Database, administered by MTCS. As a result it was determined that no (0) archaeological sites relating directly to Euro-Canadian habitation/activity had been formally documented within the immediate vicinity of the study area.

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**TABLE 1      CULTURAL CHRONOLOGY FOR SOUTH-CENTRAL ONTARIO**

| Period        | Group        | Date Range      | Traits                |                              |
|---------------|--------------|-----------------|-----------------------|------------------------------|
| Palaeo-Indian | Fluted Point | 9500-8500 B.C.  | Big game hunters.     |                              |
|               | Hi-Lo        | 8500-7500 B.C.  | Small nomadic groups. |                              |
| Archaic       | Early        | 8000-6000 B.C.  | Hunter-gatherers.     |                              |
|               | Middle       | Laurentian      | 6000-2000 B.C.        | Territorial divisions arise. |
|               | Late         | Lamoka          | 2500-1700 B.C.        | Ground stone tools appear.   |
|               |              | Broadpoint      | 1800-1400 B.C.        |                              |
|               |              | Crawford Knoll  | 1500-500 B.C.         |                              |
|               |              | Glacial Kame    | c.a. 1000 B.C.        | Elaborate burial practices.  |
| Woodland      | Early        | Meadowood       | 1000-400 B.C.         | Introduction of pottery.     |
|               |              | Red Ochre       | 1000-500 B.C.         |                              |
|               | Middle       | Point Peninsula | 400 B.C.-500 A.D.     | Long distance trade.         |
|               |              | Princess Point  | 500-800 A.D.          | Horticulture.                |
|               | Late         | Pickering       | 800-1300 A.D.         | Villages and agriculture.    |
|               |              | Uren            | 1300-1350 A.D.        | Larger villages.             |
|               |              | Middleport      | 1300-1400 A.D.        |                              |
|               |              | Huron           | 1400-1650 A.D.        | Warfare                      |
| Historic      | Early        | Odawa, Ojibwa   | 1700-1875 A.D.        | Social displacement.         |
|               | Late         | Euro-Canadian   | 1785 A.D.+            | European settlement.         |



### **5.3.3 LOCATION AND CURRENT CONDITIONS**

This report describes the results of the 2012 Stage 1-2 Archaeological Assessment of Zettler Lands - Walkerton Settlement Area Expansion, Part of Lots 32, 33, 34 and 35 Concession 1 North of Durham Road, Geographic Township of Brant, Formerly Town of Walkerton And Part of Park Lots 47 and 48, Registered Plan No. 162, Formerly in Town of Walkerton, Municipality of Brockton, County of Bruce, conducted by AMICK Consultants Limited. This study was conducted under Archaeological Consulting License #P058 issued to Michael Henry by the Minister of Tourism, Culture and Sport for the Province of Ontario. This assessment was undertaken as a requirement under the Planning Act (RSO 1990b) in order to support a Draft Plan of Subdivision application and companion Zoning By-law Amendment application as part of the pre-submission process. All work was conducted in conformity with Ontario Ministry of Tourism and Culture (MTC) Standards and Guidelines for Consultant Archaeologists (MTC 2011), the Ontario Heritage Act (RSO 1990a), and the Ontario Heritage Amendment Act (SO 2005).

The present use of the study area is as a primarily agricultural. The study area is roughly 21.3 hectares in size consists of mostly ploughable lands. The study area also consists of a hydro corridor. Located adjacent to Bruce Road 19 is a small lawn area. The study area is bound on the north, east, south and west by agricultural lands. The small parcel is bound on the west by Cunningham Road and the large parcel is bound on the east by Bruce Road 19. The study area is approximately 628 metres to the north of the intersection of the Bruce Road 19 and County Road 4. A plan of the study area is included within this report as Figure 3.

### **5.3.4 PHYSIOGRAPHIC REGION**

The Port Huron Moraine system forms the core of a horseshoe-shaped region flanking the upland that lies to the west of the highest part of the Niagara cuesta. The associated meltwater stream deposits are also included giving the region two chief landform components: (a) the irregular, stony knobs and ridges which are composed mostly of till and with some sand and gravel deposits (kames); and (b) the more or less pitted sand and gravel terraces and swampy valley floors. In the Walkerton-Chesley area, the morainic belt consists of two moraines separated by the Saugeen clays. Instead of the Huron clay loams of the till ridges to the southwest, the till soils of this area are closely related to the Harriston of the Teeswater drumlin field; the soils of the intervening terraces are similar to the Teeswater loams. (Chapman and Putnam 1984: 127-129).

### **5.3.5 SURFACE WATER**

Sources of potable water, access to waterborne transportation routes, and resources associated with watersheds are each considered, both individually and collectively to be the highest criteria for determination of the potential of any location to support extended human

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activity, land use, or occupation. Accordingly, proximity to water is regarded as the primary indicator of archaeological site potential. The Standards and Guidelines for Consultant Archaeologists stipulates that undisturbed lands within 300 metres of a water source are considered to have archaeological potential (MTC 2011: 21).

Located within the study area in the most eastern corner is a drainage ditch. Located within 396 metres southwest of the study area is the Saugeen River.

### **5.3.6 CURRENT PROPERTY CONDITIONS CONTEXT**

Current characteristics encountered within an archaeological research study area determine if physical assessment of specific portions of the study area will be necessary and in what manner a Stage 2 Property Assessment should be conducted, if necessary. Conventional assessment methodologies include pedestrian survey on ploughable lands and test pit methodology within areas that cannot be ploughed. For the purpose of determining where physical assessment is necessary and feasible, general categories of current landscape conditions have been established as archaeological conventions. These include:

#### **5.3.6.1 BUILDINGS AND STRUCTURAL FOOTPRINTS**

A building, in archaeological terms, is a structure that exists currently or has existed in the past in a given location. The footprint of a building is the area of the building formed by the perimeter of the foundation. Although the interior area of building foundations would often be subject to physical assessment when the foundation may represent a potentially significant historic archaeological site, the footprints of existing structures are not typically assessed. Existing structures commonly encountered during archaeological assessments are often residential-associated buildings (houses, garages, sheds), and/or component buildings of farm complexes (barns, silos, greenhouses). In many cases, even though the disturbance to the land may be relatively shallow and archaeological resources may be situated below the disturbed layer (e.g. a concrete garage pad), there is no practical means of assessing the area beneath the disturbed layer. However, if there were evidence to suggest that there are likely archaeological resources situated beneath the disturbance, alternative methodologies may be recommended to study such areas.

The study area contains no buildings or structural footprints.

#### **5.3.6.2 DISTURBANCE**

Areas that have been subjected to extensive and deep land alteration that has severely damaged the integrity of archaeological resources are known as land disturbances. Examples of land disturbances are areas of “past quarrying, major landscaping, recent built and industrial uses, sewage and infrastructure development, etc.” (MCL 2005: 15), as well as driveways made of either gravel or concrete, in-ground pools, and wells or cisterns. Utility

lines are conduits that provide services such as water, natural gas, hydro, communications, sewage, and others. Areas containing below ground utilities are considered areas of disturbance, and are excluded from Stage 2 Physical Assessment. Disturbed areas are excluded from Stage 2 Physical Assessment due to no or low archaeological potential or because they are not assessable using conventional methodology.

The study area does not contain any previous disturbance.

#### **5.3.6.3 LOW-LYING AND WET AREAS**

Landscape features that are covered by permanently wet areas, such as marshes, swamps, or bodies of water like streams or lakes, are known as low-lying and wet areas. Low-lying and wet areas are excluded from Stage 2 Physical Assessment due to inaccessibility.

The study area does not contain any low-lying and wet areas.

#### **5.3.6.4 STEEP SLOPE**

Landscape which slopes at a greater than (>) 20 degree change in elevation, is known as steep slope. Areas of steep slope are considered uninhabitable, and are excluded from Stage 2 Physical Assessment.

The study area does contain any areas of steep slope.

#### **5.3.6.5 WOODED AREAS**

Areas of the property that cannot be ploughed, such as natural forest or woodlot, are known as wooded areas. These wooded areas qualify for Stage 2 Physical Assessment, and are required to be assessed using test pit survey methodology.

The study area does not contain any wooded areas.

#### **5.3.6.6 PLOUGHABLE AGRICULTURAL LANDS**

Areas of current or former agricultural lands that have been ploughed in the past are considered ploughable agricultural lands. Ploughing these lands regularly moves the soil around, which brings covered artifacts to the surface, easily identifiable during visual inspection. Furthermore, by allowing the ploughed area to weather sufficiently through rainfall washing soil off any artifacts, the visibility of artifacts at the surface of recently worked field areas increases significantly. Pedestrian survey of ploughed agricultural lands is the preferred method of physical assessment because of the greater potential for finding evidence of archaeological resources if present.

The study area contains mostly ploughable lands.

### **5.3.6.7 LAWN, PASTURE, MEADOW**

Landscape features consisting of former agricultural land covered in low growth, such as lawns, pastures, meadows, shrubbery, and immature trees. These are areas that may be considered too small to warrant ploughing, (i.e. less than one hectare in area), such as yard areas surrounding existing structures, and land-locked open areas that are technically workable by a plough but inaccessible to agricultural machinery. These areas may also include open area within urban contexts that do not allow agricultural tillage within municipal or city limits or the use of urban roadways by agricultural machinery. These areas are required to be assessed using test pit survey methodology.

The study area does contain a small area of lawn, which is located in the eastern corner bounded by Bruce Road 19.

### **5.3.7 SUMMARY**

Background research indicates the vicinity of the study area has potential for archaeological resources of Native origins based on proximity to a source of potable water in the past. Background research also suggests potential for archaeological resources of Euro-Canadian origins based on proximity to a historic roadways and to a Euro-Canadian Anglican Cemetery 1865 to 1880.

Archaeological potential does not indicate that there are necessarily sites present, but that environmental and historical factors suggest that there may be as yet undocumented archaeological sites within lands that have not been subject to systematic archaeological research in the past.

## **6.0 FIELD METHODS**

This report confirms that the entirety of the study area was subject to visual inspection, and that the fieldwork was conducted according to the archaeological fieldwork standards and guidelines, including weather and lighting conditions. The property reconnaissance and assessment were completed in ideal conditions under sunny skies on 29 August 2012 and under cloudy skies on 2 December 2012. The temperature at the time of the reconnaissance and assessment was 10°C and 5°C respectively. The locations from which photographs were taken and the directions toward which the camera was aimed for each photograph are illustrated in Figures 4 & 5 of this report. Upon completion of the field reconnaissance of the study area, it was determined that select areas would require Stage 2 archaeological assessment consisting of test pit survey methodology and pedestrian survey methodology.

## **6.1 PHOTO RECONNAISSANCE**

A detailed examination and photo documentation was carried out on the study area in order to document the existing conditions of the study area to facilitate Stage 2 assessment. All areas of the study area were visually inspected and photographed. The locations from which photographs were taken and the directions toward which the camera was aimed for each photograph are illustrated in Figures 4 & 5 of this report.

## **6.2 PEDESTRIAN SURVEY**

In accordance with the Standards and Guidelines for Consultant Archaeologists, pedestrian survey is required to be undertaken for all portions of the study area that are ploughable or can be subject to cultivation. This is the preferred method to utilize while conducting an assessment. This report confirms that the conduct of pedestrian survey within the study area conformed to the following standards:

- 1. Actively or recently cultivated agricultural land must be subject to pedestrian survey.*  
[All actively or recently cultivated agricultural land was subject to pedestrian survey]
- 2. Land to be surveyed must be recently ploughed. Use of chisel ploughs is not acceptable. In heavy clay soils ensure furrows are disked after ploughing to break them up further.*  
[All land was recently ploughed]
- 3. Land to be surveyed must be weathered by one heavy rainfall or several light rains to improve visibility of archaeological resources.*  
[All land was weathered by rainfall]
- 4. Provide direction to the contractor undertaking the ploughing to plough deep enough to provide total topsoil exposure, but not deeper than previous ploughing.*  
[Direction was given to the contractor undertaking the ploughing to plough deep enough to provide total topsoil exposure, but not deeper than previous ploughing]
- 5. At least 80 % of the ploughed ground surface must be visible. If surface visibility is below 80% (e.g. due to crop stubble, weeds, young crop growth), ensure the land is re-ploughed before surveying.*  
[Roughly 100% of the ploughed ground surface was visible]
- 6. Space survey transects at maximum intervals of 5m (20 survey transects per hectare)*  
[All transects were conducted at an interval of 5m between individual transect]

7. *When archaeological resources are found, decrease survey transects to 1m intervals over a minimum of 20m radius around the find to determine whether it is an isolated find or part of a larger scatter. Continue working outward at this interval until full extent of the surface scatter has been defined.*

[Not Applicable – No archaeological resources were encountered]

8. *Collect all formal artifact types and diagnostic categories. For 19<sup>th</sup> century archaeological sites, collect all refined ceramic sherds (or, for larger sites collect a sufficient sample to form the basis for dating).*

[Not Applicable – No archaeological resources were encountered]

9. *Based on professional judgment, strike a balance between gathering enough artifacts to document the archaeological site and leaving enough in place to relocate the site if it is necessary to conduct further assessment.*

[Not Applicable – No archaeological resources were encountered]

(MTC 2011: 30-31)

### **6.3 TEST PIT SURVEY**

In accordance with the Standards and Guidelines for Consultant Archaeologists, test pit survey is required to be undertaken for those portions of the study area where deep prior disturbance had not occurred prior to assessment or which were accessible to survey. Test pit survey is only used in areas that cannot be subject to ploughing or cultivation. This report confirms that the conduct of test pit survey within the study area conformed to the following standards:

*1. Test pit survey only on terrain where ploughing is not possible or viable, as in the following examples:*

*a. wooded areas*

[Not Applicable – The study area does not contain any wooded areas]

*b. pasture with high rock content*

[Not Applicable - The study area does not contain any pastures with high rock content]

*c. abandoned farmland with heavy brush and weed growth*

[Not Applicable - The study area does not contain any abandoned farmland with heavy brush and weed growth] [The study area contained abandoned farmland with heavy brush and weed growth and was test pit at an interval of 5m between individual test pits]

*d. orchards and vineyards that cannot be strip ploughed (planted in rows 5 m apart or less), gardens, parkland or lawns, any of which will remain in use for several years after the survey*

[Not Applicable - The study area does not contain any of the above mentioned circumstances]

*e. properties where existing landscaping or infrastructure would be damaged. The presence of such obstacles must be documented in sufficient detail to demonstrate that ploughing or cultivation is not viable.*

[The lawn of the study area is an existing landscaping feature and therefore was not ploughable. All areas where existing landscaping or infrastructure would be damaged were test pit at an interval of 5 metres between individual test pits]

*f. narrow (10 m or less) linear survey corridors (e.g., water or gas pipelines, road widening). This includes situations where there are planned impacts 10 m or less beyond the previously impacted limits on both sides of an existing linear corridor (e.g., two linear survey corridors on either side of an existing roadway). Where at the time of fieldwork the lands within the linear corridor meet the standards as stated under the above section on pedestrian survey land preparation, pedestrian survey must be carried out. Space test pits at maximum intervals of 5 m (400 test pits per hectare) in areas less than 300 m from any feature of archaeological potential.*

[Not Applicable – The study area does not contain any linear corridors]

2. *Space test pits at maximum intervals of 5 m (400 test pits per hectare) in areas less than 300 m from any feature of archaeological potential.*  
[All test pits were spaced at an interval of 5m between individual test pits]
3. *Space test pits at maximum intervals of 10 m (100 test pits per hectare) in areas more than 300 m from any feature of archaeological potential.*  
[The entirety of the test pitted areas of the study area were assessed using high intensity test pit methodology]
4. *Test pit to within 1 m of built structures (both intact and ruins), or until test pits show evidence of recent ground disturbance.*  
[Not Applicable]
5. *Ensure that test pits are at least 30 cm in diameter.*  
[All test pits were at least 30 cm in diameter]
6. *Excavate each test pit, by hand, into the first 5 cm of subsoil and examine the pit for stratigraphy, cultural features, or evidence of fill.*  
[All test pits were excavated by hand into the first 5 cm of subsoil and examined for stratigraphy, cultural features, or evidence of fill]

7. *Screen soil through mesh no greater than 6 mm.*  
[All soil was screened through mesh no greater than 6 mm]
8. *Collect all artifacts according to their associated test pit.*  
[Not Applicable - No archaeological resources were encountered]
9. *Backfill all test pits unless instructed not to by the landowner.*  
[All test pits were backfilled]

(MTC 2011: 31-32)

The project lands that could be ploughed were subject to pedestrian survey at an interval of 5 metres between individual transects. The project lands that could not be ploughed due to existing landscaping and infrastructure as well as the presence of disturbance so these areas were subject to a test pit survey at an interval of 5 metres between individual test pits.

Approximately 95% of the study area consisted of ploughable lands that were subject to pedestrian survey at an interval of 5 metres between individual transects. Approximately 5% of the study area consisted of lawn area that was test pit at an interval of 5 metres between individual test pits.

## **6.4 FIELD WORK WEATHER CONDITIONS**

The conduct of the Stage 1-2 Archaeological Assessment of the study area was completed in accordance with the above noted standards on 29 August 2012 and 2 December 2012. The temperature was around 10°C and 5°C respectively. The work was completed under sunny and cloudy skies. Weather conditions were appropriate for the conduct of archaeological fieldwork.

## **7.0 RECORD OF FINDS**

Section 7.8.2 of the Standards and Guidelines for Consultant Archaeologists (MTC 2011: 137-138) outlines the requirements of the Record of Finds component of a Stage 2 report:

1. *For all archaeological resources and sites that are identified in Stage 2, provide the following:*
  - a. *a general description of the types of artifacts and features that were identified*
  - b. *a general description of the area within which artifacts and features were identified, including the spatial extent of the area and any relative variations in density*
  - c. *a catalogue and description of all artifacts retained*





*that have severely damaged the integrity of archaeological resources and have removed archaeological potential.”*

## **8.1 CHARACTERISTICS INDICATING ARCHAEOLOGICAL POTENTIAL**

Section 1.3.1 of the Standards and Guidelines for Consultant Archaeologists specifies the property characteristics that indicate archaeological potential (MTC 2011: 17-18). Factors that indicate archaeological potential are features of the local landscape and environment that may have attracted people to either occupy the land or to conduct activities within the study area. One or more of these characteristics found to apply to a study area would necessitate a Stage 2 Property Assessment to determine if archaeological resources are present. These characteristics are listed below together with considerations derived from the conduct of this study.

### *1) Previously Identified Archaeological Sites*

Previously documented archaeological sites related to First Nations activity and occupations have not been documented in the vicinity of the study area.

### *2) Water Sources*

Primary water sources are described as including lakes, rivers streams and creeks. Close proximity to primary water sources (300 metres) indicates that people had access to readily available sources of potable water and routes of waterborne trade and communication should the study area have been used or occupied in the past.

There are no identified primary water sources within 300 metres of the study area.

Secondary water sources are described as including intermittent streams and creeks, springs, marshes, and swamps. Close proximity (300 metres) to secondary water sources indicates that people had access to readily available sources of potable water, at least on a seasonal basis, and in some cases seasonal access to routes of waterborne trade and communication should the study area have been used or occupied in the past.

There are no identified secondary water sources within 300 metres of the study area.

### *3) Features Indicating Past Water Sources*

Features indicating past water resources are described as including glacial lake shorelines indicated by the presence of raised sand or gravel beach ridges, relic river or stream channels indicated by clear dip or swale in the topography, shorelines of drained lakes or marshes, and cobble beaches. Close proximity (300 metres) to features indicating past water sources indicates that people had access to readily available sources of potable water, at least on a seasonal basis, and in some cases

seasonal access to routes of waterborne trade and communication should the study area have been used or occupied in the past.

There are no identified features indicating past water sources within 300 metres of the study area.

4) *Accessible or Inaccessible Shoreline*

This form of landscape feature would include high bluffs, swamp or marsh fields by the edge of a lake, sandbars stretching into marsh, etc.

There are no shorelines within 300 metres of the study area.

5) *Elevated Topography*

Features of elevated topography that indicate archaeological potential include eskers, drumlins, large knolls, and plateaux.

There are no identified features of elevated topography within the study area.

6) *Pockets of Well-drained Sandy Soil*

Pockets of sandy soil are considered to be especially important near areas of heavy soil or rocky ground.

The soil throughout the study area is medium brown sandy loam with dark golden sand subsoil.

7) *Distinctive Land Formations*

These are landscape features that might have been special or spiritual places, such as waterfalls, rock outcrops, caverns, mounds, and promontories and their bases. There may be physical indicators of their use, such as burials, structures, offerings, rock paintings or carvings.

There are no identified distinctive land formations within the study area.

8) *Resource Areas*

Resource areas that indicate archaeological potential include food or medicinal plants (e.g., migratory routes, spawning areas, and prairie), scarce raw materials (e.g., quartz, copper, ochre or outcrops of chert) and resources of importance to early Euro-Canadian industry (e.g., logging, prospecting, and mining).

There are no identified resource areas within the study area.

9) *Areas of Early Euro-Canadian Settlement*

These include places of early military or pioneer settlement (e.g., pioneer homesteads, isolated cabins, and farmstead complexes), early wharf or dock complexes, pioneer

churches and early cemeteries. There may be commemorative markers of their history, such as local, provincial, or federal monuments or heritage parks.

The study area is situated within an area settled in the late 1840's. The study area is also situated within 100 metres west of an Euro-Canadian Anglican Cemetery 1865-1880.

*10) Early Historical Transportation Routes*

This includes evidence of trails, passes, roads, railways, portage routes.

The study area is situated adjacent to two early settlement roads that appear on the Historic Atlas Map of 1880.

*11) Heritage Property*

Property listed on a municipal register or designated under the *Ontario Heritage Act* or is a federal, provincial or municipal historic landmark or site.

There are no listed or designated heritage buildings or properties that form a part of the study area.

*12) Documented Historical or Archaeological Sites*

This includes property that local histories or informants have identified with possible archaeological sites, historical events, activities, or occupations. These are properties which have not necessarily been formally recognized or for which there is additional evidence identifying possible archaeological resources associated with historic properties in addition to the rationale for formal recognition.

There are no documented heritage features, or historic sites, or archaeological sites within the study area.

## **8.2 CHARACTERISTICS INDICATING REMOVAL OF ARCHAEOLOGICAL POTENTIAL**

Section 1.3.2 of the *Standards and Guidelines for Consultant Archaeologists* specifies the property characteristics which indicate no archaeological potential or for which archaeological potential has been removed (MTC 2011: 18-19). These characteristics are listed below together with considerations derived from the conduct of this study.

The introduction of Section 1.3.2 (MTC 2011: 18) notes that "*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 extensive and deep land alterations that have severely damaged the integrity of any archaeological resources. This is commonly referred to as 'disturbed' or 'disturbance', and may include:*"

1) Quarrying

There is no evidence to suggest that quarrying operations were ever carried out within the study area.

2) Major Landscaping Involving Grading Below Topsoil

Unless there is evidence to suggest the presence of buried archaeological deposits, such deeply disturbed areas are considered to have lost their archaeological potential. Properties that do not have a long history of Euro-Canadian occupation can have archaeological potential removed through extensive landscape alterations that penetrate below the topsoil layer. This is because most archaeological sites originate at grade with relatively shallow associated excavations into the soil. First Nations sites and early historic sites are vulnerable to extensive damage and complete removal due to landscape modification activities. In urban contexts where a lengthy history of occupation has occurred, properties may have deeply buried archaeological deposits covered over and sealed through redevelopment activities that do not include the deep excavation of the entire property for subsequent uses. Buildings are often erected directly over older foundations preserving archaeological deposits associated with the earlier occupation.

There is no evidence to suggest that major landscaping operations involving grading below topsoil were ever carried out within the study area.

3) Building Footprints

Typically, the construction of buildings involves the deep excavation of foundations, footings and cellars that often obliterate archaeological deposits situated close to the surface.

There are no buildings within the study area.

4) Sewage and Infrastructure Development

Installation of sewer lines and other below ground services associated with infrastructure development often involves deep excavation that can remove archaeological potential.

There is no evidence to suggest that below ground services of any kind have resulted in impacts to any portion of the study area.

*“Activities such as agricultural cultivation, gardening, minor grading and landscaping do not necessarily affect archaeological potential.”*

(MTC 2011: 18)

*“Archaeological potential is not removed where there is documented potential for deeply buried intact archaeological resources beneath land alterations, or where it cannot be clearly demonstrated through background research and property inspection that there has*

***2012 Stage 1-2 Archaeological Assessment of Zettler Lands - Walkerton Settlement Area Expansion, Part of Lots 32, 33, 34 and 35 Concession 1, North of Durham Road, Geographic Township of Brant, Formerly Town of Walkerton And Part of Park Lots 47 and 48, Registered Plan No. 162, Formerly in Town of Walkerton, Municipality of Brockton, County of Bruce (AMICK File #12028-P/MTC File #P058-892-2012)***

*been complete and intensive disturbance of an area. Where complete disturbance cannot be demonstrated in Stage 1, it will be necessary to undertake Stage 2 assessment.”*

(MTC 2011: 18)

Table 2 below summarizes the evaluation criteria of the Ministry of Tourism and Culture together with the results of the Stage 1 Background Study for the proposed undertaking. Based on the criteria, the property is deemed to have archaeological potential on the basis of proximity to water, the presence of sandy soils and the location of early historic settlement roads adjacent to the study area.

**2012 Stage 1-2 Archaeological Assessment of Zettler Lands - Walkerton Settlement Area Expansion, Part of Lots 32, 33, 34 and 35 Concession 1, North of Durham Road, Geographic Township of Brant, Formerly Town of Walkerton And Part of Park Lots 47 and 48, Registered Plan No. 162, Formerly in Town of Walkerton, Municipality of Brockton, County of Bruce (AMICK File #12028-P/MTC File #P058-892-2012)**

**TABLE 2 EVALUATION OF ARCHAEOLOGICAL POTENTIAL**

| FEATURE OF ARCHAEOLOGICAL POTENTIAL      |   | YES      | NO       | N/A | COMMENT  |
|--|---|----------|----------|-----|--|
| 1  | Known archaeological sites within 300m  |          | <b>N</b> |     | If es, otential determined   |
| <b>PHYSICAL FEATURES</b>                 |   |          |          |     |  |
| 2  | Is here ater n r ear he roperty?  |          | <b>N</b> |     | If es, hat ind f ater?   |
| 2a                                       | Primary water source within 300 m. (lakeshore, river, large creek, etc.)  |          | <b>N</b> |     | If es, otential determined   |
| 2b                                       | Secondary water source within 300 m. (stream, spring, marsh, swamp, etc.)   |          | <b>N</b> |     | If es, otential determined   |
| 2c                                       | Past water source within 300 m. (beach ridge, river bed, relic creek, etc.)   |          | <b>N</b> |     | If es, otential determined   |
| 2d                                       | Accessible or Inaccessible shoreline within 300 m. (high bluffs, marsh, swamp, sand bar, etc.)  |          | <b>N</b> |     | If es, otential determined   |
| 3  | Elevated topography (knolls, drumlins, eskers, plateaus, etc.)  |          | <b>N</b> |     | If es, nd es or ny f 9, potential determined                               |
| 4  | Pockets of sandy soil in a clay or rocky area   |          | <b>N</b> |     | If es nd es or ny f , 5 9, potential determined                            |
| 5  | Distinctive land formations (mounds, caverns, waterfalls, peninsulas, etc.)   |          | <b>N</b> |     | If es nd es or ny f 4, 6 9, potential determined                           |
| <b>HISTORIC/PREHISTORIC USE FEATURES</b> |   |          |          |     |  |
| 6  | Associated with food or scarce resource harvest areas (traditional fishing locations, agricultural/berry extraction areas, etc.)                          |          | <b>N</b> |     | If es, nd es or ny f 5, 7 9, potential determined.                         |
| 7  | Early Euro Canadian settlement area within 300 m.   | <b>Y</b> |          |     | If Yes, and Yes for any of 3 6, 8 9, potential determined                  |
| 8  | Historic Transportation route within 100 m. (historic road, trail, portage, rail corridors, etc.)   | <b>Y</b> |          |     | If es, nd es or ny 7 or 9, potential determined                            |
| 9  | Contains property designated and/or listed under the Ontario Heritage Act (municipal heritage committee, municipal register, etc.)                        |          | <b>N</b> |     | If es nd, es o ny f 8, potential determined                                |
| <b>APPLICATION SPECIFIC INFORMATION</b>  |   |          |          |     |  |
| 10                                       | Local knowledge (local heritage organizations, First Nations, etc.)   |          | <b>N</b> |     | If es, otential determined   |
| 11                                       | Recent disturbance not including agricultural cultivation (post 1960 confirmed extensive and intensive including industrial sites, aggregate areas, etc.) |          | <b>N</b> |     | If es, o otential or low potential in affected part (s) of the study area. |

If **YES** to any of 1, 2a c, or 10 Archaeological Potential is **confirmed**

If **YES** to 2 or more of 3 9, Archaeological Potential is **confirmed**

If **YES** to 11 or No to 1 10 Low Archaeological Potential is **confirmed** for at least a portion of the study area.

### **8.3 STAGE 1 RESULTS**

As a result of the Stage 1 portion of the study it was determined that the study area has archaeological potential on the basis of proximity to water, the presence of sandy soils and the location of early historic settlement roads adjacent to the study area and the close proximity to an Euro-Canadian Anglican Cemetery.

### **8.4 STAGE 2 ANALYSIS AND RECOMMENDATIONS**

Section 7.8.3 of the Standards and Guidelines for Consultant Archaeologists (MTC 2011: 138-139) outlines the requirements of the Analysis and Conclusions component of a Stage 2 Physical Assessment.

1. *Summarize all finding from the Stage 2 survey, or state that no archaeological sites were identified.*
2. *For each archaeological site, provide the following analysis and conclusions:*
  - a. *A preliminary determination, to the degree possible, of the age and cultural affiliation of any archaeological sites identified.*
  - b. *A comparison against the criteria in 2 Stage 2: Property Assessment to determine whether further assessment is required*
  - c. *A preliminary determination regarding whether any archaeological sites identified in Stage 2 show evidence of a high level cultural heritage value or interest and will thus require Stage 4 mitigation.*

No archaeological sites or resources were found during the Stage 2 survey of the study area.

## **9.0 RECOMMENDATIONS**

### **9.1 STAGE 1 RECOMMENDATIONS**

Under Section 7.7.4 of the Standards and Guidelines for Consultant Archaeologists (MTC 2011: 133) the recommendations to be made as a result of a Stage 1 Background Study are described.

- 1) *Make recommendations regarding the potential for the property, as follows:*
  - a. *if some or all of the property has archaeological potential, identify areas recommended for further assessment (Stage 2) and areas not recommended for further assessment. Any exemptions from further assessment must be consistent with the archaeological fieldwork standards and guidelines.*
  - b. *if no part of the property has archaeological potential, recommend that the property does not require further archaeological assessment.*
- 2) *Recommend appropriate Stage 2 assessment strategies.*



The study area has been identified as an area of archaeological potential.

The study area is roughly 21.3 hectares in size consists of mostly ploughable lands. Located adjacent to Bruce Road 19 is a small lawn area. The study area also consists of a hydro corridor. The gravel driveway was determined to have low or no potential and therefore it is recommended that there is no further archaeological concern for these areas. The entire study area was determined to have potential and Stage 2 assessment was therefore conducted using a combination of pedestrian and test pit survey methodologies in accordance with the Standards governing the use of each method.

All portions of the property that could be ploughed were ploughed in advance of the assessment and were well weathered. The pedestrian survey was completed on all ploughed lands at an interval of 5 metres in between individual transects. Any areas that could not be ploughed were subject to assessment using the test pit methodology. Test pits were dug at a fixed interval of 5 metres across the surface area. Test pits measured a minimum of 30 centimeters in diameter and were dug at least 5 centimeters into the subsoil beneath the topsoil layer. All excavated earth was screened through 6 mm wire mesh to ensure that any artifacts contained within the soil matrix are recovered. All test pits were back filled and restored as much as was reasonably possible to the level of the surrounding grade.

## **9.2 STAGE 2 RECOMMENDATIONS**

Under Section 7.8.4 of the Standards and Guidelines for Consultant Archaeologists (MTC 2011: 139) the recommendations to be made as a result of a Stage 2 Physical Assessment are described.

- 1) *For each archaeological site, provide a statement of the following:*
  - a. *Borden number or other identifying number*
  - b. *Whether or not it is of further cultural heritage value or interest*
  - c. *Where it is of further cultural heritage value or interest, appropriate Stage 3 assessment strategies*
- 2) *Make recommendations only regarding archaeological matters. Recommendations regarding built heritage or cultural heritage landscapes should not be included.*
- 3) *If the Stage 2 survey did not identify any archaeological sites requiring further assessment or mitigation of impacts, recommend that no further archaeological assessment of the property be required.*

As a result of the physical assessment of the study area, no archaeological resources were encountered. Consequently, it is recommended no further archaeological assessment of the property is required.

## **10.0 ADVICE ON COMPLIANCE WITH LEGISLATION**

While not part of the archaeological record, this report must include the following standard advisory statements for the benefit of the proponent and the approval authority in the land use planning and development process:

- a. This report is submitted to the Minister of Tourism and Culture as a condition of licensing in accordance with Part VI of the Ontario Heritage Act, R.S.O. 1990, c. 0.18. The report is reviewed to ensure that it complies with the standards and guidelines issued by the Minister, and that the archaeological fieldwork and report recommendations ensure the conservation, protection and preservation of the cultural heritage of Ontario. When all matters relating to archaeological sites within the project area of a development proposal have been addressed to the satisfaction of the Ministry of Tourism and Culture, a letter will be issued by the ministry stating that there are no further concerns with regard to alterations to archaeological sites by the proposed development.*
- b. It is an offence under Sections 48 and 69 of the Ontario Heritage Act for any party other than a licensed archaeologist to make any alteration to a known archaeological site or to remove any artifact or other physical evidence of past human use or activity from the site, until such time as a licensed archaeologist has completed archaeological fieldwork on the site, submitted a report to the Minister stating that the site has no further cultural heritage value or interest, and the report has been filed in the Ontario Public Register of Archaeological Reports referred to in Section 65.1 of the Ontario Heritage Act.*
- c. Should previously undocumented archaeological resources be discovered, they may be a new archaeological site and therefore subject to Section 48 (1) of the Ontario Heritage Act. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed archaeologist to carry out archaeological fieldwork, in compliance with sec. 48 (1) of the Ontario Heritage Act.*
- d. The Cemeteries Act, R.S.O. 1990, c. C.4 and the Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33 (when proclaimed in force) require that any person discovering human remains must notify the police or coroner and the Registrar of Cemeteries at the Ministry of Consumer Services.*
- e. Archaeological sites recommended for further archaeological fieldwork or protection remain subject to Section 48 (1) of the Ontario Heritage Act and may not be altered, or have artifacts removed from them, except by a person holding an archaeological licence.*

## **11.0 BIBLIOGRAPHY AND SOURCES**

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## 12.0 MAPS

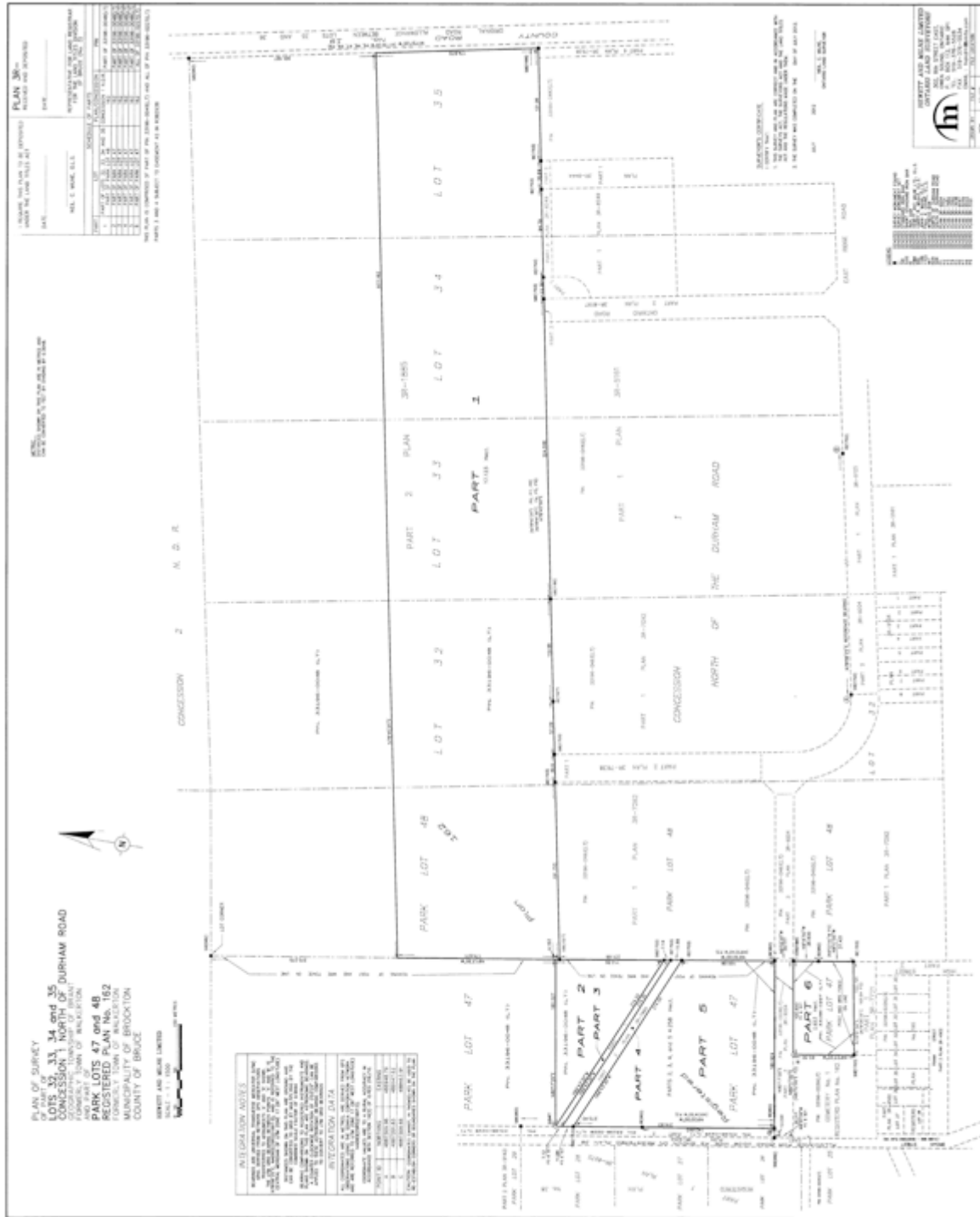


FIGURE 1 LOCATION OF THE STUDY AREA (GOOGLE MAPS 2012)



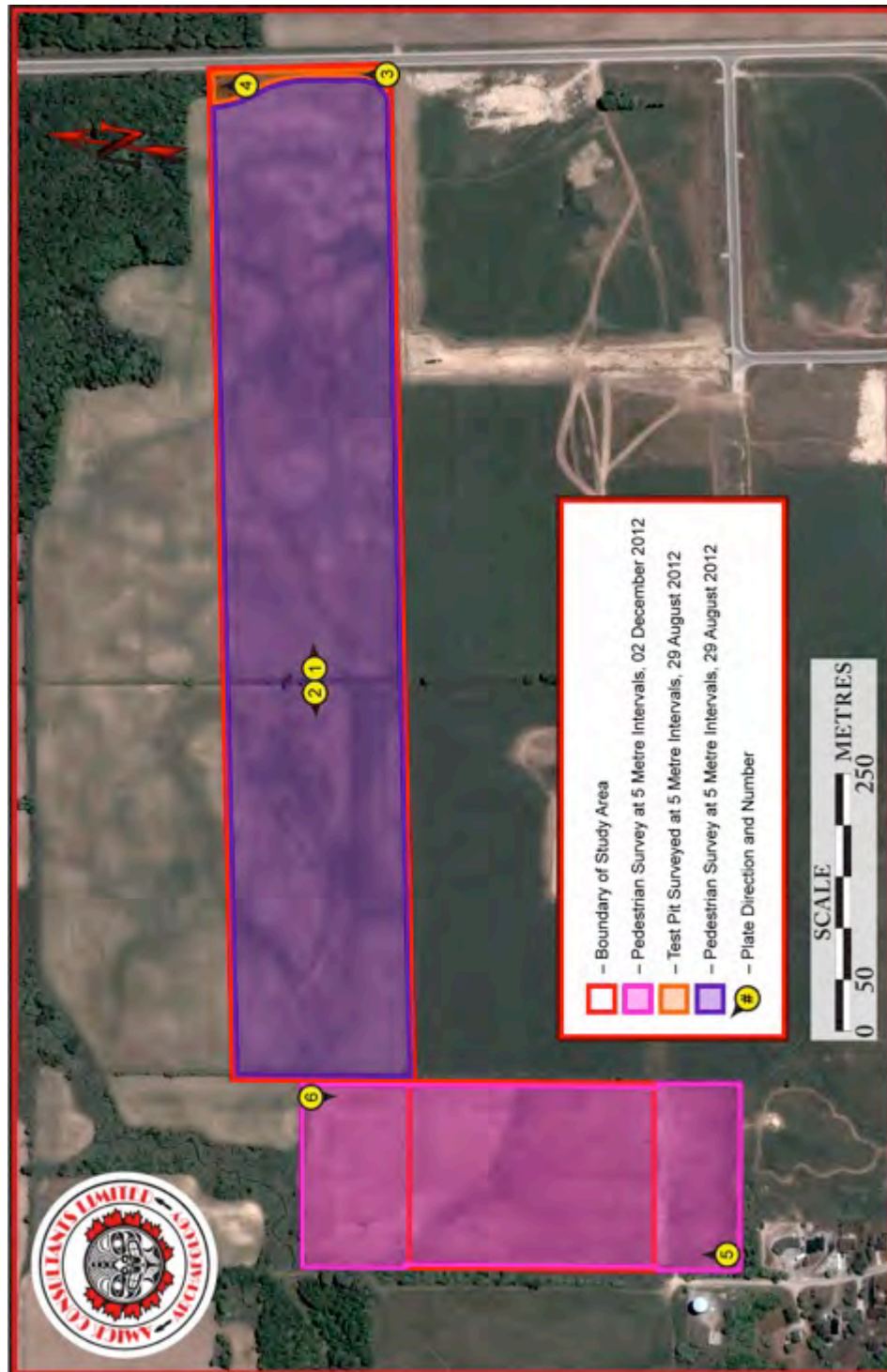
FIGURE 2 HISTORIC ATLAS MAP TOWNSHIP OF BRANT (H. Belden 1880)

**2012 Stage 1-2 Archaeological Assessment of Zettler Lands - Walkerton Settlement Area Expansion, Part of Lots 32, 33, 34 and 35 Concession 1, North of Durham Road, Geographic Township of Brant, Formerly Town of Walkerton And Part of Park Lots 47 and 48, Registered Plan No. 162, Formerly in Town of Walkerton, Municipality of Brockton, County of Bruce (AMICK File #12028-P/MTC File #P058-892-2012)**



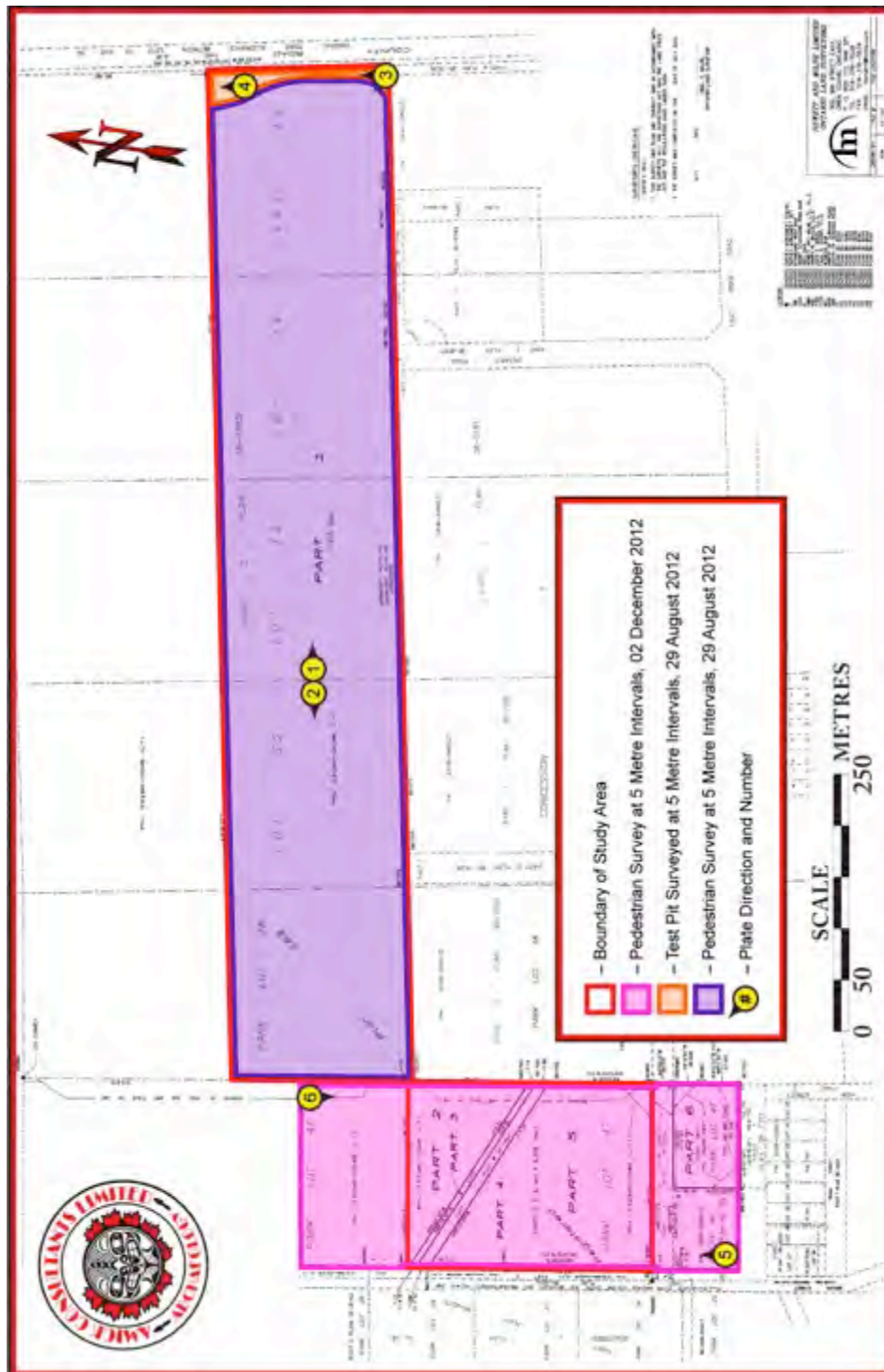
**FIGURE 3 PLAN OF SURVEY (HEWETT AND MILNE LIMITED 2012)**

*2012 Stage 1-2 Archaeological Assessment of Zettler Lands - Walkerton Settlement Area Expansion, Part of Lots 32, 33, 34 and 35 Concession 1, North of Durham Road, Geographic Township of Brant, Formerly Town of Walkerton And Part of Park Lots 47 and 48, Registered Plan No. 162, Formerly in Town of Walkerton, Municipality of Brockton, County of Bruce (AMICK File #12028-P/MTC File #P058-892-2012)*



**FIGURE 4      AERIAL PHOTO OF THE STUDY AREA (GOOGLE EARTH 2011)**

*2012 Stage 1-2 Archaeological Assessment of Zettler Lands - Walkerton Settlement Area Expansion, Part of Lots 32, 33, 34 and 35 Concession 1, North of Durham Road, Geographic Township of Brant, Formerly Town of Walkerton And Part of Park Lots 47 and 48, Registered Plan No. 162, Formerly in Town of Walkerton, Municipality of Brockton, County of Bruce (AMICK File #12028-P/MTC File #P058-892-2012)*



**FIGURE 5 DETAILED PLAN OF THE STUDY AREA**



*2012 Stage 1-2 Archaeological Assessment of Zettler Lands - Walkerton Settlement Area Expansion, Part of Lots 32, 33, 34 and 35 Concession 1, North of Durham Road, Geographic Township of Brant, Formerly Town of Walkerton And Part of Park Lots 47 and 48, Registered Plan No. 162, Formerly in Town of Walkerton, Municipality of Brockton, County of Bruce (AMICK File #12028-P/MTC File #P058-892-2012)*

**13.0 IMAGES**

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|---|--|
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| <p>PLATE 1 29 AUGUST 2012 PEDESTRIAN SURVEY CONDITIONS, FACING EAST</p>             | <p>PLATE 2 29 AUGUST 2012 PEDESTRIAN SURVEY CONDITIONS, FACING WEST</p>              |
|   |   |
| <p>PLATE 3 29 AUGUST 2012 TEST PIT SURVEY CONDITIONS FACING NORTH</p>               | <p>PLATE 4 29 AUGUST 2012 TEST PIT SURVEY CONDITIONS FACING NORTH</p>                |
|  |  |
| <p>PLATE 5 02 DECEMBER 2012 PEDESTRIAN SURVEY CONDITIONS, FACING NORTH</p>          | <p>PLATE 6 02 DECEMBER 2012 PEDESTRIAN SURVEY CONDITIONS, FACING SOUTH</p>           |



## 1.0 PROJECT REPORT COVER PAGE

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P384

### PROJECT INFORMATION:

Corporate Project Number:

14484-K

MTCS Project Number:

P384-0197-2014

Investigation Type:

Stage 1-2 Archaeological Assessment

Project Name:

East Ridge Business Park.

Project Location:

East Ridge Business Park, Part of Lot 32, and 33,  
Concession 1 North of Durham Road, Geographic  
Township of Brant, Formerly in Town of Walkerton,  
Municipality of Brockton, County of Bruce.

### APPROVAL AUTHORITY INFORMATION:

File Designation Number:

Not Currently Available

### REPORTING INFORMATION:

Site Record/Update Forms:

N/A

Date of Report Filing:

25 August 2015

Type of Report:

**ORIGINAL**

## **2.0 EXECUTIVE SUMMARY**

This report describes the conduct and results of the 2015 Stage 1-2 Archaeological Assessment of East Ridge Business Park, Part of Lot 32, and 33, Concession 1 North of Durham Road, Geographic Township of Brant, Formerly in Town of Walkerton, Municipality of Brockton, County of Bruce, conducted by AMICK Consultants Limited. This study was conducted under Archaeological Professional License #P384 issued to Kayleigh MacKinnon by the Minister of Tourism, Culture and Sport for the Province of Ontario. This assessment was undertaken as a component study of a Municipal Class EA, a requirement under the Environmental Assessment Act (RSO 1990b), in order to support proposed commercial business complex. All work was conducted in conformity with Ontario Ministry of Tourism and Culture (MTC) Standards and Guidelines for Consultant Archaeologists (MTC 2011), the Ontario Heritage Act (RSO 1990a), and the Ontario Heritage Amendment Act (SO 2005).

AMICK Consultants Limited was engaged by the proponent to undertake a Stage 1-2 Archaeological Assessment of lands potentially affected by the proposed undertaking and was granted permission to carry out archaeological fieldwork. The entirety of the study area was subject to property inspection and photographic documentation concurrently with the Stage 2 Property Assessment on 15 April 2015, 16 April 2015, 7 May 2015, 11 May 2015, and 12 May 2015, consisting of high-intensity test pit survey at an interval of five metres between individual test pits and high intensity pedestrian survey at an interval of five metres between individual transects. All records, documentation, field notes, photographs and artifacts (as applicable) related to the conduct and findings of these investigations are held at the Lakelands District corporate offices of AMICK Consultants Limited until such time that they can be transferred to an agency or institution approved by the Ontario Ministry of Tourism, Culture and Sport (MTCS) on behalf of the government and citizens of Ontario.

As a result of the property Assessment of the study area, no archaeological resources were encountered. Consequently, the following recommendations are made:

- 1) *No further archaeological assessment of the study area is warranted;*
- 2) *The Provincial interest in archaeological resources with respect to the proposed undertaking has been addressed;*
- 3) *The proposed undertaking is clear of any archaeological concern and development activity within the study area may now proceed.*

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## **5.0 PROJECT BACKGROUND**

### **5.1 DEVELOPMENT CONTEXT**

This report describes the results of the 2015 Stage 1-2 Archaeological Assessment of East Ridge Business Park, Part of Lot 32, and 33, Concession 1 North of Durham Road, Geographic Township of Brant, Formerly in Town of Walkerton, Municipality of Brockton, County of Bruce, conducted by AMICK Consultants Limited. This study was conducted under Archaeological Professional License #P384 issued to Kayleigh MacKinnon by the Minister of Tourism, Culture and Sport for the Province of Ontario. This assessment was undertaken as a component study of a Municipal Class EA, a requirement under the Environmental Assessment Act (RSO 1990b), in order to support proposed commercial business complex. All work was conducted in conformity with Ontario Ministry of Tourism and Culture (MTC) Standards and Guidelines for Consultant Archaeologists (MTC 2011), the Ontario Heritage Act (RSO 1990a), and the Ontario Heritage Amendment Act (SO 2005).

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The proposed development of the study area is a commercial business building complex. A determination the building plan has not been submitted at this time.

### **5.2 HISTORICAL CONTEXT**

As part of the present study, background research was conducted in order to determine the archaeological potential of the proposed project area.

*“A Stage 1 background study provides the consulting archaeologist and Ministry report reviewer with information about the known and potential cultural heritage resources within a particular study area, prior to the start of the field assessment.”* (OMCzCR 1993)

The evaluation of potential is further elaborated Section 1.3 of the Standards and Guidelines for Consultant Archaeologist (2011) prepared by the Ontario Ministry of Tourism and Culture:

*“ The Stage 1 background study (and, where undertaken, property inspection) leads to an evaluation of the property’s archaeological potential. If the evaluation indicates that there is archaeological potential anywhere on the property, the next step is a Stage 2 assessment.”*  
(MTC 2011: 17)

Features or characteristics that indicate archaeological potential when documented within the study area, or within close proximity to the study area (as applicable), include:

- “ - previously identified archaeological sites*
  - water sources (It is important to distinguish types of water and shoreline, and to distinguish natural from artificial water sources, as these features affect site locations and types to varying degrees.):*
    - primary water sources (lakes, rivers, streams, creeks)*
    - secondary water sources (intermittent streams and creeks, springs, marshes, swamps)*
    - features indicating past water sources (e.g., glacial lake shorelines indicated by the presence of raised sand or gravel beach ridges, relic river or stream channels indicated by clear dip or swale in the topography, shorelines of drained lakes or marshes, cobble beaches)*
    - accessible or inaccessible shoreline (e.g., high bluffs, swamp or marsh fields by the edge of a lake, sandbars stretching into marsh)*
  - elevated topography (e.g., eskers, drumlins, large knolls, plateaux)*
  - pockets of well-drained sandy soil, especially near areas of heavy soil or rocky ground*
  - distinctive land formations that might have been special or spiritual places, such as waterfalls, rock outcrops, caverns, mounds, and promontories and their bases. There may be physical indicators of their use, such as burials, structures, offerings, rock paintings or carvings.*
  - resource areas, including:*
    - food or medicinal plants (e.g., migratory routes, spawning areas, prairie)*
    - scarce raw materials (e.g., quartz, copper, ochre or outcrops of chert)*
    - early Euro-Canadian industry (e.g., fur trade, logging, prospecting, mining)*
  - areas of early Euro-Canadian settlement. These include places of early military or pioneer settlement (e.g., pioneer homesteads, isolated cabins, farmstead complexes), early wharf or dock complexes, pioneer churches and early cemeteries. There may be commemorative markers of their history, such as local, provincial, or federal monuments or heritage parks.*
  - Early historical transportation routes (e.g., trails, passes, roads, railways, portage routes)*
  - property listed on a municipal register or designated under the Ontario Heritage Act that is a federal, provincial or municipal historic landmark or site*
  - property that local histories or informants have identified with possible archaeological sites, historical events, activities, or occupations”*

(MTC 2011: 17-18)

The evaluation of potential does not indicate that sites are present within areas affected by proposed development. Evaluation of potential considers the possibility for as yet undocumented sites to be found in areas that have not been subject to systematic archaeological investigation in the past. Potential for archaeological resources is used to determine if property assessment of a study area or portions of a study area is required.

*“Archaeological resources not previously documented may also be present in the affected area. If the alternative areas being considered, or the preferred alternative selected, exhibit either high or medium potential for the discovery of archaeological remains an archaeological assessment will be required.”*

(MCC & MOE 1992: 6-7)

*“The Stage 1 background study (and, where undertaken, property inspection) leads to an evaluation of the property’s archaeological potential. If the evaluation indicates that there is archaeological potential anywhere on the property, the next step is a Stage 2 assessment.”*

(MTC 2011: 17)

In addition, the collected data is also used to determine if any archaeological resources had been formerly documented within or in close proximity to the study area and if these same resources might be subject to impacts from the proposed undertaking. This data was also collected in order to establish the significance of any resources that might be encountered during the conduct of the present study. The requisite archaeological sites data was collected from the Programs and Services Branch, Culture Programs Unit, MTCS and the corporate research library of AMICK Consultants Limited

### **5.2.1 CURRENT CONDITIONS**

The present use of the study area is as actively farmed agricultural land. The study area is roughly 41 hectares in area, 4 hectares of meadow and 37 hectares of ploughed field. The study area includes within it mostly ploughable lands. The study area is gently rolling. 3 earth mounds are situated in the center, center south boundary, and center east boundary of the study area. A drainage ditch extends east-west 250 metres from the western boundary and 25 metres from the southern boundary for 50 metres. A meadow boundary runs north-south dividing two equal size land parcels, both bounded on all sides by strips of meadow. The eastern boundary of the property is adjacent to Ontario Road, the southern boundary to Eastridge Road, a solar power farm, and an agricultural meadow, and the western and northern boundaries are adjacent to agricultural fields. The study area is approximately 450 metres northwest of the intersection of Bruce Road 19 and Bruce County Road 4. A plan of the study area is included within this report as Figure 3. Current conditions encountered during the Stage 1-2 Property Assessment are illustrated in Figures 4 & 5.



## **5.2.2 GENERAL HISTORICAL OUTLINE**

This summary history of Bruce County is derived from the Bruce County Museum and Cultural Centre (BCMCC). Bruce County was first inhabited by various First Nation cultures, who were attracted to this area because of the abundant fishing, clear waters and offered secure living conditions. After the battle between the Iroquois and Algonquians for the land, this area was predominately inhabited by the Huron, Ottawa and Petun. It was not until the 1800's that this area started to see an influx of settlers from Europe, although there had been a few explorers who had previously based through this area, the information they provided was not substantial. The area was surveyed and divided into lots for farming. The first settlers did not arrive in this area until 1850. And growth in this area was slow, due to the difficulties in transportation to the area. Bruce officially became an independent county in 1867, as it had been previously part of the United Counties of Huron and Perth (BCMCC 2012).

The Township of Brant was named after the celebrated First Nations chief, Joseph Brant, or Thayendanegea. It is the largest township in the Bruce County. The first lands open for settlement in 1819 were "free grants" consisting of the first and second concessions north and south of Durham Road. The rest of the township was opened for settlement 1851. In 1865, Walkerton became the County Town for Bruce County. Brant Township contains within it Cargill, Dunkeld, Eden Grove, Ellengowan, Elmwood, Maple Hill, Malcolm, Scone, Hanover, and Walkerton. (Robertson 1906).

Figure 2 is a facsimile segment from the Illustrated Atlas of the Dominion of Canada Bruce County Supplement (Belden 1880). Figure 2 illustrates the location of the study area and environs as of 1880. The study area is not shown to belong to anyone and no structures are shown to be within the study area.

It must be borne in mind that inclusion of names of property owners and depictions of structures within properties on these maps were sold by subscription. While information included within these maps may provide information about occupation of the property at a specific point in time, the absence of such information does not indicate that the property was not occupied.

## **5.2.3 SUMMARY OF HISTORICAL CONTEXT**

The brief overview of documentary evidence readily available indicates that the study area is situated within an area that was close to the historic transportation routes and in an area well populated during the nineteenth century and as such has potential for sites relating to early Euro-Canadian settlement in the region.

## **5.3 ARCHAEOLOGICAL CONTEXT**

The Archaeological Sites Database administered by the Ministry of Tourism, Culture and Sport (MTCS) indicates that there are no (0) previously documented sites within 1 kilometre

***2015 Stage 1-2 Archaeological Assessment of East Ridge Business Park, Part of Lot 32, and 33, Concession 1 North of Durham Road, Geographic Township of Brant, Formerly in Town of Walkerton, Municipality of Brockton, County of Bruce (AMICK File #14484-K/MTCS File #P384-0197-2014)***

of the study area. However, it must be noted that this is based on the assumption of the accuracy of information compiled from numerous researchers using different methodologies over many years. AMICK Consultants Limited assumes no responsibility for the accuracy of site descriptions, interpretations such as cultural affiliation, or location information derived from the Archaeological Sites Database administered by MTCS. In addition, it must also be noted that a lack of formerly documented sites does not indicate that there are no sites present as the documentation of any archaeological site is contingent upon prior research having been conducted within the study area.

Background research shows that one (1) previous study has taken place within 50m of the study area. For further information see:

AMICK Consultants Limited. (2012). *Stage 1-2 Archaeological Assessment of Zettler Lands - Walkerton Settlement Area Expansion, Part of Lots 32, 33, 34 and 35 Concession 1, North of Durham Road, Geographic Township of Brant, Formerly Town of Walkerton And Part of Park Lots 47 and 48, Registered Plan No. 162, Formerly in Town of Walkerton, Municipality of Brockton, County of Bruce.* (P058-892-2012) Port McNicoll, Ontario. Archaeological Licence Report on File With the Ministry of Tourism, Culture and Sport, Toronto, Ontario.

Data contained in previous archaeological reports in close proximity to the study area that is relevant to Stage 1 Background Study is defined within the Standards and Guidelines for Consultant Archaeologists in Section 7.5.8 Standard 4 as follows:

*“Provide descriptions of previous archaeological fieldwork carried out within the limits of, or immediately adjacent to the project area, as **documented by all available reports that include archaeological fieldwork carried out on the lands to be impacted by this project, or where reports document archaeological sites immediately adjacent (i.e., within 50 m) to those lands.**”*

(MTCS 2011: 126 Emphasis Added)

There are no previous reports detailing, “*archaeological fieldwork carried out on the lands to be impacted by this project*”, nor do any previous reports document known archaeological sites within 50 metres of the study area.

### **5.3.1 FIRST NATIONS REGISTERED SITES**

A summary of registered and/or known archaeological sites within a 1-kilometre radius of the study area was gathered from the Archaeological Sites Database, administered by MTCS. As a result it was determined that no (0) archaeological sites relating directly to First Nations habitation/activity have been formally registered within the immediate vicinity of the study area. However, the lack of formally documented archaeological sites does not mean that First Nations people did not use the area; it more likely reflects a lack of systematic archaeological research in the immediate vicinity.

The distance to water criteria used to establish potential for archaeological sites does not suggest potential for First Nations occupation and land use in the area in the past. This consideration diminishes archaeological potential within the study area.

Table 1 illustrates the chronological development of cultures within southern Ontario prior to the arrival of European cultures to the area at the beginning of the 17<sup>th</sup> century. This general cultural outline is based on archaeological data and represents a synthesis and summary of research over a long period of time. It is necessarily generalizing and is not necessarily representative of the point of view of all researchers or stakeholders. It is offered here as a rough guideline and outline to illustrate the relationships of broad cultural groups and time periods.

### **5.3.2 EURO-CANADIAN REGISTERED SITES**

A summary of registered and/or known archaeological sites within a 1-kilometre radius of the study area was gathered from the Archaeological Sites Database, administered by MTCS. As a result it was determined that no (0) archaeological sites relating directly to Euro-Canadian habitation/activity have been formally registered within the immediate vicinity of the study area.

**TABLE 1 CULTURAL CHRONOLOGY FOR SOUTH-CENTRAL ONTARIO**

| <b>Years ago</b>                       | <b>Period</b>     | <b>Southern Ontario</b>  |
|--|-------------------|--|
| 250                                    | Terminal Woodland | Ontario Iroquois and St. Lawrence Iroquois Cultures                  |
| 1000<br>2000                           | Initial Woodland  | Princess Point Culture<br>Saugeen-Point Peninsula-Meadowood Cultures |
| 3000<br>4000<br>5000<br>6000           | Archaic           | Laurentian Culture   |
| 7000<br>8000<br>9000<br>10000<br>11000 | Palaeo-Indian     | Plano Culture<br>Clovis Culture                                      |
|  |                   | (Wright 1972)  |

### **5.3.3 LOCATION AND CURRENT CONDITIONS**

The study area is described as East Ridge Business Park, Part of Lot 32, and 33, Concession 1 North of Durham Road, Geographic Township of Brant, Formerly in Town of Walkerton, Municipality of Brockton, County of Bruce. This assessment was undertaken as a component study of a Municipal Class EA, a requirement under the Environmental Assessment Act (RSO 1990b), in order to support proposed commercial business complex.

The present use of the study area is as actively farmed agricultural land. The study area is roughly 41 hectares in area, 4 hectares of meadow and 37 hectares of ploughed field. The study area includes within it mostly ploughable lands. The study area is gently rolling. 3 earth mounds are situated in the center, center south boundary, and center east boundary of the study area. A drainage ditch extends east-west 250 metres from the western boundary and 25 metres from the southern boundary for 50 metres. A meadow boundary runs north-south dividing two equal size land parcels, both bounded on all sides by strips of meadow. The eastern boundary of the property is adjacent to Ontario Road, the southern boundary to Eastridge Road, a solar power farm, and an agricultural meadow, and the western and northern boundaries are adjacent to agricultural fields. The study area is approximately 450 metres northwest of the intersection of Bruce Road 19 and Bruce County Road 4. A plan of the study area is included within this report as Figure 3. Current conditions encountered during the Stage 1-2 Property Assessment are illustrated in Figures 4 & 5.

### **5.3.4 PHYSIOGRAPHIC REGION**

The study area is situated within the Horseshoe Moraines physiographic region. The surface is composed of two chief landform components (a) the irregular stony knobs and ridges which are composed mostly of till with some sand and gravel deposits (kames) and (b) the more or less pitted sand and gravel terraces and swampy valley floors. Huron clay is the most representative soil type. The average depth is 18-20 inches and it is generally susceptible to erosion. The general elevation is from 800 to 1700 feet a.s.l. (Chapman and Putnam 1984: 127-129).

### **5.3.5 SURFACE WATER**

Sources of potable water, access to waterborne transportation routes, and resources associated with watersheds are each considered, both individually and collectively to be the highest criteria for determination of the potential of any location to support extended human activity, land use, or occupation. Accordingly, proximity to water is regarded as the primary indicator of archaeological site potential. The Standards and Guidelines for Consultant Archaeologists stipulates that undisturbed lands within 300 metres of a water source are considered to have archaeological potential (MTC 2011: 21).

There are no known natural sources of potable water within 300 metres of the study area.

### **5.3.6 CURRENT PROPERTY CONDITIONS CONTEXT**

Current characteristics encountered within an archaeological research study area determine if property Assessment of specific portions of the study area will be necessary and in what manner a Stage 2 Property Assessment should be conducted, if necessary. Conventional assessment methodologies include pedestrian survey on ploughable lands and test pit methodology within areas that cannot be ploughed. For the purpose of determining where property Assessment is necessary and feasible, general categories of current landscape conditions have been established as archaeological conventions. These include:

#### **5.3.6.1 BUILDINGS AND STRUCTURAL FOOTPRINTS**

A building, in archaeological terms, is a structure that exists currently or has existed in the past in a given location. The footprint of a building is the area of the building formed by the perimeter of the foundation. Although the interior area of building foundations would often be subject to property Assessment when the foundation may represent a potentially significant historic archaeological site, the footprints of existing structures are not typically assessed. Existing structures commonly encountered during archaeological assessments are often residential-associated buildings (houses, garages, sheds), and/or component buildings of farm complexes (barns, silos, greenhouses). In many cases, even though the disturbance to the land may be relatively shallow and archaeological resources may be situated below the disturbed layer (e.g. a concrete garage pad), there is no practical means of assessing the area beneath the disturbed layer. However, if there were evidence to suggest that there are likely archaeological resources situated beneath the disturbance, alternative methodologies may be recommended to study such areas.

The study area contains no buildings or structural footprints.

#### **5.3.6.2 DISTURBANCE**

Areas that have been subjected to extensive and deep land alteration that has severely damaged the integrity of archaeological resources are known as land disturbances. Examples of land disturbances are areas of “past quarrying, major landscaping, recent built and industrial uses, sewage and infrastructure development, etc.” (MCL 2005: 15), as well as driveways made of gravel or asphalt or concrete, in-ground pools, and wells or cisterns. Surfaces paved with interlocking brick, concrete, asphalt, gravel and other surfaces meant to support heavy loads or to be long wearing hard surfaces in high traffic areas, must be prepared by the excavation and removal of topsoil, grading, and the addition of aggregate material to ensure appropriate engineering values for the supporting matrix and also to ensure that the installations shed water to avoid flooding or moisture damage. All hard surfaced areas are prepared in this fashion and therefore have no or low archaeological potential. Major utility lines are conduits that provide services such as water, natural gas, hydro, communications, sewage, and others. These major installations should not be confused with minor below ground service installations not considered to represent significant disturbances removing archaeological potential, such as services leading to individual structures which

tend to be comparatively very shallow and vary narrow corridors. Areas containing substantial and deeply buried services or clusters of below ground utilities are considered areas of disturbance, and may be excluded from Stage 2 Property Assessment. Disturbed areas are excluded from Stage 2 Property Assessment due to no or low archaeological potential and often because they are also not viable to assess using conventional methodology.

*“Earthwork is one of the major works involved in road construction. This process includes excavation, material removal, filling, compaction, and construction. Moisture content is controlled, and compaction is done according to standard design procedures. Normally, rock explosion at the road bed is not encouraged. While filling a depression to reach the road level, **the original bed is flattened after the removal of the topsoil.** The fill layer is distributed and compacted to the designed specifications. This procedure is repeated until the compaction desired is reached. **The fill material should not contain organic elements,** and possess a low index of plasticity. Fill material can include gravel and decomposed rocks of a particular size, but should not consist of huge clay lumps. Sand clay can be used. The area is considered to be adequately compacted when the roller movement does not create a noticeable deformation. **The road surface finish is reliant on the economic aspects, and the estimated usage.**” [Emphasis Added]*

(Goel 2013)

The supporting matrix of a hard paved surface cannot contain organic material, which is subject to significant compression, decay and moisture retention. Topsoil has no engineering value and must be removed in any construction application where the surface finish at grade requires underlying support.

Installation of sewer lines and other below ground services associated with infrastructure development often involves deep excavation that can remove archaeological potential. This consideration does not apply to relatively minor below ground services that connect structures and facilities to services that support their operation and use. Major servicing corridors will be situated within adjacent road allowances with only minor, narrow and relatively shallow underground services entering into the study area to connect existing structures to servicing mainlines. The relatively minor, narrow and shallow services buried within a residential property do not require such extensive ground disturbance to remove or minimize archaeological potential within affected areas.

The study area does contain previous disturbances. A drainage extends east-west 250 metres from the western boundary and 25 metres from the southern boundary for 50 metres. The drainage ditch did not affect the test pit survey grid. Within the southeast corner of the study area disturbed ground were found. Topsoil had been removed and gravel inclusions were present. Test pits were conducted at 5 metre transects. Earth mounds in the center, center south boundary and center eastern boundary of the study area affected the test pit survey grid.

### **5.3.6.3 LOW-LYING AND WET AREAS**

Landscape features that are covered by permanently wet areas, such as marshes, swamps, or bodies of water like streams or lakes, are known as low-lying and wet areas. Low-lying and wet areas are excluded from Stage 2 Property Assessment due to inaccessibility.

The study area does not contain low-lying and wet areas.

### **5.3.6.4 STEEP SLOPE**

Landscape which slopes at a greater than (>) 20 degree change in elevation, is known as steep slope. Areas of steep slope are considered uninhabitable, and are excluded from Stage 2 Property Assessment.

The study area does not contain areas of steep slope.

### **5.3.6.5 WOODED AREAS**

Areas of the property that cannot be ploughed, such as natural forest or woodlot, are known as wooded areas. These wooded areas qualify for Stage 2 Property Assessment, and are required to be assessed using test pit survey methodology.

The study area does not contain any wooded areas.

### **5.3.6.6 PLOUGHABLE AGRICULTURAL LANDS**

Areas of current or former agricultural lands that have been ploughed in the past are considered ploughable agricultural lands. Ploughing these lands regularly moves the soil around, which brings covered artifacts to the surface, easily identifiable during visual inspection. Furthermore, by allowing the ploughed area to weather sufficiently through rainfall washing soil off any artifacts, the visibility of artifacts at the surface of recently worked field areas increases significantly. Pedestrian survey of ploughed agricultural lands is the preferred method of property Assessment because of the greater potential for finding evidence of archaeological resources if present.

In addition to the meadows, the study area includes active agricultural fields, which were worked and allowed to weather for the purposes of the completion of the Stage 2 Property Assessment.

### **5.3.6.7 LAWN, PASTURE, MEADOW**

Landscape features consisting of former agricultural land covered in low growth, such as lawns, pastures, meadows, shrubbery, and immature trees. These are areas that may be considered too small to warrant ploughing, (i.e. less than one hectare in area), such as yard areas surrounding existing structures, and land-locked open areas that are technically

workable by a plough but inaccessible to agricultural machinery. These areas may also include open area within urban contexts that do not allow agricultural tillage within municipal or city limits or the use of urban roadways by agricultural machinery. These areas are required to be assessed using test pit survey methodology.

A meadow is situated along the southern and northern boundary and divides the two agricultural fields with a 5 metre wide strip. An area of meadow approximately 150 metres by 75 metres is situated in the southeast corner of the study area. A second 50 metre meadow is situated in the southwest corner. A 200 metre square of meadow is situated in the center and south of the west agricultural field.

### **5.3.7 SUMMARY**

Background research indicates the vicinity of the study area has potential for archaeological resources of Euro-Canadian origins based on proximity to a documented historic settlement.

A significant proportion of the study area does exhibit archaeological potential and therefore a Stage 2 Property Assessment is required.

Archaeological potential does not indicate that there are necessarily sites present, but that environmental and historical factors suggest that there may be as yet undocumented archaeological sites within lands that have not been subject to systematic archaeological research in the past.

## **6.0 FIELD WORK METHODS AND WEATHER CONDITIONS**

This report confirms that the entirety of the study area was subject to visual inspection on 15 April 2015, 16 April 2015, 7 May 2015, 11 May 2015, and 12 May 2015, and that the fieldwork was conducted according to the archaeological fieldwork standards and guidelines, including weather and lighting conditions. Weather conditions were appropriate for the fieldwork required to complete the necessary fieldwork and documentation appropriate to this study. The locations from which photographs were taken and the directions toward which the camera was aimed for each photograph are illustrated in Figures 4 & 5 of this report. Upon completion of the property inspection of the study area, it was determined that select areas would require Stage 2 archaeological assessment consisting of test pit survey methodology and pedestrian survey methodology.

### **6.1 PROPERTY INSPECTION**

A detailed examination and photo documentation was carried out on the study area in order to document the existing conditions of the study area to facilitate the Stage 2 Property Assessment. All areas of the study area were visually inspected and photographed. This component of the study was completed concurrently with the Stage 2 Property Assessment.



The locations from which photographs were taken and the directions toward which the camera was aimed for each photograph are illustrated in Figures 4 & 5 of this report.

## **6.2 PEDESTRIAN SURVEY**

In accordance with the Standards and Guidelines for Consultant Archaeologists, pedestrian survey is required for all portions of the study area that are ploughable or can be subject to cultivation. This is the preferred method to utilize while conducting an assessment. This report confirms that the conduct of pedestrian survey within the study area conformed to the following standards:

- 1. Actively or recently cultivated agricultural land must be subject to pedestrian survey.*  
[All actively or recently cultivated agricultural land was subject to pedestrian survey]
- 2. Land to be surveyed must be recently ploughed. Use of chisel ploughs is not acceptable. In heavy clay soils ensure furrows are disked after ploughing to break them up further.*  
[All land was recently ploughed]
- 3. Land to be surveyed must be weathered by one heavy rainfall or several light rains to improve visibility of archaeological resources.*  
[All land was weathered by rainfall]
- 4. Provide direction to the contractor undertaking the ploughing to plough deep enough to provide total topsoil exposure, but not deeper than previous ploughing.*  
[Direction was given to the contractor undertaking the ploughing to plough deep enough to provide total topsoil exposure, but not deeper than previous ploughing]
- 5. At least 80 % of the ploughed ground surface must be visible. If surface visibility is below 80% (e.g. due to crop stubble, weeds, young crop growth), ensure the land is re-ploughed before surveying.*  
[Roughly 90-95% of the ploughed field surface was exposed and visible]
- 6. Space survey transects at maximum intervals of 5m (20 survey transects per hectare)*  
[All transects were conducted at an interval of 5m between individual transects]
- 7. When archaeological resources are found, decrease survey transects to 1m intervals over a minimum of a 20m radius around the find to determine whether it is an isolated find or part of a larger scatter. Continue working outward at this interval until full extent of the surface scatter has been defined.*  
[Not Applicable – No archaeological resources were encountered]

8. *Collect all formal artifact types and diagnostic categories. For 19<sup>th</sup> century archaeological sites, collect all refined ceramic sherds (or, for larger sites collect a sufficient sample to form the basis for dating).*

[Not Applicable – No archaeological resources were encountered]

9. *Based on professional judgment, strike a balance between gathering enough artifacts to document the archaeological site and leaving enough in place to relocate the site if it is necessary to conduct further assessment.*

[Not Applicable – No archaeological resources were encountered]

(MTC 2011: 30-31)

### **6.3 TEST PIT SURVEY**

In accordance with the Standards and Guidelines for Consultant Archaeologists, test pit survey is required to be undertaken for those portions of the study area where deep prior disturbance had not occurred prior to assessment or which were accessible to survey. Test pit survey is only used in areas that cannot be subject to ploughing or cultivation. This report confirms that the conduct of test pit survey within the study area conformed to the following standards:

1. *Test pit survey only on terrain where ploughing is not possible or viable, as in the following examples:*

- a. *wooded areas*

[Not Applicable – The study area does not contain any wooded areas]

- b. *pasture with high rock content*

[Not Applicable - The study area does not contain any pastures with high rock content]

- c. *abandoned farmland with heavy brush and weed growth*

[Not Applicable - The study area does not contain any abandoned farmland with heavy brush and weed growth]

- d. *orchards and vineyards that cannot be strip ploughed (planted in rows 5 m apart or less), gardens, parkland or lawns, any of which will remain in use for several years after the survey*

[Not Applicable - The study area does not contain any of the above-mentioned circumstances]

- e. *properties where existing landscaping or infrastructure would be damaged. The presence of such obstacles must be documented in sufficient detail to demonstrate that ploughing or cultivation is not viable.*

[Not Applicable - The study area does not contain the above-mentioned circumstances]

*f. narrow (10 m or less) linear survey corridors (e.g., water or gas pipelines, road widening). This includes situations where there are planned impacts 10 m or less beyond the previously impacted limits on both sides of an existing linear corridor (e.g., two linear survey corridors on either side of an existing roadway). Where at the time of fieldwork the lands within the linear corridor meet the standards as stated under the above section on pedestrian survey land preparation, pedestrian survey must be carried out. Space test pits at maximum intervals of 5 m (400 test pits per hectare) in areas less than 300 m from any feature of archaeological potential.*

[Not Applicable – The study area does not contain any linear corridors]

2. *Space test pits at maximum intervals of 5 m (400 test pits per hectare) in areas less than 300 m from any feature of archaeological potential.*  
[All test pits were spaced at an interval of 5m between individual test pits]
3. *Space test pits at maximum intervals of 10 m (100 test pits per hectare) in areas more than 300 m from any feature of archaeological potential.*  
[The entirety of the test pitted areas of the study area were assessed using high intensity test pit methodology at an interval of 5 metres between individual test pits]
4. *Test pit to within 1 m of built structures (both intact and ruins), or until test pits show evidence of recent ground disturbance.*  
[Not Applicable]
5. *Ensure that test pits are at least 30 cm in diameter.*  
[All test pits were at least 30 cm in diameter]
6. *Excavate each test pit, by hand, into the first 5 cm of subsoil and examine the pit for stratigraphy, cultural features, or evidence of fill.*  
[All test pits were excavated by hand into the first 5 cm of subsoil and examined for stratigraphy, cultural features, or evidence of fill]
7. *Screen soil through mesh no greater than 6 mm.*  
[All soil was screened through mesh no greater than 6 mm]
8. *Collect all artifacts according to their associated test pit.*  
[Not Applicable - No archaeological resources were encountered]
9. *Backfill all test pits unless instructed not to by the landowner.*  
[All test pits were backfilled]

(MTC 2011: 31-32)

*“A combination of property inspection and test pitting may be used when initial Stage 2 results determine that all or part of the project area may in fact be disturbed. The*

*Stage 2 survey may then consists of a detailed inspection (equivalent to Stage 1), combined with test pitting.”*

- 1. If it was not done as part of Stage 1, inspect and document the disturbed areas according to the standards described for Stage 1 property inspections.*

*[Areas of suspected disturbance where test pit survey was viable were shovel tested as described below. The southeast corner of the study area features a 50m by 75m area of suspected disturbed soil and was test pit surveyed. Areas where soil has been removed were examined using pedestrian survey methodology. The central earth mound was formed by earth removal, and exposed soil from the topsoil stripped area east of it was examined]*

- 2. Place Stage 2 test pits throughout the disturbed areas according to professional judgment (and where physically viable) as to confirm that these areas have been completely disturbed.*

*[An area of probable disturbance was identified during the property inspection conducted concurrently with the Stage 2 Property Assessment. This area consists of an area of partially disturbed soil in the southeast corner of the study area. Test pits were excavated every 5m across the entirety of the disturbed portion of the study area. The excavated soil and the profiles of these test pits were examined to determine if each represented an area of disturbance, though several did not appear disturbed. In this manner the extent of the disturbed area was delineated.*

*(MTC 2011: 38)*

Approximately 80% of the study area was pedestrian transect assessed at a 5 metre interval between individual transects, 15% of the study area was test pit assessed at a 5 metre between individual test pits and the remainder was the unassessed earth mounds.

## **7.0 RECORD OF FINDS**

Section 7.8.2 of the Standards and Guidelines for Consultant Archaeologists (MTC 2011: 137-138) outlines the requirements of the Record of Finds component of a Stage 2 report:

- 1. For all archaeological resources and sites that are identified in Stage 2, provide the following:*
  - a. a general description of the types of artifacts and features that were identified*
  - b. a general description of the area within which artifacts and features were identified, including the spatial extent of the area and any relative variations in density*
  - c. a catalogue and description of all artifacts retained*
  - d. a description of the artifacts and features left in the field (nature of material, frequency, other notable traits).*
- 2. Provide an inventory of the documentary record generated in the field (e.g. photographs, maps, field notes).*

3. *Submit information detailing exact site locations on the property separately from the project report, as specified in section 7.6. Information on exact site locations includes the following:*
  - a. *table of GPS readings for locations of all archaeological sites*
  - b. *maps showing detailed site location information.*

## **7.1 ARCHAEOLOGICAL RESOURCES**

No archaeological resources of any description were encountered anywhere within the study area.

## **7.2 ARCHAEOLOGICAL FIELDWORK DOCUMENTATION**

The documentation produced during the field investigation conducted in support of this report includes: nine sketch maps, six pages of photo log, five pages of field notes, and 154 digital photographs.

## **8.0 ANALYSIS AND CONCLUSIONS**

AMICK Consultants Limited was engaged by the proponent to undertake a Stage 1-2 Archaeological Assessment of lands potentially affected by the proposed undertaking and was granted permission to carry out archaeological fieldwork. The entirety of the study area was subject to property inspection and photographic documentation concurrently with the Stage 2 Property Assessment on 15 April 2015, 16 April 2015, 7 May 2015, 11 May 2015, and 12 May 2015, consisting of high-intensity test pit survey at an interval of five metres between individual test pits and high intensity pedestrian survey at an interval of five metres between individual transects. All records, documentation, field notes, photographs and artifacts (as applicable) related to the conduct and findings of these investigations are held at the Lakelands District corporate offices of AMICK Consultants Limited until such time that they can be transferred to an agency or institution approved by the Ontario Ministry of Tourism, Culture and Sport (MTCS) on behalf of the government and citizens of Ontario.

Section 7.7.3 of the Standards and Guidelines for Consultant Archaeologists (MTC 2011: 132) outlines the requirements of the Analysis and Conclusions component of a Stage 1 Background Study.

- 1) *“Identify and describe areas of archaeological potential within the project area.*
- 2) *Identify and describe areas that have been subject to extensive and deep land alterations. Describe the nature of alterations (e.g., development or other activity) that have severely damaged the integrity of archaeological resources and have removed archaeological potential.”*

## **8.1 CHARACTERISTICS INDICATING ARCHAEOLOGICAL POTENTIAL**

Section 1.3.1 of the Standards and Guidelines for Consultant Archaeologists specifies the property characteristics that indicate archaeological potential (MTC 2011: 17-18). Factors that indicate archaeological potential are features of the local landscape and environment that may have attracted people to either occupy the land or to conduct activities within the study area. One or more of these characteristics found to apply to a study area would necessitate a Stage 2 Property Assessment to determine if archaeological resources are present. These characteristics are listed below together with considerations derived from the conduct of this study.

1) Previously Identified Archaeological Sites

Previously registered archaeological sites have not been documented within 300 metres of the study area.

2) Water Sources

Primary water sources are described as including lakes, rivers streams and creeks. Close proximity to primary water sources (300 metres) indicates that people had access to readily available sources of potable water and routes of waterborne trade and communication should the study area have been used or occupied in the past.

There are no identified primary water sources within 300 metres of the study area.

Secondary water sources are described as including intermittent streams and creeks, springs, marshes, and swamps. Close proximity (300 metres) to secondary water sources indicates that people had access to readily available sources of potable water, at least on a seasonal basis, and in some cases seasonal access to routes of waterborne trade and communication should the study area have been used or occupied in the past.

There are no identified secondary water sources within 300 metres of the study area.

3) Features Indicating Past Water Sources

Features indicating past water resources are described as including glacial lake shorelines indicated by the presence of raised sand or gravel beach ridges, relic river or stream channels indicated by clear dip or swale in the topography, shorelines of drained lakes or marshes, and cobble beaches. Close proximity (300 metres) to features indicating past water sources indicates that people had access to readily available sources of potable water, at least on a seasonal basis, and in some cases seasonal access to routes of waterborne trade and communication should the study area have been used or occupied in the past.

There are no identified features indicating past water sources within 300 metres of the study area.

4) Accessible or Inaccessible Shoreline

This form of landscape feature would include high bluffs, swamp or marsh fields by the edge of a lake, sandbars stretching into marsh, etc.

There are no shorelines within 300 metres of the study area.

5) *Elevated Topography*

Features of elevated topography that indicate archaeological potential include eskers, drumlins, large knolls, and plateaux.

There are no identified features of elevated topography within the study area.

6) *Pockets of Well-drained Sandy Soil*

Pockets of sandy soil are considered to be especially important near areas of heavy soil or rocky ground.

The soil throughout the study area is dark brown sandy clay over very dark golden sandy clay subsoil, which is consistent with the wider area surrounding the property. Therefore, the presence of this soil has no impact on potential within the study area, as the wider area is not known for clay soils or exposed bedrock.

7) *Distinctive Land Formations*

These are landscape features that might have been special or spiritual places, such as waterfalls, rock outcrops, caverns, mounds, and promontories and their bases. There may be physical indicators of their use, such as burials, structures, offerings, rock paintings or carvings.

There are no identified distinctive land formations within the study area.

8) *Resource Areas*

Resource areas that indicate archaeological potential include food or medicinal plants (e.g., migratory routes, spawning areas, and prairie), scarce raw materials (e.g., quartz, copper, ochre or outcrops of chert) and resources of importance to early Euro-Canadian industry (e.g., logging, prospecting, and mining).

There are no identified resource areas within the study area.

9) *Areas of Early Euro-Canadian Settlement*

These include places of early military or pioneer settlement (e.g., pioneer homesteads, isolated cabins, and farmstead complexes), early wharf or dock complexes, pioneer churches and early cemeteries. There may be commemorative markers of their history, such as local, provincial, or federal monuments or heritage parks.

The study area is situated in close proximity to a historic community identified on the historic atlas map as Walkerton.

10) Early Historical Transportation Routes

This includes evidence of trails, passes, roads, railways, portage routes.

The study area is not situated within 100 metres of early settlement roads that appear on the Historic Atlas Map of 1880.

11) Heritage Property

Property listed on a municipal register or designated under the *Ontario Heritage Act* or is a federal, provincial or municipal historic landmark or site.

There are no listed or designated heritage buildings or properties that form a part of the study area. There are no listed or designated heritage buildings or properties that are adjacent to the study area.

12) Documented Historical or Archaeological Sites

This includes property that local histories or informants have identified with possible archaeological sites, historical events, activities, or occupations. These are properties which have not necessarily been formally recognized or for which there is additional evidence identifying possible archaeological resources associated with historic properties in addition to the rationale for formal recognition.

There are no known heritage features, or known historic sites, or known archaeological sites within the study area in addition to those formally documented with the appropriate agencies or previously noted under a different criterion.

## **8.2 CHARACTERISTICS INDICATING REMOVAL OF ARCHAEOLOGICAL POTENTIAL**

Section 1.3.2 of the Standards and Guidelines for Consultant Archaeologists specifies the property characteristics which indicate no archaeological potential or for which archaeological potential has been removed (MTC 2011: 18-19). These characteristics are listed below together with considerations derived from the conduct of this study.

The introduction of Section 1.3.2 (MTC 2011: 18) notes that “*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 extensive and deep land alterations that have severely damaged the integrity of any archaeological resources. This is commonly referred to as ‘disturbed’ or ‘disturbance’, and may include:*”

1) Quarrying

There is no evidence to suggest that quarrying operations were ever carried out within the study area.

2) Major Landscaping Involving Grading Below Topsoil

Unless there is evidence to suggest the presence of buried archaeological deposits, such deeply disturbed areas are considered to have lost their archaeological potential.



Properties that do not have a long history of Euro-Canadian occupation can have archaeological potential removed through extensive landscape alterations that penetrate below the topsoil layer. This is because most archaeological sites originate at grade with relatively shallow associated excavations into the soil. First Nations sites and early historic sites are vulnerable to extensive damage and complete removal due to landscape modification activities.

Surfaces paved with interlocking brick, concrete, asphalt, gravel and other surfaces meant to support heavy loads or to be long wearing hard surfaces in high traffic areas, must be prepared by the excavation and removal of topsoil, grading, and the addition of aggregate material to ensure appropriate engineering values for the supporting matrix and also to ensure that the installations shed water to avoid flooding or moisture damage. All hard surfaced areas are prepared in this fashion and therefore have no or low archaeological potential. Disturbed areas are excluded from Stage 2 Property Assessment due to no or low archaeological potential and often because they are also not viable to assess using conventional methodology.

In urban contexts where a lengthy history of occupation has occurred, properties may have deeply buried archaeological deposits covered over and sealed through redevelopment activities that do not include the deep excavation of the entire property for subsequent uses. Buildings are often erected directly over older foundations preserving archaeological deposits associated with the earlier occupation.

There is no evidence to suggest that major landscaping operations involving grading below topsoil were ever carried out within the study area.

3) *Building Footprints*

Typically, the construction of buildings involves the deep excavation of foundations, footings and cellars that often obliterate archaeological deposits situated close to the surface.

There are no buildings within the study area.

4) *Sewage and Infrastructure Development*

Installation of sewer lines and other below ground services associated with infrastructure development often involves deep excavation that can remove archaeological potential. Major utility lines are conduits that provide services such as water, natural gas, hydro, communications, sewage, and others. These major installations should not be confused with minor below ground service installations not considered to represent significant disturbances removing archaeological potential, such as services leading to individual structures which tend to be comparatively very shallow and vary narrow corridors. Areas containing substantial and deeply buried services or clusters of below ground utilities are considered areas of disturbance, and may be excluded from Stage 2 Property Assessment. The relatively minor, narrow and shallow services buried within a residential property do not require such

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extensive ground disturbance to remove or minimize archaeological potential within affected areas.

There is no evidence to suggest that substantial below ground services of any kind have resulted in significant impacts to any significant portion of the study area.

*“Activities such as agricultural cultivation, gardening, minor grading and landscaping do not necessarily affect archaeological potential.”*

(MTC 2011: 18)

*“Archaeological potential is not removed where there is documented potential for deeply buried intact archaeological resources beneath land alterations, or where it cannot be clearly demonstrated through background research and property inspection that there has been complete and intensive disturbance of an area. Where complete disturbance cannot be demonstrated in Stage 1, it will be necessary to undertake Stage 2 assessment.”*

(MTC 2011: 18)

Table 4 below summarizes the evaluation criteria of the Ministry of Tourism and Culture together with the results of the Stage 1 Background Study for the proposed undertaking. Based on the criteria, the property is deemed to have archaeological potential on the basis of proximity to historic settlement structures, and the location of early historic settlement roads adjacent to the study area.

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**TABLE 2 EVALUATION OF ARCHAEOLOGICAL POTENTIAL**

| FEATURE OF ARCHAEOLOGICAL POTENTIAL      |   | YES      | NO       | N/A | COMMENT  |
|--|---|----------|----------|-----|--|
| 1  | Known archaeological sites within 300m  |          | <b>N</b> |     | If es, otential determined   |
| <b>PHYSICAL FEATURES</b>                 |   |          |          |     |  |
| 2  | Is there water near the property?   |          | <b>N</b> |     | If es, hat ind f water?  |
| 2a                                       | Primary water source within 300 m. (lakeshore, river, large creek, etc.)  |          | <b>N</b> |     | If es, otential determined   |
| 2b                                       | Secondary water source within 300 m. (stream, spring, marsh, swamp, etc.)   |          | <b>N</b> |     | If es, otential determined   |
| 2c                                       | Past water source within 300 m. (beach ridge, river bed, relic creek, etc.)   |          | <b>N</b> |     | If es, otential determined   |
| 2d                                       | Accessible or Inaccessible shoreline within 300 m. (high bluffs, marsh, swamp, sand bar, etc.)  |          | <b>N</b> |     | If es, otential determined   |
| 3  | Elevated topography (knolls, drumlins, eskers, plateaus, etc.)  |          | <b>N</b> |     | If es, nd es or ny f 9, potential determined                               |
| 4  | Pockets of sandy soil in a clay or rocky area   |          | <b>N</b> |     | If es nd es or ny f , 5 9, potential determined                            |
| 5  | Distinctive land formations (mounds, caverns, waterfalls, peninsulas, etc.)   |          | <b>N</b> |     | If es nd es or ny f 4, 6 9, potential determined                           |
| <b>HISTORIC/PREHISTORIC USE FEATURES</b> |   |          |          |     |  |
| 6  | Associated with food or scarce resource harvest areas (traditional fishing locations, agricultural/berry extraction areas, etc.)                          |          | <b>N</b> |     | If es, nd es or ny f 5, 7 9, potential determined.                         |
| 7  | Early Euro Canadian settlement area within 300 m.   | <b>Y</b> |          |     | If Yes, and Yes for any of 3 6, 8 9, potential determined                  |
| 8  | Historic Transportation route within 100 m. (historic road, trail, portage, rail corridors, etc.)   |          | <b>N</b> |     | If es, nd es or ny 7 or 9, potential determined                            |
| 9  | Contains property designated and/or listed under the Ontario Heritage Act (municipal heritage committee, municipal register, etc.)                        |          | <b>N</b> |     | If es and, Yes to any of 3 8, potential determined                         |
| <b>APPLICATION SPECIFIC INFORMATION</b>  |   |          |          |     |  |
| 10                                       | Local knowledge (local heritage organizations, First Nations, etc.)   |          | <b>N</b> |     | If es, otential determined   |
| 11                                       | Recent disturbance not including agricultural cultivation (post 1960 confirmed extensive and intensive including industrial sites, aggregate areas, etc.) |          | <b>N</b> |     | If es, o otential or low potential in affected part (s) of the study area. |

If **YES** to any of 1, 2a c, or 10 Archaeological Potential is **confirmed**

If **YES** to 2 or more of 3 9, Archaeological Potential is **confirmed**

If **YES** to 11 or No to 1 10 Low Archaeological Potential is **confirmed** for at least a portion of the study area.

### **8.3 STAGE 1 ANALYSIS AND CONCLUSIONS**

As a result of the Stage 1 portion of the study it was determined that the study area has archaeological potential on the basis of proximity to historic settlement structures.

### **8.4 STAGE 2 ANALYSIS AND CONCLUSIONS**

Section 7.8.3 of the Standards and Guidelines for Consultant Archaeologists (MTC 2011: 138-139) outlines the requirements of the Analysis and Conclusions component of a Stage 2 Property Assessment.

1. *Summarize all finding from the Stage 2 survey, or state that no archaeological sites were identified.*
2. *For each archaeological site, provide the following analysis and conclusions:*
  - a. *A preliminary determination, to the degree possible, of the age and cultural affiliation of any archaeological sites identified.*
  - b. *A comparison against the criteria in 2 Stage 2: Property Assessment to determine whether further assessment is required*
  - c. *A preliminary determination regarding whether any archaeological sites identified in Stage 2 show evidence of a high level cultural heritage value or interest and will thus require Stage 4 mitigation.*

No archaeological sites or resources were found during the Stage 2 survey of the study area.

## **9.0 RECOMMENDATIONS**

### **9.1 STAGE 1 RECOMMENDATIONS**

Under Section 7.7.4 of the Standards and Guidelines for Consultant Archaeologists (MTC 2011: 133) the recommendations to be made as a result of a Stage 1 Background Study are described.

- 1) *Make recommendations regarding the potential for the property, as follows:*
  - a. *if some or all of the property has archaeological potential, identify areas recommended for further assessment (Stage 2) and areas not recommended for further assessment. Any exemptions from further assessment must be consistent with the archaeological fieldwork standards and guidelines.*
  - b. *if no part of the property has archaeological potential, recommend that the property does not require further archaeological assessment.*
- 2) *Recommend appropriate Stage 2 assessment strategies.*

The study area has been identified as an area of archaeological potential.

The study area is roughly 41 hectares in size consists of mostly ploughable lands, a drainage ditch in the south and a north-south meadow lane dividing the ploughable lands into two equal parcels. Three earth mounds are situated in the center, center south boundary and center east boundary. Portions of the study area were determined to have potential and Stage 2 assessment was therefore conducted using a combination of pedestrian and test pit survey methodologies in accordance with the Standards governing the use of each method.

All portions of the property that could be ploughed were ploughed in advance of the assessment and were well weathered. The pedestrian survey was completed on all ploughed lands at an interval of 5 metres in between individual transects. Any areas that could not be ploughed were subject to assessment using the test pit methodology. Test pits were dug at a fixed interval of 5 metres across the surface area. Test pits measured a minimum of 30 centimeters in diameter and were dug at least 5 centimeters into the subsoil beneath the topsoil layer. All excavated earth was screened through 6 mm wire mesh to ensure that any artifacts contained within the soil matrix are recovered. All test pits were back filled and restored as much as was reasonably possible to the level of the surrounding grade.

## **9.2 STAGE 2 RECOMMENDATIONS**

Under Section 7.8.4 of the Standards and Guidelines for Consultant Archaeologists (MTC 2011: 139) the recommendations to be made as a result of a Stage 2 Property Assessment are described.

- 1) *For each archaeological site, provide a statement of the following:*
  - a. *Borden number or other identifying number*
  - b. *Whether or not it is of further cultural heritage value or interest*
  - c. *Where it is of further cultural heritage value or interest, appropriate Stage 3 assessment strategies*
- 2) *Make recommendations only regarding archaeological matters. Recommendations regarding built heritage or cultural heritage landscapes should not be included.*
- 3) *If the Stage 2 survey did not identify any archaeological sites requiring further assessment or mitigation of impacts, recommend that no further archaeological assessment of the property be required.*

As a result of the property Assessment of the study area, no archaeological resources were encountered. Consequently, the following recommendations are made:

- 4) *no further archaeological assessment of the study area is warranted;*
- 5) *the Provincial interest in archaeological resources with respect to the proposed undertaking has been addressed;*
- 6) *the proposed undertaking is clear of any archaeological concern;*

## **10.0 ADVICE ON COMPLIANCE WITH LEGISLATION**

While not part of the archaeological record, this report must include the following standard advisory statements for the benefit of the proponent and the approval authority in the land use planning and development process:

- a. This report is submitted to the Minister of Tourism and Culture as a condition of licensing in accordance with Part VI of the Ontario Heritage Act, R.S.O. 1990, c. 0.18. The report is reviewed to ensure that it complies with the standards and guidelines issued by the Minister, and that the archaeological fieldwork and report recommendations ensure the conservation, protection and preservation of the cultural heritage of Ontario. When all matters relating to archaeological sites within the project area of a development proposal have been addressed to the satisfaction of the Ministry of Tourism and Culture, a letter will be issued by the ministry stating that there are no further concerns with regard to alterations to archaeological sites by the proposed development.*
- b. It is an offence under Sections 48 and 69 of the Ontario Heritage Act for any party other than a licensed archaeologist to make any alteration to a known archaeological site or to remove any artifact or other physical evidence of past human use or activity from the site, until such time as a licensed archaeologist has completed archaeological fieldwork on the site, submitted a report to the Minister stating that the site has no further cultural heritage value or interest, and the report has been filed in the Ontario Public Register of Archaeological Reports referred to in Section 65.1 of the Ontario Heritage Act.*
- c. Should previously undocumented archaeological resources be discovered, they may be a new archaeological site and therefore subject to Section 48 (1) of the Ontario Heritage Act. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed archaeologist to carry out archaeological fieldwork, in compliance with sec. 48 (1) of the Ontario Heritage Act.*
- d. The Cemeteries Act, R.S.O. 1990, c. C.4 and the Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33 (when proclaimed in force) require that any person discovering human remains must notify the police or coroner and the Registrar of Cemeteries at the Ministry of Consumer Services.*
- e. Archaeological sites recommended for further archaeological fieldwork or protection remain subject to Section 48 (1) of the Ontario Heritage Act and may not be altered, or have artifacts removed from them, except by a person holding an archaeological licence.*

## **11.0 BIBLIOGRAPHY AND SOURCES**

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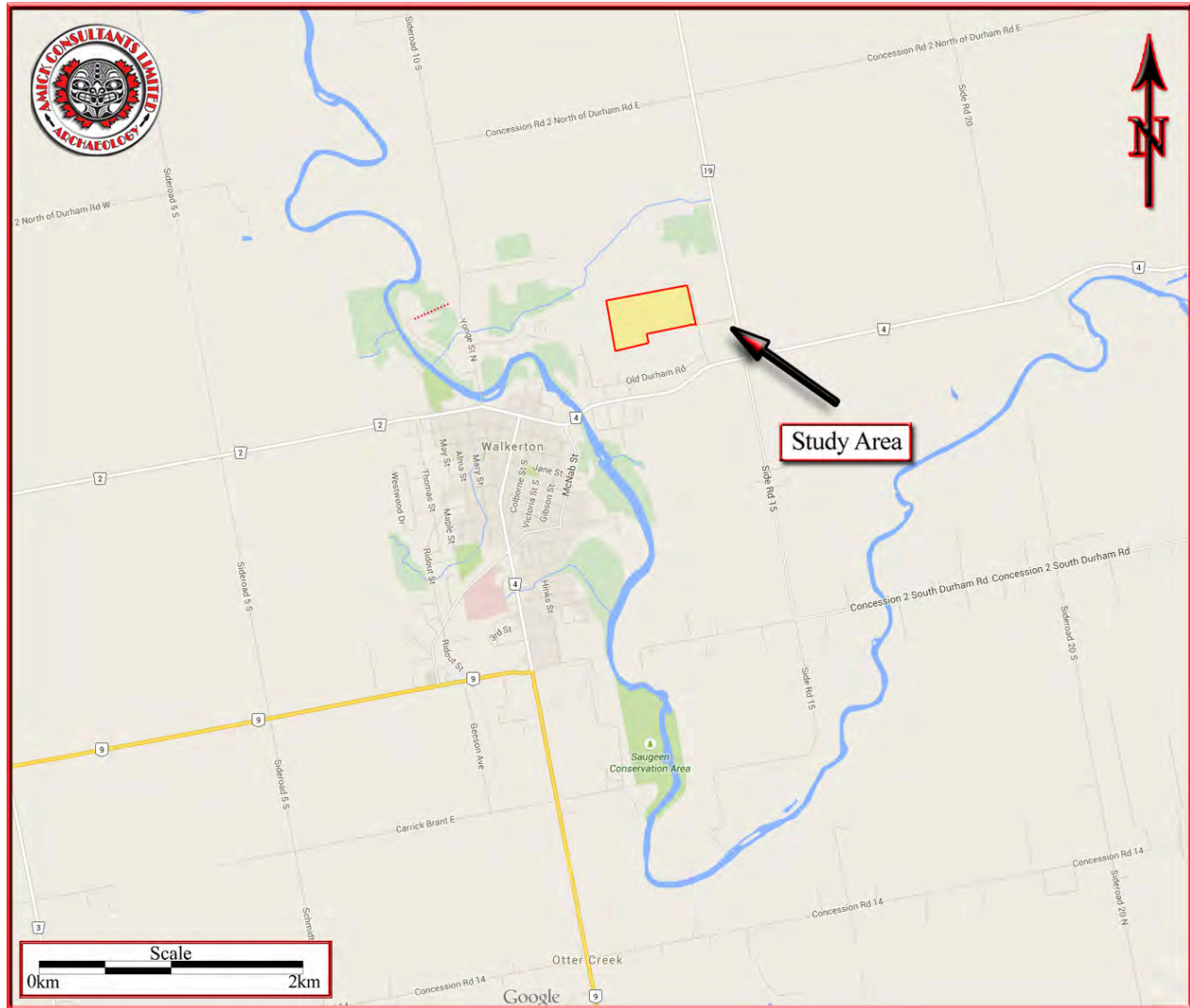
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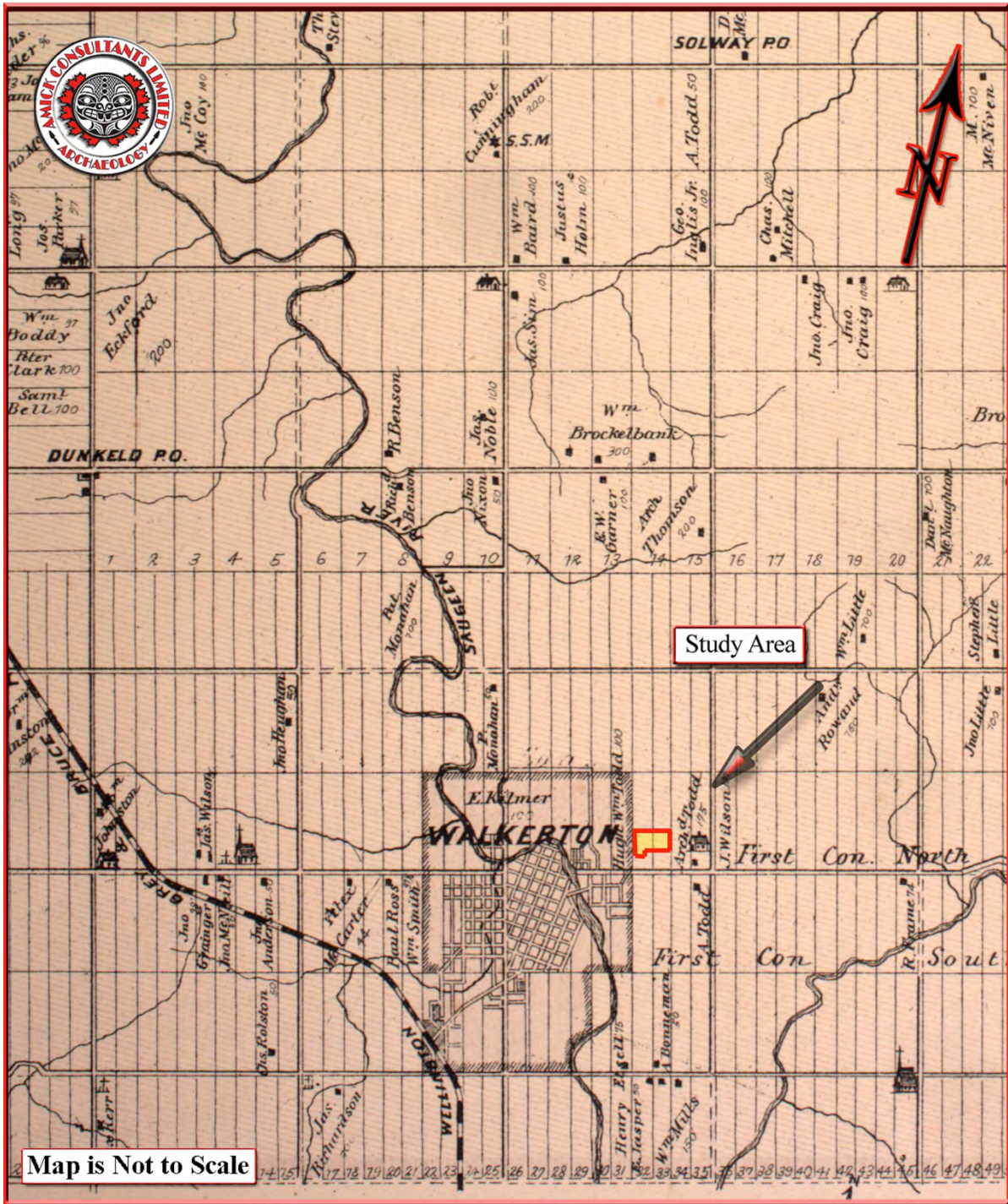
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**12.0 MAPS**



**FIGURE 1 LOCATION OF THE STUDY AREA (GOOGLE MAPS 2012)**

2015 Stage 1-2 Archaeological Assessment of East Ridge Business Park, Part of Lot 32, and 33, Concession 1 North of Durham Road, Geographic Township of Brant, Formerly in Town of Walkerton, Municipality of Brockton, County of Bruce (AMICK File #14484-K/MTCS File #P384-0197-2014)



**FIGURE 2 FACSIMILE SEGMENT OF THE ILLUSTRATED ATLAS OF THE DOMINION OF CANADA BRUCE COUNTY SUPPLEMENT (Belden 1880)**

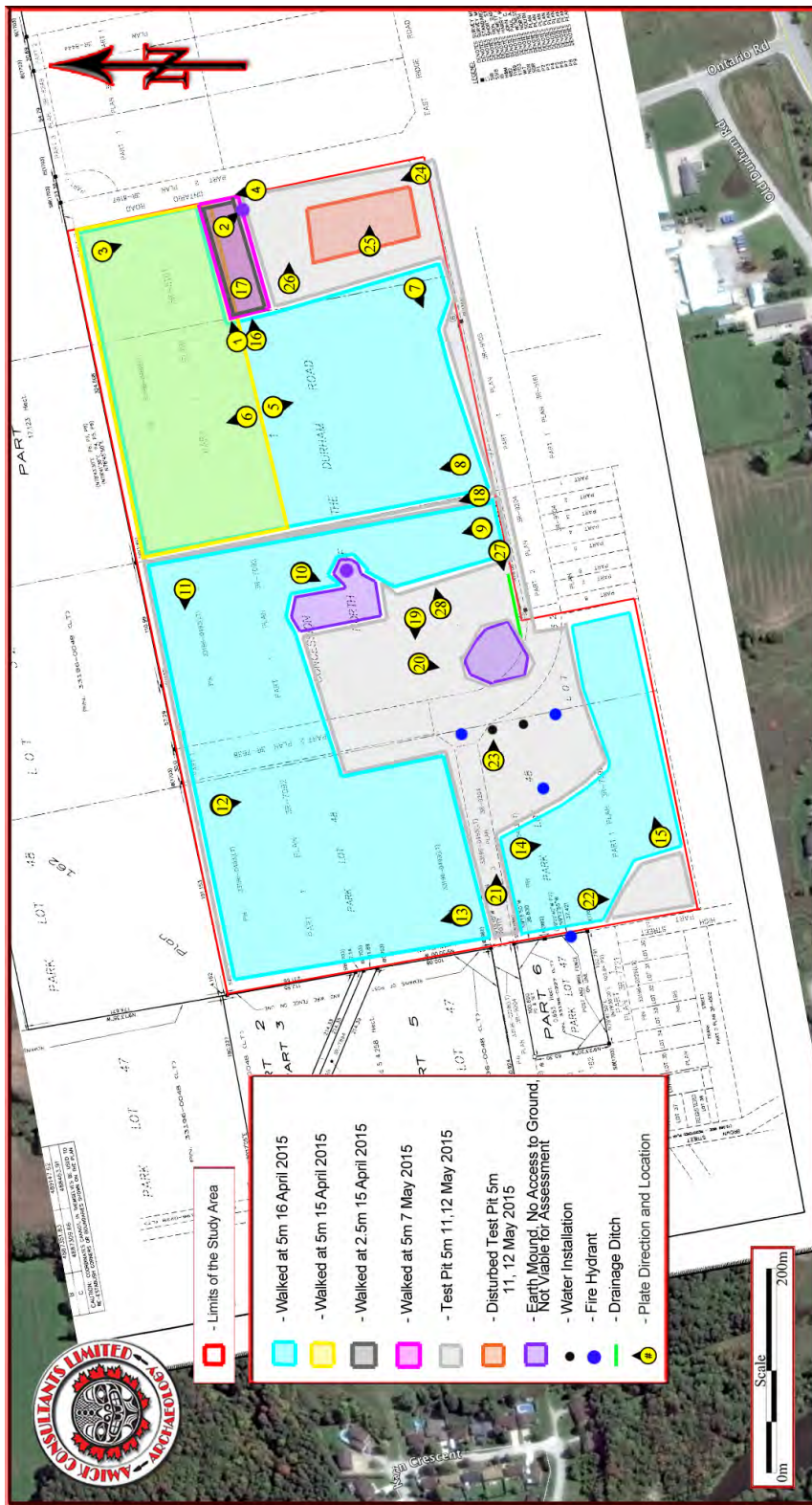


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**FIGURE 4 AERIAL PHOTO OF THE STUDY AREA (GOOGLE EARTH 2015)**

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**FIGURE 5 DETAILED PLAN OF THE STUDY AREA**

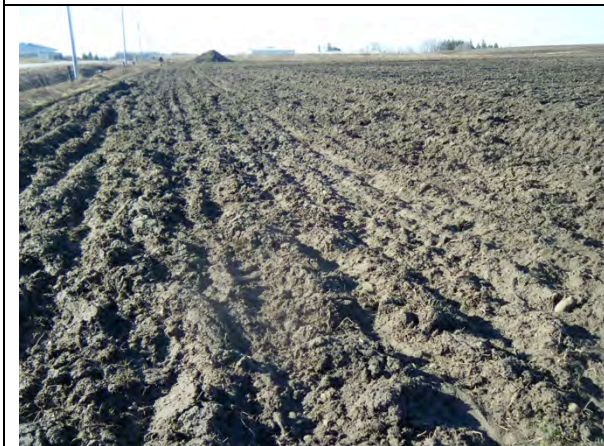
**13.0 IMAGES**



**PLATE 1 FIELD CONDITIONS**



**PLATE 2 EARTH MOUND**



**PLATE 3 FIELD CONDITIONS**



**PLATE 4 NEW DRAINAGE UNDER NEW GRAVEL ENTRANCE**



**PLATE 5 FIELD CONDITIONS**



**PLATE 6 FIELD CONDITIONS**

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**PLATE 7 FIELD CONDITIONS**



**PLATE 8 FIELD CONDITIONS**



**PLATE 9 FIELD CONDITIONS**



**PLATE 10 EXPOSED SOIL WALKED**



**PLATE 11 FIELD CONDITIONS**



**PLATE 12 FIELD CONDITIONS**

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**PLATE 13 FIELD CONDITIONS**



**PLATE 14 FIELD CONDITIONS**



**PLATE 15 FIELD CONDITIONS**



**PLATE 16 FIELD CONDITIONS**



**PLATE 17 FIELD CONDITIONS**



**PLATE 18 TEST PIT SURVEY CONDITIONS**



*2015 Stage 1-2 Archaeological Assessment of East Ridge Business Park, Part of Lot 32, and 33, Concession 1 North of Durham Road, Geographic Township of Brant, Formerly in Town of Walkerton, Municipality of Brockton, County of Bruce (AMICK File #14484-K/MTCS File #P384-0197-2014)*



**PLATE 19 TEST PIT SURVEY CONDITIONS**



**PLATE 20 EARTH MOUND**



**PLATE 21 TEST PIT SURVEY CONDITIONS**



**PLATE 22 TEST PIT SURVEY CONDITIONS**



**PLATE 23 WATER INSTALLATION**



**PLATE 24 TEST PIT SURVEY CONDITIONS**

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**PLATE 25 TEST PIT IN PROGRESS**



**PLATE 26 TEST PIT CONDITIONS**



**PLATE 27 DRAINAGE DITCH**



**PLATE 28 CREW**

**Appendix 9**   **Draft Form of the Order**

DRAFT

**APPENDIX 9**

**FORM OF THE ORDER**

**MUNICIPALITY OF BROCKTON**

DRAFT

**Planning Act**  
**Loi sur l'aménagement du territoire**

**ONTARIO REGULATION \_\_\_\_\_/21**  
**ZONING ORDER – MUNICIPALITY OF BROCKTON**

**Consolidation Period:** From \_\_\_\_\_

No amendments.

*This Regulation is made in English only.*

**Definition**

1. In this Order,

“zoning by-law” means Zoning By-law No. 2013-26 of the Corporation of the Municipality of Brockton, adopted March 25, 2013, as amended.

**Application**

2. This Order applies to lands in the Municipality of Brockton, in the County of Bruce, in the Province of Ontario, being the lands identified on a map numbered \_\_\_\_\_ and filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street.

**Business Park 1 (BP1-5-H) Zone**

3. (1) This Section applies to lands located in the area shown as Business Park 1 (BP1-5-H) on the map referred to in Section 2.

(2) Every use of land and every erection, location or use of any building or structure is prohibited on the lands described in subsection (1), except for the uses permitted within the Business Park 1 (BP1) under the Zoning By-law.

(3) Notwithstanding their inclusion in the Business Park 1 (BP1) Zone, those lands delineated as ‘BP1-5-H’ shall be used in accordance with the ‘BP1’ Zone requirements contained in the Zoning By-law, excepting however, that:

(a) Lands shall remain in a natural and undisturbed state where site alteration through filling, excavating or re-grading shall be prohibited, until the ‘H – holding’ symbol has been lifted.

(b) The ‘H – holding’ symbol shall be lifted once the following conditions have been met:

(i) The proponent shall retain a consultant to undertake an Environmental Impact Study (EIS). The type of EIS and parameters of such study shall be determined in consultation with the Municipality and

the Conservation Authority prior to commencement of the EIS. The study shall be prepared and completed by a qualified professional having expertise in environmental sciences and shall be subject to peer review. The requirement for an EIS shall be waived by the Municipality, upon consultation with and subject to, the recommendation of the Conservation Authority, if the development proposal is of a minor nature or where site conditions warrant.

(ii) The proponent shall retain an archaeologist, licensed by the Ministry of Tourism, Culture and Sport (MTCS) under the provisions of the Ontario Heritage Act to carry out an archaeological assessment of the entire property. Development or property alteration shall only be permitted on the subject property containing archaeological resources or areas of archaeological potential if the archaeological resources have been conserved by removal and documentation, or by site preservation.

iii) The archaeological assessment must be completed in accordance with the most current Standards and Guidelines for Consulting Archaeologists. Significant archaeological resources will be incorporated into the proposed development through either in situ preservation or interpretation where feasible, or commemorated and interpreted on site. Engagement with the Saugeen Ojibway Nation (SON) shall be completed.

(iv) No demolition, new exterior construction, grading, or any other activity where soil disturbance will occur or might be reasonably anticipated shall take place on the subject property prior to the Municipality of Brockton receiving the MTCS compliance letter indicating that all archaeological licensing and reporting requirements have been completed to the satisfaction of the Ministry.

#### **Low Density Multiple Residential (R2) Zone**

4. (1) This Section applies to lands located in the area shown as Low Density Multiple Residential (R2) on the map referred to in Section 2.

(2) Every use of land and every erection, location or use of any building or structure is prohibited on the lands described in subsection (1), except for the uses permitted within the Low Density Multiple Residential (R2) under the Zoning By-law.

(3) The zoning requirements set out for the Low Density Multiple Residential (R2) in the Zoning By-law apply to the uses permitted under subsection (2).

#### **Medium Density Residential (R3) Zone**

5. (1) This Section applies to lands located in the area shown as Medium Density Residential (R3) on the map referred to in Section 2.

(2) Every use of land and every erection, location or use of any building or structure is prohibited on the lands described in subsection (1), except for the uses permitted within the Medium Density Residential (R3) under the Zoning By-law.

(3) The zoning requirements set out for the Medium Density Residential (R3) in the Zoning By-law apply to the uses permitted under subsection (2).

#### **Medium Density Residential (R3-14) Zone**

6. (1) This Section applies to lands located in the area shown as Medium Density Residential (R3-14) on the map referred to in Section 2.

(2) Every use of land and every erection, location or use of any building or structure is prohibited on the lands described in subsection (1), except for the uses permitted within the Medium Density Residential (R3) under the Zoning By-law.

(3) Notwithstanding their inclusion in the Medium Density Residential (R3) Zone, those lands delineated as 'R3-14' shall be used in accordance with the 'R3' Zone requirements contained in the Zoning By-law, excepting however, that:

(a) Minimum exterior yard shall be no less than 4.5 metres;

(b) Minimum interior side yard shall be no less than 2.5 metres;

(c) Minimum rear yard to a covered deck shall be no less than 4.5 metres;

(d) Maximum lot coverage shall not exceed 60% where the maximum lot coverage for the main dwelling shall not exceed 55% and the maximum lot coverage for accessory buildings shall not exceed 5%

#### **Terms of use**

7.(1) Every use of land and every erection, location or use of any building or structure shall be in accordance with this Order.

(2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.

(3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.

(4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

#### **Deemed by-law**

8.(1) This Order is deemed for all purposes, except the purposes of section 24 of the Act, to be and to always have been a by-law passed by the council of the Municipality of Brockton.

## LEGAL DESCRIPTION OF SUBJECT LANDS TO WHICH THE ORDER APPLIES

a) Parcel No. 1

Described as Parcel 1 on Schedule A attached hereto, being part Lots 30 through 35 inclusive, Concession I North of Durham Road;

b) Parcel No. 2

Described as Parcel 2 on Schedule A attached hereto, being part Lot 30, Concession I North of Durham Road and more particularly described as part of Park Lot 47, Registered Plan 162

c) Parcel No. 3

Described as Parcel 3 on Schedule A attached hereto, being part Lot 30, Concession I North of Durham Road and more particularly described as Part 50, Plan 3R-\_\_\_\_\_.

d) Parcel No. 4

Described as Parcel 4 on Schedule A attached hereto, being part Lot 31, Concession I North of Durham Road and more particularly described as Part 39 and Part 40, Plan 3R-\_\_\_\_\_.

e) Parcel No. 5

Described as Parcel 5 on Schedule A attached hereto, being part Lot 30, Concession I North of Durham Road and more particularly described as Part 6, Plan 3R-9442.

f) Parcel No. 6

Described as Parcel 6 on Schedule A attached hereto, being part Lots 30 and 32, Concession I North of Durham Road and more particularly described as Part 1, Plan 3R-9987.