

# Presentation for file B014/21

## Opposing Consent Application for Severance at 160 Monsheen Drive (Seneca Heights, Woodbridge)

by: Judy Lam (resident of 18 years)



**Stance:** I am strongly opposed to the severance and development of the lot at 160 Monsheen Drive on the grounds that the *premature recommended approval (without having yet done the archaeological assessment)* does not reflect the spirit nor the policy set forth in the following documents:

[Planning for the Conservation of Archaeological Resources in York Region](#) & [York Region Official Plan](#) & [The City of Vaughan Official Plan](#)

Two items to discuss:

- Policy & Staff Report
- Community Petition (Residents' Voice)

# “The subject lands *are* within an area of archaeological potential in the City’s database of archaeological resources” – staff report

“Development Planning Department has no objection”

## Initial OCTOBER 22<sup>nd</sup> Staff Report

Staff Report – B014/21

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An Arborist Report and Tree Inventory Plan dated July 23, 2021 was prepared by Davey Resource Group and submitted in support of the application. The report inventoried 24 trees, with an estimated removal of nine trees required. The Urban Design Division has reviewed the Arborist Report and Tree Inventory Plan and are satisfied with the proposal, subject to minor technical revisions, and have also recommended that the Owner submit a Landscape Plan to show the planting of replacement trees. Conditions to this effect have been included in the Conditions of Approval.

The subject lands are within an area of archaeological potential in the City’s database of archaeological resources. As such, the Owner is advised that the following standard clauses apply:

- i. Should archaeological resources be found on the Subject Lands during excavation and construction activities, all work must cease, and both the Ontario Ministry of Heritage, Tourism, Sport and Culture Industries and the City of Vaughan’s Planning Department shall be notified immediately.
- ii. In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner and the Bereavement Authority of Ontario of the Ministry of Government and Consumer Services

Accordingly, the Development Planning Department has no objection to the requested severance and is of the opinion that the proposal maintains the intent of the severance policies of VOP 2010, and the consent criteria stipulated in Section 51(24) of the Planning Act, R.S.O. 1990, c P.13.

The Development Planning Department recommends approval of the application, subject to the following conditions: Conditions of Approval: If the Committee finds merit in the application, the following Conditions of Approval are recommended:

1. That the Arborist Report and Tree Preservation Plan, dated July 23, 2021, be approved to the satisfaction of the Development Planning Department.
2. The Owner shall submit a Landscape Plan to the satisfaction of the Development Planning Department.

Development Engineering:

“The subject lands are within an area of archaeological potential”

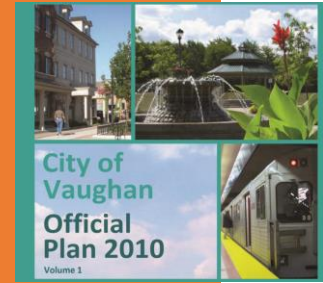
### Project entails:

- severing the lot
- removing 9 trees
- demolishing current house
- digging and developing 2 homes on the original lot

“Developmental Planning Department recommends approval of the application”

We thank the city for including a provincial archaeological assessment (and for listening to our concerns about how the application’s recommended approval contravenes By-Law 70-84).

# York Region Archaeological Management Plan

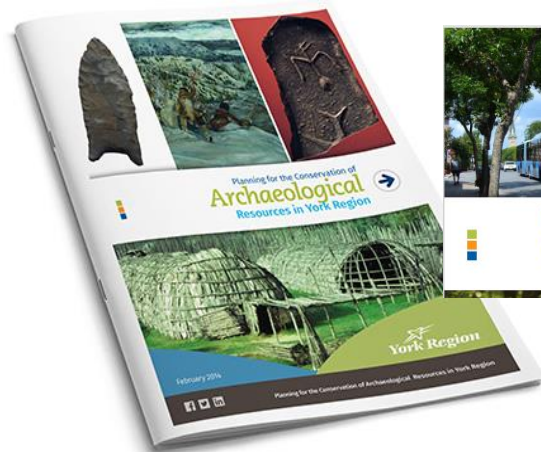


The City Staff's decision of a **recommended approval** is very surprising especially when the severance and development is within an **area of archaeological potential** and is only a short distance from the **Huron McKenzie-Woodbridge Site Ak-Gv-2**.

“York Region has a long cultural history which began approximately 11,000 years ago. Archaeological sites, which are the physical remains of this lengthy settlement history, represent **fragile and non-renewable cultural heritage resources that need to be protected**. The York Region **Archaeological Management Plan** comprehensively models archaeological potential to assist in their protection.”

“In February 2014, Regional Council endorsed the **Archaeological Management Plan** and adopted an amendment (**ROPA 6**) to the [Regional Official Plan](#) which established **specific policies** to ensure the **responsible management** of archaeological resources, as **required by Provincial policy and legislation**.”

**ROPA 6 is infused with inclusive language (e.g, “to develop in conjunction with”, “continued dialogue”, “be notified in advance”, “engage with”, “in partnership with”) related to Indigenous communities**



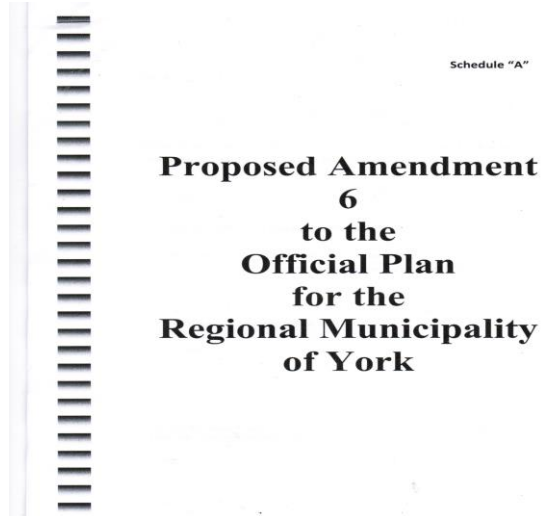
Regional Plans

# ROPA 6 Amendment

## York Region's Official Plan

### Section 3.4 Cultural Heritage

"Fragile, non-renewable resources have been lost at an ever-increasing rate in southern Ontario for the past 60 years, as a result of extensive land development." ~ROPA 6



**ROPA 6 is relevant to 160 Monsheen Drive because it is located within an area of archeological potential AND a short stroll from the Huron Mckenzie-Woodbridge site.**

York Region's ROP **"demonstrates commitment to responsible archeological management practices, continued dialogue with First Nations and Metis Nation representatives, and the investigation of appropriate reinternment, interpretive and commemoration strategies."**

At the Regional level, policy **"3.4.12 deal specifically with First Nations and Metis archaeological and cultural resources."**

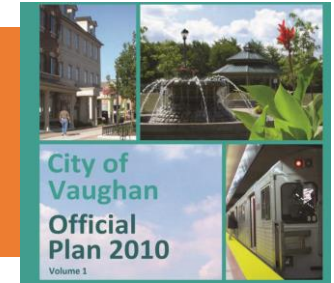
The comprehensive policies in the ROP was **effective February 20, 2014** when Regional Council met to **adopt ROPA 6 to the York Region's Official Plan.**

I am inferring that it was so important that by "virtue of Ontario Regulation 525/97, is **exempt** from approval by the Minister of Municipal Affairs and Housing" and **enacted** and **passed** on the very same day as the meeting. ~ ROPA 6

The Policies are intended to **clarify the responsibilities and processes** involved in **archaeological management** in York Region, and to **create a consistent process across the local municipalities.** ~ ROPA 6

# City of Vaughan Official Plan

## 6.4 Archaeological Resources



It is the policy of Council:

- 6.4.1.1. To support the recognition, protection and *conservation* of archaeological sites in Vaughan by:
- designating, where appropriate, archaeological sites under the Ontario Heritage Act;
  - maintaining an up-to-date Archaeological Master Plan through regular review;
  - requiring the submission of an Archaeological Assessment, to the City's satisfaction, for all *development* applications in areas where the City has determined there may be *archaeological potential*; and
- 6.4.1.6. To restrict *development* on lands containing *archaeological resources* or areas of *archaeological potential* unless the significant *archaeological resources* have been *conserved* in situ or, where the nearest First Nation and the First Nation with the closest cultural affiliation have been consulted in accordance with the "York Region First Nations Consultation Protocol" and are in agreement with the means of *conservation*, through removal and documentation. Where significant *archaeological*

This whole process makes me wonder how many applications were approved in Seneca Heights **without having done** an archaeological assessment, **when it was required** as set forth in regional and municipal policy documents?

If not now , when?????

If we can't use the policies to protect **archaeologically sensitive lands** in this particular case (i.e., Huron site Ak-Gv-2 and its' surrounding area), **WHEN** would we apply such policies?

It seems so relevant and applicable in this case to me.

# Ak-Gv-2

## Huron-Wendat (Late Woodlands Settlement)

### 8.0 PLANNING RECOMMENDATIONS

In light of the preceding considerations, the following recommendations are made:

- 1) That the policies attached as Appendix A be incorporated into the Official Plan.
- 2) It is recommended that the archaeological potential mapping be used in making requirements for archaeological assessments in advance of development.
- 3) It is recommended that the Policy Planning and Urban Design and Recreation and Culture Departments work with City departments to establish protocols that ensure that in all appropriate circumstances, construction projects undertaken by developers, ratepayers and the City of Vaughan that may impact archaeological resources on public lands (e.g., trail, playground, playing field, public washroom, parking lot construction, road widening/extension, trunk sewer and watermain construction, stormwater management facility construction, municipal building and structure construction, etc.) and which are located in areas of archaeological potential, are subject to archaeological assessment prior to any land disturbing activity.
- 4) All Late Woodland village sites should be removed from developable lands. The boundaries of such villages must be established through comprehensive Stage 3 mitigations in accordance with the *Standards and Guidelines for Consultant Archaeologists* (final draft 2009).
- 5) No Stage 4 archaeological investigations on Aboriginal sites should be undertaken within the City of Vaughan without first filing a First Nations consultation report with the Policy Planning and Urban Design and Recreation and Culture Departments.
- 6) Archaeological assessment reports should contain the statement that should deeply buried archaeological remains be found on a property during construction activities, all work must cease

City of Vaughan Official Plan Archaeological and First Nations Policy Study Prepared for: City of Vaughan Policy Planning and Urban Design Department, 2010

“All Late Woodland village sites should be removed from developable lands.”

# York Region's Official Plan Section 3.4 ROPA 6 Amendment

► **Objective:** To ensure conservation of *archaeological resources* occurs *in situ* or in an alternate location by proper excavation, documentation and preservation of recovered cultural materials and site documentation, to the satisfaction of the local municipality in compliance with Provincial requirements, standards or guidelines.

## It is the policy of Council:

**3.4.12** to require local municipal official plans to contain policies dealing with *archaeological resources* that require their identification, appropriate documentation and/or protection in accordance with the following:

- a. that upon receiving information that land proposed for development may include *archaeological resources* or contain an area of archaeological potential, the proponent of the development shall undertake studies by a provincially licensed archaeologist to:
  - i) Complete the applicable level of *archaeological assessment* of the land in compliance with current Provincial requirements, standards and guidelines for consultant archaeologists;
  - ii) Assess the impact of the proposed development on any *archaeological resources* identified.
- b. That First Nation or Métis *significant archaeological resources* shall be considered resources that are preferably to be protected in place unless it is demonstrated that preservation *in situ* is not reasonable in the circumstances. The consultant archaeologist shall engage those First Nations or Métis with the closest cultural affiliation and in whose *traditional territories* the *significant archaeological resource* is situated to identify commemorative approaches to assist in maintaining the heritage integrity of the site.

...that upon receiving information that land proposed for development may include archaeological resources OR contain **an area of archeological potential....**

“Indigenous significant archaeological resources shall be considered resources that are preferably to be protected in place unless it is demonstrated that preservation in situ is not reasonable in the circumstances.”

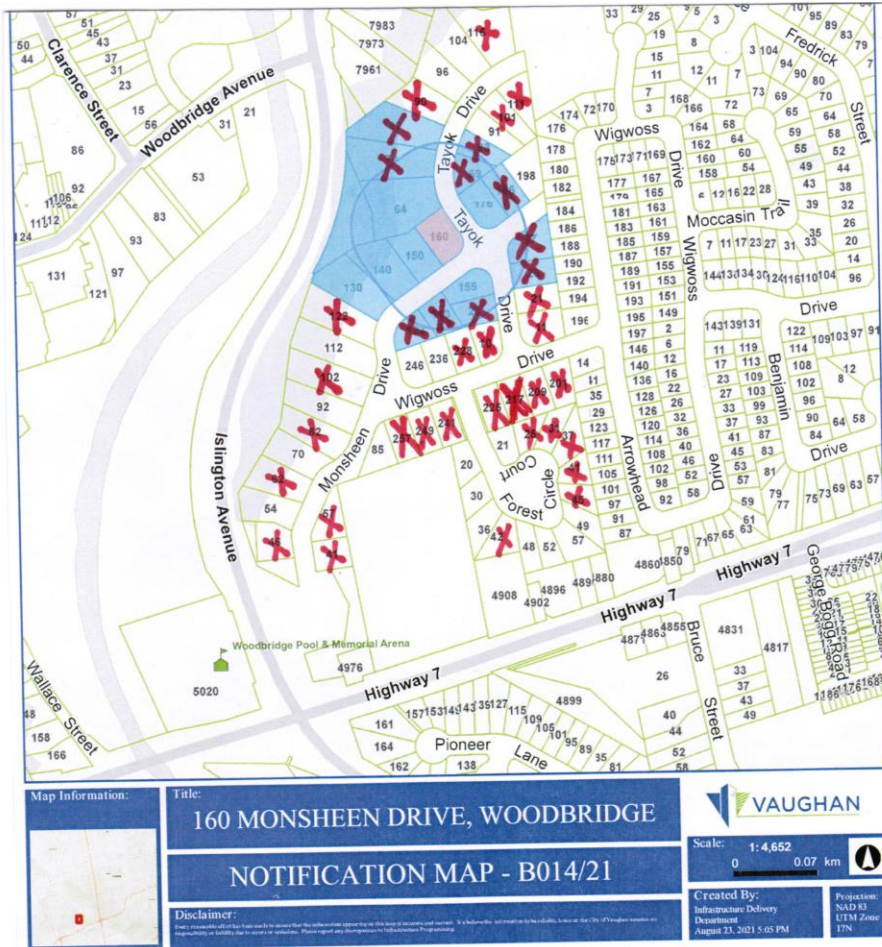
Impacts to archaeological resources may include, though not be limited to, development activities such as grading, excavating and building, or natural activities such as erosion. ■■■

# Indisputable Historical & Archaeological Significance

- Within Seneca Heights is a **significant archaeological site**; it is well-documented and designated as such by the City of Vaughan (**By-Law 70-84 Site: McKenzie-Woodbridge AkGv-2; registered site on the Ontario Archaeological Site Database and the City's Database of Archaeological Site Resources classified as Late Woodlands**)
- the spirit of the documents show the need for **careful attention** and **cultural sensitivity** paid to **responsible planning and management** as outlined in the policies of York Region's Official Plan as well as The City of Vaughan's Official Plan (outlined comprehensively in ROPA 6 which includes **Indigenous voices'**)
- the Committee should **NOT allow** this severance and development to be approved as it goes against the principle of why such policies are written ***in the first place***: **TO PROTECT vulnerable archaeological sites and areas of archaeological potential**
- we need to **respectfully acknowledge** the significance of Huron site Ak-Gv-2 and its surrounding area of archaeological potential (e.g., there's not even a plaque at Almont Park, which is named after a developer, **to acknowledge that there once stood a Huron village in 1520**)



# Community Petition– The Voice of the Residents



- a core group of residents who knocked on every door; of those who were home, an **overwhelming majority oppose**
- this is one of the oldest communities in a rapidly growing Vaughan (**unique, archaeologically and historically significant**)
- this is our home and an overwhelming number of families (**39 homes to be exact; and 54 residents**) are responding with a **loud and resounding NO (and still more coming in)**
- the phrase “**generally complies**” is not enough
- we should have a say in what manner and direction our community heads

**This is about so much more than this one file.**

In the words of the  
late Gord Downie,  
of the Tragically  
Hip, in Memory of  
Chanie Wenjack,  
“DO SOMETHING”  
Do the right thing

# Land Acknowledgement



## Land Acknowledgment

We respectfully acknowledge that the City of Vaughan is situated in the Territory and Treaty 13 lands of the Mississaugas of the Credit First Nation. We also recognize the traditional territory of the Huron-Wendat and the Haudenosaunee. The City of Vaughan is currently home to many First Nations, Métis and Inuit people today. As representatives of the people of the City of Vaughan, we are grateful to have the opportunity to work and live in this territory.

# Sources -- Links

[Archaeological Assessments \(vaughan.ca\)](#)

[Planning for the Conservation of Archaeological Resources in York Region](#)

[Regional Official Plan | York Region](#)

[1 \(vaughan.ca\)](#)

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