A By-law to designate 1470 Pinetree Crescent as being of cultural heritage value or interest

WHEREAS Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, as amended (the "*Heritage Act*"), authorizes the Council of a municipality to enact by-laws to designate real property, including all the buildings and structures thereon, to be of cultural heritage value or interest;

AND WHEREAS Council for The Corporation of the City of Mississauga approved the designation of the property located at 1470 Pinetree Crescent in the City of Mississauga and legally described in Schedule 'B' attached hereto (the "Property") as being of cultural heritage value or interest through Resolution 0146-2023;

AND WHEREAS in accordance with the requirements of the *Heritage Act*, a Notice of Intention to designate the Property was duly published and served, and no notice of objection to such designation was received by the Clerk of The Corporation of the City of Mississauga;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

- 1. The Property, located at 1470 Pinetree Crescent in the City of Mississauga and legally described in Schedule 'B' attached hereto, is hereby designated as being of cultural heritage value or interest under Part IV of the *Heritage Act*.
- 2. The reasons for designating the Property, including an explanation of the cultural heritage value and interest of the Property and a description of the heritage attributes of the Property, are set out in Schedule "A" to this By-law.
- 3. Restrictions on the Property are set out in Schedule "C" to this By-law.
- 4. The City Clerk shall cause a copy of this By-law and prescribed information under section 29(8) of the *Heritage Act* to be served upon the owner of the Property and on the Ontario Heritage Trust, and cause notice of this By-law to be published in a newspaper having general circulation in the City of Mississauga.
- 5. When this By-law comes into force, the City Clerk shall cause a copy of this By-law to be registered against the Property legally described in Schedule "B" in the proper land registry office.

ENACTED AND PASSED this	day of	, 2023.
Approved by Legal Services City Solicitor		
City of Mississauga		MAYOR
Lie Magi		
Lia Magi		CLERK
Date: September 19, 2023		

File: CS.08-22.01

Schedule A

Description of Property – 1470 Pinetree Crescent, Mississauga (legally described as, In the City of Mississauga, Regional Municipality of Peel, being Part of Lot 2, Registered Plan 559, designated as Part 1 on Reference Plan 43R-40005)

The property is located on the eastern top of bank of the Credit River. The property consists of a single building lot, at the southwestern corner of the intersection of Pinetree Crescent and Stavebank Road.

Statement of Cultural Heritage Value of Interest

The property has physical value because it contains registered archaeological site AjGv-4 and subject to Section 48(1) of the *Ontario Heritage Act* is present within the Lands. It has been recommended that there is further cultural heritage value or interest for the archaeological site within the area crosshatched or otherwise clearly marked on Schedule B (the "Site").

The site is dated to multiple periods of pre-Euro-Canadian settlement and is representative of the continual habitation of these lands by Indigenous Peoples since time immemorial.

The property has contextual value as the nearby registered archaeological site AjGv-74 extends over multiple properties, and the portion of site AjGv-4 contained within the subject property is a portion of a greater archaeological landscape.

Description of Heritage Attributes

Historical, associative and contextual attributes include:

- The location at the top of bank to the Credit River
- The proximity to other archaeological resources identified as part of a larger site, registered as AjGv-74

Physical attributes include:

- The nature and extent of all artifacts, cultural features, ancestors/human remains and any other cultural or physical remnants associated with the pre-Euro-Canadian occupation.
- Its location, in situ, in a defined buried A-horizon, marking the former grade of the land prior to settlement and development.

Schedule C Restrictions under the Existing Bylaw and Provincial Legislation and Regulation

- 1. There shall be no alteration, excavation, disturbance, interference with, destruction, removal or modification of the land or the soil situated on or in the Site by any person other than by prior agreement with the City of Mississauga, The Mississaugas of the Credit First Nation, Six Nations of the Grand River, the Huron-Wendat Nation and the Ministry of Citizenship and Multiculturalism. This restriction shall remain in place until such time that a licensed consultant archaeologist has recommended in a report that the archaeological Site has no further cultural heritage value or interest, and the Ministry has stated its satisfaction with that report and entered it into the Ontario Public Register of Archaeological Reports according to section 48(3) of the Ontario Heritage Act.
- 2. Under section 48(3) of the Ontario Heritage Act, the restriction on alteration or the removal of an artifact or other physical evidence of past human use activity from the Site will no longer apply when a licensee has completed archaeological fieldwork, within the meaning of the regulations, on the Site and an archaeological report has been provided to the Minister stating that the Site has no further cultural heritage value or interest and the report is entered into the Ontario Public Register of Archaeological Reports. Any alterations or soil disturbance to an archaeological Site prior to having met the requirements of Section 48(3) is an offence subject to penalty under Section 69(1) of the Ontario Heritage Act.
- 3. The general location of the archaeological Site identified as AjGv-4 is shown on Schedule A of this bylaw. Further details regarding the locations and recommendations for those areas of further cultural heritage value or interest can be found in the Stage 4 report Project Information Form Number P115-0101-2022, from Fisher Archaeological Consulting which has been entered into the Ontario Public Register of Archaeological Reports.
- 4. The Owner acknowledges and agrees that any application to amend the terms of this Agreement with respect to the unexcavated part of the archaeological Site or any application to remove this Agreement from title to the Property will require the approval and consent of the City of Mississauga, the Mississaugas of the Credit First Nation, Six Nations of the Grand River, the Huron-Wendat Nation and the Ministry of Citizenship and Multiculturalism.