

Section 6: Cultural Heritage

Table of Contents

6.0	Cultural Heritage	
6.1	Archaeological Assessments	
6.1.1	Stage 1 Archaeological Background Study	1
6.1.2	Stage 2 Archaeological Assessment	1
6.1.3	Marine Archaeological Assessment	2
6.2	Cultural Heritage Assessment	2

6.0 Cultural Heritage

This section of the Project File contains all of the completed checklists required by the Ontario Ministry of Citizenship & Multiculturalism (MCM) along with the supporting documentation for each. A summary of each study has been included below.

6.1 Archaeological Assessments

6.1.1 Stage 1 Archaeological Background Study

A Stage 1 Archaeological Background Study of the project Study Area was undertaken by AMICK Consultants Limited (hereafter AMICK). A copy of AMICK's report (PIF # P058-2079-2022) can be found in this section of the Project File. As of February 2024, the report is still awaiting MCM review.

AMICK conducted a desktop assessment to evaluate the archaeological potential of the project site. In their summary of the historical context of the site, AMICK concluded that:

- The study area is situated within an area that was well populated in the nineteenth century and has potential for sites relating to early post-contact settlements.
- Based on the proximity to a natural source of potable water, background research indicates the property has potential for significant archaeological resources of Native origins.
- Based on the criteria outlined by the Ministry of Citizenship & Multiculturalism (MCM), the property is deemed to have archaeological potential on the basis of proximity to water. A stage 2 Archaeological Assessment is recommended for specific areas designated for improvements.

6.1.2 Stage 2 Archaeological Assessment

Through the process of completing a Stage 1 Archaeological Background Study, AMICK concluded that the criteria outlined by MCM for determining archaeological potential had been met, and a Stage 2 assessment was required. A Stage 2 Archaeological Assessment (PIF # P058-2108-2022) was then undertaken by AMICK on May 25th, 2022. A copy of AMICK's report can be found in this section of the Project File. As of February 2024, the report is still awaiting MCM review.

The Stage 2 assessment included photo documentation of the site and high intensity test pit methodology at 10-metre intervals. AMICK provided the following conclusions:

- No further archaeological assessment of the study area is warranted;
- The Provincial interest in archaeological resources with respect to the proposed undertaking has been addressed;
- The proposed undertaking is clear of any archaeological concern.

6.1.3 Marine Archaeological Assessment

The MCM's *Criteria for Evaluating Marine Archaeological Potential* checklist was used to determine that a Marine Archaeological Assessment (AA) was required. Matrix Heritage (hereafter Matrix) was retained to undertake the Stage 1 Marine Archaeological Assessment. The report was then entered into the Ontario Public Register of Archaeological Reports and a copy is attached in this section for reference.

The following recommendations were made based on the results of the Stage 1 AA:

- The proposed development impacts consisting of beach infilling and installation of rock revetments at the study area are clear of archeological concern; and,
- There remains potential for deeply buried archaeological sites in the study area. Any work extending 1m or greater below current grade (e.g., future excavation, coring, or boreholes) in the study area, should only be undertaken after an Underwater Archaeological Assessment of the study area has been cleared and the potential for deeply buried archaeological site.

Based on the recommendations above, a Stage 2 Marine AA is required for any improvements that will impact the current lakebottom more than 1 metre deep. Given that the majority of the proposed improvements in the Preferred Solution will not impact more than 1 meter below the current lakebottom, the Project Team elected to not undertake a Stage 2 at this time. As the project progresses, if the City wishes to peruse the construction of the pile supported fishing pier, a Stage 2 Marine AA would be required to address any archaeological concerns prior to construction.

6.2 Cultural Heritage Assessment

The *Criteria for Evaluating Potential for built Heritage Resources and Cultural Heritage Landscapes* check list was completed as an initial assessment to determine if a Cultural Heritage Evaluation Report (CHER) was required. Based on the study area being in a Canadian Heritage River watershed and having structures on the site that are more than 40 years old, a CHER study would therefore be required. A copy of the checklist is attached in this section for reference.

AMICK Consultants Limited was retained to prepare a technical memo to provide reasons that they believe a full CHER study of the site would not be needed due to the lack of cultural significance of the existing structures and landscapes. A copy of AMICK's *Technical Memorandum and Professional Opinion Respecting Potential Direct and Indirect Impacts to Cultural Heritage Resources* can be found in this section of the Project File.

The Memorandum authored by AMICK provided the following conclusions:

- There are no identified heritage attributes associated with the existing use of the area or of the larger area of the proposed undertaking;
- Planned construction activities will temporarily impact access to Lake St. Clair and the main facilities properties, but these activities will be typical of active construction sites. The impacts to the properties will be of visual landscape alteration which be visually

unappealing and the noise of heavy equipment. These impacts will be mitigated on completion of construction; and,

- The potential for impacts to below ground heritage resources has been addressed through a comprehensive archaeological investigation.

After review by MCM, additional information was requested to support the recommendation from AMICK that a full CHER was not necessary. MCM requested further information be provided regarding potential impacts to the following Cultural Heritages resources:

- The Detroit River; and,
- Heritage buildings or structures more than 40 years old, on or adjacent to the study area.

On March 13th, 2024, a letter was to MCM with supporting information and figures as requested. The letter concluded that although there are potential cultural heritage resources and heritage landscapes within or adjacent to the study area, the Preferred Solution for the shoreline improvements will have no direct no direct impacts on the potential resources. A copy of this letter is attached in this section of the project file.

On April 16th, a follow up response was received from MCM to confirm that the supplemental information was sufficient and due diligence has been undertaken with regards to built heritage and cultural heritage landscapes within the study area. A copy of this letter is attached in this section of the Project File.

The **purpose of the checklist** is to determine:

- if a property(ies) or project area:
 - is a recognized heritage property
 - may be of cultural heritage value
- it includes all areas that may be impacted by project activities, including – but not limited to:
 - the main project area
 - temporary storage
 - staging and working areas
 - temporary roads and detours

Processes covered under this checklist, such as:

- *Planning Act*
- *Environmental Assessment Act*
- *Aggregates Resources Act*
- *Ontario Heritage Act* – Standards and Guidelines for Conservation of Provincial Heritage Properties

Cultural Heritage Evaluation Report (CHER)

If you are not sure how to answer one or more of the questions on the checklist, you may want to hire a qualified person(s) (see page 5 for definitions) to undertake a cultural heritage evaluation report (CHER).

The CHER will help you:

- identify, evaluate and protect cultural heritage resources on your property or project area
- reduce potential delays and risks to a project

Other checklists

Please use a separate checklist for your project, if:

- you are seeking a Renewable Energy Approval under Ontario Regulation 359/09 – [separate checklist](#)
- your Parent Class EA document has an approved screening criteria (as referenced in Question 1)

Please refer to the Instructions pages for more detailed information and when completing this form.

Project or Property Name

Project or Property Location (upper and lower or single tier municipality)

Proponent Name

Proponent Contact Information

Screening Questions

	Yes	No
1. Is there a pre-approved screening checklist, methodology or process in place?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If Yes, please follow the pre-approved screening checklist, methodology or process.

If No, continue to Question 2.

Part A: Screening for known (or recognized) Cultural Heritage Value

	Yes	No
2. Has the property (or project area) been evaluated before and found not to be of cultural heritage value?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If Yes, do **not** complete the rest of the checklist.

The proponent, property owner and/or approval authority will:

- summarize the previous evaluation and
- add this checklist to the project file, with the appropriate documents that demonstrate a cultural heritage evaluation was undertaken

The summary and appropriate documentation may be:

- submitted as part of a report requirement
- maintained by the property owner, proponent or approval authority

If No, continue to Question 3.

	Yes	No
3. Is the property (or project area):		
a. identified, designated or otherwise protected under the <i>Ontario Heritage Act</i> as being of cultural heritage value?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. a National Historic Site (or part of)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. designated under the <i>Heritage Railway Stations Protection Act</i> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. designated under the <i>Heritage Lighthouse Protection Act</i> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. identified as a Federal Heritage Building by the Federal Heritage Buildings Review Office (FHBRO)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. located within a United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If Yes to any of the above questions, you need to hire a qualified person(s) to undertake:

- a Cultural Heritage Evaluation Report, if a Statement of Cultural Heritage Value has not previously been prepared or the statement needs to be updated

If a Statement of Cultural Heritage Value has been prepared previously and if alterations or development are proposed, you need to hire a qualified person(s) to undertake:

- a Heritage Impact Assessment (HIA) – the report will assess and avoid, eliminate or mitigate impacts

If No, continue to Question 4.

Part B: Screening for Potential Cultural Heritage Value

	Yes	No
4. Does the property (or project area) contain a parcel of land that:		
a. is the subject of a municipal, provincial or federal commemorative or interpretive plaque?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. has or is adjacent to a known burial site and/or cemetery?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. is in a Canadian Heritage River watershed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. contains buildings or structures that are 40 or more years old?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part C: Other Considerations

	Yes	No
5. Is there local or Aboriginal knowledge or accessible documentation suggesting that the property (or project area):		
a. is considered a landmark in the local community or contains any structures or sites that are important in defining the character of the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. has a special association with a community, person or historical event?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. contains or is part of a cultural heritage landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If Yes to one or more of the above questions (Part B and C), there is potential for cultural heritage resources on the property or within the project area.

You need to hire a qualified person(s) to undertake:

- a Cultural Heritage Evaluation Report (CHER)

If the property is determined to be of cultural heritage value and alterations or development is proposed, you need to hire a qualified person(s) to undertake:

- a Heritage Impact Assessment (HIA) – the report will assess and avoid, eliminate or mitigate impacts

If No to all of the above questions, there is low potential for built heritage or cultural heritage landscape on the property.

The proponent, property owner and/or approval authority will:

- summarize the conclusion
- add this checklist with the appropriate documentation to the project file

The summary and appropriate documentation may be:

- submitted as part of a report requirement e.g. under the *Environmental Assessment Act*, *Planning Act* processes
- maintained by the property owner, proponent or approval authority

Instructions

Please have the following available, when requesting information related to the screening questions below:

- a clear map showing the location and boundary of the property or project area
 - large scale and small scale showing nearby township names for context purposes
- the municipal addresses of all properties within the project area
- the lot(s), concession(s), and parcel number(s) of all properties within a project area

For more information, see the Ministry of Tourism, Culture and Sport's [Ontario Heritage Toolkit](#) or [Standards and Guidelines for Conservation of Provincial Heritage Properties](#).

In this context, the following definitions apply:

- **qualified person(s)** means individuals – professional engineers, architects, archaeologists, etc. – having relevant, recent experience in the conservation of cultural heritage resources.
- **proponent** means a person, agency, group or organization that carries out or proposes to carry out an undertaking or is the owner or person having charge, management or control of an undertaking.

1. Is there a pre-approved screening checklist, methodology or process in place?

An existing checklist, methodology or process may already be in place for identifying potential cultural heritage resources, including:

- one endorsed by a municipality
- an environmental assessment process e.g. screening checklist for municipal bridges
- one that is approved by the Ministry of Tourism, Culture and Sport (MTCS) under the Ontario government's [Standards & Guidelines for Conservation of Provincial Heritage Properties](#) [s.B.2.]

Part A: Screening for known (or recognized) Cultural Heritage Value

2. Has the property (or project area) been evaluated before and found not to be of cultural heritage value?

Respond 'yes' to this question, if all of the following are true:

A property can be considered not to be of cultural heritage value if:

- a Cultural Heritage Evaluation Report (CHER) - or equivalent - has been prepared for the property with the advice of a qualified person and it has been determined not to be of cultural heritage value and/or
- the municipal heritage committee has evaluated the property for its cultural heritage value or interest and determined that the property is not of cultural heritage value or interest

A property may need to be re-evaluated, if:

- there is evidence that its heritage attributes may have changed
- new information is available
- the existing Statement of Cultural Heritage Value does not provide the information necessary to manage the property
- the evaluation took place after 2005 and did not use the criteria in Regulations 9/06 and 10/06

Note: Ontario government ministries and public bodies [prescribed under Regulation 157/10] may continue to use their existing evaluation processes, until the evaluation process required under section B.2 of the Standards & Guidelines for Conservation of Provincial Heritage Properties has been developed and approved by MTCS.

To determine if your property or project area has been evaluated, contact:

- the approval authority
- the proponent
- the Ministry of Tourism, Culture and Sport

3a. Is the property (or project area) identified, designated or otherwise protected under the *Ontario Heritage Act* as being of cultural heritage value e.g.:

- i. designated under the *Ontario Heritage Act*
 - individual designation (Part IV)
 - part of a heritage conservation district (Part V)

Individual Designation – Part IV

A property that is designated:

- by a municipal by-law as being of cultural heritage value or interest [s.29 of the *Ontario Heritage Act*]
- by order of the Minister of Tourism, Culture and Sport as being of cultural heritage value or interest of provincial significance [s.34.5]. **Note:** To date, no properties have been designated by the Minister.

Heritage Conservation District – Part V

A property or project area that is located within an area designated by a municipal by-law as a heritage conservation district [s. 41 of the *Ontario Heritage Act*].

For more information on Parts IV and V, contact:

- municipal clerk
 - [Ontario Heritage Trust](#)
 - local land registry office (for a title search)
-

ii. subject of an agreement, covenant or easement entered into under Parts II or IV of the *Ontario Heritage Act*

An agreement, covenant or easement is usually between the owner of a property and a conservation body or level of government. It is usually registered on title.

The primary purpose of the agreement is to:

- preserve, conserve, and maintain a cultural heritage resource
- prevent its destruction, demolition or loss

For more information, contact:

- [Ontario Heritage Trust](#) - for an agreement, covenant or easement [clause 10 (1) (c) of the *Ontario Heritage Act*]
 - municipal clerk – for a property that is the subject of an easement or a covenant [s.37 of the *Ontario Heritage Act*]
 - local land registry office (for a title search)
-

iii. listed on a register of heritage properties maintained by the municipality

Municipal registers are the official lists - or record - of cultural heritage properties identified as being important to the community.

Registers include:

- all properties that are designated under the *Ontario Heritage Act* (Part IV or V)
- properties that have not been formally designated, but have been identified as having cultural heritage value or interest to the community

For more information, contact:

- municipal clerk
 - municipal heritage planning staff
 - municipal heritage committee
-

iv. subject to a notice of:

- intention to designate (under Part IV of the *Ontario Heritage Act*)
- a Heritage Conservation District study area bylaw (under Part V of the *Ontario Heritage Act*)

A property that is subject to a **notice of intention to designate** as a property of cultural heritage value or interest and the notice is in accordance with:

- section 29 of the *Ontario Heritage Act*
- section 34.6 of the *Ontario Heritage Act*. **Note:** To date, the only applicable property is Meldrum Bay Inn, Manitoulin Island. [s.34.6]

An area designated by a municipal by-law made under section 40.1 of the *Ontario Heritage Act* as a **heritage conservation district study area**.

For more information, contact:

- municipal clerk – for a property that is the subject of notice of intention [s. 29 and s. 40.1]
 - [Ontario Heritage Trust](#)
-

- v. included in the Ministry of Tourism, Culture and Sport's list of provincial heritage properties

Provincial heritage properties are properties the Government of Ontario owns or controls that have cultural heritage value or interest.

The Ministry of Tourism, Culture and Sport (MTCS) maintains a list of all provincial heritage properties based on information provided by ministries and prescribed public bodies. As they are identified, MTCS adds properties to the list of provincial heritage properties.

For more information, contact the MTCS Registrar at registrar@ontario.ca.

3b. Is the property (or project area) a National Historic Site (or part of)?

National Historic Sites are properties or districts of national historic significance that are designated by the Federal Minister of the Environment, under the *Canada National Parks Act*, based on the advice of the Historic Sites and Monuments Board of Canada.

For more information, see the [National Historic Sites website](#).

3c. Is the property (or project area) designated under the *Heritage Railway Stations Protection Act*?

The *Heritage Railway Stations Protection Act* protects heritage railway stations that are owned by a railway company under federal jurisdiction. Designated railway stations that pass from federal ownership may continue to have cultural heritage value.

For more information, see the [Directory of Designated Heritage Railway Stations](#).

3d. Is the property (or project area) designated under the *Heritage Lighthouse Protection Act*?

The *Heritage Lighthouse Protection Act* helps preserve historically significant Canadian lighthouses. The Act sets up a public nomination process and includes heritage building conservation standards for lighthouses which are officially designated.

For more information, see the [Heritage Lighthouses of Canada](#) website.

3e. Is the property (or project area) identified as a Federal Heritage Building by the Federal Heritage Buildings Review Office?

The role of the Federal Heritage Buildings Review Office (FHBRO) is to help the federal government protect the heritage buildings it owns. The policy applies to all federal government departments that administer real property, but not to federal Crown Corporations.

For more information, contact the [Federal Heritage Buildings Review Office](#).

See a [directory of all federal heritage designations](#).

3f. Is the property (or project area) located within a United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Site?

A UNESCO World Heritage Site is a place listed by UNESCO as having outstanding universal value to humanity under the Convention Concerning the Protection of the World Cultural and Natural Heritage. In order to retain the status of a World Heritage Site, each site must maintain its character defining features.

Currently, the Rideau Canal is the only World Heritage Site in Ontario.

For more information, see Parks Canada – [World Heritage Site website](#).

Part B: Screening for potential Cultural Heritage Value

4a. Does the property (or project area) contain a parcel of land that has a municipal, provincial or federal commemorative or interpretive plaque?

Heritage resources are often recognized with formal plaques or markers.

Plaques are prepared by:

- municipalities
- provincial ministries or agencies
- federal ministries or agencies
- local non-government or non-profit organizations

For more information, contact:

- [municipal heritage committees](#) or local heritage organizations – for information on the location of plaques in their community
- Ontario Historical Society's [Heritage directory](#) – for a list of historical societies and heritage organizations
- Ontario Heritage Trust – for a [list of plaques](#) commemorating Ontario's history
- Historic Sites and Monuments Board of Canada – for a [list of plaques](#) commemorating Canada's history

4b. Does the property (or project area) contain a parcel of land that has or is adjacent to a known burial site and/or cemetery?

For more information on known cemeteries and/or burial sites, see:

- Cemeteries Regulations, Ontario Ministry of Consumer Services – for a [database of registered cemeteries](#)
- Ontario Genealogical Society (OGS) – to [locate records of Ontario cemeteries](#), both currently and no longer in existence; cairns, family plots and burial registers
- Canadian County Atlas Digital Project – to [locate early cemeteries](#)

In this context, adjacent means contiguous or as otherwise defined in a municipal official plan.

4c. Does the property (or project area) contain a parcel of land that is in a Canadian Heritage River watershed?

The Canadian Heritage River System is a national river conservation program that promotes, protects and enhances the best examples of Canada's river heritage.

Canadian Heritage Rivers must have, and maintain, outstanding natural, cultural and/or recreational values, and a high level of public support.

For more information, contact the [Canadian Heritage River System](#).

If you have questions regarding the boundaries of a watershed, please contact:

- your conservation authority
- municipal staff

4d. Does the property (or project area) contain a parcel of land that contains buildings or structures that are 40 or more years old?

A 40 year 'rule of thumb' is typically used to indicate the potential of a site to be of cultural heritage value. The approximate age of buildings and/or structures may be estimated based on:

- history of the development of the area
- fire insurance maps
- architectural style
- building methods

Property owners may have information on the age of any buildings or structures on their property. The municipality, local land registry office or library may also have background information on the property.

Note: 40+ year old buildings or structure do not necessarily hold cultural heritage value or interest; their age simply indicates a higher potential.

A building or structure can include:

- residential structure
- farm building or outbuilding
- industrial, commercial, or institutional building
- remnant or ruin
- engineering work such as a bridge, canal, dams, etc.

For more information on researching the age of buildings or properties, see the Ontario Heritage Tool Kit Guide [Heritage Property Evaluation](#).

Part C: Other Considerations

5a. Is there local or Aboriginal knowledge or accessible documentation suggesting that the property (or project area) is considered a landmark in the local community or contains any structures or sites that are important to defining the character of the area?

Local or Aboriginal knowledge may reveal that the project location is situated on a parcel of land that has potential landmarks or defining structures and sites, for instance:

- buildings or landscape features accessible to the public or readily noticeable and widely known
- complexes of buildings
- monuments
- ruins

5b. Is there local or Aboriginal knowledge or accessible documentation suggesting that the property (or project area) has a special association with a community, person or historical event?

Local or Aboriginal knowledge may reveal that the project location is situated on a parcel of land that has a special association with a community, person or event of historic interest, for instance:

- Aboriginal sacred site
- traditional-use area
- battlefield
- birthplace of an individual of importance to the community

5c. Is there local or Aboriginal knowledge or accessible documentation suggesting that the property (or project area) contains or is part of a cultural heritage landscape?

Landscapes (which may include a combination of archaeological resources, built heritage resources and landscape elements) may be of cultural heritage value or interest to a community.

For example, an Aboriginal trail, historic road or rail corridor may have been established as a key transportation or trade route and may have been important to the early settlement of an area. Parks, designed gardens or unique landforms such as waterfalls, rock faces, caverns, or mounds are areas that may have connections to a particular event, group or belief.

For more information on Questions 5.a., 5.b. and 5.c., contact:

- Elders in Aboriginal Communities or community researchers who may have information on potential cultural heritage resources. Please note that Aboriginal traditional knowledge may be considered sensitive.
- [municipal heritage committees](#) or local heritage organizations
- Ontario Historical Society's "[Heritage Directory](#)" - for a list of historical societies and heritage organizations in the province

An internet search may find helpful resources, including:

- historical maps
- historical walking tours
- municipal heritage management plans
- cultural heritage landscape studies
- municipal cultural plans

Information specific to trails may be obtained through [Ontario Trails](#).

Liz Michaud

To: Al-Yassiri, Wadah
Subject: RE: File 0018072: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Intent and Invitation to Comment

From: Harvey, Joseph (MCM) <Joseph.Harvey@ontario.ca>
Sent: Thursday, February 16, 2023 10:15 AM
To: lmichaud@landmarkengineers.ca
Cc: Barboza, Karla (MCM) <Karla.Barboza@ontario.ca>; Ash, Laura <lash@citywindsor.ca>; Al-Yassiri, Wadah <walyassiri@citywindsor.ca>
Subject: RE: File 0018072: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Intent and Invitation to Comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Liz,

Thanks for meeting with us on Tuesday, February 13. We found it very helpful.

A marine archaeological assessment shall be undertaken during the EA process and prior to the issuance of a notice of completion. The study would involve researching any previous disturbance within the project area. The first phase of the marine archaeological assessment would be a background study to confirm if there was any need for an archaeologist or their remote operated vehicle to actually enter the water. The findings and recommendations of that assessment shall inform the EA process. If further exploration and detailed recording is recommended and the project would impact on areas of archaeological potential, a commitment should be included in the Project File Report to undertake further phases of marine archaeological assessment as early as possible during detailed design and prior to any construction activities.

Let us know once the marine archaeological assessment is submitted by the licensed archaeologist. If you have any further questions or concerns, please do not hesitate to reach out to myself.

Thanks,

Joseph Harvey | Heritage Planner
Citizenship, Inclusion and Heritage Division | Heritage Branch | Heritage Planning Unit
Ministry of Citizenship and Multiculturalism
613.242.3743
Joseph.Harvey@ontario.ca

From: Liz Michaud <lmichaud@landmarkengineers.ca>
Sent: February 3, 2023 1:08 PM
To: Harvey, Joseph (MCM) <Joseph.Harvey@ontario.ca>
Cc: Ash, Laura <lash@citywindsor.ca>
Subject: RE: File 0018072: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Intent and Invitation to Comment

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Thank you for your reply.

In speaking with two different Marine Archaeologists we were under the impression that if the Stage 1 identified the need for a Stage 2, then the Stage 2 would have to be undertaken as part of the EA. We have no issue moving forward with a Stage 1 at this time. The Stage 2 timing is the real impact for the project schedule.

If we need to undertake a Stage 2 in the future (prior to construction) we can indicate that in the EA next steps. It will most likely be a few years before the site works would go to construction.

If this is acceptable to the Ministry, we will proceed with the Stage 1.

Thank you,

Liz Michaud, P.Eng.



Landmark Engineers Inc.

2280 Ambassador Drive

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c (519) 999-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

From: Harvey, Joseph (MCM)

Sent: December 13, 2022 9:15 AM

To: Liz Michaud <lmichaud@landmarkengineers.ca>

Subject: FW: File 0018072: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Intent and Invitation to Comment

Hi Liz,

My apologies for the delay in getting back to you.

The assessment should include the areas to be impacted by the undertaking.

Thanks for the additional information. But we continue to recommend the completion of the screening checklist [Criteria for Evaluating Marine Archaeological Potential](#) for the proposed undertaking includes in water works. If you are not sure how to answer one or more of the questions on the checklist, we recommend hiring a licensed marine archaeologist to undertake a marine archaeological assessment.

However, if you have additional information to support the conclusion that a marine archaeological assessment is not required as per the checklist, supporting documentation will need to be included in the EA project file report.

Thanks,

Joseph Harvey | Heritage Planner

Citizenship, Inclusion and Heritage Division | Heritage Branch | Heritage Planning Unit

Ministry of Citizenship and Multiculturalism

613.242.3743

Joseph.Harvey@ontario.ca

From: Liz Michaud <lmichaud@landmarkengineers.ca>

Sent: December 7, 2022 4:06 PM

To: Harvey, Joseph (MCM) <Joseph.Harvey@ontario.ca>

Subject: RE: File 0018072: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Intent and Invitation to Comment

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Thank you Joseph,

How far out and how extensive is a Marine Assessment? Is it just along the shoreline in the areas we intend to alter? The last I looked into someone to undertake a marine assessment it was quite an expensive undertaking. Before I commit my client into such a study, I would like to offer the following considerations as to the value a marine assessment.

- 1) The subject shoreline is in a highly active littoral zone with an accreting sand fillet along the entire site due to the infill of the westerly property. Therefore the existing shoreline does not align with the historic shoreline.
- 2) The bathymetry along the shoreline is very shallow, so slight variances in water levels greatly affect the area of beach that is under water. The entire beach area (which includes the area we are proposing to fill) is regularly groomed by the City in order to maintain the beach.
- 3) The areas we intend to alter along the shoreline would be *filled*, so our proposed improvements would not be excavating any existing riverbottom.

For number 5 I clicked yes because the Lake has historically been used as a transportation route. So that would be within 500m of our site. However, I do not have any 'documented evidence' – so maybe I was a little cautious when answering 'Yes' without actual documentation.

I want to do what is needed for the project, but also don't see the warrants for such a study given the site history, characteristics and the extent of the proposed improvements. I appreciate your feedback on the above.

Thank you,

Liz Michaud, P.Eng.



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From: Harvey, Joseph (MCM) <Joseph.Harvey@ontario.ca>

Sent: December 7, 2022 3:00 PM

To: Liz Michaud <lmichaud@landmarkengineers.ca>

Subject: RE: File 0018072: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Intent and Invitation to Comment

Hi Liz,

Please accept my apologies for the delayed response.

We have reviewed the attached checklist [Criteria for Evaluating Marine Archaeological Potential](#) and have the following comments and observations:

- Question 8 of the checklist notes that the property has been subjected to recent, extensive and intensive disturbance.
- The project study area meets the provincial criteria for marine archaeological potential as Question 5 of the completed Checklist indicates that there is Aboriginal knowledge or historically documented evidence of past Aboriginal use on or within 500 metres of the study area.

The Checklist is designed so that questions 3-7 act as a screening to determine whether additional information should be acquired through a marine archeological assessment regardless of previous disturbances. As such, a marine archeological assessment undertaken by a licensed marine archeologist is recommended prior to issuing a notice of completion or any ground disturbing activities.

I hope this is of assistance,

Joseph Harvey | Heritage Planner
Inclusion and Heritage Division | Heritage Branch | Heritage Planning Unit
Ministry of Citizenship and Multiculturalism
613.242.3743
Joseph.Harvey@ontario.ca

From: Liz Michaud <lmichaud@landmarkengineers.ca>
Sent: November 29, 2022 12:31 PM
To: Harvey, Joseph (MCM) <Joseph.Harvey@ontario.ca>
Subject: RE: File 0018072: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Intent and Invitation to Comment

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Good Morning Joseph,

I have a question regarding the Marine Archaeological Potential checklist (attached).

Item #5 - I am following up with our Archaeologist as I don't have anything documented but they might have something. If it turns out they do, it indicated that we need to undertake a marine assessment. My issue is that the majority of the site and shoreline is highly disturbed. The site had homes all along it for many years before they were removed and it was turned into a beach/park (see attached image). Steel sheet piling was added in some areas over the years and sand has accumulated at the west end due to the infill of the adjacent property in the 1960s. Due to the infill, the beach part of the shoreline would not have the same historic alignment. Also the beach is groomed (disturbed) multiple times per year.

The one area that has historically always been a beach (stop 26 beach) will remain a beach in our plans. This section of the shoreline will be maintained.

Some feedback on how to proceed is appreciated.

Thank you,

Liz Michaud, P.Eng.



Landmark Engineers Inc.
2280 Ambassador Drive
Windsor, ON, N9C 4E4

p (519) 972-8052
c (519) 999-8052
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e-mail lmichaud@landmarkengineers.ca

From: Harvey, Joseph (MCM) <Joseph.Harvey@ontario.ca>
Sent: November 28, 2022 11:33 AM
To: Liz Michaud <lmichaud@landmarkengineers.ca>
Cc: lash@citywindsor.ca
Subject: RE: File 0018072: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Intent and Invitation to Comment

Liz Michaud,

Please find attached our initial advice on the above referenced undertaking.

Please note that the responsibility for administration of the *Ontario Heritage Act* and matters related to cultural heritage recently transferred from the Ministry of Tourism, Culture and Sport (MTCS) to the Ministry of Citizenship and Multiculturalism (MCM). Individual staff roles and contact information remain unchanged. Please continue to send any notices, report and/or documentation to both Karla Barboza and myself.

Please do not hesitate to contact me with questions or concerns.

Regards,

Joseph Harvey | Heritage Planner
Inclusion and Heritage Division | Heritage Branch | Heritage Planning Unit
Ministry of Citizenship and Multiculturalism
613.242.3743
Joseph.Harvey@ontario.ca

From: Liz Michaud <lmichaud@landmarkengineers.ca>
Sent: November 8, 2022 2:02 PM
Subject: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Intent and Invitation to Comment

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Good Afternoon,

In accordance with the approved procedures contained in the Municipal Class Environmental Assessment (EA), the City of Windsor is proceeding with the Sandpoint Beach Park Shoreline Class Environmental Assessment (EA).

We are presently contacting all private stakeholders and public agencies that may have an interest in the project to solicit their comments and to confirm their interest in the EA process. Attached is a copy of the Notice of Intent and Invitation for Public Comment and a Location Plan.

To aid in the dissemination of information, all project-related information will be available for review on the City of Windsor's website:

<https://www.citywindsor.ca/residents/parksandforestry/Parks-Development/park-improvement-open-houses/Pages/Sandpoint-Beach-Park-Master-Plan-and-Environmental-Assessment.aspx>

If you have any questions or require further details with respect to this undertaking, please contact the undersigned.

Yours truly,

Liz Michaud, P.Eng.



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Purpose

The **purpose of this checklist** is to help proponents determine:

- if a property or project area may contain marine archaeological resources or have marine archaeological potential

A marine archaeological site is fully or partially submerged, or lies below or partially below the high-water mark of any body of water.

The property or project area includes all submerged areas that may be impacted by project activities, including, but not limited to:

- the main project area
- temporary storage and stockpiling locations
- staging and work areas, such as docking platforms and dredging locations
- temporary features such as access routes, anchors, moorings and cofferdams.

Please refer to the **instructions** on pages 4 through 9 when completing this checklist

Processes covered

- *Planning Act*
- *Environmental Assessment Act*
- *Aggregate Resources Act*
- *Ontario Heritage Act*
 - Standards & Guidelines for Conservation of Provincial Heritage Properties
- *Canadian Environmental Assessment Act*
- *Canada Shipping Act*

Marine archaeological assessment

The assessment will help you:

- identify, evaluate and protect marine archaeological resources on your property or project area
- reduce potential delays and risks to your project

If you are not sure how to answer one or more of the questions on the checklist, you may want to hire a licensed marine archaeologist (defined on page 5) to undertake a marine archaeological assessment.

Note: Under Part VI of the *Ontario Heritage Act*, all marine archaeological assessments **must** be done by a licensed marine archaeologist. Only a licensed marine archaeologist can assess – or alter – a marine archaeological site.

Have you found a site?

If you find something you think may be of marine archaeological value during project work, you **must** – by law – stop all activities immediately and contact a licensed marine archaeologist. The marine archaeologist will carry out the fieldwork in compliance with the *Ontario Heritage Act*.

Have you found human remains?

If you find remains (e.g., bones) that could be of human origin, you **must** – by law - immediately notify the appropriate authorities (police, coroner's office, or Registrar of Cemeteries) and comply with the *Funeral, Burial and Cremation Services Act*.

Other Checklists

Please use a separate checklist for your project if:

- your Parent Class EA document has approved screening criteria
- your ministry's or prescribed public body's approved Identification and Evaluation Process includes approved screening criteria

Project or Property Name
Sandpoint Beach Park Shoreline

Project or Property Location (upper and lower or single tier municipality)
City of Windsor

Proponent Name
Liz Michaud, P.Eng. on behalf of the City of Windsor

Proponent Contact Information

Telephone Number
519-972-8052

Fax Number
519-972-8644

Email Address
lmichaud@landmarkengineers.ca

Screening Questions

1. Is there a government-authorized, pre-approved screening checklist, methodology or process in place?

Yes No

If **Yes**, please follow the pre-approved screening checklist, methodology or process. Do not complete the rest of this checklist.

If **No**, continue to Question 2.

2. Has a marine archaeological assessment been prepared for the property or project area and been entered by MTCS into the Ontario Public Register of Archaeological Reports?

Yes No

If **Yes**, do **not** complete the rest of the checklist. You are expected to follow the recommendations in the marine archaeological assessment report(s).

The proponent and/or approval authority will:

- summarize the previous marine archaeological assessment
- follow any recommendations for further marine archaeological assessment work, as applicable
- add this checklist to the project file, with the appropriate documents that demonstrate a marine archaeological assessment was undertaken (e.g. MTCS letter that states that the report has been entered into the Ontario Public Register of Archaeological Reports)

The summary and appropriate documentation may be:

- submitted as part of a report requirement, e.g. environmental assessment document
- maintained by the proponent or approval authority

If **No**, continue to Question 3.

3. Are there known marine or land-based archaeological sites on or within 500 metres of the property or project area?

Yes No

4. Is there Aboriginal or local knowledge of marine or land-based archaeological sites on or within 500 metres of the property or project area?

Yes No

5. Is there Aboriginal knowledge or historically documented evidence of past Aboriginal use on or within 500 metres of the property or project area?

Yes No

6. Is there a known burial site or cemetery on the property or adjacent to the property or project area?

Yes No

7. Has the property or project area been recognized for its cultural heritage value?

Yes No

If **Yes** to any of questions 3 to 7, do **not** complete the checklist. Your property or project area could contain marine archaeological resources: please hire a licensed marine archaeologist to conduct a marine archaeological assessment.

If **No**, continue to Question 8.

8. Has the entire property or project area been subjected to recent, extensive and intensive disturbance?

Yes No

If **Yes**, do **not** complete the checklist. Instead, please keep and maintain a summary of documentation that provides evidence of the recent disturbance. A marine archaeological assessment is not required.

If **No**, continue to Question 9.

9. Are there two or more reported or registered ship wreck sites or reports of lost ships within a five kilometre radius of the property or project area?

Yes No

If **Yes**, a marine archaeological assessment is required.

If **No**, continue to Question 10.

10. Is the property or project area within one kilometre of an active or historic harbour, seaplane or floatplane base, tunnel, ferry route, marine terminal, or winter road?

Yes No

If **Yes**, a marine archaeological assessment is required.

If **No**, continue to Question 11.

11. Where the project impacts fourth order or higher watercourses, are there existing narrows, rapids, waterfalls or does the watercourse enter or leave a body of water within 300 metres of the property or project area?

Yes No

If **Yes**, a marine archaeological assessment is required.

If **No**, continue to Question 12.

12. Are there potential built heritage or cultural heritage landscape resources that may be of cultural heritage value or interest adjacent to the watercourse or water body?

Yes No

If **Yes**, a marine archaeological assessment is required.

If **No**, continue to Question 13.

13. Are there inundated beaches, bluffs, lakeshores, streams or river banks within 300 metres of the property or project area?

Yes No

If **Yes**, a marine archaeological assessment is required.

If **No**, continue to Question 14.

14. Are there inundated beaches, lakeshores or river/creek banks beyond 300 metres and at greater depth than the project area with evidence of two or more of the following in the project area?

- elevated bathymetric features such as drumlins, eskers, kames, ridges, etc.
- pockets of sandy lakebed
- distinctive bathymetric formations such as escarpments, shoals, promontories, reefs, etc.
- inundated resource extraction areas (quarry, fishery)
- inundated historical settlement including built heritage resources or cultural heritage landscapes
- inundated historical transportation routes

Yes No

If **Yes**, a marine archaeological assessment is required.

If **No**, there is low potential for marine archaeological resources at the property (or project area).

The proponent, property owner and/or approval authority will:

- summarize the conclusion
- add this checklist with the appropriate documentation to the project report or file

The summary and appropriate documentation may be:

- submitted as part of a report requirement, e.g. under the *Environmental Assessment Act, Planning Act* processes
- maintained and retained by the property owner, proponent or approval authority

Instructions

Please have the following available, when requesting information related to the screening questions:

- a clear map or chart showing the location and boundary of the property or project area
 - large scale and small scale maps/charts showing nearby islands or township names for context
- the municipal addresses of all properties or water lots within or adjacent to the project area, if any
- the lot, concession, parcel number or mining claims of any properties within the project area

In this context, the following definitions apply:

- **licensed marine archaeologist** means an archaeologist who has a valid marine archaeology licence issued by the Ministry of Tourism, Culture and Sport to practice in Ontario. As a consultant, a licensed marine archaeologist enters into an agreement with a client to carry out or supervise marine archaeological work on behalf of the client, produce reports for or on behalf of the client and provide technical advice to the client.
- **proponent** means a person, agency, group or organization that carries out or proposes to carry out an undertaking or is the owner or person having charge, management or control of an undertaking.

1. Is there a pre-approved screening checklist, methodology or process in place?

An existing checklist, methodology or process may be already in place to identify marine archaeological potential, including:

- one prepared and adopted by the municipality, such as an archaeological management plan
- an environmental assessment process, such as a screening checklist for municipal bridges
- projects being reviewed under the Canadian *Environmental Assessment Act*.
- one that is approved by the Ministry of Tourism, Culture and Sport under the Ontario government's [Standards & Guidelines for Conservation of Provincial Heritage Properties](#) [s. B.2.]

2. Has a marine archaeological assessment been prepared for the property or project area and been entered into the Ontario Public register of Archaeological Reports?

Respond 'yes' to this question, if all of the following are true:

- a marine archaeological assessment report has been prepared and complies with MTCS requirements
 - a letter has been sent by MTCS to the licensed marine archaeologist confirming that MTCS has entered the report into the Ontario Public Register of Archaeological Reports (Register)
- the report contains a recommendation stating that there are no further concerns regarding impacts to marine archaeological sites

If a marine archaeological assessment report has been completed and deemed compliant by MTCS, and the report contains a recommendation that further marine archaeological assessment work be undertaken, this work will need to be completed.

For more information about previously conducted marine archaeological assessments, contact:

- approval authority (such as a municipality or conservation authority)
- proponent for whom the marine archaeological assessment was carried out
- consultant archaeologist qualified to hold a marine archaeology licence in Ontario
- Ministry of Tourism, Culture and Sport at archaeology@ontario.ca

3. Are there known marine or land-based archaeological sites on or within 500 metres of the property or project area?

MTCS maintains a database of marine and land-based archaeological sites reported to the ministry. Land-based archaeological sites may extend into adjacent waterbodies.

For more information, contact MTCS Archaeological Data Coordinator at archaeology@ontario.ca.

4. Is there Aboriginal or local knowledge of marine or land-based archaeological sites on or within 500 metres of the property or project area?

Check with:

- Aboriginal communities in your area
- local municipal staff

Aboriginal communities may have knowledge that can contribute to the identification of cultural heritage resources, and we suggest that any engagement with Aboriginal communities includes a discussion about known or potential cultural heritage resources that are of value to these communities. Aboriginal communities and local municipal staff may have information about marine archaeological sites that are not included in the MTCS database or reported to the ministry.

Other sources of local knowledge include the following:

- property owner
- [local heritage organizations and historical societies](#), [Association for Great Lakes Maritime History](#)
- local and provincial dive organizations ([Save Ontario Shipwrecks](#), [Ontario Underwater Council](#)), [Preserve Our Wrecks](#), Ontario Marine Heritage Committee)
- local dive shops
- local amateur divers and diving associations
- local museums
- [municipal heritage committees](#)
- published local histories

5. Is there Aboriginal knowledge or historically documented evidence of past Aboriginal use on or within 500 metres of the property or project area?

Check with:

- Aboriginal communities in your area
- local municipal staff

Other sources of local knowledge include the following:

- property owner
- [local heritage organizations and historical societies](#)
- local museums
- [municipal heritage committees](#)
- published local histories

6. Is there a known burial site or cemetery on the property or adjacent to the property or project area?

For more information on known cemeteries or burial sites contact the following:

- Cemeteries Regulation Unit, Ontario Ministry of Consumer Services – for [database of registered cemeteries](#)
- Ontario Genealogical Society (OGS) – [to locate records of Ontario cemeteries](#), both currently and no longer in existence; cairns, family plots and burial registers
- Canadian County Atlas Digital Project – to [locate early cemeteries](#)

In this context, 'adjacent' means 'contiguous', or as otherwise defined in a municipal official plan.

When wrecks are associated with a loss of life, the area in the vicinity of the wreck may be established as a cemetery.

7. Has the property or project area been recognized for its cultural heritage value?

There is a strong chance there may be marine archaeological resources on the property or project area if it has been listed, designated or otherwise identified as being of cultural heritage value by:

- Municipal government
- Ontario government
- Canadian government

This includes a property that is:

- designated under *Ontario Heritage Act* (the OHA), including:
 - individual designation (Part IV)
 - part of a heritage conservation district (Part V)
 - a land or marine archaeological site (Part VI)
- subject to:
 - an agreement, covenant or easement entered into under the OHA (Parts II or IV)
 - a notice of intention to designate (Part IV)
 - a heritage conservation district study area by-law (Part V) of the OHA
- included on:
 - a municipal register or inventory of heritage properties
 - Ontario government's list of provincial heritage properties
 - Federal government's list of federal heritage buildings
- part of a:
 - National Historic Site
 - UNESCO World Heritage Site
- designated under:
 - *Heritage Railway Station Protection Act*
 - *Heritage Lighthouse Protection Act*
- subject of a municipal, provincial or federal commemorative or interpretive plaque.

To determine if your property or project area is covered by any of the above, see:

- Part A of the MTCS [Criteria for Evaluating Potential for Built Heritage and Cultural Heritage Landscapes](#)

Part VI – Archaeological Sites

Includes three marine archaeological sites prescribed under Ontario Regulation 11/06 and five terrestrial archaeological sites designated by the Minister under Regulation 875 of the Revised Regulation of Ontario, 1990.

For more information, refer to [Regulation 875](#) and Ontario [Regulation 11/06](#).

8. Has the entire property or project area been subjected to recent, extensive and intensive disturbance?

Recent: after-1960

Extensive: over all or most of the area

Intensive: thorough or complete disturbance

Examples of ground disturbance include:

- quarrying
- dredging
- structural footprints and associated construction areas
 - where the structure has deep foundations or footings
- infrastructure development such as:
 - dams
 - pipelines, hydro lines or other utility trenches
 - causeways
 - bridges

Note: this applies only to the excavated part of the right-of-way or corridor as the remainder may not be impacted

A ground disturbance does not include:

- aqua-cultural activities, such as a fish farm
- areas of traditional or commercial harvesting of fish, shellfish or water-based vegetation
- traditional agricultural areas that have been inundated

Property (Project Area) Inspection

Some documentation may provide evidence of prior disturbance, such as:

- photographs
- maps
- detailed descriptions and blueprints of prior projects

If complete disturbance isn't clear from documents available, an archaeologist licensed for marine archaeology can be hired to undertake an underwater and/or remote-sensing inspection of the study area to determine whether there is any remaining marine archaeological potential.

9. Are there two or more reported or registered ship wreck sites or reports of lost ships within a five kilometre radius of the property or project area?

The presence of two or more ship wreck sites or reports of lost ships in the vicinity may indicate increased marine archaeological potential for additional marine wrecks.

10. Is the property or project area within one kilometre of an active or historic harbour, seaplane or floatplane base, tunnel, ferry route, marine terminal, or winter road?

Focussed areas of marine activity on- and off-shore are indicators for potential marine archaeology due to:

- deliberate structures built in or on the water, such as:
 - mooring and anchoring structures
 - weirs, piers, docks, cribwork
 - groynes, breakwaters, artificial reefs
 - vessels scuttled for utilitarian or other purposes
 - infrastructure related to the construction or operation of a facility like marine railways
- incidental features, such as:
 - beached or sunken vessels or aircraft
 - dropped objects

As a result, there is potential for marine archaeological features or artifacts.

11. Where the project impacts fourth order or higher watercourses, are there existing narrows, rapids, waterfalls or does the watercourse enter or leave a body of water within 300 metres of the property or project area?

Fourth order and higher watercourses (on the Strahler scale) have potential association with human activity around narrows, rapids, waterfalls and proximity to waterbodies such as lakes due to:

- fish harvesting and related dams or weirs
- portage locations for navigable waterways
- early historical fording locations
- early historical water power sources for mills

These activities may result in marine archaeological features or artifacts.

12. Are there potential built heritage or cultural heritage landscape resources that may be of cultural heritage value or interest adjacent to the watercourse or water body?

Euro-Canadian settlement immediately adjacent to water bodies or watercourses may be focussed on the water for specific industrial, commercial or residential uses resulting in marine archaeological features or artifacts. For guidance, see the MTCS [Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes](#)

13. Are there inundated beaches, bluffs, lakeshores, streams or river banks within 300 metres of the property or project area?

The margins of water bodies are associated with past human occupations and use of the land. About 80-90% of archaeological sites are found within 300 metres of water bodies.

- water body types:
 - primary - lakes, rivers, streams, creeks
 - secondary - springs, marshes, swamps and intermittent streams and creeks
- water bodies can include constructed water bodies or watercourses, such as:
 - temporary channels for surface drainage
 - rock chutes and spillways
- Accessible or inaccessible shorelines can also have archaeological potential, for example:
 - high bluffs or cliffs
 - sandbars

You can get information about inundated shoreline features through:

- a site visit
- aerial photographs
- bathymetric data
- geological and physiographic studies

14. Are there inundated beaches, lakeshores or river/creek banks beyond 300 metres and at greater depth than the project area with evidence of two or more of the following in the project area?

- elevated bathymetric features such as drumlins, eskers, kames, ridges, etc.
- pockets of sandy lakebed
- distinctive bathymetric formations such as escarpments, shoals, promontories, reefs, etc.
- inundated resource extraction areas (quarry, fishery)
- inundated historical settlement including built heritage resources or cultural heritage landscapes
- inundated historical transportation routes

Landforms associated with past human occupations that have later been inundated, as historically documented or demonstrated through water-level chronologies, retain their archaeological potential.

- **Elevated bathymetric features**

Higher ground and elevated positions, surrounded by low or level topography, often indicate past settlement and land use. Features such as eskers, drumlins, sizeable knolls, plateaus next to lowlands or other such features are a strong indication of archaeological potential.

Find out if your property or project area had elevated topography prior to inundation through:

- nautical charts
- bathymetric data

- **Pockets of sandy lakebed**

Areas of sandy soil, prior to being inundated, that would be well-drained and in areas characterized by heavy soil or rocky ground may indicate archaeological potential

Find out if your property or project area had sandy soil through:

- site visits
- lakebed studies and sediment borehole data

- **Distinctive bathymetric formations**

Distinctive land formations include – but are not limited to:

- waterfalls
- rock outcrops or faces
- caverns
- mounds

Prior to inundation such features were often important to past inhabitants as special or sacred places. The following sites may be present at – or close to – these formations:

- burials
- structures
- offerings
- rock paintings or carvings

Find out if your property or project area has a distinctive land formation through:

- site visits
- aerial photographs
- bathymetric data

- **Inundated resource extraction areas**

Prior to inundation, the following resources were collected in these extraction areas:

- food or medicinal plants e.g. migratory routes, spawning areas, prairie
- scarce raw materials e.g. quartz, copper, ochre or outcrops of chert
- resources associated with early historic industry e.g. fur trade, logging, prospecting, mining

Aboriginal communities may hold traditional knowledge about their past use or resources in the area.

- **Inundated early historic settlement**

Early Euro-Canadian settlements include – but are not limited to:

- early military or pioneer settlement, e.g. pioneer homesteads, isolated cabins, farmstead complexes
- early wharf or dock complexes
- pioneers churches and early cemeteries

- **Inundated early historic transportation routes** - such as trails, passes, roads, railways, portage routes, canals.

For more information, see:

- historical maps or atlases
 - for information on early settlement patterns such as trails (including Aboriginal trails), monuments, structures, fences, mills, historic roads, rail corridors, canals, etc.
 - [Archives of Ontario](#) holds a large collection of historical maps and atlases
 - digital versions of historical atlases are available on the [Canadian County Atlas Digital Project](#)
- commemorative markers or plaques such as those posted by local, [provincial](#) or [federal](#) agencies
- [municipal heritage committees](#) or [other local heritage organizations](#)
 - for information on early historic settlements or landscape features (e.g. fences, mill races)
 - for information on commemorative markers or plaques

13 February 2023



Liz Michaud P. Eng.
Project Engineer
Landmark Engineers Inc.
2280 Ambassador Drive
Windsor, ON, N9C 4E4
Telephone: (519) 972-8052
Email: lmichaud@landmarkengineers.ca

RE: Technical Memorandum and Professional Opinion Respecting Potential Direct and Indirect Impacts to Cultural Heritage Resources on Select land including various addresses on: 10300 Riverside Drive East, Part of Lots 139, 140 & 141, Concession 1, City of Windsor, Geographic Township of East Sandwich, County of Essex (AMICK File #2022-655)

Mrs. Michaud

The purpose of completing a Heritage Impact Assessment (HIA) is to ensure that the proposed undertaking is compliant with Provincial Policy Statement policy 2.6.3: *“Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.”* The project is an Environmental Assessment of the Sandpoint Beach shoreline that will address erosion projection and flooding as well as site safety issues related to the sand beach and swimming area. There are currently no identified heritage attributes associated with the existing use of the area or of the larger area of the proposed undertaking. If cultural heritage features were associated with the proposed undertaking, appropriate mitigation measures could be developed if necessary. For the purposes of a Municipal Class EA, MCM has requested that this be confirmed by a qualified heritage consultant and in similar situations has been satisfied with a lesser scoped HIA in the form of a technical memo, (given that the municipality can confirm there are no heritage properties to be recognized).

This Memorandum serves to address the request posed by MCM

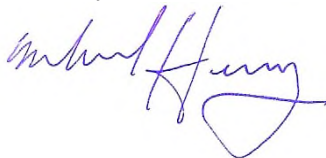
The proposed undertaking will propose shoreline improvements, including moving the existing swimming beach east to a safer location and raising of the grades along the site to address long term flooding concerns. The area consists of previous disturbance (asphalt walkways used for trails) as well as 4 structures. The main facilities building has 1 roof but is 3 separate buildings as well as a small storage area. Construction will temporarily impact access to Lake St. Clair and the main facilities properties as listed. The impacts to the properties will be of visual landscape alteration which will be visually unappealing and the noise of heavy equipment. The impacts will be typical of active construction sites and are of a temporary nature that will be mitigated once construction is complete. It would unnecessarily complicate the proposed undertaking if efforts to mitigate these impacts during construction activities were attempted.

In consideration of the above, we advise that in our view, any concern respecting potential direct or indirect impacts to heritage resources in close proximity to the proposed undertaking has been addressed.

The potential for impacts to below ground heritage resources, including the possibility for unmarked graves within the existing roadways is a matter which has been addressed through a comprehensive archaeological investigation.

I trust the forgoing is sufficient for your present requirements. Should you have any questions or wish to discuss the matter further, please do hesitate to contact the undersigned.

Sincerely



Michael B. Henry CD BA FRAI FRSA CAPH
Partner

AMICK Consultants Limited
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Tel: (519) 432-4435 Email: mhenry@amick.ca
www.amick.ca



March 13, 2024

Project No.: 21-050

VIA E-MAIL

Ms. Erika Leclerc, Heritage Planner
Ministry of Citizenship and Multiculturalism

**Re: Sandpoint Beach Park Shoreline Class Environmental Assessment (EA)
Cultural Heritage and Heritage Landscape Potential
Additional Information**

Dear Ms. Leclerc:

Based on our discussion at the online meeting held on 14 February 2024, Landmark has prepared the following letter to supplement the memo prepared by AMICK consultants for the above noted project.

Background

The first step in assessing if the study area requires a complete Cultural Heritage Evaluation Report (CHER), was to complete the Ministry of Citizenship and Multiculturalism's (MCM) checklist Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes. Two of the questions in the checklist were answered 'yes', which indicated there is potential for cultural heritage resources on the property or within the project area. The questions were:

- is (the study area) in a Canadian Heritage River watershed? and,
- (the study area) contains building or structures that are 40 or more years old?

The remainder of this letter will discuss the potential resources identified above and provide information to show that the Preferred Solution will have no direct or indirect impacts on the potential resources.

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Professional Engineers
Ontario

Canadian Heritage River Watershed

The study area is located along Lake St. Clair at the mouth of the Detroit River, which is designated as a Canadian Heritage River. The shoreline of the study area is not located directly on the Detroit River, as shown on Figure 1 attached.

The Detroit River has been used as a main transportation and shipping route since European settlement began more than 300 years ago. The location of the main shipping and transportation channel is located approx. 200m off-shore of the study area. The area adjacent to the shoreline is too shallow for watercraft other than a kayak. The proposed shoreline improvement will not interfere with the deeper navigable waterway and will also continue to provide an area for launching kayaks.

The existing study area consists of a public beach on the west half of the site with steel sheet pile walls along the east half, and another small beach area at the far east end (known as Stop 26 Beach). As shown in Figures 2a and 2b, the study area was at one time a residential area. Although the exact date is not known, the site was converted to a public park sometime in the late 1970s, when the public beach was created.

The Preferred Solution (attached for reference) for the shoreline works intends to move the location of the beach to the current park location while providing a more naturalized shoreline along the entire shoreline. The shoreline improvements will provide higher level of flooding protection for Riverside Drive and the low-lying lands south of the study area, while also creating a safer swimming beach for the public. The shoreline improvements will not directly or indirectly effect the Detroit River.

It should also be noted that based on the outcome of the Stage 1 Marine Archaeological Assessment, any in-water works that would impact the lake bottom more than 1 meter below existing, will require a Stage 2 Marine Archaeological Assessment to be undertaken prior to construction.

Existing Buildings

There are two buildings located within the study area. There is a main facilities building and a storage shed. The main facilities building was built in 1982 and is made up of three smaller buildings that share one large roof. The facilities building does not have any Cultural Heritage significance according to the City of Windsor and is not registered on the Municipal Heritage Register. See Figure 4 for building location, photo and layout. The Preferred Solution for the shoreline improvements will not directly impact the facilities building. As stated in the AMICK

report, the short-term impacts will be limited access, site disturbance and noise which are typical for all construction sites and will be mitigated once construction is complete.

As shown in the aerial photos on Figure 5, the storage shed was built sometime between 1987 and 1990 to house park maintenance equipment. It is, therefore, less than 40 years old and not listed on the City's Municipal Heritage Register. This building will be removed as part of the Preferred Solution as its current location will be part of the future beach.

Directly west of the study area, there is a property located at 10150 Riverside Drive East that is registered on the Municipal Heritage Register. See Figure 6 for location and photo of the building. This building will not be directly or indirectly impacted by the proposed shoreline improvements.

Conclusion

Although there are potential cultural heritage resources and heritage landscapes within or adjacent to the project's study area, the Preferred Solution for the shoreline improvements will have no direct or indirect impacts on the potential resources.

Sincerely,

Landmark Engineers Inc.

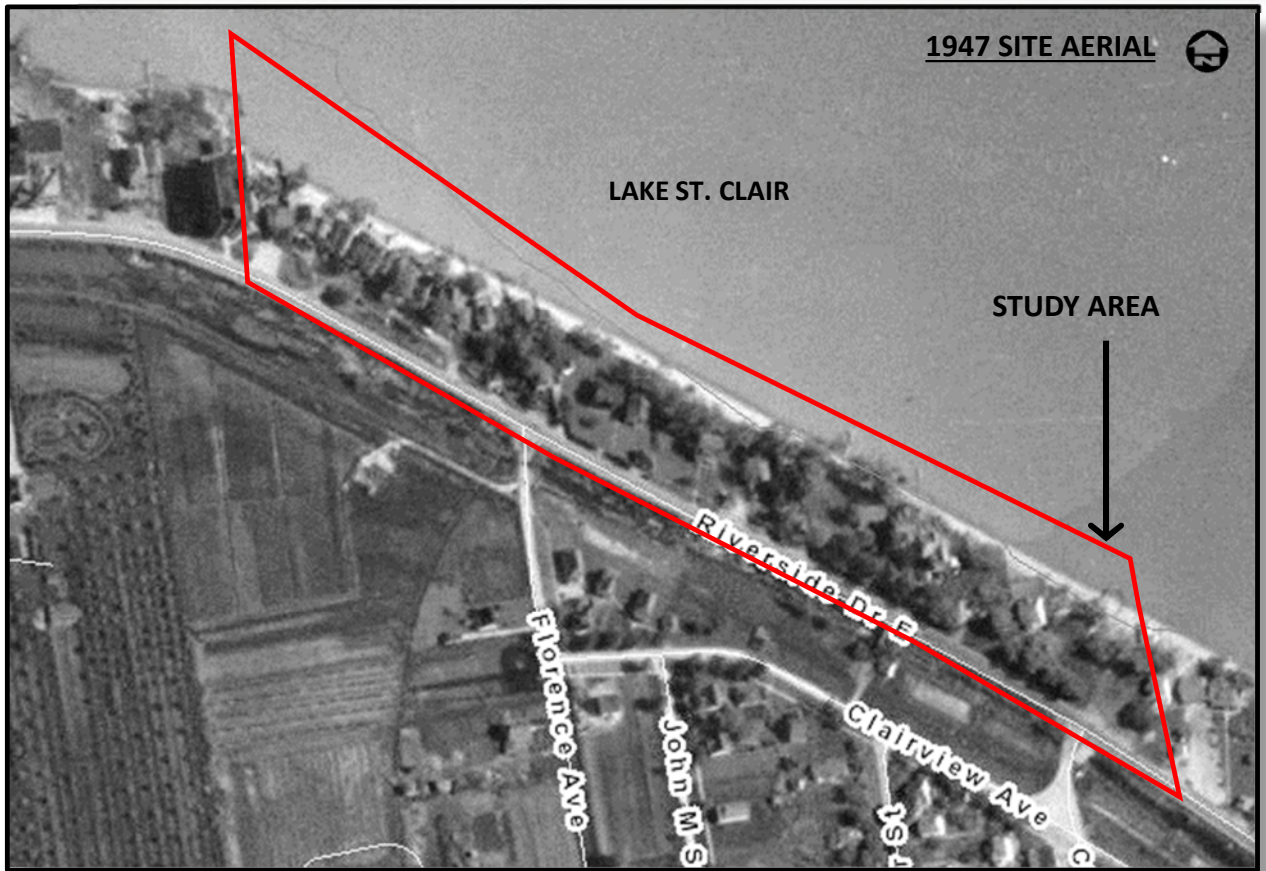


Liz Michaud, P.Eng.
Encls.

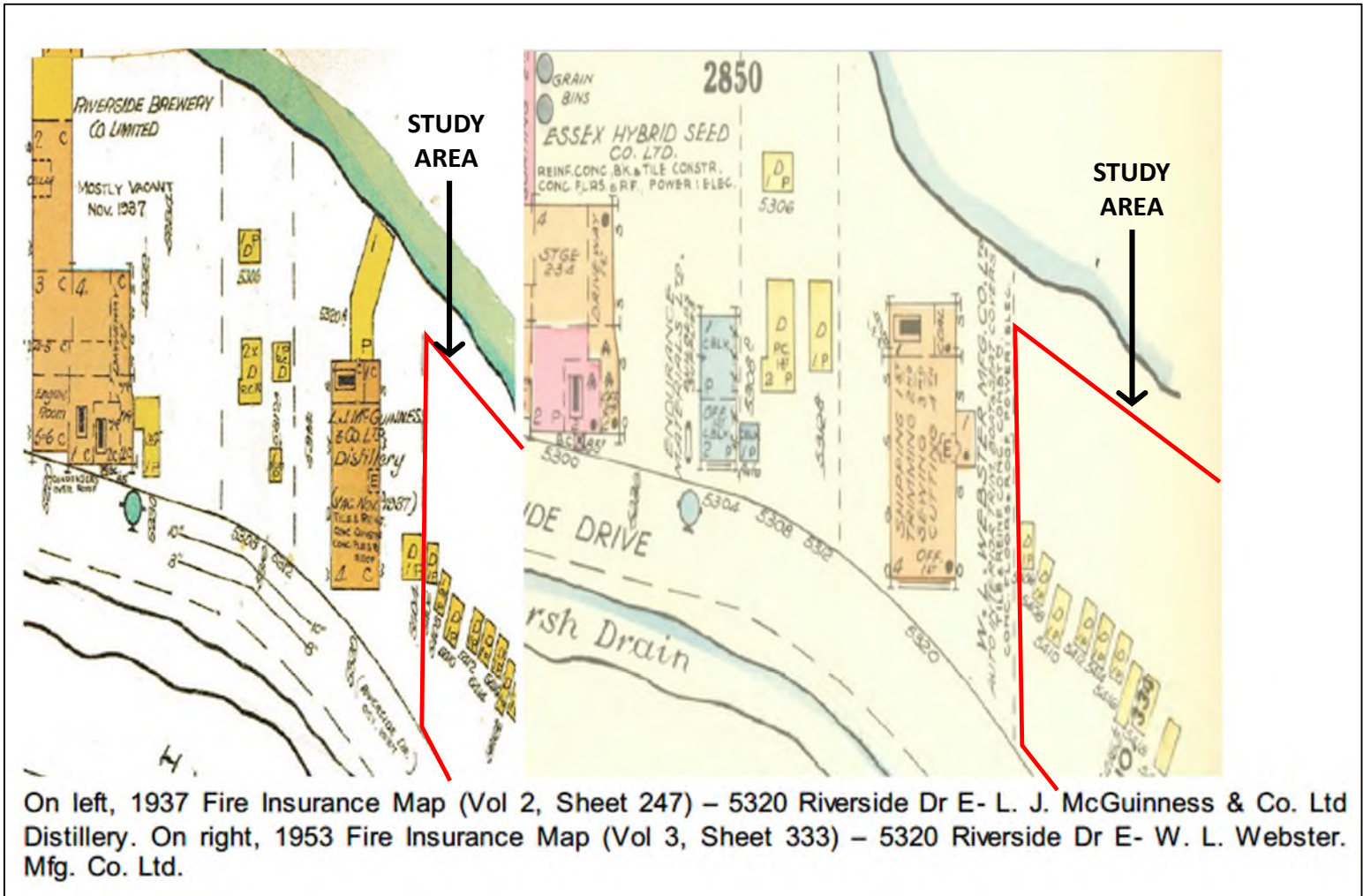
SANDPOINT BEACH PARK SHORELINE - CLASS EA



FIGURE 1 – STUDY AREA LOCATION



The images below show the existing heritage building located at 10150 Riverside Drive East, as well as the foundations locations of homes within the study area.



Note: This image is from a 2021 Council Report entitled: Request for Partial Demolition of a Heritage Listed Property - 10150 Riverside Drive East, Monarch Liqueurs /W.L. Webster Mfg. Ltd. (Ward7)

SANDPOINT BEACH PARK
SHORELINE - CLASS EA

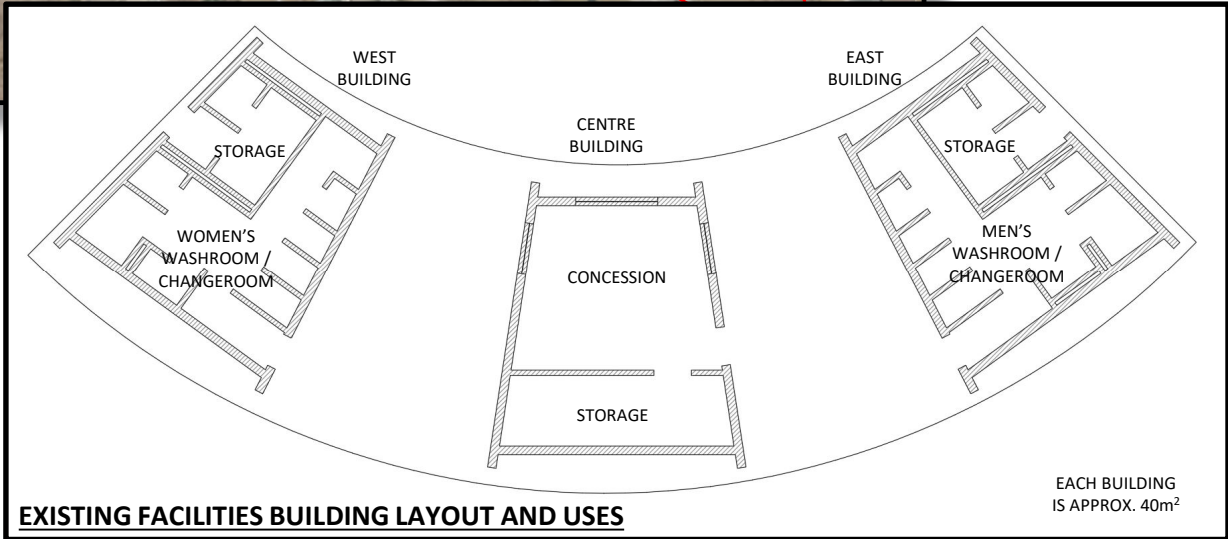
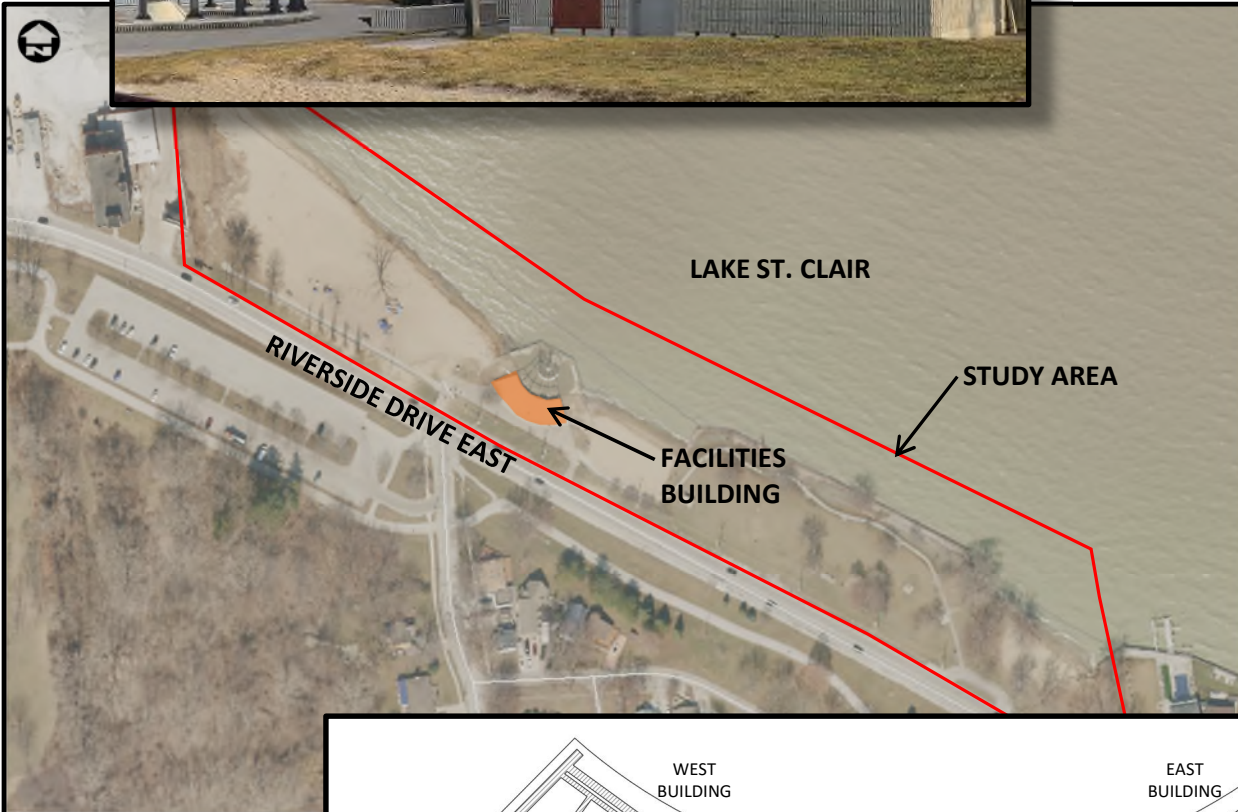


FIGURE 4 - EXISTING FACILITIES BUILDING

SANDPOINT BEACH PARK
SHORELINE - CLASS EA

1990 PHOTO



1987 PHOTO



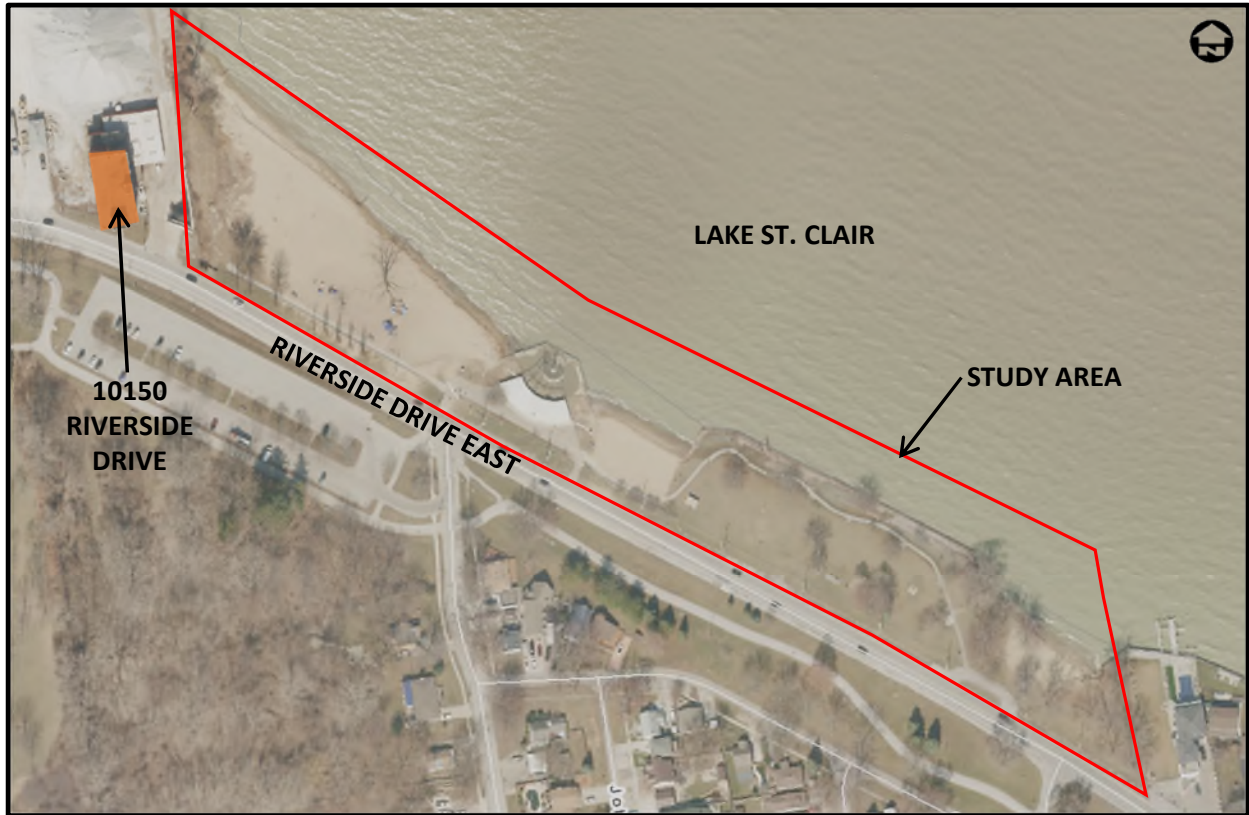
STORAGE SHED CONSTRUCTED
SOMETIME BETWEEN 1987
AND 1990



EXISTING STORAGE SHED (LESS THAN 40 YEARS OLD)



FIGURE 5 – EXISTING STORAGE SHED

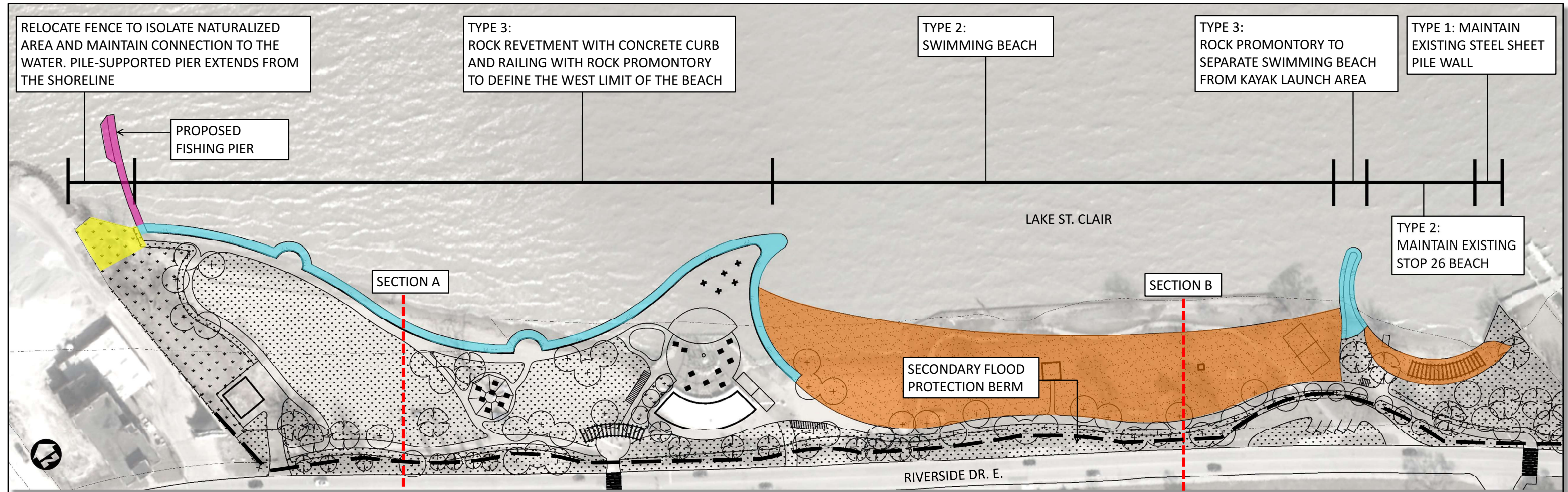


10150 RIVERSIDE DRIVE (GOOGLE IMAGE)






Preferred Solution

Shoreline Improvements - Plan

In an effort to address the objectives outlined in the project's Problem/Opportunity Statement, the Project Team has developed a scope of shoreline improvements for Sandpoint Beach Park, as depicted below. The Preferred Solution incorporates all 3 shore protection alternatives that were considered, with each used in locations that maximize their individual advantages.



Legend

-  SECONDARY FLOOD PROTECTION BERM
-  BEACH AREA
-  ROCK REVETMENT
-  PROPOSED FISHING PIER
-  NATURAL AREA

The primary considerations used in developing this plan included:

- Restricting direct access to the lake for the entire shoreline within 250 metres of the neighbouring deep-water area.
- Maintaining access to the neighbouring deep-water area for anglers via a pile-supported fishing pier.
- Establishing an accessible, undivided swimming beach with as much lake access as currently exists.
- Maintaining the historic Stop-26 Beach as a dedicated kayak launch area.
- Maintaining a fenced-off connection between the lake and the naturalized buffer area at the west limit of the site.

**Ministry of Citizenship
and Multiculturalism**

Heritage Planning Unit
Heritage Branch
Citizenship, Inclusion and
Heritage Division
5th Flr, 400 University Ave
Tel.: 416-305-0757

**Ministère des Affaires civiques
et du Multiculturalisme**

Unité de la planification relative au
patrimoine
Direction du patrimoine
Division des affaires civiques, de
l'inclusion et du patrimoine
Tél.: 416-305-0757



April 16, 2024

EMAIL ONLY

Liz Michaud, P.Eng.
Landmark Engineers Inc.
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Windsor, ON N9C 4E4
lmichaud@landmarkengineers.ca

MCM File : **0018072**
Proponent : **City of Windsor**
Subject : **Municipal Class Environmental Assessment – Schedule B –
Supplementary Information**
Project : **Sandpoint Beach Park Shoreline**
Location : **City of Windsor**

Dear Liz Michaud:

Thank you for providing the Ministry of Citizenship and Multiculturalism (MCM) with the letter dated March 13, 2024 (prepared by Landmark Engineers Inc.) to supplement the *Technical Memorandum and Professional Opinion Respecting Potential Direct and Indirect Impacts to Cultural Heritage Resources* (“Technical Memorandum,” dated February 13, 2023, and prepared by Amick Consultants) for our review and comment.

MCM previously provided comments (in a letter dated February 7, 2024) on the Project File Report (PFR, dated January 2024, prepared by Landmark Engineers Inc.), and associated technical cultural heritage studies for the above-referenced project.

Comments

MCM’s previous comments on the PFR for this project indicated that due diligence had yet to be fully documented, as the Technical Memorandum prepared by Amick Consultants was not consistent with the requirements, guidance, and standards of the Municipal Class Environmental Assessment and with best practice guidance prepared by MCM.

The March 13, 2024 letter prepared by Landmark Engineers Inc. indicates the following:

- The project will not directly or indirectly impact the Detroit River (a designated Canadian Heritage River).
- One facility building over 40 years of age is located within the study area (constructed in 1982).
 - The building does not have cultural heritage value or interest according to the City of Windsor and is not listed or designated on the Municipal Heritage Register.
 - The images provided demonstrate that this is a building type that is commonly found throughout Ontario and unlikely to have cultural heritage value or interest.
 - The project is anticipated to temporarily impact this property through site disturbance and noise, as well as limiting access.

- The only other building in the study area is a storage shed which is less than 40 years old.
 - This building will be removed as part of the preferred solution for the project.
- Directly west of the study area, there is a property located at 10150 Riverside Drive East that is listed on the City of Windsor’s Municipal Heritage Register.
 - This building will not be directly or indirectly impacted by the project.

MCM finds that the supplementary information provided in the March 13, 2024 letter from Landmark Engineers Inc. sufficiently documents that due diligence has been undertaken with regards to identifying potential impacts to known and potential built heritage resources and cultural heritage landscapes within and adjacent to the study area.

Thank you for consulting MCM on this project. If you have any questions or require clarification, please do not hesitate to contact me.

Regards,

Sincerely,

Erika Leclerc
Heritage Planner
Erika.Leclerc@Ontario.ca

Copied to: Laura Ash, City of Windsor
Karla Barboza, Team Lead – Heritage Planning, MCM
Joseph Harvey, Heritage Planner, MCM
EA Notices to Southwest Region, MECP, eanotification.swregion@ontario.ca

It is the sole responsibility of proponents to ensure that any information and documentation submitted as part of their EA report or file is accurate. The Ministry of Citizenship and Multiculturalism (MCM) makes no representation or warranty as to the completeness, accuracy or quality of the any checklists, reports or supporting documentation submitted as part of the EA process, and in no way shall MCM be liable for any harm, damages, costs, expenses, losses, claims or actions that may result if any checklists, reports or supporting documents are discovered to be inaccurate, incomplete, misleading or fraudulent.

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 consultant archaeologist to carry out an archaeological assessment, in compliance with Section 48(1) of the *Ontario Heritage Act*.

The *Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33* requires that any person discovering human remains must cease all activities immediately and notify the police or coroner. If the coroner does not suspect foul play in the disposition of the remains, in accordance with *Ontario Regulation 30/11* the coroner shall notify the Registrar, Ontario Ministry of Public and Business Service Delivery, which administers provisions of that Act related to burial sites. In situations where human remains are associated with archaeological resources, the Ministry of Citizenship and Multiculturalism should also be notified (at archaeology@ontario.ca) to ensure that the archaeological site is not subject to unlicensed alterations which would be a contravention of the *Ontario Heritage Act*.