

SANDPOINT BEACH PARK SHORELINE CLASS ENVIRONMENTAL ASSESSMENT



Job Number: 21-050
Date: January 2024 – DRAFT

Sandpoint Beach Park Shoreline **Class Environmental Assessment**

Executive Summary

Sandpoint Beach is a municipally-owned park located on the east end of the City of Windsor (the City), providing recreational facilities and public beach access to Lake St. Clair near the mouth of the Detroit River. The site is comprised of three distinct segments: Sandpoint Beach, Ganatchio Park, and Stop 26 Beach, which together are commonly referred to as Sandpoint Beach Park.

Over the past few decades there have been several drownings that have occurred at the park - primarily due to patrons straying outside of the marked swimming areas and into an adjacent area at the mouth of the Detroit River where deep waters and strong currents are known to prevail. In response to the most recent drowning incident that occurred in May of 2021, the City of Windsor retained Landmark Engineers to study the feasibility of relocating the existing beach to the east – farther away from the deep-water area. Given that such an undertaking would significantly alter the overall function of the site – and noting that the existing park facilities have not been updated for some time, it was decided to incorporate the proposed shoreline alterations into a new Master Plan for Sandpoint Beach Park.

In December 2021, Landmark Engineers Inc. was retained by the City to develop a Park Master Plan for the Sandpoint Beach Park. Through the Master Plan process, an overall Concept Plan was developed for the site, based on feedback from the public, the City, and other stakeholders. The Concept Plan call for various potential shoreline improvements, including: a new rock revetment along the west half of the site, and moving the swimming beach to the east side of the existing facilities building. The inclusion of these potential shoreline improvements triggered the Municipal Class Environmental Assessment (MCEA) process - which must be completed prior to finalization of the Park Master Plan, detailed design, or construction.

In consultation with the local Ministry of the Environment, Conservation and Parks (MECP) Environmental Assessment Branch, it was established that the project would follow the planning process as a Schedule 'B' activity. At the outset of the MCEA process, the following Problem / Opportunity statement was developed to guide and direct the study:

“This study intends to review and assess possible shoreline modifications at Sandpoint Beach Park in order to:

- *Limit public access to the neighbouring shoreline area where deep water and strong currents are known to exist;*
- *Maintain public access to Lake St. Clair while improving safety;*
- *Maintain / improve flood and erosion protection; and,*
- *Improve the overall function of the park.”*

One Public Information Centre (PIC) was held on November 19, 2022 to present the Recommended Solution to the public. The Recommended Solution for the site was based on the Concept Plan that was developed as part of the Park Master Plan project. Through the EA process, the proposed shoreline improvement options were considered based on their ability to satisfy the project objectives identified in the Problem/Opportunity Statement.

After consideration of the feedback from the public, stakeholders, and various regulatory agencies (as well as a review of the environmental considerations and the project objectives), the Recommended Solution was refined to create the Preferred Solution for this project, which is presented herein.

The Preferred Solution includes the following shoreline improvements at Sandpoint Beach Park:

- Removal of the existing steel sheet pile walls east of the main facilities building;
- Relocation of the Beach to the east side of the existing building;
- New rock revetments along the west half of the site;
- A new rock promontory in front of the existing building;
- A new rock promontory to separate the new beach from the existing Stop 26 beach;
- Site grading to maintain a minimum flood protection elevation along the entire site;
- A pile-supported fishing pier; and,
- An enhanced naturalized corridor with connection to the water west of the pier.

A preliminary budget of **\$2 million to \$2.25 million** (excluding HST) was estimated for the proposed shoreline improvements listed above. The estimate was prepared based on 2023 dollars and includes an allowance of 30% for approvals, engineering and contingencies.

At this time, the Class EA process has been substantially completed and this Project File has been compiled. The Notice of Completion has been published and the 30-day review period has begun. If no Part II Orders are received during the review period, the City may proceed with the design and construction of the proposed shoreline improvements.

Sandpoint Beach Master Plan Class Environmental Assessment

Table of Contents

Section 1: Project Information and Environmental Inventory

Section 2: Public Consultation Process

Section 3: Preferred Solution

Section 4: Distribution List and Communication Inventory

Section 5: First Nation Consultations

Section 6: Cultural Heritage

Section 7: Natural Heritage

Section 1:
Project Information
and
Environmental Inventory

Table of Contents

1.0	Project Information and Environmental Inventory	
1.1	Project Information	1
1.1.1	Project Overview	1
1.1.2	Background/Project Objectives	1
1.1.3	Problem/Opportunity Statement	2
1.1.4	Project File	2
1.1.5	Project Status and Next Steps	2
1.2	Environmental Inventory & Review of Background Information	3
1.2.1	Physical Environment	3
1.2.2	Natural Environment	4
1.2.3	Social/Economic Environment	6

1.0 Project Information and Environmental Inventory

This section of the Project File presents general project information including a project overview, a summary of the project's background, the problem/opportunity statement and a description of the project file and status. This section also summarizes the relevant background information and environmental inventory that was compiled and reviewed as part of the Municipal Class Environmental Assessment (MECA) process.

1.1 Project Information

1.1.1 Project Overview

In December 2021, Landmark Engineers Inc. was retained by the City to develop a Park Master Plan, in preparation for a shoreline Environmental Assessment (EA) and eventual implementation of the project.

A Public Information Centre (PIC) for the Sandpoint Beach Park Master Plan was held on May 19th, 2022. Through the Sandpoint Beach Park Master Plan process, a Concept Plan was developed for the site, based on feedback from the public, the City and other stakeholders.

The current Concept Plan (See attached Park Master Plan image) includes potential shoreline improvements, including the relocation of the existing beach and the installation of new rock revetments along the west half of the site. The inclusion of potential shoreline improvements triggers the Environmental Assessment process - which must be completed prior to finalization of the Park Master Plan, detailed design or construction.

1.1.2 Background/Project Objectives

Sandpoint Beach is a Municipally-owned Park that provides recreational facilities and public beach access to Lake St. Clair. It is our understanding that over the past few decades there have been several drownings that have occurred at the park – primarily due to patrons straying outside the marked swimming areas.

The primary purpose of this redesign is to modify the existing shoreline and swimming facilities within the park in a manner that would improve public safety, while maintaining functional erosion and flood protection.

The following objectives were identified for the Shoreline EA:

- Assess the condition of the existing shoreline;
- Improve overall public safety. (Since 1986 there have been six (6) documented drownings, the most recent was in May of 2021);
- Preserve the only public beach access located within the City of Windsor;
- Create a stable shoreline that provides erosion and flooding protection for the adjacent parkland and municipal right-of-way; and,
- Determine if Blue Flag status is achievable for the beach.

1.1.3 Problem/Opportunity Statement

At the outset of the MCEA process, the following Problem / Opportunity statement was developed to guide and direct the study:

“This study intends to review and assess possible shoreline modifications at Sandpoint Beach Park in order to:

- *Limit public access to the neighbouring shoreline area where deep water and strong currents are known to exist;*
- *Maintain public access to Lake St. Clair while improving safety;*
- *Maintain / improve flood and erosion protection; and,*
- *Improve the overall function of the park.”*

1.1.4 Project File

It was established that the project will follow the planning process set out in the Municipal Engineers Association’s Municipal Class Environmental Assessment (Class EA). The project falls under Schedule ‘B’ of the Municipal Class EA.

For Schedule ‘B’ projects the proponent is required to compile and maintain an official Project File that will be made available to the public for review and comment. The balance of this document represents the Project File.

1.1.5 Project Status & Next Steps

The Class EA process has been substantially completed and this Project File has been compiled.

The Notice of Completion has been published and the 30-day review period has begun. Interested parties will have 30 calendar days (from January 8th, 2024) to submit comments. Comments should be submitted to Landmark Engineers Inc. in order to discuss any outstanding concerns regarding potential adverse impacts to constitutionally protected Aboriginal and treaty rights.

If the concerns cannot be resolved, members of the Public may pursue a Section 16 Order request through the Ministry of the Environment, Conservation and Parks (Ministry) requiring a higher level of study (i.e. requiring an individual/comprehensive EA approval before being able to proceed), or that conditions be imposed (e.g. require further studies), only on the grounds that the requested order may prevent, mitigate or remedy adverse impacts on constitutionally protected Aboriginal and treaty rights. Requests on other grounds will not be considered. Requests should include the requester’s contact information and full name.

Requests should specify what kind of order is being requested (request for conditions or a request for an individual/comprehensive environmental assessment), how an order may prevent, mitigate or remedy potential adverse impacts on Aboriginal and treaty rights, and any information in support of the statements in the request. This will ensure that the Ministry is able to efficiently begin reviewing the request.

The request should be sent in writing or by email to:

Minister David Piccini
Ministry of Environment, Conservation and Parks
777 Bay Street, 5th Floor, Toronto ON M7A 2J3
minister.mecp@ontario.ca

and

Director, Environmental Assessment Branch
Ministry of Environment, Conservation and Parks
135 St. Clair Ave. W, 1st Floor
Toronto ON, M4V 1P5
EABDirector@ontario.ca

Requests should also be copied to Landmark Engineers Inc. by mail or by e-mail. Please visit the Ministry's website for more information on requests for orders under section 16 of the Environmental Assessment Act at: <https://www.ontario.ca/page/class-environmentalassessments-part-ii-order>.

If no Part II Orders are received as a result of the Notice, City may proceed with the design and construction of the proposed shoreline improvements.

1.2 Environmental Inventory & Review of Background Information

A copy of the Environmental Inventory slides presented at the Public Information Centres has been included in this section of the Project File for ease of reference.

1.2.1 Physical Environment

Existing Shoreline

The Study Area consists of approx. 2.2 ha (5 acres) of public parkland. This area is split between beach area and grass park area. Approx. 265m of the existing shoreline is public beach with the remaining 170m of shoreline consisting of steel sheet pile walls.

The existing beach areas appear to be stable and generally consists of naturally deposited, well-graded sand. Approx. 90m of the west beach is currently fenced off to deter access. The safe swimming areas are delineated with buoy lines that are deployed and maintained by City staff during the swimming season.

The existing steel sheet pile walls generally appear to be in fair condition and appear to have been installed in the 1980s. Due to substantial erosion behind the walls, a rock apron has been installed to fill the voids along the back of the wall.

Utilities

All of the utilities run east-west along the south side of the site and do not interfere with any potential shoreline improvements.

Adjacent Land Use

The site is abutted by City of Windsor right-of-way for Riverside Drive East, with additional City owned parkland to the south. Privately-owned residential and commercial flank the site east and west. Lake St. Clair is located immediately to the north of the site. It is understood that the water lots within the Lake are controlled by the Windsor Port Authority.

Lake St. Clair

Lake St. Clair and the mouth of the Detroit River are located immediately north of the site. The lake bottom fronting the Study Area slopes very gently offshore from 175.5m along the shoreline to the 173.0m offshore where there is a steep drop-off. At the west end of the site, the drop-off area is much closer to the shoreline, adjacent to the corner of the west property where the Lake meets the Detroit River. This area has strong currents and undertows. See attached Environmental Inventory – Bathymetry & Safe Swimming Considerations slide attached in this section.

1.2.2 Natural Environment**Geotechnical, Soil Management & Contamination**

A geotechnical investigation was not undertaken as part of this study. Prior to proceeding with detailed design of the Preferred Solution shoreline improvements, a geotechnical investigation may be required.

As part of the Preferred Solution, a barrier berm is proposed along the site for flooding protection. As well, the proposed shoreline erosion protection elevation is higher than the existing shore protection elevation. It is anticipated that the site will require fill to achieve the proposed grades and all soils on-site will be maintained.

Due to the nature of the site and historical uses, it is anticipated that no contaminated soils will be discovered. However, it is recommended that a soils management plan be developed as part of detailed designs and construction phases of the project.

Source Water Protection

The Project File was reviewed by the Essex Region Conservation Authority (ERCA) as it related to Source Water Protection in the Essex Region. No source water related concerns were identified at this time. A copy of the letter from ERCA can be found in this section of the Project File.

Natural Heritage

Insight Environmental Solutions (IES) was retained to complete a Natural Heritage Assessment for the Study Area. The objective of the assessment was to identify potential constraints within the study area associated with natural heritage components and regulatory aspects. A copy of the IES report can be found in Section 7 of this Project File.

Climate Change

Overall, the Proposed Solution for the shoreline works will have a little to no impact on Climate Change. The only potential impacts would be during the construction of the works. Long term, the shoreline will have no impact on climate change.

The following impacts and mitigation measures were considered when selecting the preferred solution for the shoreline:

- Armour rock can be sourced from local quarries to limit the distance of trucking materials to site.
- The rock revetment will create better fish habitat along the shoreline than the current steel sheet pile walls.
- The production of armor rock creates fewer greenhouse gasses than the production of new steel sheet piling.
- The shoreline and berm along the site will have a finished elevation above the current 1:100 year water level and have sufficient freeboard for future water level which are projected to increase.
- It is recommended that trees be planted on the site to offset the removal of trees required to relocate the beach.

Construction of the works

The construction of the works has the potential to create greenhouse gases. In order to mitigate this potential, the following migration measures will be implemented during construction:

- Local contractors will be used to limit the distance the machinery needs to be transported.
- Local suppliers of materials will be chosen (when possible).
- It is recommended that the site be landscaped with trees which will improve air quality and add carbon sinks.

Flooding and Erosion Protection

The increase in water levels due to Climate Change has been considered. The elevations along the shoreline have been determined based on potential future high-water levels. This is discussed in more detail in Section 3 Preferred Solution.

Once the shoreline construction works are completed, there are no anticipated continued climate change effects.

Air Quality, Dust and Noise

The proposed shoreline improvements, once constructed, will not have any adverse impacts to air quality, dust or increased noise levels at the site.

The following mitigation measures are recommended during construction:

- Dust control – Contractors will be responsible for controlling dust resulting from the operations, both on site and within adjacent rights-of-ways. Water and/or non-chloride based dust-suppressants area recommended.
- Noise – Contractors shall abide by the City’s noise by-law (#6716). Work is prohibited during the hours stated in the by-law, including operation of equipment and loading/unloading of materials at the site.

As discussed above in section 1.2.2 Climate Change, it is recommended that the site be planted with trees to improve air quality and add carbon sinks once construction is complete.

1.2.3 Social / Economic Environment

Archaeological Potential

A Stage 1 & 2 Archaeological Assessment of the Study Area was undertaken by AMICK Consultants Limited (AMICK). A summary of the recommendations provided by AMICK and a copy of AMICK’s reports can be found in Section 6 of this Project File.

A Stage 1 Marine Archaeological Assessment of the water area fronting the project site was undertaken by Matrix Heritage (Matrix). A summary of the recommendations provided by Matrix and a copy of Matrix’s reports can be found in Section 6 of this Project File.

Built Heritage/Cultural Heritage

AMICK was also retained to complete a desktop Cultural Heritage Screening Review for the purpose of identifying recognised and potential cultural heritage resources within the Study Area. A copy of AMICK’s report can be found in Section 6 of this Project File.

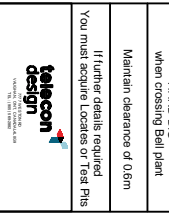


BELL CANADA
 Municipal Operations Department
 100 King Street West
 Toronto, Ontario, M5X 1C7
 Ph: 416-298-8929

Bell Canada Legend Info

- Existing Conduit
- Existing Buried Cable
- Existing Handover/QLB
- Existing Pole
- Existing Pole
- Existing Pole
- Existing Pole
- Existing Pole

CALL FOR LOCATES
 HAND DIG
 If within 1m of Bell Plant
 HAND DIG
 when crossing Bell plant
 Maintain clearance of 0.6m
 If further details required
 You must acquire Locates or Test Pits



Dwg # - 1
 Link ID # - 24888
 CAD Tech - DIVEN/DVING

G-tel Engineering Inc.

1150 Frances St 2nd Floor
London, Ontario
N5W 5N5

Planning Request For: Enbridge Planning - Windsor Region (ENPWIN),

Ticket #: 2022059864

Issued By: G-tel Lookup Dept.

Date: 01/31/2022

Time: 17:42:10

Requester: JACK ZIMMERMAN

Requester's Email: jzimmerman@landmarkengineers.ca

Requesting Company: LANDMARK ENGINEERS INC.

Fax #:

Ticket Request Type: Design And Planning

Location: 10300 RIVERSIDE DR E

Locate Details:

CORLOT=U LOCATES FOR THE SANDPOINT BEACH MUNICIPAL PARK, INCLUDING THE RIGHT-OF-WAY FOR RIVERSIDE DR. EAST BETWEEN 10670 RIVERSIDE DR. EAST AND 10150 RIVERSIDE DR. EAST. INCLUDING THE RIGHT-OF-WAY ON THE SOUTH SIDE OF

Remarks:

CORLOT=U LOCATES FOR THE SANDPOINT BEACH MUNICIPAL PARK, INCLUDING THE RIGHT-OF-WAY FOR RIVERSIDE DR. EAST BETWEEN 10670 RIVERSIDE DR. EAST AND 10150 RIVERSIDE DR. EAST. INCLUDING THE RIGHT-OF-WAY ON THE SOUTH SIDE OF RIVERSIDE DR. EAST
ALTERNATE_CONTACT_TYPE::On-Site Contact






Comments To Excavator:

If you have any questions or concerns regarding your planning request, please call G-tel Engineering at 1-866-692-0208, dial 0 and request the lookup department.

CAUTION: The details provided are to be used solely for planning your design and not for excavation. You must call Ontario One Call at 1-800-400-2255 at least 1 week prior to excavation to obtain a physical locate.

See disclaimer document for further details.

Symbology Legend

-  Dist Segment Line - In-service
-  Trans Pipe Segment Line - In-service
-  High Pressure Segment Line - In-service
-  Dist Segment Line - Proposed
-  Srv Segment Line - In-service

 End Fitting

 Fitting - Reducer

 Fitting - Transition


 Fitting - Elbow


 Branch Fitting - Tee

 Fitting - Excess Flow Valve

 Structure/Address

 Tapping CVT


 Emergency Valve - Activated

 Valve- Deactivated

 Valve - Activated

 Service Connector

 Test Box

 Station

 Chainage Start

 Chainage End

 Chainage Point



Planning Information Request Disclaimer

The drawing(s) that were forwarded to you are to assist you in reviewing your project and are not to be altered or used for any other purpose other than for reference only.

While all efforts have been made to construct the main/service as drawn, the exact location, configuration and/or materials used may have been altered prior to installation. Enbridge Gas Inc. affirms that the pipeline locations indicated for excavation should not be relied upon for construction purposes as being exact.

Should you feel that there may be a conflict with Enbridge Gas' gas main(s), please email the contact below for the area where work is to proceed. A field supervisor will contact you as soon as possible.

Windsor-Chatham (<i>ENPWIN, ENPCHT</i>)	WindServ@uniongas.com
London-Sarnia (<i>ENPLDN, ENPSAR</i>)	SarnServ@uniongas.com
Waterloo-Brantford (<i>ENPWAT, ENPBRA</i>)	WateServ@uniongas.com
Hamilton (<i>ENPHAM</i>)	HamiServ@uniongas.com
Halton (<i>ENPHAL</i>)	HaltServ@uniongas.com
Kingston (<i>ENPEST</i>)	KingServ@uniongas.com
Northeast (Sudbury, North Bay, Sault Ste. Marie, Orillia) (<i>ENPNTH</i>)	SudbServ@uniongas.com
Northwest (Thunder Bay, Timmins and Satellites)(<i>ENPWST</i>)	ThunServ@uniongas.com

Enbridge Gas Inc. assumes no liability to third parties for the incorrect use of these maps.

Please note that the attached maps do not include Enbridge Gas Storage and Transmission line information. To obtain information regarding those lines, please contact Enbridge Gas Storage and Transmission directly at: Stacey Smith (Stacey.Smith@enbridge.com) and Janice Langstaff (Janice.Langstaff@enbridge.com)

By using this service it is understood that third party locates must be obtained through **Ontario One Call** (OntarioOneCall.ca or **1-800-400-2255**) to confirm all pipeline locations prior to excavation.

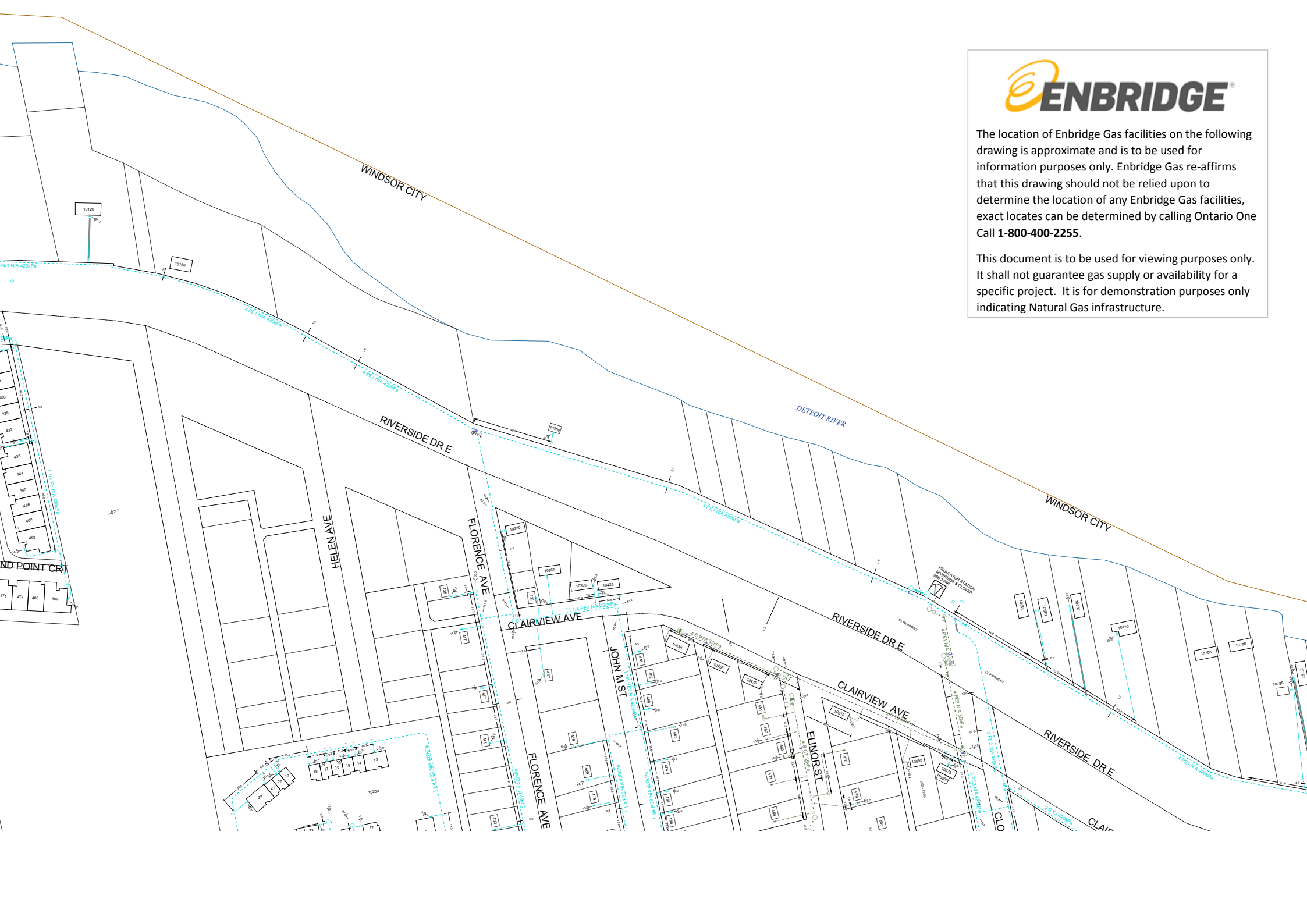
Plant Damage Prevention Department

Enbridge Gas Inc.



The location of Enbridge Gas facilities on the following drawing is approximate and is to be used for information purposes only. Enbridge Gas re-affirms that this drawing should not be relied upon to determine the location of any Enbridge Gas facilities, exact locates can be determined by calling Ontario One Call **1-800-400-2255**.

This document is to be used for viewing purposes only. It shall not guarantee gas supply or availability for a specific project. It is for demonstration purposes only indicating Natural Gas infrastructure.





14 March 2023
Liz Michaud
Landmark Engineers, Inc.
2280 Ambassador Drive
Windsor, ON

kstammler@erca.org
P.519.776.5209
F.519.776.8688
360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

RE: Sandpoint Beach Park Shoreline Class Environmental Assessment

Dear Ms.Michaud,

Thank you for the opportunity to review the information related to the above named project as part of the Municipal Class Environmental Assessment process as it relates to Source Water Protection in the Essex Region. The proposed works are within two different vulnerable areas in the Essex Region - Windsor IPZ-2 and the Event Based Area (Please see the included maps).

There are no Source Water related concerns about this project at this time. However, further information is provided below and we would ask that you continue to consult with Source Protection staff on this project as necessary.

Significant Drinking Water Threats

The proposed works are within the Event Based Area (EBA) for the A.H. Week's Water Treatment Plant. In this area, the above grade handling and storage of liquid fuel in volumes greater than 15,000 L is identified as a Significant Drinking Water Threat (SDWT). Based on the information provided, it does not appear that fuel of this volume will be used or installed as a direct result of the proposed project. Should fuel of this volume be necessary during or as a result of the proposed project, a Risk Management Plan will be required and the proponent would need to consult with the Risk Management Official.

The proposed works are also within the IPZ-2 for the A.H. Week's Water Treatment Plant. There are several activities identified as SDWTs in this area with related policies in the Essex Region Source Protection Plan. Each SDWT has very specific conditions under which the activity is considered to be a threat and most are managed either with existing Provincial Instruments and/or Risk Management Plan. SDWTs in this area include:

combined



- Sewer discharge and sewage treatment plant bypass discharge to surface water
- Stormwater management
- Industrial effluent discharges
- Application of septage to land
- Application of pesticides
- Application and/or storage of agricultural and non-agricultural source material
- Livestock grazing.

The proponents are encouraged to consult the Essex Region Source Protection Plan (<https://essexregionconservation.ca/wp-content/uploads/2018/03/source-protection-plan.pdf>) and the Essex Region Source Protection Project Manager should any of these activities be required or affected during or as a result of this project. Based on the information provided, these SDWTs appear to be unlikely during or as result of this project and no action is required at this time.

Transport Pathways

The EBA and other vulnerable areas are delineated using the best available mapping of drains and other watercourses. The proposed project does not appear to include the creation, relocation or removal of drains and/or other open watercourses and sewers, which could alter the delineation of vulnerable areas in the Essex Region. Should the project plan result in any of the above actions that could affect the delineation of the vulnerable area, the proponent is asked to inform the Essex Region Source Protection Authority.

Groundwater

The proposed project area is not within any Significant Ground Water Recharge Areas or Highly Vulnerable Aquifers.

Again, we thank you for the opportunity to provide comments on this project and look forward to hearing more as it progresses.

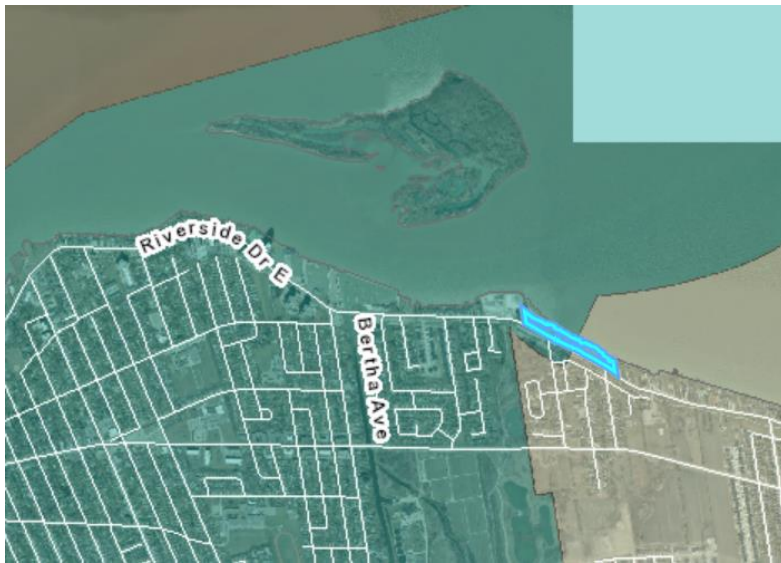
Sincerely,



Katie Stammler, PhD
Source Water Protection Project Manager

(encl – maps)





Maps showing the location of the proposed works (highlighted with a blue outline) within the Windsor IPZ-2 (top – dark green area) and the Event Based Area (bottom – yellow hatched area)

**Ministry of the Environment,
Conservation and Parks**

**Ministère de l'Environnement,
de la Protection de la nature
et des Parcs**

Environmental Assessment
Branch

Direction des évaluations
environnementales

1st Floor
135 St. Clair Avenue W
Toronto ON M4V 1P5
Tel.: 416 314-8001
Fax.: 416 314-8452

Rez-de-chaussée
135, avenue St. Clair Ouest
Toronto ON M4V 1P5
Tél. : 416 314-8001
Télééc. : 416 314-8452

November 9, 2022

Laura Ash, P.Eng.
City of Windsor
lash@citywindsor.ca

BY EMAIL ONLY

**Re: Sandpoint Beach Park Shoreline
City of Windsor
Municipal Class Environmental Assessment, Schedule B
Acknowledgement of Notice of Commencement/Intent**

Dear Laura Ash,

This letter is in response to the Notice of Commencement/Notice of Intent and Invitation for Public Comment for the above noted project. The Ministry of the Environment, Conservation and Parks (MECP) acknowledges that the City of Windsor (proponent) has indicated that the study is following the approved environmental planning process for a Schedule B project under the Municipal Class Environmental Assessment (Class EA).

The **updated (August 2022)** attached "Areas of Interest" document provides guidance regarding the ministry's interests with respect to the Class EA process. Please address all areas of interest in the EA documentation at an appropriate level for the EA study. Proponents who address all the applicable areas of interest can minimize potential delays to the project schedule. **Further information is provided at the end of the Areas of Interest document relating to recent changes to the Environmental Assessment Act through Bill 197, Covid-19 Economic Recovery Act 2020.**

The Crown has a legal duty to consult Aboriginal communities when it has knowledge, real or constructive, of the existence or potential existence of an Aboriginal or treaty right and contemplates conduct that may adversely impact that right. Before authorizing this project, the Crown must ensure that its duty to consult has been fulfilled, where such a duty is triggered. Although the duty to consult with Aboriginal peoples is a duty of the Crown, the Crown may delegate procedural aspects of this duty to project proponents while retaining oversight of the consultation process.

The proposed project may have the potential to affect Aboriginal or treaty rights protected under Section 35 of Canada's *Constitution Act* 1982. Where the Crown's duty to consult is triggered in relation to the proposed project, **the MECP is delegating the procedural aspects of rights-based consultation to the proponent through this letter.** The Crown intends to rely on the delegated consultation process in discharging its duty to consult and maintains the right to participate in the consultation process as it sees fit.

Based on information provided to date and the Crown's preliminary assessment the proponent is required to consult with the following communities who have been identified as potentially affected by the proposed project:

- Aamjiwnaang First Nation
- Bkejwanong (Walpole Island)
- Caldwell First Nation
- Chippewas of Kettle and Stony Point
- Chippewas of the Thames First Nation
- Oneida Nation of the Thames

Steps that the proponent may need to take in relation to Aboriginal consultation for the proposed project are outlined in the "[Code of Practice for Consultation in Ontario's Environmental Assessment Process](#)". Additional information related to Ontario's Environmental Assessment Act is available online at: www.ontario.ca/environmentalassessments.

Please also refer to the attached document "A Proponent's Introduction to the Delegation of Procedural Aspects of consultation with Aboriginal Communities" for further information, including the MECP's expectations for EA report documentation related to consultation with communities.

The proponent must contact the Director of Environmental Assessment Branch (EABDirector@ontario.ca) under the following circumstances after initial discussions with the communities identified by the MECP:

- Aboriginal or treaty rights impacts are identified to you by the communities;
- You have reason to believe that your proposed project may adversely affect an Aboriginal or treaty right;

- Consultation with Indigenous communities or other stakeholders has reached an impasse; or
- A Section 16 Order request is expected based on impacts to Aboriginal or treaty rights

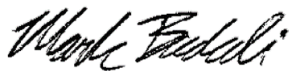
The MECP will then assess the extent of any Crown duty to consult for the circumstances and will consider whether additional steps should be taken, including what role you will be asked to play should additional steps and activities be required.

A draft copy of the report should be sent directly to me prior to the filing of the final report, allowing a minimum of 30 days for the ministry's technical reviewers to provide comments.

Please also ensure a copy of the final notice is sent to the ministry's Southwest Region EA notification email account (eanotification.swregion@ontario.ca) after the draft report is reviewed and finalized.

Should you or any members of your project team have any questions regarding the material above, please contact me at mark.badali1@ontario.ca.

Sincerely,



Mark Badali
Regional Environmental Planner – Southwest Region

Cc: Marcelina Wilson, Supervisor, Windsor Area Office, MECP
Liz Michaud, P.Eng., Landmark Engineers Inc.

Enclosed: Areas of Interest

Attached: Client's Guide to Preliminary Screening for Species at Risk

A Proponent's Introduction to the Delegation of Procedural Aspects of Consultation with Aboriginal Communities

AREAS OF INTEREST (v. August 2022)

It is suggested that you check off each section after you have considered / addressed it.

Planning and Policy

- Applicable plans and policies should be identified in the report, and the proponent should describe how the proposed project adheres to the relevant policies in these plans.
 - Projects located in MECP Central, Eastern or West Central Region may be subject to [A Place to Grow: Growth Plan for the Greater Golden Horseshoe \(2020\)](#).
 - Projects located in MECP Central or Eastern Region may be subject to the [Oak Ridges Moraine Conservation Plan \(2017\)](#) or the [Lake Simcoe Protection Plan \(2014\)](#).
 - Projects located in MECP Central, Southwest or West Central Region may be subject to the [Niagara Escarpment Plan \(2017\)](#).
 - Projects located in MECP Central, Eastern, Southwest or West Central Region may be subject to the [Greenbelt Plan \(2017\)](#).
 - Projects located in MECP Northern Region may be subject to the [Growth Plan for Northern Ontario \(2011\)](#).
- The [Provincial Policy Statement \(2020\)](#) contains policies that protect Ontario's natural heritage and water resources. Applicable policies should be referenced in the report, and the proponent should describe how the proposed project is consistent with these policies.
- In addition to the provincial planning and policy level, the report should also discuss the planning context at the municipal and federal levels, as appropriate.

Source Water Protection

The *Clean Water Act, 2006* (CWA) aims to protect existing and future sources of drinking water. To achieve this, several types of vulnerable areas have been delineated around surface water intakes and wellheads for every municipal residential drinking water system that is located in a source protection area. These vulnerable areas are known as a Wellhead Protection Areas (WHPAs) and surface water Intake Protection Zones (IPZs). Other vulnerable areas that have been delineated under the CWA include Highly Vulnerable Aquifers (HVAs), Significant Groundwater Recharge Areas (SGRAs), Event-based modelling areas (EBAs), and Issues Contributing Areas (ICAs). Source protection plans have been developed that include policies to address existing and future risks to sources of municipal drinking water within these vulnerable areas.

Projects that are subject to the Environmental Assessment Act that fall under a Class EA, or one of the Regulations, have the potential to impact sources of drinking water if they occur in designated vulnerable areas or in the vicinity of other at-risk drinking water systems (i.e.

systems that are not municipal residential systems). MEA Class EA projects may include activities that, if located in a vulnerable area, could be a threat to sources of drinking water (i.e. have the potential to adversely affect the quality or quantity of drinking water sources) and the activity could therefore be subject to policies in a source protection plan. Where an activity poses a risk to drinking water, policies in the local source protection plan may impact how or where that activity is undertaken. Policies may prohibit certain activities, or they may require risk management measures for these activities. Municipal Official Plans, planning decisions, Class EA projects (where the project includes an activity that is a threat to drinking water) and prescribed instruments must conform with policies that address significant risks to drinking water and must have regard for policies that address moderate or low risks.

- In October 2015, the MEA Parent Class EA document was amended to include reference to the Clean Water Act (Section A.2.10.6) and indicates that proponents undertaking a Municipal Class EA project must identify early in their process whether a project is or could potentially be occurring with a vulnerable area. **Given this requirement, please include a section in the report on source water protection.**
 - The proponent should identify the source protection area and should clearly document how the proximity of the project to sources of drinking water (municipal or other) and any delineated vulnerable areas was considered and assessed. Specifically, the report should discuss whether or not the project is located in a vulnerable area and provide applicable details about the area.
 - If located in a vulnerable area, proponents should document whether any project activities are prescribed drinking water threats and thus pose a risk to drinking water (this should be consulted on with the appropriate Source Protection Authority). Where an activity poses a risk to drinking water, the proponent must document and discuss in the report how the project adheres to or has regard to applicable policies in the local source protection plan. This section should then be used to inform and be reflected in other sections of the report, such as the identification of net positive/negative effects of alternatives, mitigation measures, evaluation of alternatives etc.
- While most source protection plans focused on including policies for significant drinking water threats in the WHPAs and IPZs it should be noted that even though source protection plan policies may not apply in HVAs, these are areas where aquifers are sensitive and at risk to impacts and within these areas, activities may impact the quality of sources of drinking water for systems other than municipal residential systems.
- In order to determine if this project is occurring within a vulnerable area, proponents can use [Source Protection Information Atlas](#), which is an online mapping tool available to the public. Note that various layers (including WHPAs, WHPA-Q1 and WHPA-Q2, IPZs, HVAs, SGRAs, EBAs, ICAs) can be turned on through the “Map Legend” bar on the left. The

mapping tool will also provide a link to the appropriate source protection plan in order to identify what policies may be applicable in the vulnerable area.

- For further information on the maps or source protection plan policies which may relate to their project, proponents must contact the appropriate source protection authority. **Please consult with the local source protection authority to discuss potential impacts on drinking water. Please document the results of that consultation within the report and include all communication documents/correspondence.**

More Information

For more information on the *Clean Water Act*, source protection areas and plans, including specific information on the vulnerable areas and drinking water threats, please refer to [Conservation Ontario's website](#) where you will also find links to the local source protection plan/assessment report.

A list of the prescribed drinking water threats can be found in [section 1.1 of Ontario Regulation 287/07](#) made under the *Clean Water Act*. In addition to prescribed drinking water threats, some source protection plans may include policies to address additional "local" threat activities, as approved by the MECP.

Climate Change

The document "[Considering Climate Change in the Environmental Assessment Process](#)" (Guide) is now a part of the Environmental Assessment program's Guides and Codes of Practice. The Guide sets out the MECP's expectation for considering climate change in the preparation, execution and documentation of environmental assessment studies and processes. The guide provides examples, approaches, resources, and references to assist proponents with consideration of climate change in EA. Proponents should review this Guide in detail.

• **The MECP expects proponents of Class EA projects to:**

1. Consider during the assessment of alternative solutions and alternative designs, the following:
 - a. the project's expected production of greenhouse gas emissions and impacts on carbon sinks (climate change mitigation); and
 - b. resilience or vulnerability of the undertaking to changing climatic conditions (climate change adaptation).
2. Include a discrete section in the report detailing how climate change was considered in the EA.

How climate change is considered can be qualitative or quantitative in nature and should be scaled to the project's level of environmental effect. In all instances, both a project's impacts on climate change (mitigation) and impacts of climate change on a project (adaptation) should be considered.

- The MECP has also prepared another guide to support provincial land use planning direction related to the completion of energy and emission plans. The "[Community Emissions Reduction Planning: A Guide for Municipalities](#)" document is designed to educate stakeholders on the municipal opportunities to reduce energy and greenhouse gas emissions, and to provide guidance on methods and techniques to incorporate consideration of energy and greenhouse gas emissions into municipal activities of all types. We encourage you to review the Guide for information.

□ **Air Quality, Dust and Noise**

- If there are sensitive receptors in the surrounding area of this project, a quantitative air quality/odour impact assessment will be useful to evaluate alternatives, determine impacts and identify appropriate mitigation measures. The scope of the assessment can be determined based on the potential effects of the proposed alternatives, and typically includes source and receptor characterization and a quantification of local air quality impacts on the sensitive receptors and the environment in the study area. The assessment will compare to all applicable standards or guidelines for all contaminants of concern. **Please contact this office for further consultation on the level of Air Quality Impact Assessment required for this project if not already advised.**
- If a quantitative Air Quality Impact Assessment is not required for the project, the MECP expects that the report contain a qualitative assessment which includes:
 - A discussion of local air quality including existing activities/sources that significantly impact local air quality and how the project may impact existing conditions;
 - A discussion of the nearby sensitive receptors and the project's potential air quality impacts on present and future sensitive receptors;
 - A discussion of local air quality impacts that could arise from this project during both construction and operation; and
 - A discussion of potential mitigation measures.
- As a common practice, "air quality" should be used as an evaluation criterion for all road projects.
- Dust and noise control measures should be addressed and included in the construction plans to ensure that nearby residential and other sensitive land uses within the study area are not adversely affected during construction activities.
- The MECP recommends that non-chloride dust-suppressants be applied. For a comprehensive list of fugitive dust prevention and control measures that could be applied, refer to [Cheminfo Services Inc. Best Practices for the Reduction of Air Emissions from](#)

[Construction and Demolition Activities](#) report prepared for Environment Canada. March 2005.

- The report should consider the potential impacts of increased noise levels during the operation of the completed project. The proponent should explore all potential measures to mitigate significant noise impacts during the assessment of alternatives.

Ecosystem Protection and Restoration

- Any impacts to ecosystem form and function must be avoided where possible. The report should describe any proposed mitigation measures and how project planning will protect and enhance the local ecosystem.
- Natural heritage and hydrologic features should be identified and described in detail to assess potential impacts and to develop appropriate mitigation measures. The following sensitive environmental features may be located within or adjacent to the study area:
 - Key Natural Heritage Features: Habitat of endangered species and threatened species, fish habitat, wetlands, areas of natural and scientific interest (ANSIs), significant valleylands, significant woodlands; significant wildlife habitat (including habitat of special concern species); sand barrens, savannahs, and tallgrass prairies; and alvars.
 - Key Hydrologic Features: Permanent streams, intermittent streams, inland lakes and their littoral zones, seepage areas and springs, and wetlands.
 - Other natural heritage features and areas such as: vegetation communities, rare species of flora or fauna, Environmentally Sensitive Areas, Environmentally Sensitive Policy Areas, federal and provincial parks and conservation reserves, Greenland systems etc.

We recommend consulting with the Ministry of Natural Resources and Forestry (MNRF), Fisheries and Oceans Canada (DFO) and your local conservation authority to determine if special measures or additional studies will be necessary to preserve and protect these sensitive features. In addition, for projects located in Central Region you may consider the provisions of the Rouge Park Management Plan if applicable.

Species at Risk

- The Ministry of the Environment, Conservation and Parks has now assumed responsibility of Ontario's Species at Risk program. Information, standards, guidelines, reference materials and technical resources to assist you are found at <https://www.ontario.ca/page/species-risk>.
- The Client's Guide to Preliminary Screening for Species at Risk (Draft May 2019) has been attached to the covering email for your reference and use. Please review this document for next steps.

- For any questions related to subsequent permit requirements, please contact SAROntario@ontario.ca.

□ **Surface Water**

- The report must include enough information to demonstrate that there will be no negative impacts on the natural features or ecological functions of any watercourses within the study area. Measures should be included in the planning and design process to ensure that any impacts to watercourses from construction or operational activities (e.g. spills, erosion, pollution) are mitigated as part of the proposed undertaking.
- Additional stormwater runoff from new pavement can impact receiving watercourses and flood conditions. Quality and quantity control measures to treat stormwater runoff should be considered for all new impervious areas and, where possible, existing surfaces. The ministry's [Stormwater Management Planning and Design Manual \(2003\)](#) should be referenced in the report and utilized when designing stormwater control methods. **A Stormwater Management Plan should be prepared as part of the Class EA process** that includes:
 - Strategies to address potential water quantity and erosion impacts related to stormwater draining into streams or other sensitive environmental features, and to ensure that adequate (enhanced) water quality is maintained
 - Watershed information, drainage conditions, and other relevant background information
 - Future drainage conditions, stormwater management options, information on erosion and sediment control during construction, and other details of the proposed works
 - Information on maintenance and monitoring commitments.
- Ontario Regulation 60/08 under the *Ontario Water Resources Act* (OWRA) applies to the Lake Simcoe Basin, which encompasses Lake Simcoe and the lands from which surface water drains into Lake Simcoe. If the proposed sewage treatment plant is listed in Table 1 of the regulation, the report should describe how the proposed project and its mitigation measures are consistent with the requirements of this regulation and the OWRA.
- Any potential approval requirements for surface water taking or discharge should be identified in the report. A Permit to Take Water (PTTW) under the OWRA will be required for any water takings that exceed 50,000 L/day, except for certain water taking activities that have been prescribed by the Water Taking EASR Regulation – *O. Reg. 63/16*. These prescribed water-taking activities require registration in the EASR instead of a PTTW. Please

review the [Water Taking User Guide for EASR](#) for more information. Additionally, an Environmental Compliance Approval under the OWRA is required for municipal stormwater management works.

Groundwater

- The status of, and potential impacts to any well water supplies should be addressed. If the project involves groundwater takings or changes to drainage patterns, the quantity and quality of groundwater may be affected due to drawdown effects or the redirection of existing contamination flows. In addition, project activities may infringe on existing wells such that they must be reconstructed or sealed and abandoned. Appropriate information to define existing groundwater conditions should be included in the report.
- If the potential construction or decommissioning of water wells is identified as an issue, the report should refer to Ontario Regulation 903, Wells, under the OWRA.
- Potential impacts to groundwater-dependent natural features should be addressed. Any changes to groundwater flow or quality from groundwater taking may interfere with the ecological processes of streams, wetlands or other surficial features. In addition, discharging contaminated or high volumes of groundwater to these features may have direct impacts on their function. Any potential effects should be identified, and appropriate mitigation measures should be recommended. The level of detail required will be dependent on the significance of the potential impacts.
- Any potential approval requirements for groundwater taking or discharge should be identified in the report. A Permit to Take Water (PTTW) under the OWRA will be required for any water takings that exceed 50,000 L/day, with the exception of certain water taking activities that have been prescribed by the Water Taking EASR Regulation – *O. Reg. 63/16*. These prescribed water-taking activities require registration in the EASR instead of a PTTW. Please review the [Water Taking User Guide for EASR](#) for more information.
- Consultation with the railroad authorities is necessary wherever there is a plan to use construction dewatering in the vicinity of railroad lines or where the zone of influence of the construction dewatering potentially intercepts railroad lines.

Excess Materials Management

- In December 2019, MECP released a new regulation under the Environmental Protection Act, titled “[On-Site and Excess Soil Management](#)” (O. Reg. 406/19) to support improved management of excess construction soil. This regulation is a key step to support proper management of excess soils, ensuring valuable resources don’t go to waste and to provide

clear rules on managing and reusing excess soil. New risk-based standards referenced by this regulation help to facilitate local beneficial reuse which in turn will reduce greenhouse gas emissions from soil transportation, while ensuring strong protection of human health and the environment. The new regulation is being phased in over time, with the first phase in effect on January 1, 2021. For more information, please visit <https://www.ontario.ca/page/handling-excess-soil>.

- The report should reference that activities involving the management of excess soil should be completed in accordance with O. Reg. 406/19 and the MECP's current guidance document titled "[Management of Excess Soil – A Guide for Best Management Practices](#)" (2014).
- All waste generated during construction must be disposed of in accordance with ministry requirements

Contaminated Sites

- Any current or historical waste disposal sites should be identified in the report. The status of these sites should be determined to confirm whether approval pursuant to Section 46 of the EPA may be required for land uses on former disposal sites. We recommend referring to the [MECP's D-4 guideline](#) for land use considerations near landfills and dumps.
 - Resources available may include regional/local municipal official plans and data; provincial data on [large landfill sites](#) and [small landfill sites](#); Environmental Compliance Approval information for waste disposal sites on [Access Environment](#).
- Other known contaminated sites (local, provincial, federal) in the study area should also be identified in the report (Note – information on federal contaminated sites is found on the Government of Canada's [website](#)).
- The location of any underground storage tanks should be investigated in the report. Measures should be identified to ensure the integrity of these tanks and to ensure an appropriate response in the event of a spill. The ministry's Spills Action Centre must be contacted in such an event.
- Since the removal or movement of soils may be required, appropriate tests to determine contaminant levels from previous land uses or dumping should be undertaken. If the soils are contaminated, you must determine how and where they are to be disposed of, consistent with *Part XV.1 of the Environmental Protection Act* (EPA) and Ontario Regulation 153/04, Records of Site Condition, which details the new requirements related to site assessment and clean up. Please contact the appropriate MECP District Office for further consultation if contaminated sites are present.

Servicing, Utilities and Facilities

- The report should identify any above or underground utilities in the study area such as transmission lines, telephone/internet, oil/gas etc. The owners should be consulted to discuss impacts to this infrastructure, including potential spills.
- The report should identify any servicing infrastructure in the study area such as wastewater, water, stormwater that may potentially be impacted by the project.
- Any facility that releases emissions to the atmosphere, discharges contaminants to ground or surface water, provides potable water supplies, or stores, transports or disposes of waste must have an Environmental Compliance Approval (ECA) before it can operate lawfully. Please consult with MECP's Environmental Permissions Branch to determine whether a new or amended ECA will be required for any proposed infrastructure.
- We recommend referring to the ministry's [environmental land use planning guides](#) to ensure that any potential land use conflicts are considered when planning for any infrastructure or facilities related to wastewater, pipelines, landfills or industrial uses.

Mitigation and Monitoring

- Contractors must be made aware of all environmental considerations so that all environmental standards and commitments for both construction and operation are met. Mitigation measures should be clearly referenced in the report and regularly monitored during the construction stage of the project. In addition, we encourage proponents to conduct post-construction monitoring to ensure all mitigation measures have been effective and are functioning properly.
- Design and construction reports and plans should be based on a best management approach that centres on the prevention of impacts, protection of the existing environment, and opportunities for rehabilitation and enhancement of any impacted areas.
- The proponent's construction and post-construction monitoring plans must be documented in the report, as outlined in Section A.2.5 and A.4.1 of the MEA Class EA parent document.

Consultation

- The report must demonstrate how the consultation provisions of the Class EA have been fulfilled, including documentation of all stakeholder consultation efforts undertaken during the planning process. This includes a discussion in the report that identifies concerns that were raised and **describes how they have been addressed by the proponent** throughout

the planning process. The report should also include copies of comments submitted on the project by interested stakeholders, and the proponent's responses to these comments (as directed by the Class EA to include full documentation).

- Please include the full stakeholder distribution/consultation list in the documentation.

□ **Class EA Process**

- If this project is a Master Plan: there are several different approaches that can be used to conduct a Master Plan, examples of which are outlined in Appendix 4 of the Class EA. **The Master Plan should clearly indicate the selected approach for conducting the plan**, by identifying whether the levels of assessment, consultation and documentation are sufficient to fulfill the requirements for Schedule B or C projects. Please note that any Schedule B or C projects identified in the plan would be subject to Part II Order Requests under the Environmental Assessment Act, although the plan itself would not be. **Please include a description of the approach being undertaken (use Appendix 4 as a reference).**
- If this project is a Master Plan: Any identified projects should also include information on the MCEA schedule associated with the project.
- The report should provide clear and complete documentation of the planning process in order to allow for transparency in decision-making.
- The Class EA requires the consideration of the effects of each alternative on all aspects of the environment (including planning, natural, social, cultural, economic, technical). The report should include a level of detail (e.g. hydrogeological investigations, terrestrial and aquatic assessments, cultural heritage assessments) such that all potential impacts can be identified, and appropriate mitigation measures can be developed. Any supporting studies conducted during the Class EA process should be referenced and included as part of the report.
- Please include in the report a list of all subsequent permits or approvals that may be required for the implementation of the preferred alternative, including but not limited to, MECP's PTTW, EASR Registrations and ECAs, conservation authority permits, species at risk permits, MTO permits and approvals under the *Impact Assessment Act*, 2019.
- Ministry guidelines and other information related to the issues above are available at <http://www.ontario.ca/environment-and-energy/environment-and-energy>. We encourage you to review all the available guides and to reference any relevant information in the report.

Sandpoint Beach Park Shoreline Class Environmental Assessment

MECP Areas of Interest Checklist - Quick Reference

EA Areas of Interest	Project File Reference Location
Planning and Policy	See Section 3: Preferred Solution and Cost Estimate 3.5.1 Planning Policies Review and See Section 7: Natural Heritage Species at Risk Impact Assessment completed by Insight Environmental Solutions. Section 2.0 Background Review - list of the regulatory policies and resources that were reviewed.
Source Water Protection	See Section 1: Project Information and Environmental Inventory 1.2.2 Natural Environment - Source Water Protection. Review provided by ERCA.
Climate Change	See Section 1: Project Information and Environmental Inventory 1.2.2.4 Natural Environment - Climate Change.
Air Quality, Dust and Noise	See Section 1: Project Information and Environmental Inventory 1.2.2.5 Natural Environment - Air Quality, Dust and Noise
Ecosystem Protection and Restoration	See Section 7: Natural Heritage Species at Risk Impact Assessment completed by Insight Environmental Solutions.
Species at Risk	See Section 7: Natural Heritage Species at Risk Impact Assessment completed by Insight Environmental Solutions.
Surface Water	See Section 3: Preferred Solution Section 3.3 Surface Water
Groundwater	The proposed shoreline improvements will not affect the groundwater. This is not applicable to this project.
Excess Materials Management	See Section 1: Project Information and Environmental Inventory 1.2.2.1 Geotechnical, Soil Management & Contamination
Contaminated Sites	See Section 1: Project Information and Environmental Inventory 1.2.2.1 Geotechnical, Soil Management & Contamination
Servicing, Utilities and Facilities	See Section 1: Project Information and Environmental Inventory 1.2.1 Physical Environment
Mitigation and Monitoring	Mitigation and Monitoring items have been described where necessary in the above noted sections. The largest component will be the mitigation and post construction monitoring that will be required from DFO for the infill and shoreline improvement works within the water. The conditions of the DFO approvals will be incorporated into the works and construction monitoring. See Section 7: Natural Heritage - Species at Risk Impact Assessment Report. See Section 6: Cultural Heritage - Archaeology, CHER and HIA Reports.
Consultation	See Public Consultation Process - Section 2, Distribution List and Communications Inventory - Section 4, and First Nation Consultations - Section 5
Class EA Process	See Section 1: Project Information and Environmental Inventory, 1.1 Project Information and Section 3: Preferred Solution and Cost Estimate

Section 2: Public Consultation Process

Table of Contents

2.0	Public Consultation Process	
2.1	Public Drop-In Centre	1
2.2	Project Website	1
2.3	Notices and Mail-outs	1
2.4	Summary of Feedback	2
	2.4.1 Public Information Centre Feedback	2
	2.4.2 Stakeholder Feedback	2
	2.4.3 First Nation Feedback	3

2.0 Public Consultation Process

2.1 Public Information Centre

One Public Information Centre (PIC) was held on 19 November 2022. This section of the Project File contains reproductions of all of the display panels that were presented at the PIC. These slides present the background, analyses, and decision-making process that led to the preferred solution for this undertaking.

Due to the size of the study area, an advertisement was placed in the local newspaper, The Windsor Star on Saturday, November 12th and Wednesday, November 16th. The advertisement included the name of the project, the date, time and location of the of the PIC as well as the City's website and a Quick Response (QR) code.

2.2 Project Website

The display material from the PIC was made available for viewing on the City of Windsor website (www.citywindsor.ca). The website was maintained and updated throughout the course of the assessment. A printed copy of the webpage has been attached to this section of the Project File for reference purposes.

Website Direct Link:

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

Website QR Code:



2.3 Notices and Mail-Outs

The following Notices and/or mail-outs were sent to key project stakeholders, the public and First Nations to notify them of the PIC, update them of the project status and provide an opportunity to comment:

- Notice of Intent & Invitation to Comment – Shoreline Environmental Assessment (PIC No. 1) – November 8, 2022;
- Notice of Intent & Invitation for Consultation – Shoreline Environmental Assessment (Sent to all First Nations) – November 8, 2022;
- Notice of Completion – January 8th, 2024

Copies of the advertisements placed in the Windsor Star prior to the PIC can also be found in this section for reference.

Copies of the Notice can be found in Section 4 of the Project File along with the distribution list.

2.4 Summary of Feedback

The following is a summary of feedback that were received over the course of the Class Environmental Assessment.

2.4.1 Public Information Centre Feedback

At the PIC, local property owners and other stakeholders had the opportunity to ask questions and discuss any concerns directly with the project team. Comment sheets were made available at the Public Information Center. Only two comment sheets were filled out and submitted at the PIC.

Below are a few of the frequently asked questions of the Project Team at the PIC:

- When will the construction begin?
- How long will construction take to complete?
- Who will be paying for the improvements?

The Project Team could not provide specific answers to the first two questions as they are largely based on the City's budget. At this time, there is no specific date for construction to commence. Once the EA is complete, detailed design can commence. Prior to construction, approvals will need to be obtained as well. The Project Team estimated that construction would not commence for minimally 1 year following the EA completion.

The City will be paying for the improvements. The City will also look into any available funding or grant money that may be available for flooding and erosion protection projects.

2.4.2 Stakeholder Feedback

E-mail communication were received from several stakeholders after the PIC during the comment period (November 22nd to December 6th, 2022). Comments received by e-mail were responded to by the Project Team and were taken into consideration as part of the Preferred Solution. A copy of all comments received can be found in this section of the Project File.

One local resident was concerned with the natural area along the west side of the site. The resident wanted to have a stronger connection for animals from the water to the naturalized area where there is currently a fence. The preferred solution incorporated a way to fence off the natural area so that there was no access for people but maintain an access for animals. This solution was in keeping with the recommendations from the Species at Risk Impact Assessment (See section 7 of the Project File).

The Project Team also met with the property owner at the east end of the site to discuss the potential shoreline improvements to Stop 26 Beach. They had a concern that the angle of the rock promontory would direct kayakers under their adjacent dock. They were also concerned about park users accessing their property around the end of the existing concrete wall (by walking on the existing steel sheet pile wall). In response, the rock promontory angle was skewed away from their property. Although not part of the shoreline improvements, some natural plantings were proposed at the north east corner of the site to deter park users from accessing the private property.

2.4.3 First Nation Feedback

A summary and all copies of all correspondence with First Nations can be found in Section 5 of the Project File.

NOTICE OF INTENT AND INVITATION FOR PUBLIC COMMENT

The City of Windsor intends to carry out a study of the Sandpoint Beach Park shoreline in order to assess possible shoreline modifications that would address public safety concerns, while improving and/or maintaining flood and erosion protection. The study is being planned under Schedule B of the Municipal Class Environmental Assessment which is an approved process under the Environmental Assessment Act.

The study has progressed to the point where alternative solutions have been evaluated and a recommended solution has been identified for review and public comment.

PUBLIC INFORMATION CENTRE

Interested parties are welcome to attend the Public Information Centre. Representatives of the City of Windsor and Landmark Engineers Inc. will be present to answer any questions and obtain feedback. The Public Information Centre will be held on:

DATE: Tuesday, November 22, 2022

TIME: 2:00 – 4:00 p.m. and 6:00 – 8:00 p.m.

PLACE: Riverside Sportsmen Club
10835 Riverside Drive East
Windsor, Ontario

We are presently contacting all private and public agencies that may have an interest in the project to solicit their comments and to confirm their interest in the Environmental Assessment process. For additional information or to provide direct comments regarding the project, please contact one of the following individuals:

Landmark Engineers Inc.

Ms. Liz Michaud, P.Eng.
2280 Ambassador Drive
Windsor, Ontario N9C 4E4
(519) 972-8052
lmichaud@landmarkengineers.ca

City of Windsor

Ms. Laura Ash, P.Eng.
2450 McDougall St.
Windsor, Ontario N8X 3N6
(519) 253-2300 Ext. 2735
lash@citywindsor.ca

Project information can be found at the website below or by scanning the QR code here:



www.citywindsor.ca and search the **keyword: Sandpoint**

Under the *Municipal Freedom of Information and Protection of Privacy Act and the Ontario Environmental Assessment Act*, unless otherwise stated in submission, with the exception of personal information, all comments will become part of the public record and will be released, if requested to any person.

SANDPOINT BEACH PARK SHORELINE CLASS ENVIRONMENTAL ASSESSMENT



NOTICE OF INTENT AND INVITATION FOR PUBLIC COMMENT

The City of Windsor intends to carry out a study of the Sandpoint Beach Park shoreline in order to assess possible shoreline modifications that would address public safety concerns, while improving and/or maintaining flood and erosion protection. The study is being planned under Schedule B of the Municipal Class Environmental Assessment which is an approved process under the Environmental Assessment Act.

The study has progressed to the point where alternative solutions have been evaluated and a recommended solution has been identified for review and public comment.

PUBLIC INFORMATION CENTRE

The study area is as shown on the attached location plan. Interested parties are welcome to attend the Public Information Centre. Representatives of the City of Windsor and Landmark Engineers Inc. will be present to answer any questions and obtain feedback. The Public Information Centre will be held on:

DATE: Tuesday, November 22, 2022
TIME: 2:00 – 4:00 p.m. and 6:00 – 8:00 p.m.
PLACE: Riverside Sportsmen Club
10835 Riverside Drive East
Windsor, Ontario

We are presently contacting all private and public agencies that may have an interest in the project to solicit their comments and to confirm their interest in the Environmental Assessment process. For additional information or to provide direct comments regarding the project, please contact one of the following individuals:

Landmark Engineers Inc.
Ms. Liz Michaud, P.Eng.
2280 Ambassador Drive
Windsor, Ontario N9C 4E4
(519) 972-8052
lmichaud@landmarkengineers.ca

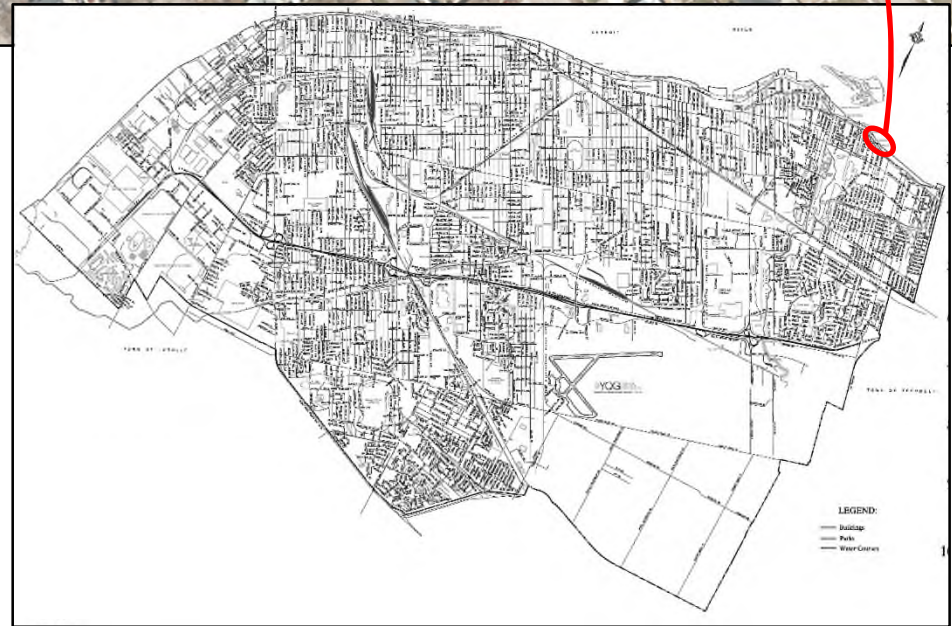
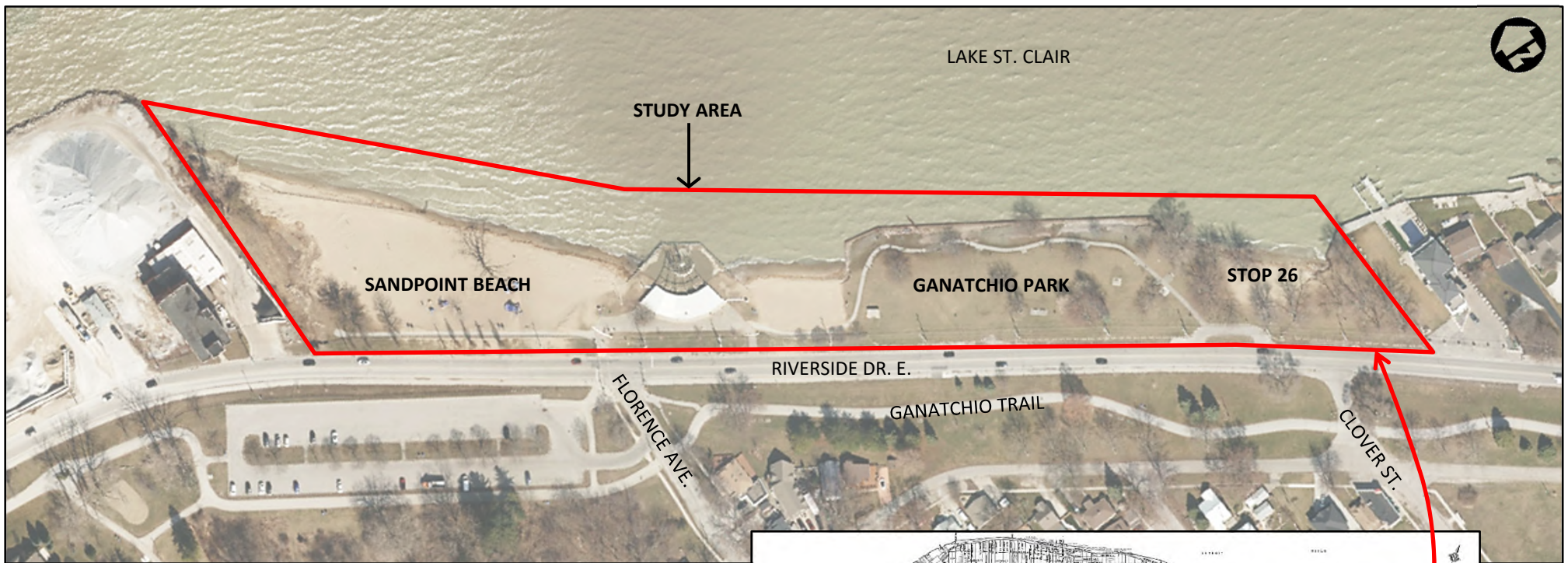
City of Windsor
Ms. Laura Ash, P.Eng.
2450 McDougall St.
Windsor, Ontario N8X 3N6
(519) 253-2300 Ext. 2735
lash@citywindsor.ca

Project information can be found at the website below or by scanning the QR code here:

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



Under the *Municipal Freedom of Information and Protection of Privacy Act* and the *Ontario Environmental Assessment Act*, unless otherwise stated in submission (with the exception of personal information) all comments will become part of the public record and will be released (if requested) to any person.



Title	LOCATION PLAN	Date	NOV. 2022	FIGURE 1
	Project	SANDPOINT BEACH PARK SHORELINE CLASS ENVIRONMENTAL ASSESSMENT	Scale	
			Project No.	

Welcome to the Public Information Centre

- All relevant information regarding this project (including the display material presented today) is available for public review on the City of Windsor website (www.citywindsor.ca)
- Please sign in to record your attendance
- Please review the display material and provide any comments on the sheet provided. You may submit your comments by mail / fax / e-mail or you may place them in the Comment Box located on the sign-in table
- All comments for this Drop-In Centre must be received by **December 6th, 2022** to be given consideration in the development of the Preferred Solution for this project. Contact information for the Project Team is available below, and also on the comment sheet provided
- The Project Team members present will be pleased to discuss any questions you may have

Scan with your phone's camera to access the Project Website:



Purpose

This Public Information Centre (PIC) is intended to:

- Present the Problem / Opportunity Statement for the Project;
- Introduce the members of the Project Team;
- Present the scope of the Class Environmental Assessment (Class EA) process;
- Present the design alternatives and recommended solution; and,
- Obtain feedback from local residents and community groups.

Project Team

This study has been initiated by the City of Windsor. Landmark Engineers Inc. has been retained by the City to serve as the Lead Consultant on the project.

Any comments, questions or suggestions relevant to this study should be directed to the following primary members of the Project Team:



Laura Ash, P.Eng.
City Of Windsor
1266 McDougall Avenue
Windsor, Ontario N8X 3M7
Phone: (519) 253-2300 ext.2735
Email: lash@citywindsor.ca

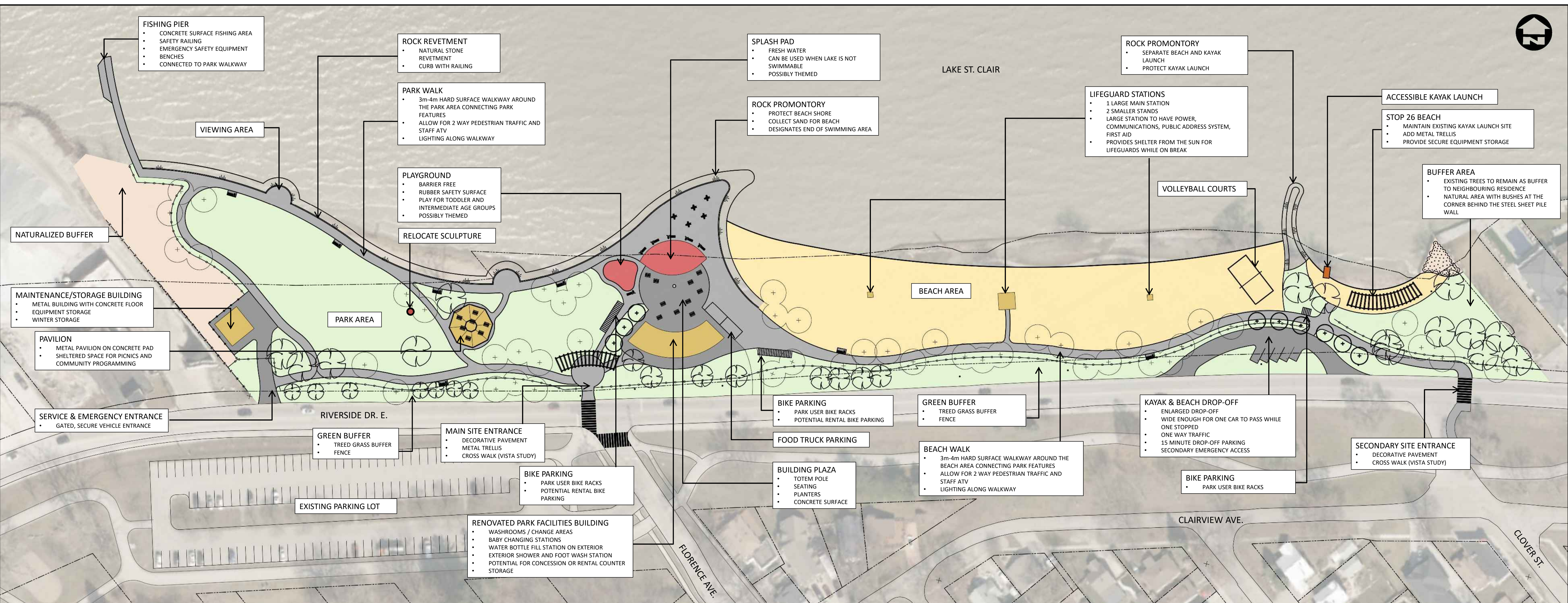


Liz Michaud, P.Eng.
Landmark Engineers Inc.
2280 Ambassador Drive
Windsor, Ontario N9C 4E4
Phone: (519) 972-8052
Email: lmichaud@landmarkengineers.ca



Park Master Plan

- A Public Information Centre (PIC) for the Sandpoint Beach Park Master Plan was held on May 19th, 2022. A feedback survey was also made available online for 2 weeks following the PIC. More than 150 survey responses were received from the public.
- Through the Sandpoint Beach Park Master Plan process, a Concept Plan was developed for the site, based on feedback from the public, the City and other stakeholders.
- The current Concept Plan (depicted below) includes potential shoreline improvements, including the relocation of the existing beach and the installation of new rock revetments along the west half of the site. The inclusion of potential shoreline improvements trigger the Environmental Assessment process - which must be completed prior to finalization of the Park Master Plan, detailed design or construction.



Background and Project Objectives

Background

Sandpoint Beach is a Municipally-owned Park that provides recreational facilities and public beach access to Lake St. Clair. It is our understanding that over the past few decades there have been several drownings that have occurred at the park – primarily due to patrons straying outside the marked swimming areas.

The primary purpose of this redesign is to modify the existing shoreline and swimming facilities within the park in a manner that would improve public safety, while maintaining functional erosion and flood protection.

In December 2021, Landmark Engineers Inc. was retained by the City to develop a Park Master Plan, in preparation for a shoreline Environmental Assessment (EA) and eventual implementation of the project.

Project Objectives

- Assess the condition of the existing shoreline;
- Improve overall public safety. (Since 1986 there have been six (6) documented drownings, the most recent was in May of 2021);
- Preserve the only public beach access located within the City of Windsor;
- Create a stable shoreline that provides erosion and flooding protection for the adjacent parkland and municipal right-of-way; and,
- Determine if Blue Flag status is achievable for the beach.



GANATCHIO PARK, LOOKING WEST



SANDPOINT BEACH

Problem / Opportunity Statement

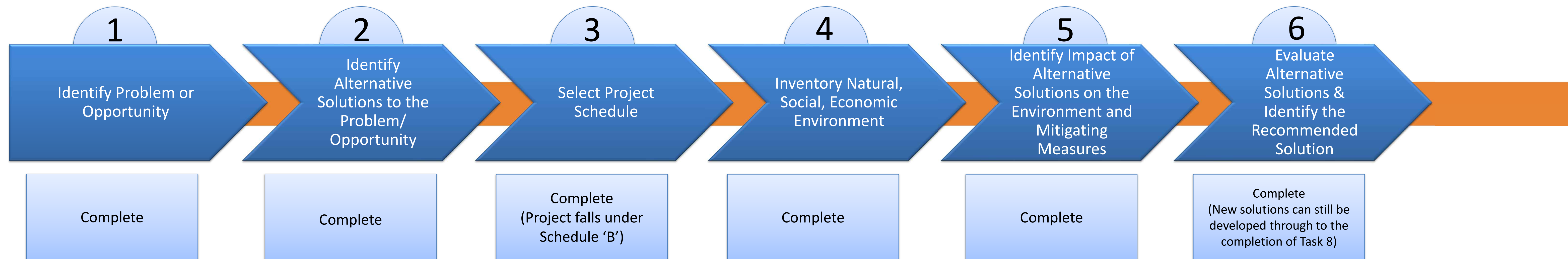
“This study intends to review and assess possible shoreline modifications at Sandpoint Beach Park in order to:

- *Limit public access to the neighbouring shoreline area where deep water and strong currents are known to exist;*
- *Maintain public access to Lake St. Clair while improving safety;*
- *Maintain/improve flood and erosion protection; and,*
- *Improve the overall function of the park.*

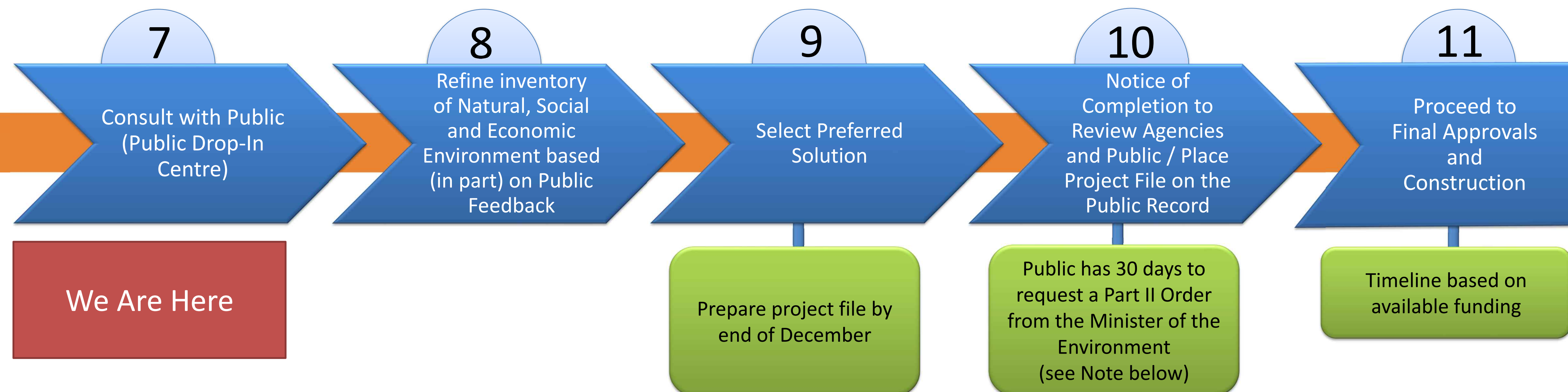
Environmental Assessment Process

- This project will follow the planning process set out in the Municipal Engineers Association's *Municipal Class Environmental Assessment (Class EA)*. A copy of this document, which sets out the details of the approved Planning and Design Process for municipal projects (such as this), is on-site and is available for review.
- Project Team has concluded that this project falls under Schedule 'B' of the *Municipal Class EA*. For 'Schedule B' projects, only one point of Public Consultation is required. Today's PIC will satisfy the Public Consultation requirement.

Where we have been:



Where we are going:



Note: In accordance with the terms of the Municipal Engineers Association's *Municipal Class EA*, a request may be made to the Ministry of the Environment, Conservation and Parks for an order requiring a higher level of study, or that conditions be imposed, only on the grounds that the requested order may prevent, mitigate or remedy adverse impacts on constitutionally protected Aboriginal and treaty rights. Requests premised on other grounds will not be considered.

The following displays are intended to present the Environmental Inventory of the Study Area that has been compiled by the Project Team. This inventory documents the existing conditions of the site in terms of the following categories:

Physical Environment

- Site Location
- Physical Environment (e.g.: utilities, existing structures, etc.)
- Topography
- Bathymetry and Wave Climate

Natural Environment

- Aquatic Habitat
- Species at Risk

Social / Economic Environment

- Land Ownership
- Adjacent Land Uses
- Heritage & Archaeological Resources



PAVILION AND FACILITIES BUILDING



SANDPOINT BEACH (WEST OF BUILDING)



STOP 26 BEACH AND GANATCHIO PARK

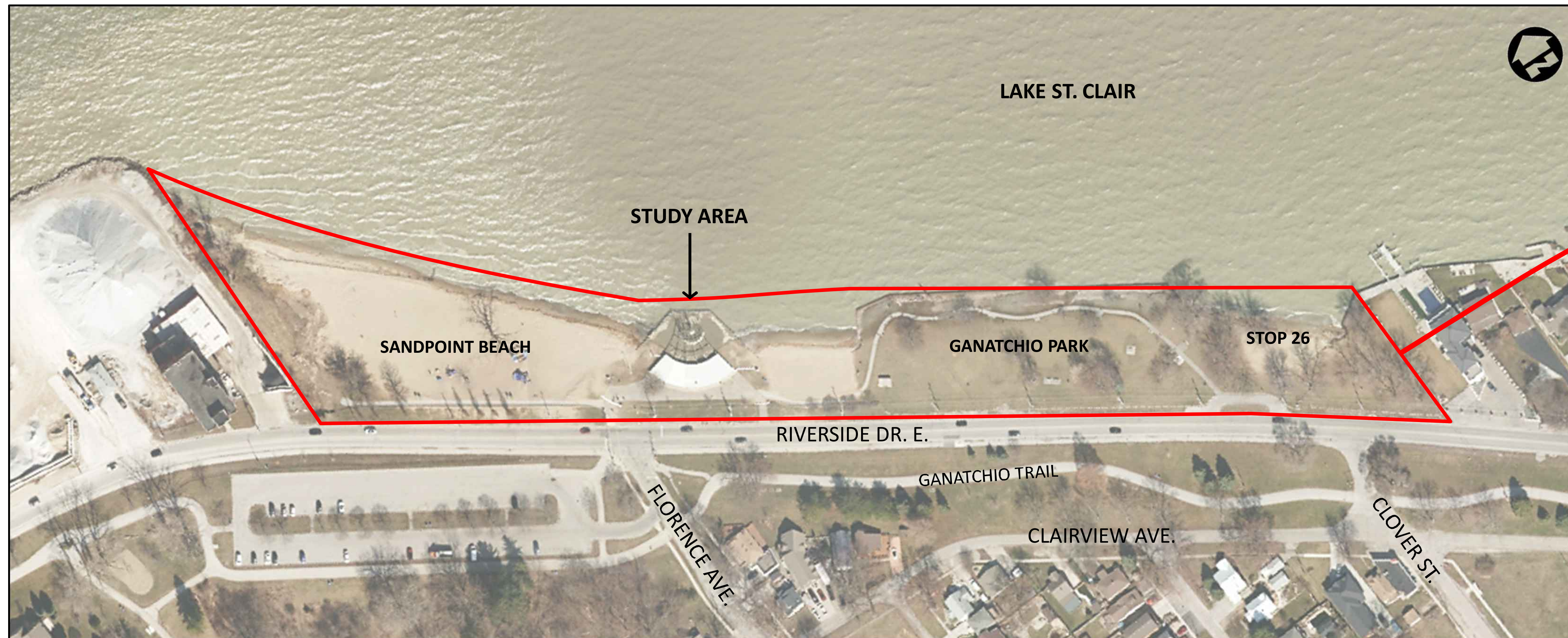


SANDPOINT BEACH (EAST OF BUILDING)

Environmental Inventory

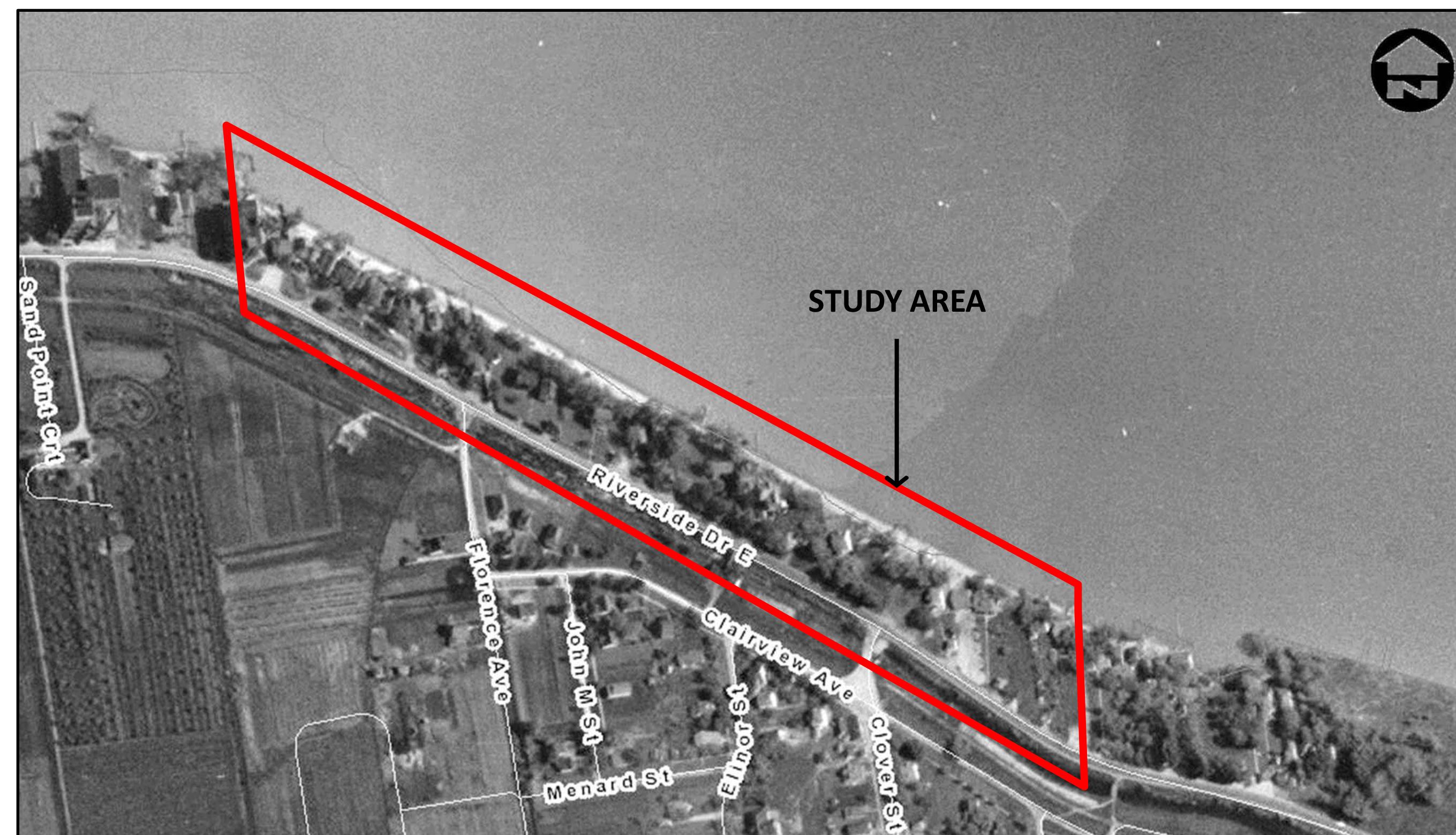
Site Location

SANDPOINT BEACH PARK SHORELINE CLASS ENVIRONMENTAL ASSESSMENT

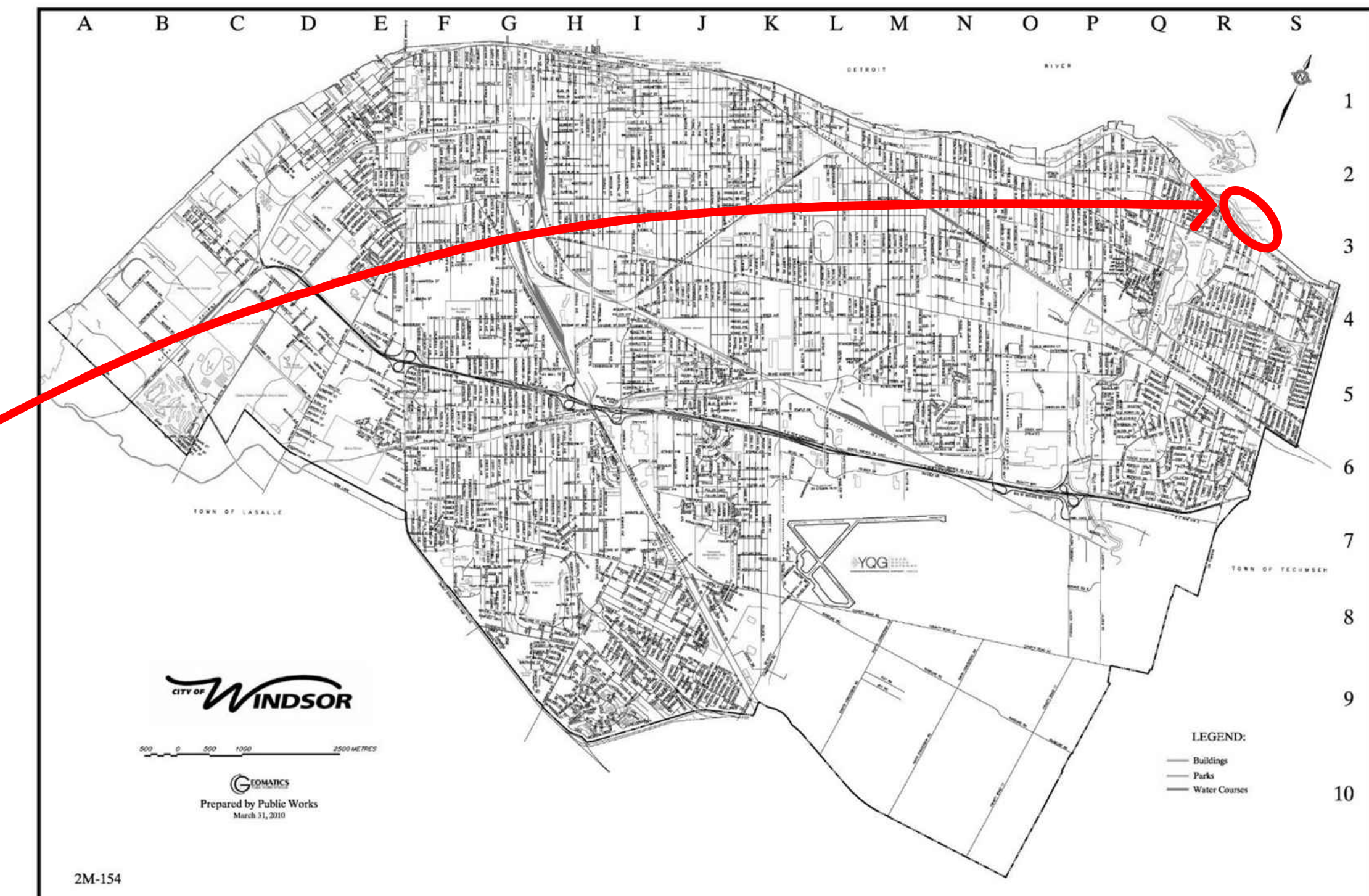


SITE AERIAL (2021)

The Study Area is comprised of Sandpoint Beach, Ganatchio Park and Stop 26. Together the three areas are commonly known as **Sandpoint Beach Park**.



SITE AERIAL (1947)



CITY OF WINDSOR MAP

Existing Site Information

- The study area consists of approx. 2.2 ha (5 acres) of public parkland
- The site includes approx. 265m of beach (90m on the west end is fenced off for safety – no swimming)
- The site includes approx. 170m of steel sheet pile shoreline
- The existing facilities building was built in 1982
- Stop 26 is used as kayak launch site
- A kayak drop off area is located near the east end of the site across from Clover St
- Parking is located off Florence Ave
- A playground is located within the beach area east of the facilities building

Environmental Inventory

Physical Environment – Existing Shoreline

Beach

The public beach areas located within the study area appear to be stable and generally consists of naturally deposited, well-graded sand. Approximately half of the west beach is currently fenced off with a fence. Swimming areas are delineated with buoy lines that are deployed and maintained by City staff during the swimming season.



SANDPOINT BEACH

Steel Sheet Pile Shore Wall

The existing steel sheet pile shorewall sections of the shoreline generally appear to be in fair condition. Based on historical photos and drawings, the walls appear to have been installed sometime in the 1980s. A gabion-sized rock apron has recently been added behind the wall east of the main beach to fill areas of substantial erosion in the backfill.

The rock apron generally appears to be continuous and well graded and runs along the entire length of the steel sheet pile wall. There is currently no guardrail in place along this segment of the shorewall.



STEEL SHEET PILE SHOREWALL (SSP)



STEEL SHEET PILE SHORE WALL WITH ROCK APRON



EXISTING SHORELINE

Environmental Inventory

Infrastructure & Adjacent Land Use

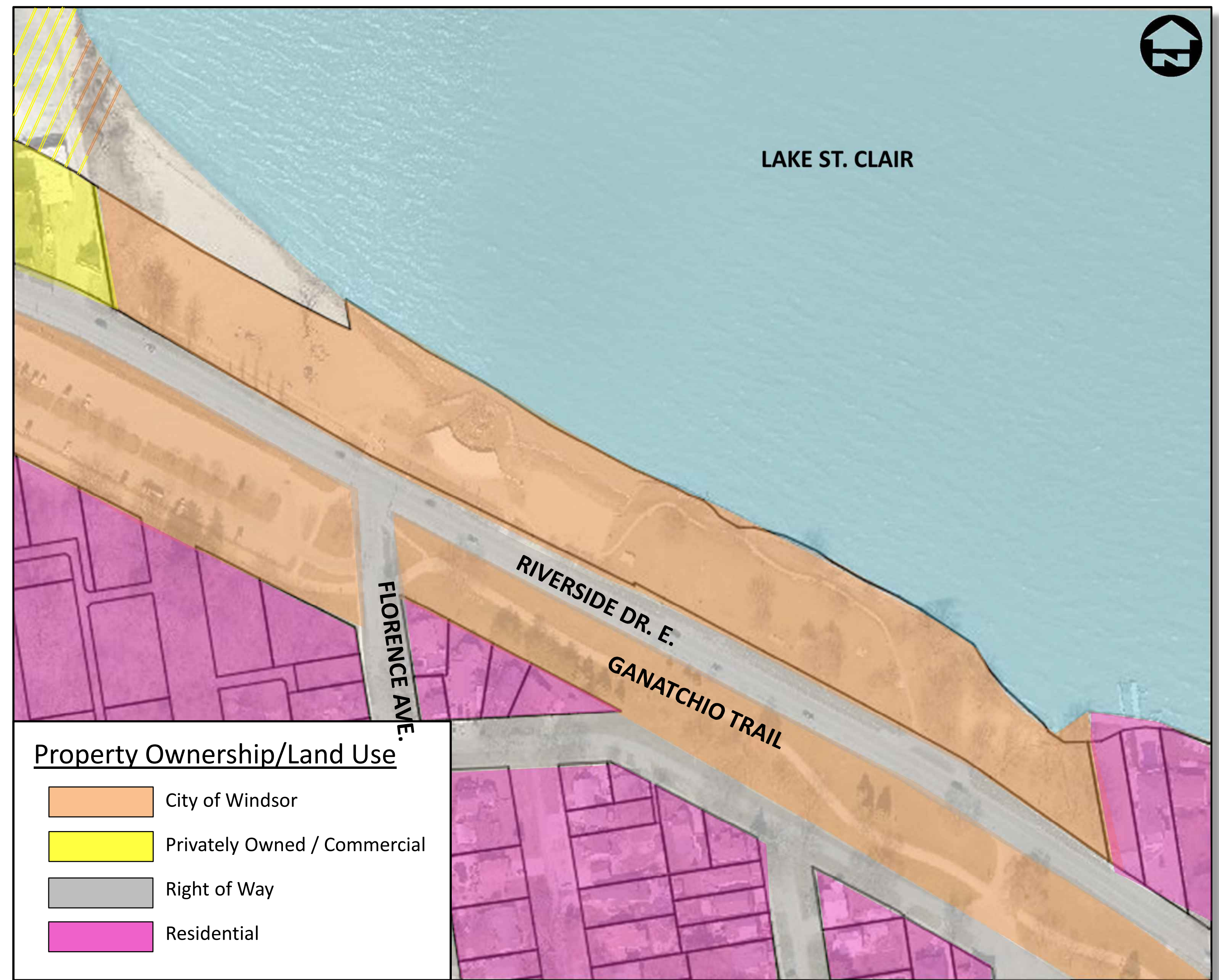
Utilities

The locations of all known utilities within the vicinity of the site have been compiled and are shown below. The existing facilities building is currently serviced with sanitary sewer, storm sewer and power connections. There is an existing gas junction on the site, located east of the existing kayak drop-off, just north of Clover Street. No other utilities are known to exist within the park limits.



Adjacent Land Uses

- The site is currently abutted by additional City of Windsor parkland to the south (i.e., the Ganatchio Trail Corridor), residential properties to the east, and by privately-owned commercial property to the west. This corridor also provides parking that is used by the patrons of Sandpoint Beach Park.
- Lake St. Clair and the mouth of the Detroit River are located immediately to the north of the site.
- It is understood that the water lots are controlled by the Windsor Port Authority.



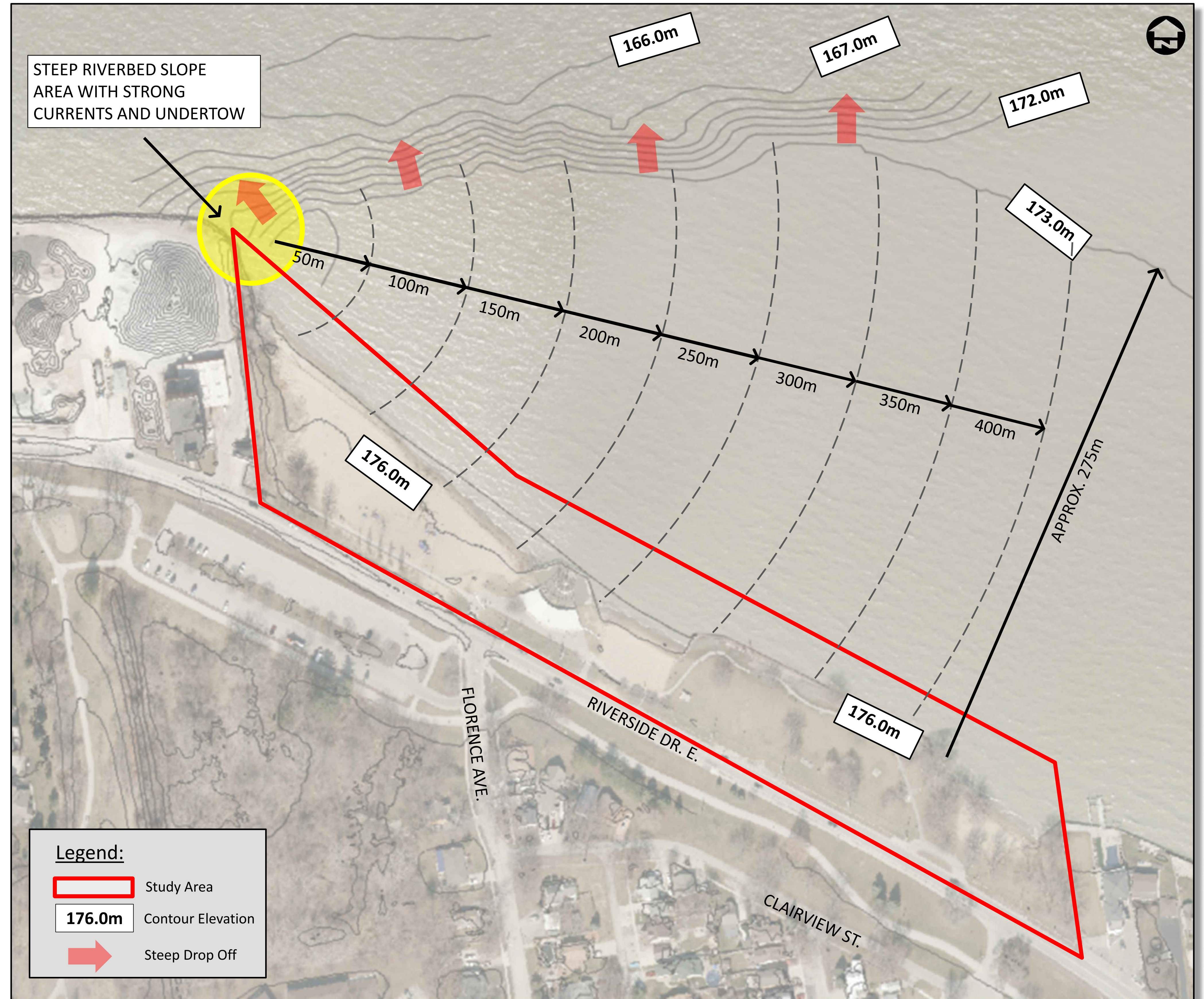
Environmental Inventory

Bathymetry & Safe Swimming Considerations

- The lake bottom fronting the study area slopes very gently from an elevation of 175.5m to 173.0m, along a line approx. 100-150m offshore of the existing beach.
- As one approaches the west end of the site, there is a steep drop-off in the riverbed, with strong currents and undertows.
- Although the west side of the existing beach area has been fenced-off along the shoreline and deemed unsafe for public swimming, park users have been known to bypass the fencing, which has led to several unfortunate drownings.
- The east side of the site is approx. 300-400 meters away from the dangerous area as well as approx. 275m south of the lake drop-off.



SANDPOINT BEACH: FENCED-OFF AREA LOOKING TOWARD AREA WITH STRONG CURRENTS



Insight Environmental was retained to undertake an assessment of the Natural Environment. They attended the site on June 7th, 2022

Potential Species at Risk (SAR), Mitigation Measures and Impacts

Northern Madtom

The Department of Fisheries and Oceans Canada (DFO) has defined critical habitat along the Detroit River for the Northern Madtom. The works may require a Fisheries Act Authorization and/or a Species at Risk Act Authorization. Potential mitigation measures may include:

- Restricted activity window for spring spawning fish (March 15th to July 15th)
- An erosion and sediment control plan should be developed to avoid the introduction of sediment into the Detroit River during any phase of the proposed development.
- Plan activities so that materials such as paint, primers, blasting abrasives, rust solvents, degreasers, grout, poured concrete or other chemicals do not leach into the ground or enter the watercourse.
- Ensure that machinery arrives on-site in a clean condition and is maintained free of fluid leaks and invasive species.
- More specific mitigation directed by DFO.

Impacts: Potential infill of the lake bottom along the west side of the site (revetment) and the rock promontories on either side of the main beach area.

Bald Eagle

Bald Eagles maintain large territories so they would likely be seen foraging over the Detroit River. No permits should be required for this species. Mitigation measures may include:

- Timing windows for any tree and shrub removals can protect any breeding birds from using the property (No tree or shrub clearing should be allowed during the breeding bird window – April 1st to August 30th)
- A nest search can be conducted by a qualified ornithologist in the area designated for clearing. Any active nests found cannot be disturbed by work activity until the young have fledged. If not active nest are observed, vegetation clearing must take place within three days of the nest search, otherwise the nest search must be repeated.

Impacts: N/A

Spiny Softshell

Mitigation measures should be sufficient to avoid a permit from MECP for this species unless they have records of them laying eggs on the beach. The beach is heavily trafficked by humans and other anthropogenic disturbances making it not an ideal egg-laying site. Mitigation may include:

- Reptile exclusion fencing should be installed following the recommendations of the Species at Risk Branch Best Technical Note: Reptile and Amphibian Exclusion Fencing (2013) document. Fencing should be set to exclude Eastern Foxsnake as well.

Impacts: Temporary loss of potential nesting habitat (beach) while it is located to the eastern side of Sand Point Beach. Naturalized wildlife corridors will be maintained for resting or basking areas for turtles.

Little Brown Myotis

It is unlikely that this species would be using the trees for maternity roost habitat as the trees are not part of a woodland, forest, or swamp. Limited foraging habitat is found within the vicinity of the project. It is unlikely that a permit would be required by the MECP for this species. Mitigation measures may include:

- Clearing of trees outside of the active period for bats (i.e. April 1st to September 30th)

Impacts: Potential loss of tree with suitable maternity roost features. It is unlikely that SAR bats would utilize trees within an area of mown lawn in such a heavily anthropogenically disturbed area.

Environmental Inventory

Archaeological and Cultural Heritage

Archaeological Potential

A Stage 1 Archaeological Assessment of the site was completed by AMICK Consultants Inc. The study area was identified as a property that exhibits the potential to yield archaeological deposits of Cultural Heritage Value or Interest (CHVI). As a result, a Stage 2 Assessment of the site was initiated. All work was conducted in conformance with the Ontario Ministry of Citizenship and Multiculturalism standards and guidelines (MCM), and the *Ontario Heritage Act* (RSO 1990a)

The Stage 2 on-site Archaeological Assessment was completed on May 25, 2022. Over the course of this field assessment, no archaeological resources were found. The following recommendations were provided by AMICK:

- *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; and,*
- *The proposed undertaking is clear of any archeological concern.*

A copy of AMICK's full report is available for reference.

Heritage Sites

The site is not considered a Heritage Site and contains no designated Heritage Buildings.

First Nations Consultation and Feedback

During the Park Master Plan phase of the project, local First Nations were contacted to provide background information regarding the project and to request feedback on the proposed site improvements. The site contains a Totem Pole that was installed in 1984 in front of the existing facilities building. This pole remains in place today as a focal point of the site. It is intended that the Totem Pole will be maintained in its original location, not to be affected by any proposed shoreline improvements.

To date, Chippewas of the Thames First Nation is the only consulted group to provide a formal response after reviewing the project details. They have identified minimal concerns with the plan presented and have requested to be notified of any changes as the project progresses.



Totem Pole Condition

The existing connection at the base of the pole is in need of repairs. The concrete is starting to crumble and the wood is splintered and broken around the connection point. As well, the decorative paint on the pole is starting to wear and fade.

Evaluation of Alternatives

Shoreline Protection Alternatives

The Environmental Assessment for this site was commenced to evaluate the potential shoreline improvements that were identified in the site Concept Plan. This slide discusses the alternative shoreline solutions that were considered, and provides a general assessment of the degrees to which they satisfy (or fail to satisfy) the criteria that were established in the Problem/Opportunity statement at the onset of the project.

Generally positive assessments are depicted in **BLUE**; negative assessments are shown in **RED**.

	PROJECT OBJECTIVES AND CONSIDERATIONS				
	Limit public access to the neighbouring shoreline area where deep water and strong currents are known to exist	Maintain public access to Lake St. Clair while improving safety	Maintain/improve flood and erosion protection	Improve overall function of the park	Other Considerations
Option A: Do Nothing No changes to the existing shoreline	<ul style="list-style-type: none"> Does nothing to limit public access to deep water area beyond the existing fence. 	<ul style="list-style-type: none"> Maintains public access to the Lake. Does not improve safety. 	<ul style="list-style-type: none"> Does not address flood and erosion issues at the site. 	<ul style="list-style-type: none"> Most of the desired site improvements could still be implemented. Update required to the Park Master Plan Concept. 	<ul style="list-style-type: none"> Does not address the demand for a safe fishing area near the deep water area.
Option B: Enhance Safety of the Existing Beach Keep the existing beach and add additional safety measures	<ul style="list-style-type: none"> Potential to create a physical barrier (i.e., a rock promontory) east of the existing beach to further deter swimmers from accessing the deep water area Proximity of barrier to beach may facilitate it being bypassed by swimmers 	<ul style="list-style-type: none"> Maintains public access to the Lake. Swimming area remains in fairly close proximity to the deep water area. 	<ul style="list-style-type: none"> Limited opportunities to address flood and erosion issues at the site. 	<ul style="list-style-type: none"> Most of the desired site improvements could still be implemented. Update required to the Park Master Plan Concept. 	<ul style="list-style-type: none"> Does not address the demand for a safe fishing area near the deep water area.
Option C: Move the Beach Eastward Based on the Concept Plan – move the beach east of the Facilities Building	<ul style="list-style-type: none"> Limits access to the deep water and strong currents by moving the beach further east. Fence and railing along the shoreline to deter swimming at the west end of the site. 	<ul style="list-style-type: none"> Maintains public access to the Lake. Swimming area located substantially farther away from the deep water area. More time for lifeguards to react should people swim beyond the designated swimming area. 	<ul style="list-style-type: none"> Shoreline improvements along the shoreline will address flood and erosion issues. Proposed shoreline works will be installed to a higher elevation. Will address existing scour issues along the east side of the site. 	<ul style="list-style-type: none"> All desired functions identified in the Park Master Plan Concept could be implemented. 	<ul style="list-style-type: none"> Improved natural habitat connection to the water while keeping the site secure. Opportunity for more naturalized shoreline treatments to replace existing steel sheet piles. Highest initial cost option.
Option D: No Public Beach at Sandpoint Beach Park Remove the beach and close the shoreline to restrict all access to the water	<ul style="list-style-type: none"> Effectively eliminates access to the deep water and strong currents. 	<ul style="list-style-type: none"> Does not maintain public access to the Lake. Removes the only public sand beach where swimming is permitted within the City. 	<ul style="list-style-type: none"> Potential to improve the shoreline to address flood and erosion protection. 	<ul style="list-style-type: none"> Many of the desired park improvements could still be implemented. Cannot incorporate beach features or kayak launch if all water access is removed. 	<ul style="list-style-type: none"> Opportunity for more naturalized shoreline treatments to replace existing steel sheet piles. Elimination of Stop 26 Beach as a historic beach.

ALTERNATIVES

Evaluation of Alternatives

Shoreline Protection Alternatives

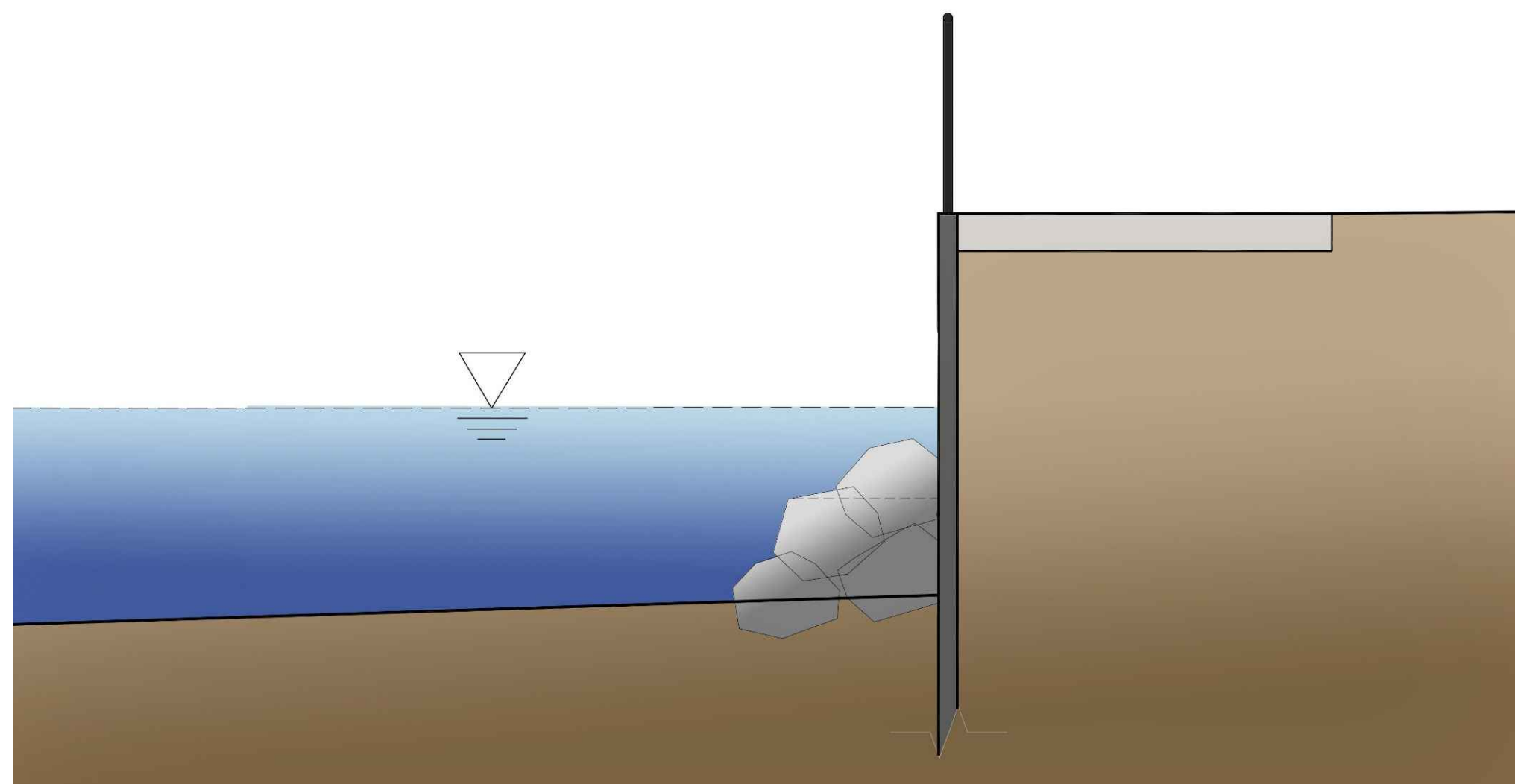
In order to protect the shoreline at Sandpoint Beach Park from erosion due to wave action, the following treatments have been considered:

Type 1: Shorewall

This treatment involves the installation of a vertical wall along the shoreline, typically consisting of steel sheet piles with a steel cap that can accommodate a safety railing attached to the top.

Impacts, Opportunities and Constraints:

- Does not provide access to the water for swimming.
- Desirable in areas with deeper water or where direct access to the water should be discouraged.
- Height of the wall will typically be set at an elevation to provide erosion and flooding protection.
- Railings are typically installed along the top of the wall for safety.
- Limited lakebottom encroachment (depending on alignment).
- Vertical walls reflect wave energy and do not provide fish habitat.
- Rock is typically placed in front of the wall to prevent scouring of the lake bed and enhance fish habitat.
- High initial capital cost.
- Little to no maintenance required.

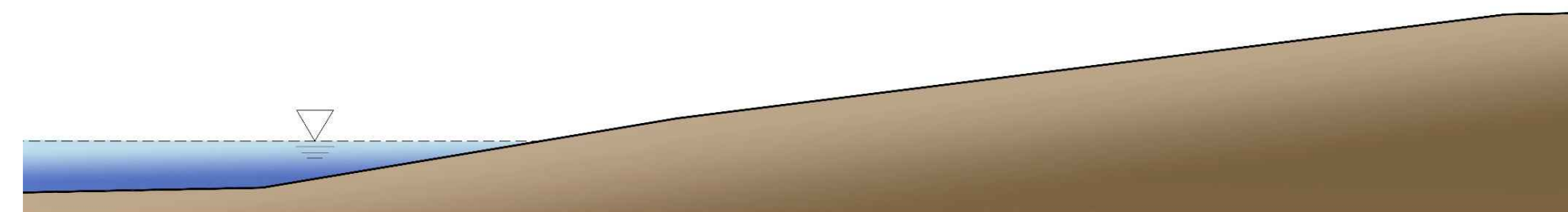


Type 2: Beach

This treatment consists of a groomed or natural sand (or cobble) slope that extends shoreward from the lake bottom at a shallow angle.

Impacts, Opportunities and Constraints:

- Allows for direct access to the water.
- Desirable in areas that are away from deep water and/or strong currents.
- No lakebottom encroachment (depending on alignment)
- Provides minimal fish habitat.
- Low initial capital cost.
- Continued maintenance required to groom the beach and remove water-bourne debris

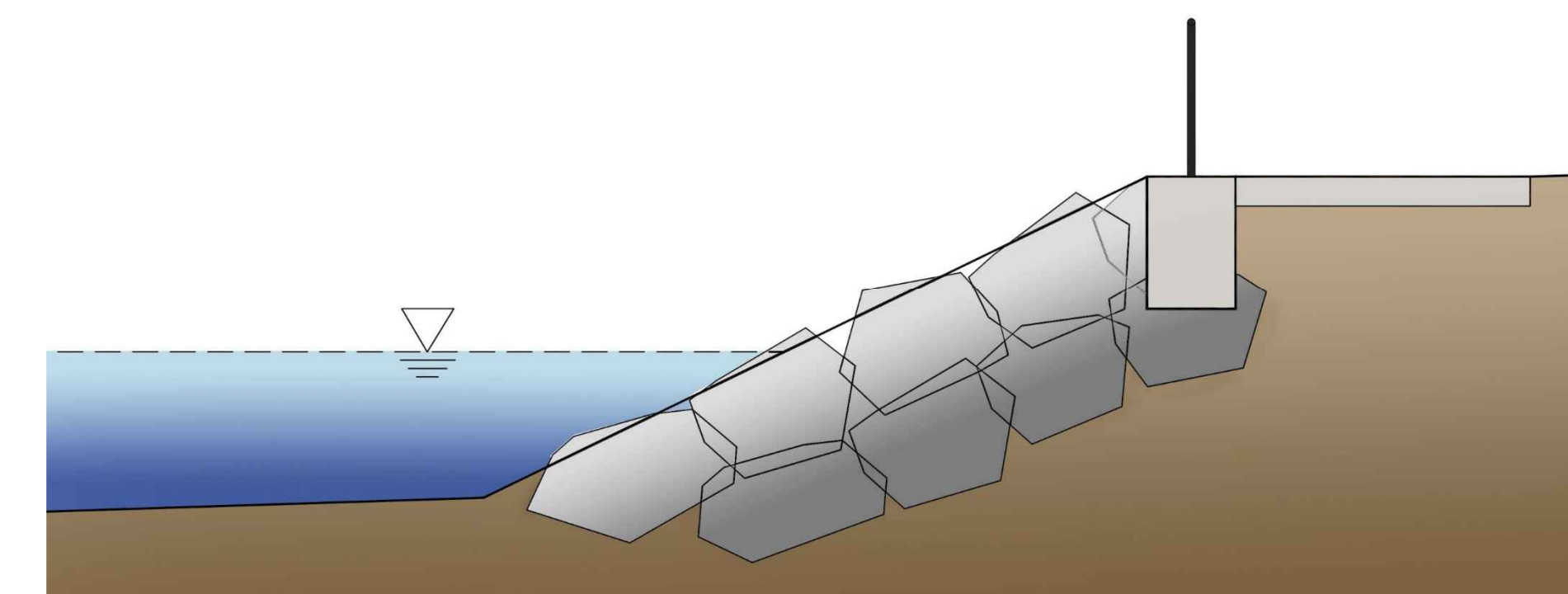


Type 3: Rock Revetment / Promontory

In this option, large armour rock is used along the shoreline to protect against erosion and dissipate wave energy.

Impacts, Opportunities and Constraints:

- Desirable in areas with a steeper lakebed slope or where direct access to the water should be discouraged.
- Railings can be installed behind the revetment along the top of a curb to further limit access to the water.
- Significant lakebottom encroachment (depending on alignment)
- Provides enhanced fish habitat.
- Rock promontories can be used to delineate/separate different functional areas along the shoreline.
- High initial capital cost.
- Little to no maintenance required.

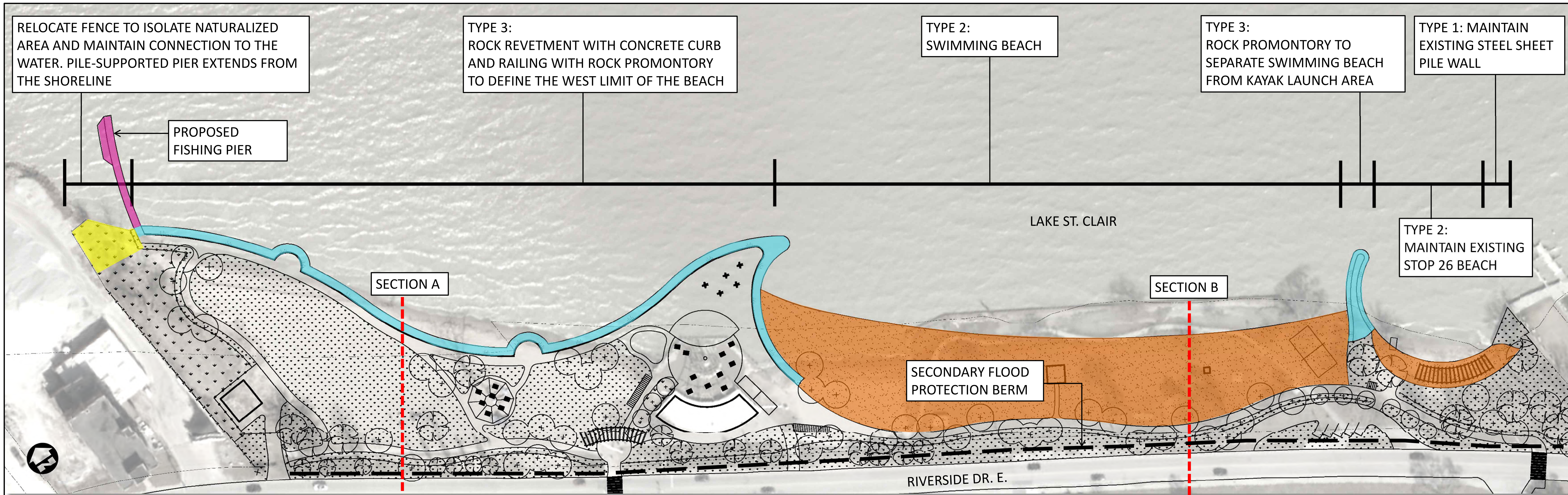


Evaluation of Alternatives

Recommended Shoreline Improvements - Plan

SANDPOINT BEACH PARK SHORELINE
CLASS ENVIRONMENTAL ASSESSMENT

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 recommended plan incorporates all 3 shore protection alternatives that were under consideration, with each used in locations that maximize their individual advantages.



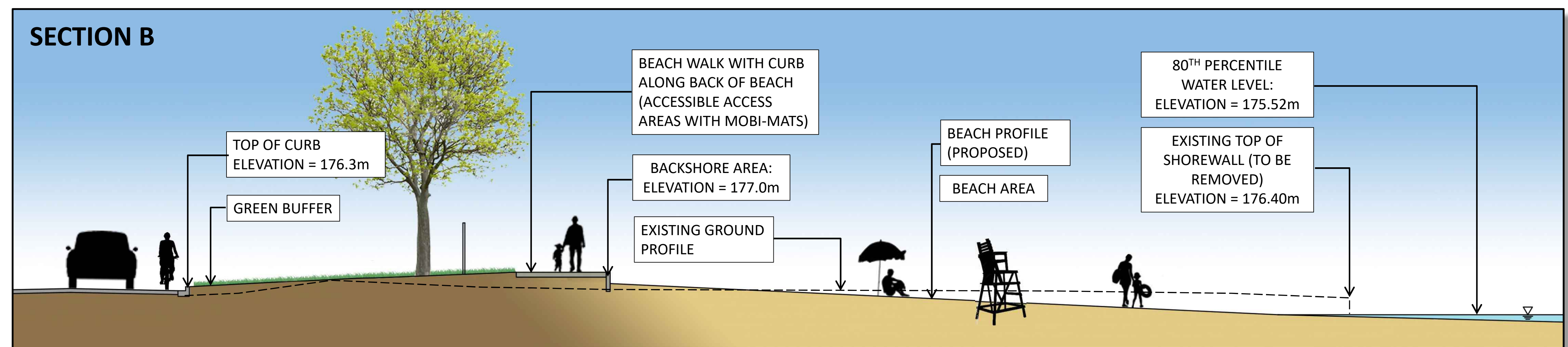
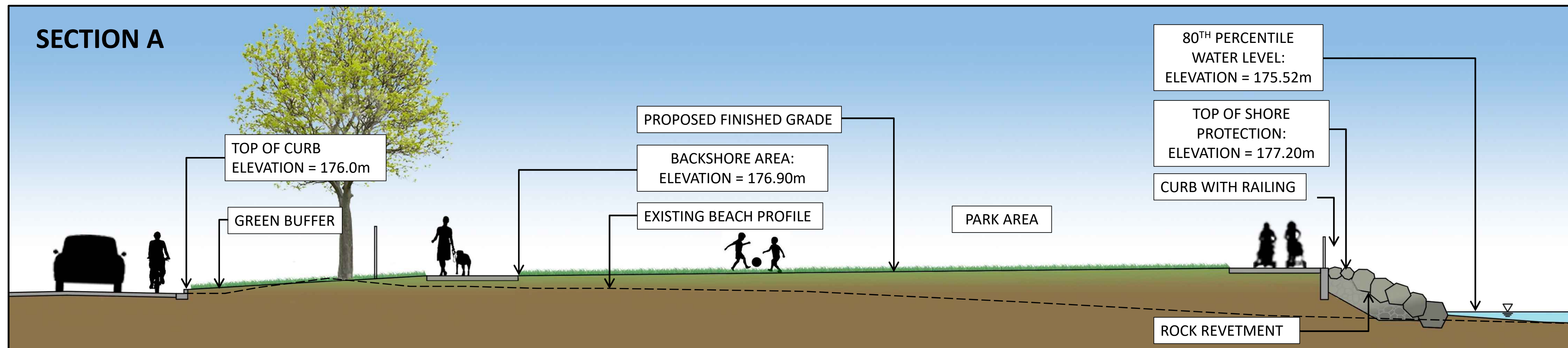
The primary considerations used in developing this plan included:

- 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.

The cross-sections of the site depicted below are intended to illustrate the general configuration and function of the proposed shoreline works with respect to the upland areas of the park.

Flooding and Erosion Protection Considerations:

- The inland areas of East Riverside are currently protected from flooding via the barrier landform along the Ganatchio Trail (south of Riverside Drive, top elevation = 176.80m).
- A continuous barrier landform with a top elevation of 177.20m (minimum) will be established across the study area (along the shoreline and continuing along the back of the beach) to prevent flooding on Riverside Drive.
- It is anticipated that minimal stormwater management will be required on-site, with most wave splash and runoff outletting directly to the Lake.



- All comments received from today's meeting will be reviewed and used to help define the Preferred Solution for the proposed shoreline works. Comments will be accepted until **December 6, 2022**
- The project website will then be updated and a Notice of Completion will be published, alerting the public that the 30-day public review period for this Class EA has commenced
- Provided that all outstanding issues are resolved and that no Part II Orders are requested during the 30-day public review period, the Sandpoint Beach Park Master Plan will be finalized and the project may then proceed to approvals and construction

We encourage you to fill out a comment sheet so that your issues and concerns related to the shoreline improvements can be addressed early in the planning process and to have your comments become part of the public record.

Thank you.

PRIVACY INFORMATION

All personal information included in a submission – such as name, address, telephone number and property location – is collected, maintained and disclosed by the Ministry of the Environment for the purpose of transparency and consultation. The information is collected under the authority of the Environmental Assessment Act or is collected and maintained for the purpose of creating a record that is available to the general public as described in section 37 of the *Freedom of Information and Protection of Privacy Act*.

Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential.





For more information, please contact the Project Office or the Ministry of the Environment's Freedom of Information and Privacy Coordinator at 416-327-1434.



Sandpoint Beach Park Class Environmental Assessment

Public Information Center - Attendance Sheet







November 22, 2022

	Name (Please Print)	Address or E-mail	Signature
1	Franco Maccioni	459 John M.	
2	Paul DREA	drea@detroitriver.ca	
3	Amit Sood	amit@soodfm.com	
4	Anuj Sood	anuj@soodfm.com	AS
5	BARB VANIEREK	barb_voed@copeco.ca	Barb Vanierek
6	Susan J. Davis Fisco	mfisco@copeco.ca	
7	Marylou Killen	mkillen4@gmail.com	M. Killen
8	Stad Engelhardt	519 948 0591	Engelhardt
9	Dave Condon	226-260-9888	Dave Condon
10	Sheila McCabe	9906 Rvsd De E Windsor Accessibility Advisory Cmte	Sheila McCabe
11	Sam Sarakine	10585 Clairview	Sam Sarakine
12	Barb Maitland	1034 Jarvis Ave.	
13	Laura Strahl	551 Adelaide Ave	Laura Strahl
14	Andrew STRAHL	551 Adelaide Ave.	Andrew Strahl

Sandpoint Beach Park Class Environmental Assessment

Public Information Center - Attendance Sheet

November 22, 2022

	Name (Please Print)	Address or E-mail	Signature
15	CHRIS MARZAV	937 JARVIS	
16	Carol Tom Nosella	snaps 990@yahoo.ca	
17	Heather Coardiner	471 Florence Ave	
18	Al DeRose	465 BLIND ST.	
19	MARY-ANNE McLELLAN	946 Esdras	
20	Stewart McLellan	1438 Bernard Rd	
21			
22			
23			
24			
25			
26			
27			
28			

SANDPOINT BEACH PARK SHORELINE CLASS ENVIRONMENTAL ASSESSMENT

Public Information Centre - 22 November 2022
Project Feedback/Comment Sheet

Please print your name and contact information clearly:

Name: _____
Address: _____
e-mail Address: _____

Please provide any comments you have related to the proposed shoreline improvements:

→ LIFEGUARD CHAIRS(3) EXISTING THAT ARE IN USE NOW ARE MORE THAN ADEQUATE. WE DONT NEED A PERMANENT LIFEGUARD STATION AS IT WILL ONLY BE USED THREE MONTHS OF THE YEAR.

→ NEW ROW OF TREES ALONG RIVERSIDE DRIVE ALONG RELOCATED NEW SITE OF BEACH ON CONCEPT PLAN WILL BLOCK VIEW OF WATERFRONT WHICH IS CURRENTLY UNOBSTRUCTED. VIEWS OF WATERFRONT SHOULD BE MAINTAINED AS THIS IS AN IMPORTANT ASSET TO THE RESIDENTS OF THE CITY AND COUNTY AS WELL AS VISITORS FROM OUTSIDE THE AREA.

→ HOPEFULLY REDESIGNING THE SHORELINE WILL ENHANCE PROTECTION AGAINST EROSION

All project related information will be available for review on the City of Windsor's website. The website can be found by typing the address below or by scanning the adjacent QR code here:



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

SANDPOINT BEACH PARK SHORELINE CLASS ENVIRONMENTAL ASSESSMENT

Public Information Centre - 22 November 2022

Project Feedback/Comment Sheet

Please print your name and contact information clearly:

Name: Sheila McCabe

Address: 9906 Rvsd. DR. E

e-mail Address: sheila.mccabe46@gmail.com

Windsor Accessibility Advisory Cmt

Please provide any comments you have related to the proposed shoreline improvements: By December 6th, 2022

Everything looks great!

Just comment on finishing touches which I have mentioned before

Make sure life guard's station has a flashing or circulating Red light so when they are announcing swimmers to leave the water (bad storm) etc). That they turn on the flashing/circulating red light to warn the deaf & H/H swimmers

Also need signs posted that the flashing red light means take cover - danger - get out of the water

Also have thing brightly coloured so they can be seen by those with low vision.

All project related information will be available for review on the City of Windsor's website. The website can be found by typing the address below or by scanning the adjacent QR code here:



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

Liz Michaud

From: Stewart MCLELLAN <stewart.mclellan@dmsna.com>
Sent: November 23, 2022 8:52 AM
To: Liz Michaud
Subject: Sandpoint Beach Project

Hi Elizabeth,

I attended the second public review of the Sandpoint Beach Project yesterday and I really liked what you and your team proposed for the redesign. I was very pleased to see volleyball courts on the design drawings as it is a great activity for myself and other young people who live in Windsor. For the last 5 years or so my friends and I have been driving out to LaSalle to use their public courts because there are no courts in Windsor. I just wanted to thank you and your team for considering it for the design. I really hope it makes it to the final product.

Also, the fishing pier looks like a great, that has always been a great fishing spot and with the pier I think it makes it much more accessible.

Thank you,

Stewart McLellan
Manufacturing Engineer
Stewart.McLellan@DMSNA.com
[313-701-6838](tel:313-701-6838)

Detroit Manufacturing Systems
12701 Southfield Road
Detroit MI, 48223
Phone: [313.243.0700](tel:313.243.0700) | Fax: [313.731.0441](tel:313.731.0441)

Liz Michaud

From: Cynthia Piec <cynpiece@hotmail.com>
Sent: November 23, 2022 11:13 AM
To: Liz Michaud
Subject: RE: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Intent and Invitation to Comment

Judging from the attached someone decided to put a fishing dock where the naturalized area is. I knew these idiots wouldn't listen. The City already has a naturalized area. I told them this at the first meeting which I can see was a total waste of time. How are the animals supposed to cross the street. Where is the animal tunnel? You just went ahead and did whatever the mayor wanted. You don't give a hoot about the neighbours. Yup I knew this would happen.

From: Cynthia Piec
Sent: Tuesday, November 22, 2022 2:50 PM
To: Liz Michaud <lmichaud@landmarkengineers.ca>
Subject: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Intent and Invitation to Comment

Hi Liz,

I have found Native artifacts along the shoreline in the spring after the thaw. I don't have many, please include protecting as native heritage site. The natives on Peche Island also had a settlement at Sandpoint. It is extremely important that it is preserved as such and an archeological dig is encouraged. Before the mayor allowed the Island to dissolve in the Detroit River, you could go along the shoreline looking for artifacts. I also remember doing this as a child.

Thank you.

From: Liz Michaud <lmichaud@landmarkengineers.ca>
Sent: Tuesday, November 8, 2022 1:22 PM
Subject: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Intent and Invitation to Comment

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.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

c (519) 999-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

Section 3: Preferred Solution

Table of Contents

3.0	Preferred Solution and Cost Estimate	
3.1	Evaluation of Alternatives	1
	3.1.1 Steel Sheet Pile Shorewall	1
	3.1.2 Beach	1
	3.1.3 Rock Revetment	2
3.2	Flood and Erosion Protection	2
3.3	Surface Water	2
	3.3.1 Quantity Control	2
	3.3.2 Quality / Erosion Control	2
3.4	Recommended Solution	3
3.5	Preferred Solution	4
	3.5.1 Planning Policies Review	4
	3.5.2 Shoreline Improvements	4
	3.5.3 Safety Considerations	5
	3.5.4 Blue Flag Status	5
	3.5.5 Natural Habitat Improvements	5
3.6	Preliminary Budget Cost Estimate	6
3.7	Approvals and Next Steps	7

3.0 Preferred Solution and Cost Estimate

This section of the Project File provides discussion regarding the Preferred Solution that was developed, based on refinements made to the Recommended Solution. A budgetary level Cost Estimate is also presented herein.

3.1 Evaluation of Alternatives

As part of the EA process, four alternative shoreline solutions were identified: Do Nothing, Enhance Safety of the Existing Beach, Move the Beach Eastward or No Public Beach at Sandpoint Beach Park. An evaluation matrix, outlining the potential benefits and disadvantages of each option, presented at the PIC. A copy of the matrix is attached here for reference.

Based on our review of the decision matrix, it was confirmed that Option C: Move the Beach Eastward, is the alternative that best satisfies the criteria identified in the Problem/Opportunity statement for the project.

In order to protect the shoreline and move the beach eastward, three types of shoreline protection alternatives were considered. The impacts, opportunities and constraints associated with each alternative were presented at the PIC and are discussed below. A copy of the presentation board is attached in this section for reference purposes.

3.1.1 Steel Sheet Pile Shorewall

The area of the existing steel sheet pile walls along the east half of the site was identified as a more desirable area for swimming, being located farther away from the deep-water area at the west end of the site. Therefore, it was determined that the existing walls should be removed and other shoreline protection options used in lieu of using steel sheet piling throughout the site.

Another consideration was the fact that vertical walls reflect wave energy and do not provide any fish habitat benefits. For these reasons, no new steel sheet pile shorewalls have been proposed as part of the Preferred Solution.

3.1.2 Beach

The existing beaches within the study area appear to be generally stable and consist of naturally-deposited, well-graded sand. Due to the unsafe swimming area identified at the west end of the site, approximately half of the west beach is currently fenced off. The designated swimming areas are delineated with buoy lines during the swimming season.

Given the known dangers at the west limit of the beach, it was determined that moving the beach entirely to the east side of the existing building would provide opportunity to create a safer swimming area. The new beach location will provide the following safety opportunities:

- The main swimming beach will not be divided in half by the building;
- The new rock promontory will provide a visual barrier at the west end of the swimming area;
- Life Guards will have a single, continuous area to patrol; and,
- Life Guards will have more time to warn anyone who leaves the designated swimming area of the danger before they reach the deep-water area.

Although the beach shoreline provides minimal fish habitat, there is minimal lakebottom encroachment or reflection of wave energy associated with this type of improvement - which can be seen as a net environmental improvement over the existing steel sheet pile walls.

3.1.3 Rock Revetment

Rock revetments have been proposed along the west half of the site as a more natural shoreline alternative to steel sheet pile walls. The rock revetments have multiple benefits, including:

- Minimal lakebottom encroachment (depending on alignment);
- Provides erosion and flood protection;
- Discourages swimming;
- Dissipates wave action; and,
- Enhances fish habitat.

3.2 Flood and Erosion Protection

A combination of the shoreline protection alternatives has been used to develop a new shoreline improvement plan that will address erosion and flood protection for the site. In order to address flooding along Riverside Drive, it is intended that a continuous barrier landform be installed along the entire site with a minimum top elevation of 177.2 meters. This elevation is higher than that of the existing landform barrier located south of Riverside Drive (i.e. the Ganatchio Trail) that has a top elevation of 176.8 meters. The intention is to raise the existing grade along the site so that there is continuous protection to the 177.2m elevation at a minimum.

The Preferred Solution figures identify the 'high point' on the new barrier that should be achieved along the entire shoreline.

3.3 Surface Water

3.3.1 Quantity Control

The existing beach site is located immediately adjacent to Lake St. Clair, which serves as a sufficient outlet. As such, stormwater quantity control is not likely to be required.

3.3.2 Quality/Erosion Control

The proposed beach areas on the site are predominantly pervious in nature (i.e., grass and sand). As such, the pollutant loading for this particular site is expected to be quite low. Runoff from future paved trails identified in the Master Plan will be directed to the adjacent grass/beach areas. It is intended that the grass areas will be drained via trench drains and/or surface inlets with small drainage tiles outletting into the proposed rock revetment. The designs for any new surface inlets should consider using a pervious bottom to utilize the potentially high percolation rate available in the native sandy soils.

In summary, quality/erosion impacts associated with the preferred solution are expected to be negligible given the following:

- the relatively small size of the proposed impervious areas;
- the indirect discharge of runoff into the adjacent grass/beach areas prior to outletting to the receiver (i.e., Lake St. Clair);
- the relatively low pollutant loading anticipated from the site; and,
- maintenance of the existing stormwater strategy at the site (i.e., no need to add capacity to existing sewers).

To mitigate any potential negative impacts to Lake St. Clair during construction of the shoreline works, the following measures are recommended:

- all rock material should be clean and free of fines to reduce sedimentation;
- all work should be scheduled to avoid wet, windy, and rainy periods; and,
- all equipment on site should be in clean condition and maintained free of fluid leaks and invasive species.

3.4 Recommended Solution

The Recommended Solution for the site was based on the Concept plan that was developed as part of the Park Master Plan project. Through the EA process, the proposed shoreline improvement options were considered based on their ability to satisfy the project objectives identified in the Problem/Opportunity Statement. A copy of the Recommended Solution Plan has been attached here for reference purposes.

One of the improvements proposed along the shoreline is the addition of a new fishing pier. Although the fishing pier is not a shoreline improvement from an erosion protection perspective, the addition of the pier and its location provides benefits to the site for both functional and safety purposes. The existing deep-water area is a desirable fishing location that attracts fisherman regardless of the known safety issues. Providing a safe way to fish this area is one of the main considerations for adding the pier to the recommended solution.

The pier provides the following functions:

- More opportunity for warning signage as swimmers approach the deep-water area;

- The railings along the pier can be equipped with life preservers if swimmers do pass by the warning signs;
- Provides a safe location for those that want to fish in the deep-water area;
- Ladders can be installed along the pier for opportunity to get out of the water and aid in a rescue;
- Provides an efficient access to the deeper water area if a rescue is needed.

3.5 Preferred Solution

3.5.1 Planning Policies Review

Provincial Policy Statement (PPS)

Section 1.5 of the Provincial Policy Statement discusses the planning considerations for Public Spaces, Recreation, Parks, Trails and Open Spaces. The Preferred Solution supports the policy of creating a healthy and active community by providing public access to the shoreline on the park side and direct access to the water on the beach side. As part of the Preferred Solution, the natural corridor along the west side of the site will be maintained to minimize negative impacts to the existing habitat and maintain access to the water for the native wildlife.

The PPS is also discussed in the SAR Impact Assessment which is included in Section 7 of the project file.

City of Windsor Official Plan (CWOP)

The City of Windsor's Official Plan outlines how land should be used when considering future development. Similarly to the PPS, the CWOP includes consideration for a sustainable and healthy environment, including providing public access to the waters' edge (Section 3.2.3.2).

The CWOP identifies the project study area land use as 'Waterfront Recreation.' Based on this designation, the Preferred Solution has considered the following planning objectives:

- Protecting and enhancing the quality of the naturalized habitat;
- Mitigating potential impacts to the shoreline and flood-prone areas;
- Providing sufficient flooding and erosion protection;
- Providing the public with access to the shoreline; and,
- Providing the public with safer direct access to the water (swimming beach).

3.5.2 Shoreline Improvements

The Preferred Solution for the site is based largely on the Recommended Solution. After consideration of the feedback from the public, stakeholders and approval agencies as well (as a review of the environmental considerations and project objectives) the Recommended Solution was refined to create the Preferred Solution for this project.

The Preferred Solution includes the following improvements:

- Removal of the existing steel sheet pile walls east of the main facilities building;
- Relocation of the Beach to the east side of the existing building;
- New rock revetments along the west half of the site;
- A new rock promontory in front of the existing building;
- A new rock promontory to separate the new beach from the existing Stop 26 beach;
- Site grading to maintain a minimum flooding elevation along the entire site (shoreline elevation tied to berm elevation south of the beach);
- A pile supported fishing pier; and,
- An enhanced naturalized corridor with connection to the water west of the pier.

3.5.3 Safety Considerations

One of the primary considerations for the proposed shoreline improvements is site safety. The proposed shoreline improvements offer the opportunity to incorporate the following safety features:

- Lighting along the shoreline and fishing pier to improve visibility at night;
- New railing to deter the public from accessing the water along the west half of the site;
- Opportunities for life preservers to be installed on the railings along the west shoreline and the fishing pier, closer to the deep-water area where they are most likely to be needed;
- Providing a safe option for fishing in the deep-water area from the proposed pier;
- One continuous swimming area, located farther from the deep-water area provides better view for lifeguards with more time to warn swimmers before they venture too far west; and,
- The new fishing pier provides a visible barrier with signage to warn of the deep-water area and strong currents.

3.5.4 Blue Flag Status

Another consideration for the Preferred Solution is the City's desire to attain Blue Flag status for the beach. The proposed shoreline improvements will not limit the City's ability to apply for Blue Flag status, if desired. It is anticipated that moving the beach to the east will help in meeting the Safety and Services criteria for this designation.

We anticipate that water quality will be the most difficult condition to achieve for Blue Flag status. The proposed works are not likely to have any negative effect on the water quality within the proposed swimming area, but are also unlikely to improve the water quality.

3.5.5 Natural Habitat Improvements

As part of the Preferred Solution, the intention is to enhance the connection of the existing naturalized area along the west end of the site with the water. Currently, there is a fence that blocks access from the natural area to the water. This fence will be re-routed south around the naturalized area to prohibit public access to the water through the naturalized corridor. Removing this fence along the shoreline will permit wildlife passage to and from Peche Island, creating a wildlife corridor. The naturalized area will offer an

area of rest and refuge to wildlife. There is also an opportunity to enhance the naturalized area with native species planting and restoration.

For the in-water works, the Project Team has selected natural armour rock materials for the shoreline erosion protection rather than steel sheet pile walls. Removal of the existing sheet pile walls will create an ecological gain in terms of aquatic and riparian habitat that can be used by fish and wildlife. The addition of rock to the riparian shoreline and lakebed will also increase the complexity and value of the habitat. Layered rock of varying sizes can mimic a natural reef and provide species-specific habitats for a variety of fish. Interstitial spaces created between rocks will create refuge areas for smaller baitfish and other aquatic organisms, while the extension of rock vanes into deeper water will provide a break in the nearshore current and create the preferred foraging habitat for ambush fish species.

Maintaining the existing naturalized corridor along the west side of the property, adjacent to the shoreline, will provide several benefits to the newly created shoreline habitat. Adjacent trees and shrubs will provide the long-term benefits of shading, large wood recruitment, and organic litter deposition. Organic deposition is essential to feed plankton and benthic communities that in turn feed nearshore fish communities.

Removal of the steel pile walls and the installation of rock will create a more naturalized and accessible shoreline for both aquatic and terrestrial wildlife. This will increase both the value and usability of the movement corridor between Sandpoint Beach and Peche Island. Vulnerable species, such as turtles and snakes, will now be able to access the natural habitats found on Sandpoint Beach for rest, foraging or breeding purposes where they may have previously been excluded by a sheet pile wall. A softening of the shoreline protection will create an overall benefit to both terrestrial and aquatic wildlife by increasing the quality and quantity of habitat available and by enhancing the existing wildlife movement corridor.

3.6 Preliminary Budget Cost Estimate

A preliminary budget cost estimate has been prepared for the Preferred Solution and is presented below. The budget estimate includes all of the following proposed shoreline works and associated site improvements:

- Site Preparation (i.e., removals and excavation);
- Rock Promontory Infill;
- Rock Revetment;
- Rock Promontory at Stop 26;
- Sand Beach Construction;
- Curbs, Railings and Fence;
- Pile Supported Fishing Pier;
- Flood Protection Berms/Earthwork;
- Safety Features (i.e., lighting, life preservers, signage, etc.); and,
- Site Restoration.

The total preliminary budget estimate for the proposed shoreline works has been set at **\$2 million to \$2.25 million**. These costs have been prepared based on the following considerations:

- The estimate was prepared based on 2023 dollars;
- An allowance of 30% was included for approvals, engineering and contingencies; and,
- The estimate excludes HST.

3.7 Approvals and Next Steps

In order for the proposed shoreline improvements to be constructed as depicted in the Preferred Solution, approval to build on the riverbed/lakebed will be required. The ownership of the riverbed is understood to be controlled by the Port Authority of Windsor. The First Nations also have a claim to the ownership of the existing riverbed. Consultation with both parties is recommended.

The Department of Fisheries and Oceans Canada (DFO) controls this portion of the Lake St. Clair under an agreement in the *Fisheries Act*. Unfortunately, Federal agencies do not typically participate in Provincial EA's. Therefore, more meaningful input from DFO cannot be obtained until a final project design has been prepared, and an application is submitted.

An approval from Transport Canada will be required in order to construct the fishing pier. Although it is not within the main channel of the Lake, it does protrude into the potential navigable waters for smaller watercraft.

The nearshore area has been cleared of Archaeological potential for any works that will be infilling or disrupting less than 1m below the riverbottom. In order to construct the fishing pier, a Stage 2 under water Archaeological assessment will be required in order address archaeological potential in the area where piles will be driven to support the pier.

The following is a list of the agencies and authorities which approvals will be required before construction can be commenced:

- Essex Region Conservation Authority;
- Ministry of the Environment Conservation and Parks;
- Transport Canada, Navigable Waters Protection;
- Department of Fisheries and Oceans Canada;
- First Nations (Addressing claims to Lake St. Clair lakebed).

It is also recommended that some preliminary soil sampling and characterization be undertaken for the site prior to construction in order to create a plan for on-site handling and re-use of soils during construction.

Evaluation of Alternatives

Shoreline Protection Alternatives

The Environmental Assessment for this site was commenced to evaluate the potential shoreline improvements that were identified in the site Concept Plan. This slide discusses the alternative shoreline solutions that were considered, and provides a general assessment of the degrees to which they satisfy (or fail to satisfy) the criteria that were established in the Problem/Opportunity statement at the onset of the project.

Generally positive assessments are depicted in **BLUE**; negative assessments are shown in **RED**.

	PROJECT OBJECTIVES AND CONSIDERATIONS				
	Limit public access to the neighbouring shoreline area where deep water and strong currents are known to exist	Maintain public access to Lake St. Clair while improving safety	Maintain/improve flood and erosion protection	Improve overall function of the park	Other Considerations
Option A: Do Nothing No changes to the existing shoreline	<ul style="list-style-type: none"> Does nothing to limit public access to deep water area beyond the existing fence. 	<ul style="list-style-type: none"> Maintains public access to the Lake. Does not improve safety. 	<ul style="list-style-type: none"> Does not address flood and erosion issues at the site. 	<ul style="list-style-type: none"> Most of the desired site improvements could still be implemented. Update required to the Park Master Plan Concept. 	<ul style="list-style-type: none"> Does not address the demand for a safe fishing area near the deep water area.
Option B: Enhance Safety of the Existing Beach Keep the existing beach and add additional safety measures	<ul style="list-style-type: none"> Potential to create a physical barrier (i.e., a rock promontory) east of the existing beach to further deter swimmers from accessing the deep water area Proximity of barrier to beach may facilitate it being bypassed by swimmers 	<ul style="list-style-type: none"> Maintains public access to the Lake. Swimming area remains in fairly close proximity to the deep water area. 	<ul style="list-style-type: none"> Limited opportunities to address flood and erosion issues at the site. 	<ul style="list-style-type: none"> Most of the desired site improvements could still be implemented. Update required to the Park Master Plan Concept. 	<ul style="list-style-type: none"> Does not address the demand for a safe fishing area near the deep water area.
Option C: Move the Beach Eastward Based on the Concept Plan – move the beach east of the Facilities Building	<ul style="list-style-type: none"> Limits access to the deep water and strong currents by moving the beach further east. Fence and railing along the shoreline to deter swimming at the west end of the site. 	<ul style="list-style-type: none"> Maintains public access to the Lake. Swimming area located substantially farther away from the deep water area. More time for lifeguards to react should people swim beyond the designated swimming area. 	<ul style="list-style-type: none"> Shoreline improvements along the shoreline will address flood and erosion issues. Proposed shoreline works will be installed to a higher elevation. Will address existing scour issues along the east side of the site. 	<ul style="list-style-type: none"> All desired functions identified in the Park Master Plan Concept could be implemented. 	<ul style="list-style-type: none"> Improved natural habitat connection to the water while keeping the site secure. Opportunity for more naturalized shoreline treatments to replace existing steel sheet piles. Highest initial cost option.
Option D: No Public Beach at Sandpoint Beach Park Remove the beach and close the shoreline to restrict all access to the water	<ul style="list-style-type: none"> Effectively eliminates access to the deep water and strong currents. 	<ul style="list-style-type: none"> Does not maintain public access to the Lake. Removes the only public sand beach where swimming is permitted within the City. 	<ul style="list-style-type: none"> Potential to improve the shoreline to address flood and erosion protection. 	<ul style="list-style-type: none"> Many of the desired park improvements could still be implemented. Cannot incorporate beach features or kayak launch if all water access is removed. 	<ul style="list-style-type: none"> Opportunity for more naturalized shoreline treatments to replace existing steel sheet piles. Elimination of Stop 26 Beach as a historic beach.

ALTERNATIVES

Evaluation of Alternatives

Shoreline Protection Alternatives

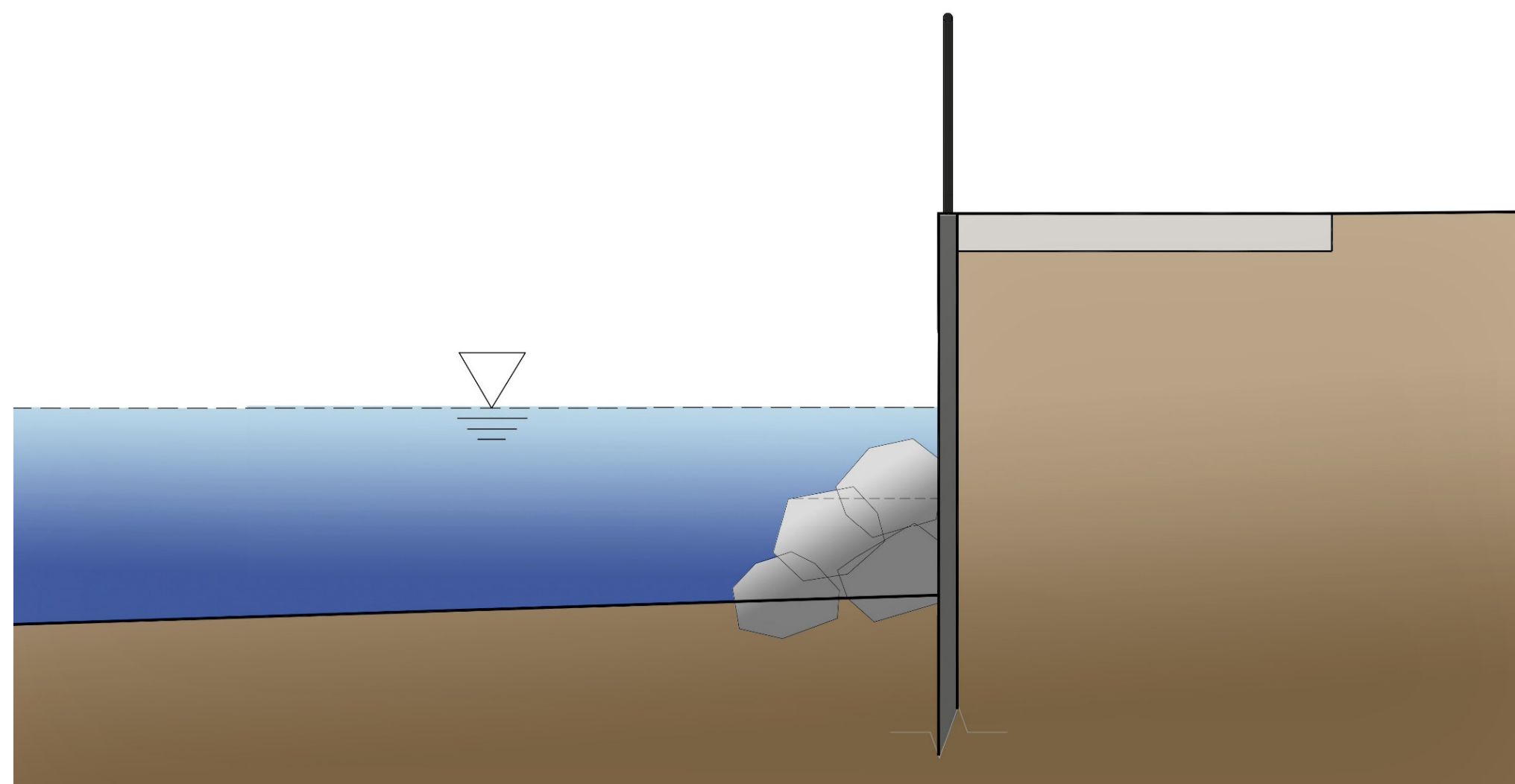
In order to protect the shoreline at Sandpoint Beach Park from erosion due to wave action, the following treatments have been considered:

Type 1: Shorewall

This treatment involves the installation of a vertical wall along the shoreline, typically consisting of steel sheet piles with a steel cap that can accommodate a safety railing attached to the top.

Impacts, Opportunities and Constraints:

- Does not provide access to the water for swimming.
- Desirable in areas with deeper water or where direct access to the water should be discouraged.
- Height of the wall will typically be set at an elevation to provide erosion and flooding protection.
- Railings are typically installed along the top of the wall for safety.
- Limited lakebottom encroachment (depending on alignment).
- Vertical walls reflect wave energy and do not provide fish habitat.
- Rock is typically placed in front of the wall to prevent scouring of the lake bed and enhance fish habitat.
- High initial capital cost.
- Little to no maintenance required.

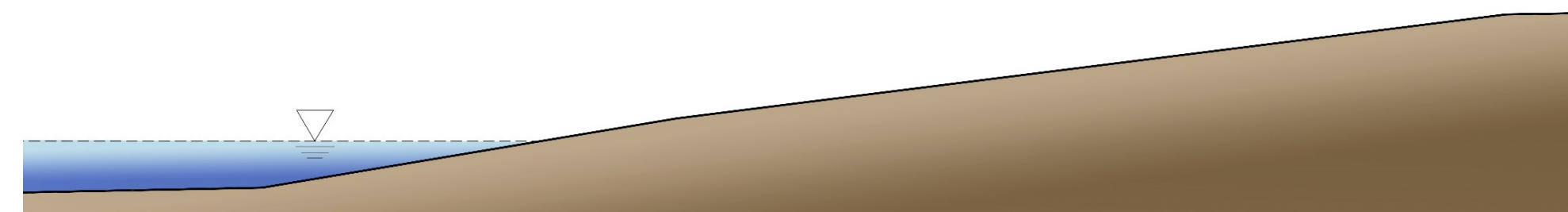


Type 2: Beach

This treatment consists of a groomed or natural sand (or cobble) slope that extends shoreward from the lake bottom at a shallow angle.

Impacts, Opportunities and Constraints:

- Allows for direct access to the water.
- Desirable in areas that are away from deep water and/or strong currents.
- No lakebottom encroachment (depending on alignment)
- Provides minimal fish habitat.
- Low initial capital cost.
- Continued maintenance required to groom the beach and remove water-bourne debris

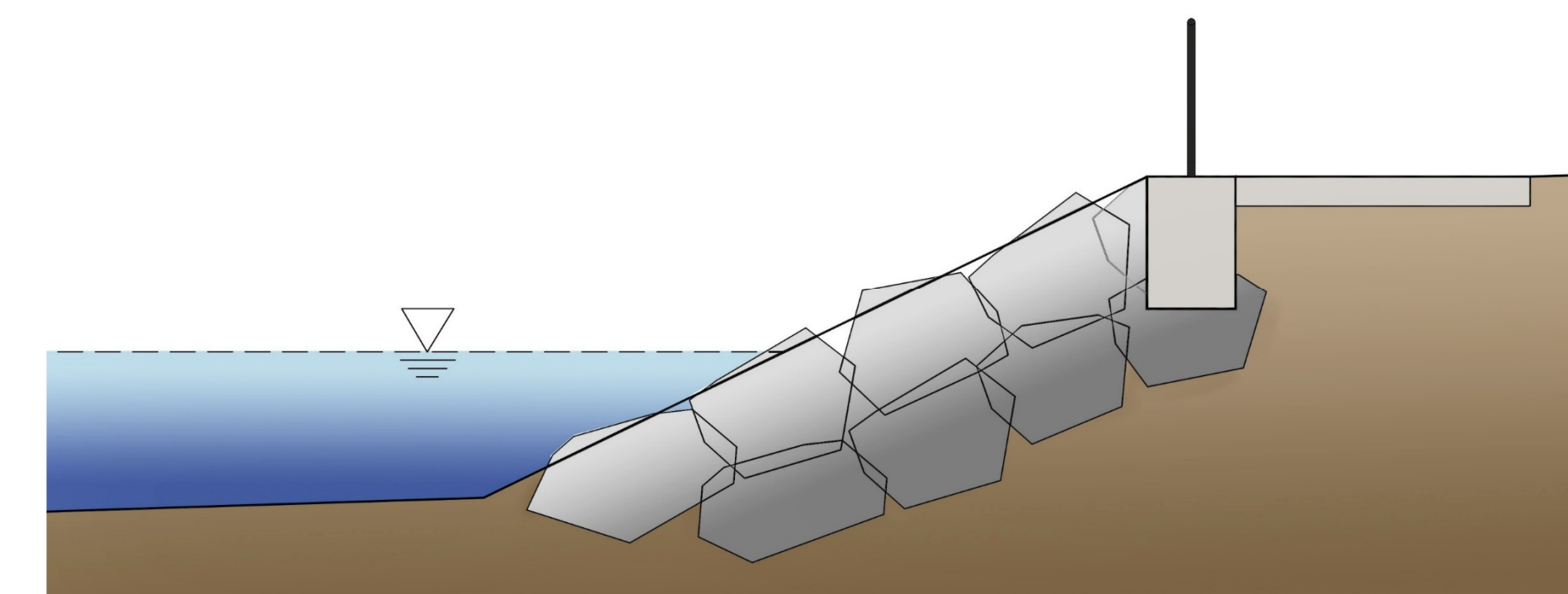


Type 3: Rock Revetment / Promontory

In this option, large armour rock is used along the shoreline to protect against erosion and dissipate wave energy.

Impacts, Opportunities and Constraints:

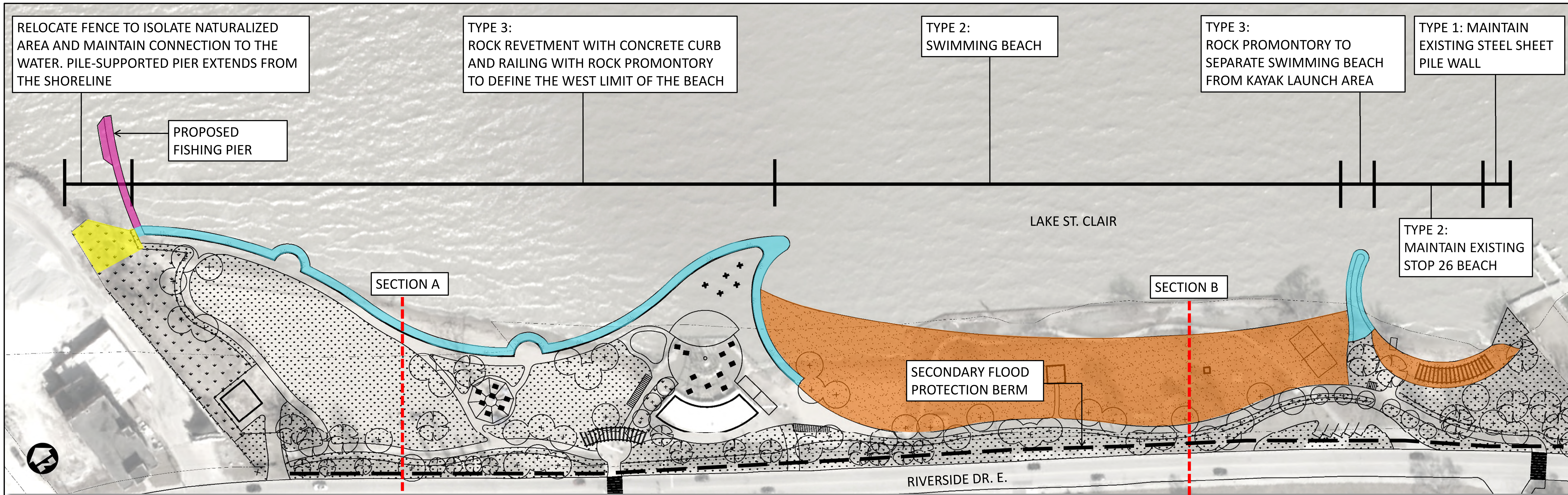
- Desirable in areas with a steeper lakebed slope or where direct access to the water should be discouraged.
- Railings can be installed behind the revetment along the top of a curb to further limit access to the water.
- Significant lakebottom encroachment (depending on alignment)
- Provides enhanced fish habitat.
- Rock promontories can be used to delineate/separate different functional areas along the shoreline.
- High initial capital cost.
- Little to no maintenance required.



Evaluation of Alternatives

Recommended 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 recommended plan incorporates all 3 shore protection alternatives that were under consideration, with each used in locations that maximize their individual advantages.



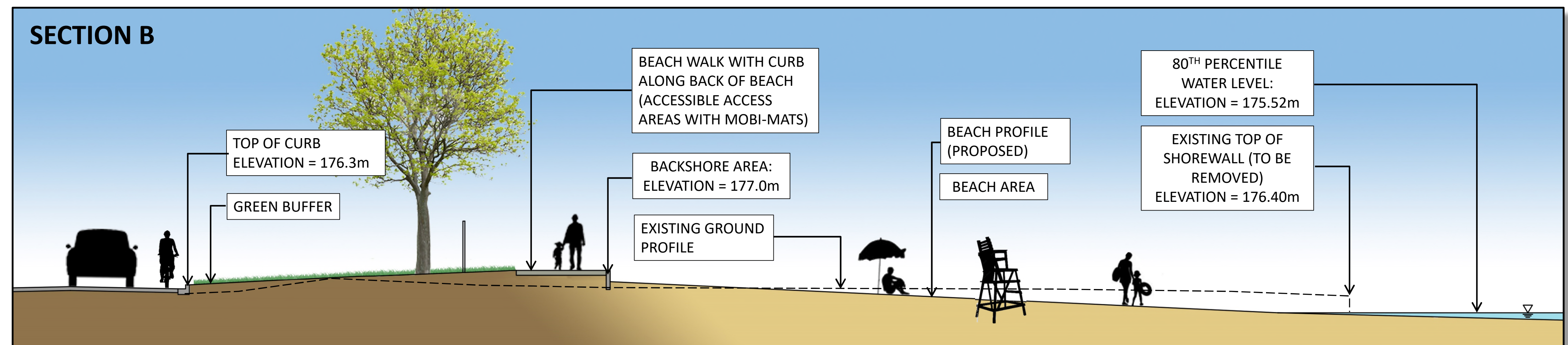
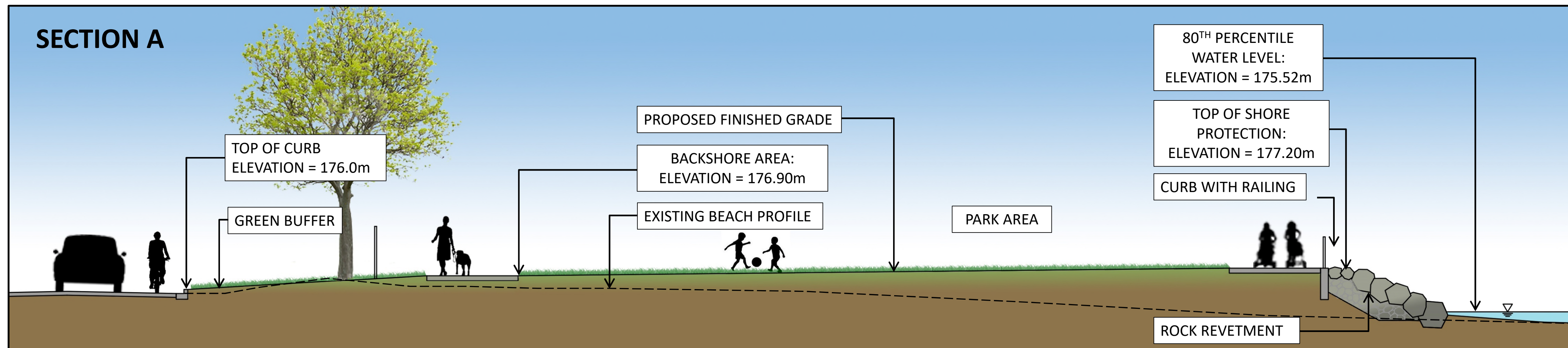
The primary considerations used in developing this plan included:

- 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.

The cross-sections of the site depicted below are intended to illustrate the general configuration and function of the proposed shoreline works with respect to the upland areas of the park.

Flooding and Erosion Protection Considerations:

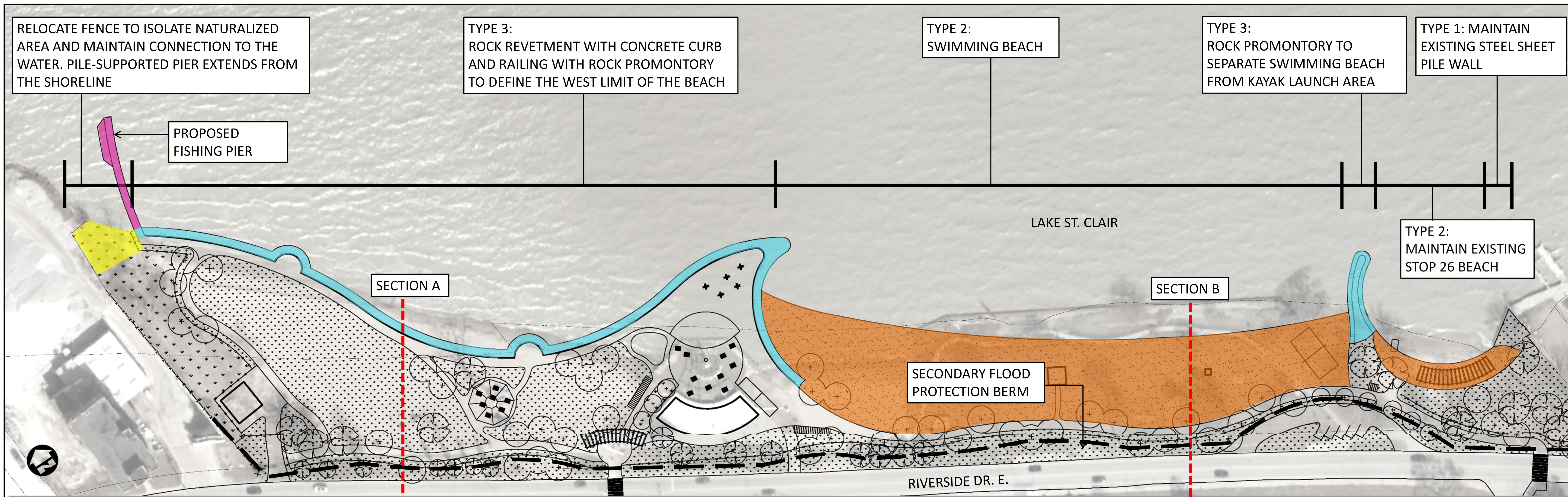
- The inland areas of East Riverside are currently protected from flooding via the barrier landform along the Ganatchio Trail (south of Riverside Drive, top elevation = 176.80m).
- A continuous barrier landform with a top elevation of 177.20m (minimum) will be established across the study area (along the shoreline and continuing along the back of the beach) to prevent flooding on Riverside Drive.
- It is anticipated that minimal stormwater management will be required on-site, with most wave splash and runoff outletting directly to the Lake.








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

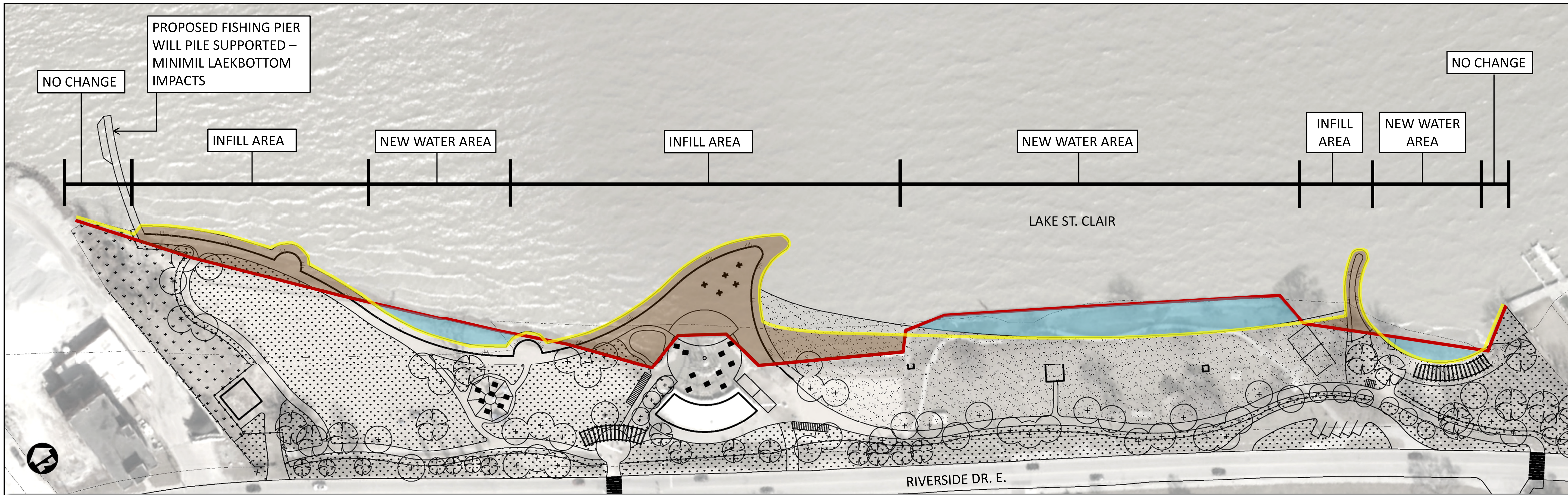
The primary considerations used in developing this plan included:

- 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.

Preferred Solution

Shoreline Improvements – Lakebottom Impacts

The plan below illustrates the extent of proposed infill of the Lakebottom. Some areas will be filled while others will be excavated, creating new water area. Approvals for this work include ERCA, DFO, Windsor Port Authority and First Nation Consultations.



Legend

- EXISTING SHORELINE ALIGNMENT
- PROPOSED SHORELINE ALIGNMENT
- APPROX. INFILL AREA
- APPROX. NEW WATER AREA

- The infill areas are currently very shallow water areas with sand substrate.
- On-site compensation can be accomplished with a combination of offsetting strategies, including creating new water area, providing fish habitat along the shoreline with rock revetments and rock promontories in the deeper water areas.
- The City will be required to consult with approval agencies in order to determine encroachment limits and lakebottom ownership.

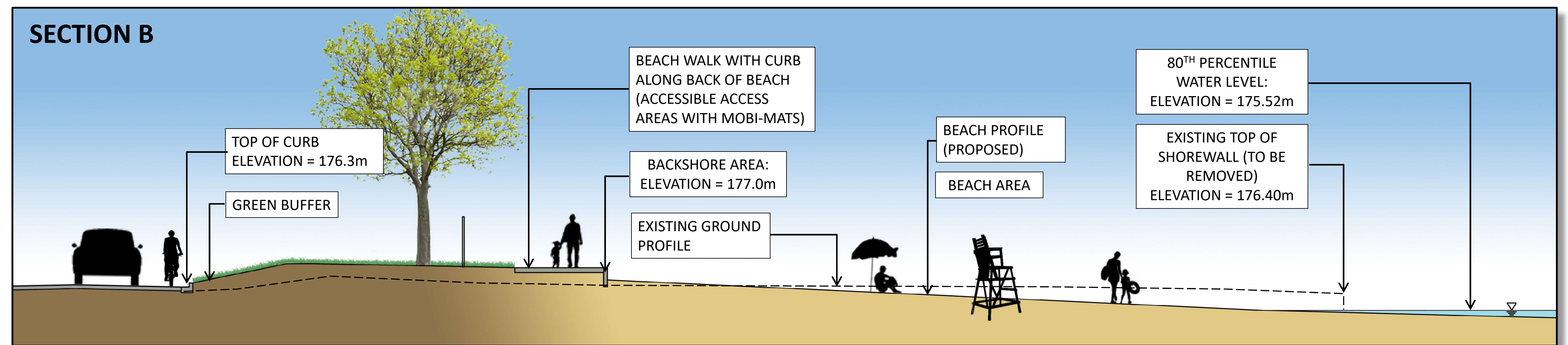
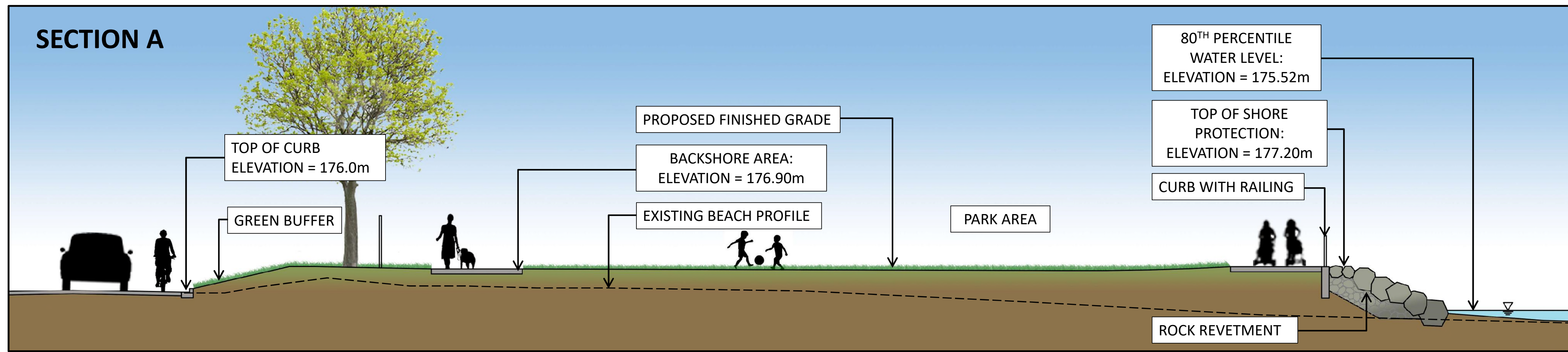
Preferred Solution

Shoreline Improvements - Sections

The cross-sections of the site depicted below are intended to illustrate the general configuration and function of the proposed shoreline works with respect to the upland areas of the park.

Flooding and Erosion Protection Considerations:

- The inland areas of East Riverside are currently protected from flooding via the barrier landform along the Ganatchio Trail (south of Riverside Drive, top elevation = 176.80m).
- A continuous barrier landform with a top elevation of 177.20m (minimum) will be established across the study area (along the shoreline and continuing along the back of the beach) to prevent flooding on Riverside Drive.
- It is anticipated that minimal stormwater management will be required on-site, with most wave splash and runoff outletting directly to the Lake.



Section 4:
Distribution List
And
Communication Inventory

4.0 Correspondence

As part of the Public Consultation process, individual correspondence regarding this Municipal Class EA was distributed to stakeholders and regulatory agencies with a potential interest in the undertaking. A copy of the complete Distribution List can be found in this section.

This section of the Project File also contains copies of all correspondence sent and received over the course of the study. Copies of the Notices that were distributed as part of the consultation process are also included in this section.

Correspondence with Frist Nations can be found in Section 5 of the Project File.

SANDPOINT BEACH PARK SHORELINE CLASS ENVIRONMENTAL ASSESSMENT



NOTICE OF INTENT AND INVITATION FOR PUBLIC COMMENT

The City of Windsor intends to carry out a study of the Sandpoint Beach Park shoreline in order to assess possible shoreline modifications that would address public safety concerns, while improving and/or maintaining flood and erosion protection. The study is being planned under Schedule B of the Municipal Class Environmental Assessment which is an approved process under the Environmental Assessment Act.

The study has progressed to the point where alternative solutions have been evaluated and a recommended solution has been identified for review and public comment.

PUBLIC INFORMATION CENTRE

The study area is as shown on the attached location plan. Interested parties are welcome to attend the Public Information Centre. Representatives of the City of Windsor and Landmark Engineers Inc. will be present to answer any questions and obtain feedback. The Public Information Centre will be held on:

DATE: Tuesday, November 22, 2022
TIME: 2:00 – 4:00 p.m. and 6:00 – 8:00 p.m.
PLACE: Riverside Sportsmen Club
10835 Riverside Drive East
Windsor, Ontario

We are presently contacting all private and public agencies that may have an interest in the project to solicit their comments and to confirm their interest in the Environmental Assessment process. For additional information or to provide direct comments regarding the project, please contact one of the following individuals:

Landmark Engineers Inc.
Ms. Liz Michaud, P.Eng.
2280 Ambassador Drive
Windsor, Ontario N9C 4E4
(519) 972-8052
lmichaud@landmarkengineers.ca

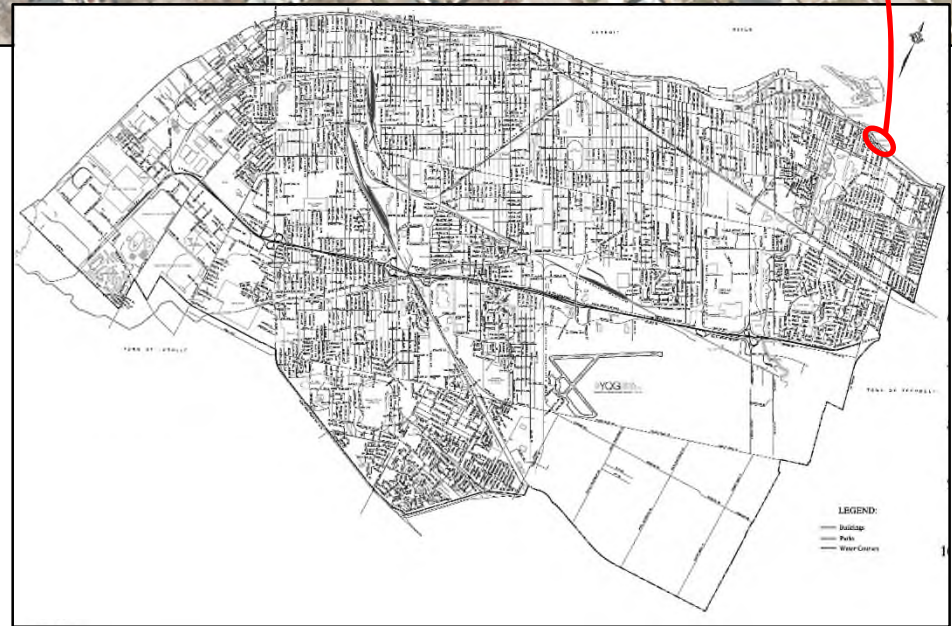
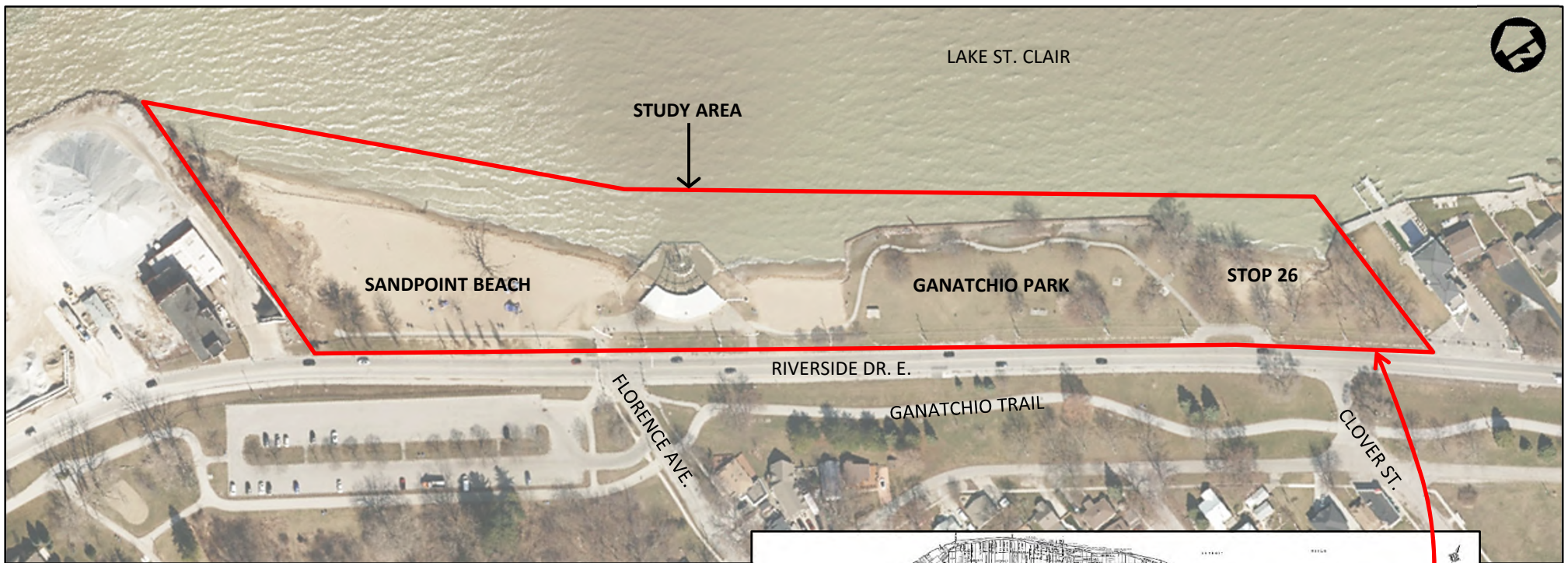
City of Windsor
Ms. Laura Ash, P.Eng.
2450 McDougall St.
Windsor, Ontario N8X 3N6
(519) 253-2300 Ext. 2735
lash@citywindsor.ca

Project information can be found at the website below or by scanning the QR code here:

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



Under the *Municipal Freedom of Information and Protection of Privacy Act* and the *Ontario Environmental Assessment Act*, unless otherwise stated in submission (with the exception of personal information) all comments will become part of the public record and will be released (if requested) to any person.



Title	LOCATION PLAN	Date	NOV. 2022	FIGURE 1
	Project	SANDPOINT BEACH PARK SHORELINE CLASS ENVIRONMENTAL ASSESSMENT	Scale	
			Project No.	

Sandpoint Beach Master Plan Agency & Public Consultation - Distribution List & Communications Inventory

Provincial Agencies

Communications Sent

Communications Received

	Date	Type	Description	Date	Type	Description
Ministry of the Environment, Conservation and Parks Southwest Region eanotification.swregion@ontario.ca CC: Mark Badali Regional Environmental Planner mark.badali1@ontario.ca	08-Nov-22	email	Notice of Intent and Invitation to Public Comment	9-Nov-22	Email	Reply to Notice of Intent. 3 attachments. Requested draft of Project File for 30 day review prior to Notice of Completion.
Ontario Ministry of Transportation Malvika Rudra malvika.rudra@ontario.ca Head of Corridor Section	10-Nov-22	email	Notice of Intent and Invitation to Public Comment	10-Nov-22	Email	Bounced back e-mail. Followed up but no replacement found.
Ministry of Natural Resources and Forestry Aylmer District General Inbox mnrf.ayl.planners@ontario.ca Karina Cerniavskaja District Planner	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
Ministry of Citizenship and Multiculturalism Karla Barboza Karla.Barboza@ontario.ca				8-Nov-22	Email	Reply to Notice of Intent send to Dan Mankin (no longer with MCM). Future corresponded send to Joseph and Harvey.
	9-Nov-22	email	Sent update e-mail to notify Archaeological Assessments have been completed but not yet submitted to MCM.	10-Nov-22	Email	Karla requested PIF# for reference.
	10-Nov-22	email	Sent requested info to Karla and copied Joseph Harvey			
Ministry of Citizenship and Multiculturalism Joseph Harvey MCM Heritage Planner Joseph. Harvey@ontario.ca	28-Nov-22	email	Replied to Joseph - notified him we are sending to our AMICK to review the info received.	28-Nov-22	Email	Initial advice received
	29-Nov-22	email	Question re Marine Archaeological	7-Dec-22	email	Reponce re Marine Archaeological
	7-Dec-22	email	Follow up questions re Marine Archaeological questions	13-Dec-22	Email	Reponce re follow up Marine Archaeological questions
Ministry of Agriculture, Food and Rural Affairs drew.crinklaw@ontario.ca 667 Exeter Road, London, ON N6E 7L3 Attn: Mr. Drew Crinklaw Rural Planner	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Ministry of the Environment, Conservation and Parks Mark Badali Regional Environmental Planner Project Review Unit mark.badali1@ontario.ca	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment	9-Nov-22	Email	Letter of acknowledgement and supporting attachments

Sandpoint Beach Master Plan Agency & Public Consultation - Distribution List & Communications Inventory

Federal Agencies	Communications Sent			Communications Received		
	Date	Type	Description	Date	Type	Description
Environment and Climate Change Canada - Ontario Region Attn: Ms. Sandra Kok Senior RAP Program Engineer sandra.kok@canada.ca - ON LEAVE Send to Steve Clement steve.clement@eu.gc.ca	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
Environment and Climate Change Canada - Ontario Region Attn: Ms. Kate Taillon kate.taillon@ec.gc.ca	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
Department of Indigenous Services Canada Ontario Region 655 Bay Street, Suite 700 Toronto, Ontario M5G 2K4 aadnc.infopubs.aandc@canada.ca	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
Department of Indigenous Services Canada - Records Office aadnc.ontarioregionrecordsoffice.aandc@canada.ca	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
Glenn Barrett Wildlife Toxicology Technician, Science and Technology Branch Environment and Climate Change Canada 867 Lakeshore Rd, Burlington, Ontario L7S 1A1 Glenn.Barrett@ec.gc.ca	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
Shane de Solla Environment and Climate Change Canada 867 Lakeshore Rd, Burlington, Ontario L7S 1A1 shane.desolla@canada.ca	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			

Sandpoint Beach Master Plan Agency & Public Consultation - Distribution List & Communications Inventory

Municipal Agencies and Utilities

Communications Sent

Communications Received

	Date	Type	Description	Date	Type	Description
Chris Hart City of Windsor Biodiversity Coordinator CHart@citywindsor.ca			New contact requested to be added to the list			
Karen Alexander City of Windsor Naturalist and Outreach Coordinator kaalexander@citywindsor.ca			New contact requested to be added to the list			
Hydro One Network Planning Department Senior Planning Technician southernfbcplanning@hydroone.com	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
Hydro One Network 185 Clegg Road Markham, Ontario L6G 1B7 Attn: Mr. Jim Oriotis Senior Real Estate Coordinator	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Enbridge Gas Ltd. (Union Gas Inc.) Attn: Mr. Doug Schmidt Manager Environmental Planning dschmidt@uniongas.com	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
Bell Canada 1149 Goyeau St., 1st Floor Windsor, Ontario N9A 1H9 Attn: Mr. Tyson Fuerth Engineering Manager	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Bell Canada 1149 Goyeau St., 1st Floor Windsor, Ontario N9A 1H9 Attn: Mr. Randy Matis Field Services Manager	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Cogeco Connexion Inc. 2525 Dougall Ave. Windsor, Ontario N8X 5A7 Attn: Daniel Haggins Planning/OSP Lead - Windsor-Essex	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Enwin Utilities Windsor Utilities Commission 4545 Rhodes Drive P.O. Box 1625, Station A Windsor, Ontario N8W 5T1 Attn: Mr. James Brown V/P Asset Management jbrown@enwin.com	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
Enwin Utilities Windsor Utilities Commission Attn: Mr. Marvio Vinhaes Director, Hydro Engineering mvinhaes@enwin.com	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			

Municipal Agencies and Utilities

Communications Sent

Communications Received

	Date	Type	Description	Date	Type	Description
Enwin Utilities Windsor Utilities Commission Attn: Chris Manzoni Director, Water Engineering cmanzon@enwin.com	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
Tourism Windsor Essex Pelee Island Attn: Mr. Gordon Orr CEO gorr@tourismwindsoressessex.com cc: Felicia Krautner fkrautner@tourismwindsoressessex.com	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
Ministry of Municipal Affairs & Housing Southwestern Municipal Services Office 659 Exeter Road, 2nd Floor London, Ontario N6E 1L3 Attn: Mr. Gabriel Kim gabriel.kim@ontario.ca	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
County of Essex Infrastructure Services 360 Fairview Avenue West Essex, Ontario N8M 1Y6 Attn: Sumaiya Habiba Environmental Assessment Coordinator SHabiba@countyofessex.ca	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
CAW Windsor Regional Environment Council Attn: Mr. Richard St. Denis wrec.unifor@gmail.com	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
Windsor-Essex County Environment Committee Attn: Ms. Averil Parent WECEC Coordinator aparent@citywindsor.ca	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
Windsor Bicycling Committee 350 City Hall Square West, Room 530 Windsor, Ontario N9A 6S1 Attn: Ms. Amy Farkas, Chair c/o Ms. Karen Kadour, Council Services Dept.	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Windsor Accessibility Advisory Committee 350 City Hall Square West, Room 530 Windsor, Ontario N9A 6S1 Attn: Ms. Gail Jones, Officer c/o Ms. Karen Kadour, Council Services Dept.	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Planning, Heritage & Economic Development Standing Committee 350 City Hall Square West, Room 530 Windsor, Ontario N9A 6S1 Attn: Ms. Anna Ciacelli Supervisor of Council Services	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Citizens Environment Alliance 1950 Ottawa St. Windsor, ON N9A 6Z6 Attn: Mr. Derek Coronado Administrator info@citizensenvironmentalliance.org	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			

Municipal Agencies and Utilities

Communications Sent

Communications Received

	Date	Type	Description	Date	Type	Description
Essex Region Conservation Authority General Inbox planning@erca.org CC: Tian Martin, P.Eng. Water Resource Engineer tmartin@erca.org CC: Kevin Money kmoney@erca.org	08-Nov-22	email	Notice of Intent and Invitation to Public Comment	22-Nov-22	Email	Reply with attached comments from the Master Plan which still apply at this time. Copy Tian on Notifications.
Essex Region Conservation Authority Katie Stammier kstammier@erca.org	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
	30-Jan-23	email	Follow up re: Source Water Protection Review.			
Windsor Police Services Office of the Chief of Police P.O. Box 60 Windsor, Ontario N9A 6J5 Attn: Mr. Barry Horrobin Director of Planning & Physical Resources	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Windsor Police Services Sargent Paolo DiCarlo Marine Unit pdicarlo@windsorpolice.ca office 519-255-6700 ext 4008	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
City of Windsor Fire Department 815 Goyeau Street Windsor, Ontario N9A 1H7 Attn: Mr. Stephen Laforet Chief	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Phil Bartnik Town of Tecumseh Director of Public Works & Engineering Services 917 Lesperance Road Tecumseh, ON N8N 1W9 pbartnik@tecumseh.ca	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Greater Essex County District School Board erin.kelly@publicboard.ca copy melissa.leboeuf@publicboard.ca 451 Park Street West, Box 210 Windsor, Ontario N9A 6K1 Attn: Ms. Erin Kelly Director of Education	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			

Municipal Agencies and Utilities**Communications Sent****Communications Received**

	Date	Type	Description	Date	Type	Description
Windsor-Essex Catholic District School Board director@wecdsb.on.ca 1325 California Ave Windsor, Ontario N9B 3Y6 Attn: Ms. Emelda Byrne Director of Education	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
Windsor Port Authority 3109 Sandwich Street Windsor, ON N9C 1A6 Attn: Mr. Peter Berry pberry@portwindsor.com	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
Can-Am Indian Friendship Centre of Windsor admin@caifc.ca	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
Windsor St. Clair Rotary Club ajurak@cogeco.ca	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			
Chris Nepzy City Engineer The Corporation of the City of Windsor 1266 McDougall Avenue Windsor, Ontario N8X 3M7	08-Nov-22	email	Notice of Intent and Invitation to Public Comment			

Sandpoint Beach Master Plan Agency & Public Consultation - Distribution List & Communications Inventory

Adjacent Land Owners and Business Owners

Communications Sent

Communications Received

	Date	Type	Description	Date	Type	Description
Sandpoint Beach Coalition Facebook Group Mr. Al DeRose 465 Elinor St. Windsor, ON N8P 1C3 myderose@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment	22-Nov-22	Sign-in Sheet	Attended Public Information Drop in Centre
Civic Address: Vacant Lots on Aberdeen Ave, and Helen Ave. Mailing Address: 2602 Wyandotte St. E Windsor, ON N8Y 0A5	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 435 Florence Ave. and Vacant Lot on Helen Ave Mailing Address: 435 Florence Ave. Windsor, ON N8P 1B9	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 438 Florence Ave. Mailing Address: 525 Windsor Ave. Suite 200 Windsor, ON N9A 1J4	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: Frankie Ondracka 438 Florence Ave. Windsor, ON N8P 1B1 wyzefranc8@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Civic Address: Dan Kennedy 447 Florence Ave. Windsor, ON N8P 1B9 dmpkennedy@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Civic Address: Candice Phillips 457 Florence Ave. Windsor, ON N8P 1B9 phillips.cja@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Civic Address: Franco Palazzi 471 Florence Ave, Windsor, ON N8P 1B9 gr8chevyfan@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Civic Address: Kathy Kovosi 483 Florence Ave. Windsor, ON N8P 1B9 kattyk66@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Civic Address: 489 Florence Ave. Windsor, ON N8P 1B9	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 505 Florence Ave. Windsor, ON N8P 1H3	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			

Adjacent Land Owners and Business Owners

Communications Sent

Communications Received

	Date	Type	Description	Date	Type	Description
Civic Address: 511 Florence Ave. Windsor, ON N8P 1H3	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: Franco Marashoni 447 John M. St. Windsor, ON N8P 1C1	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 459 John M. St. Windsor, ON N8P 1C1	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment	22-Nov-22	Sign-in Sheet	Attended Public Information Drop in Centre
Civic Address: 469 John M. St. Windsor, ON N8P 1C1	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 479 John M. St. N8P 1C1	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: Bob Kuhlmann 487 (Floor 1) John M. St. Windsor, ON N8P 1C1	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 487 1/2 (Floor 2) John M. St. Windsor, ON N8P 1C1	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: Rian Fortier 491 John M. St. Windsor, ON N8P 1C1	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 491 John M. St. Mailing Address: 12105 Appletree Tecumseh, ON N8N 4A4	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 448 John M. St. Windsor, ON N8P 1C2	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 452 John M. St. Windsor, ON N8P 1C2	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 458 John M. St. Windsor, ON N8P 1C2	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			

Adjacent Land Owners and Business Owners

Communications Sent

Communications Received

	Date	Type	Description	Date	Type	Description
Civic Address: 466 John M. St. Windsor, ON N8P 1C2	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 474 John M. St. Windsor, ON N8P 1C2	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 482 John M. St. Windsor, ON N8P 1C2	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 486 John. M. St. Windsor, ON N8P 1C2	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: Therese Morand 490 John M. St. Windsor, ON N8P 1C2 theresepmorand@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Civic Address: 10375 Menard St. Windsor, ON N8P 1E9	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 10395 Menard St. Windsor, ON N8P 1E9	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 10397 Menard St. Mailing Address: 4521 Southwood Lakes Blvd. Windsor, ON N9G 2M6	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 10397 Menard St. Windsor, ON N8P 1E9	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 451 Elinor St. Windsor, ON N8P 1C3	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 451 Elinor St. Mailing Address: 1012 Mayland Dr. NE Calgary, AB, T2E 6C6	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 459 Elinor St. Windsor, ON N8P 1C3	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			

Adjacent Land Owners and Business Owners

Communications Sent

Communications Received

	Date	Type	Description	Date	Type	Description
Civic Address: 465 Elinor St. (Floor 1) Windsor, ON N8P 1C3	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 465 Elinor St. (Floor 2) Windsor, ON N8P 1C3	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: Michelle Morand-Toole 471 Elinor St. Windsor, ON N8P 1C3	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 489 Elinor St. Windsor, ON N8P 1C3	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 509 and 513 Elinor St. Windsor, ON N8P 1E3	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment	18-Nov-22	Lettermail	Returned - no such address
Civic Address: 525 Elinor St. Windsor, ON N8P 1E3	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 553 Elinor St. Mailing Address: 1 Rockcliffe Rd. St. Catharines, ON L2R 3S7	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 553 Elinor St. Windsor, ON N8P 1E3	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 470 Elinor St. Mailing Address: 10515 Clairview Ave. Windsor, ON N8P 1B3	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: Susan Perju 470 Elinor St. Windsor, ON N8P 1C4	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 490 Elinor St. Windsor, ON N8P 1C4	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 500 Elinor St. Windsor, ON N8P 1E4	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			

Adjacent Land Owners and Business Owners

Communications Sent

Communications Received

	Date	Type	Description	Date	Type	Description
Civic Address: 504 Elinor St. Windsor, ON N8P 1E4	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: Tania Briffa 508 Elinor St. Windsor, ON N8P 1E4 tmbriffa59@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Civic Address: 512 Elinor St. Windsor, ON N8P 1E4	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 516 Elinor St. Windsor, ON N8P 1E4	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 520 Elinor St. Windsor, ON N8P 1E4	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 524 Elinor St. Windsor, ON N8P 1E4	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 528 Elinor St. Windsor, ON N8P 1E4	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 532 Elinor St. Windsor, ON N8P 1E4	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 536 Elinor St. Windsor, ON N8P 1E4	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 544 Elinor St Windsor, ON N8P 1E4	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 548 Elinor St. Windsor, ON N8P 1E4	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 554 Elinor St. Windsor, ON N8P 1E4	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			

Adjacent Land Owners and Business Owners

Communications Sent

Communications Received

	Date	Type	Description	Date	Type	Description
Civic Address: 527 and 531 Clover St. Mailing Address: 20547 Ferndale Ave. Windsor, ON N8T 2L2	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment	14-Nov-22	Lettermail	Returned - unknown
Civic Address: 527 Clover St. Windsor, ON N8P 1C5	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 531 Clover St. Windsor, ON N8P 1C5	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 535 Clover St. Windsor, ON N8P 1C5	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 539 Clover St. Windsor, ON N8P 1C5	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 545 Clover St. Windsor, ON N8P 1C5	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 549 Clover St. Mailing Address: 19756 Haggerty Rd. Apt. 258 Livonia, MI, 48152, USA	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 549 Clover St. Windsor, ON N8P 1C5	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 551 Clover St. Windsor, ON N8P 1C5	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 553 Clover St. Windsor, ON N8P 1C5	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: Paula Naffah 559 Clover St. Windsor, ON N8P 1C5 paula_naffah@yahoo.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Civic Address: 540 Clover St. Windsor, ON N8P 1C6	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			

Adjacent Land Owners and Business Owners

Communications Sent

Communications Received

	Date	Type	Description	Date	Type	Description
Civic Address: 546 Clover St. Windsor, ON N8P 1C6	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 550 Clover St. Windsor, ON N8P 1C6	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 554 Clover St. Windsor, ON N8P 1C6	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 556 Clover St. Windsor, ON N8P 1C6	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 560 Clover St. Windsor, ON N8P 1C6	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 562 Clover St. Windsor, ON N8P 1C6	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Richard & Charlotte Foote 565 Clover St. Windsor, ON N8P 1C5	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Jacob and Monica Bose 573 Clover Windsor, ON N8P 1C5 jacobbosc@hotmail.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Civic Address: 10325 Riverside Dr. E. Windsor, ON N8P 1B1	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: Joe & Barb VanNiekerc 10365 Riverside Dr. E. Windsor, ON N8P 1B1 barb_joe@cogeco.ca	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment	22-Nov-22	Sign-in Sheet	Attended Public Information Drop-in Centre
Civic Address: 10395 Riverside Dr. E. Mailing Address: 1116 Sawgrass Cres. Mississauga, ON L5C 3V4	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: Mandy Pereira 10395 Riverside Dr. E. Windsor, ON N8P 1B1 mandy.pereira@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			

Adjacent Land Owners and Business Owners

Communications Sent

Communications Received

	Date	Type	Description	Date	Type	Description
Civic Address: Mary Lynn Becker 10425 Riverside Dr. E. Windsor, ON N8P 1B1 marylynn8@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Civic Address: 10835 Riverside Dr. E. Windsor, ON N8P 1A5	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 10650 Riverside Dr. E. Mailing Address: 10670 Riverside Dr. E. Windsor, ON N8P 1A4	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Civic Address: 10650 Riverside Dr. E. Mailing Address: 2584 Browning Lake Orion, MI 48360	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: Terry Kipping 10670 Riverside Dr. E. Windsor, ON N8P 1A4 Terry@hiexperts.com Jeff Namson (lawyer for above) jnamson@mousseaulaw.com	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: Terry and Darcie Patrick 10680 Riverside Dr. E. Windsor, ON N8P 1A4 tpatrick47@cogeco.ca darciagene@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Civic Address: Ronald Winney 10720 Riverside Dr. E. Windsor, ON N8P 1A4 ronwinney@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Civic Address: 10435 Clairview Ave. Windsor, ON N8P 1B2	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 10455 Clairview Ave. Mailing Address: 1005 Lakeshore Rd. 103 Maidstone, ON N0R 1K0	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 10455 Clairview Ave. Windsor, ON N8P 1B2	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 10475 Clairview Ave. Windsor, ON N8P 1B2	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 10515 Clairview Ave. Windsor, ON N8P 1B2	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			

Adjacent Land Owners and Business Owners

Communications Sent

Communications Received

	Date	Type	Description	Date	Type	Description
Civic Address: 10555 Clairview Ave. Floor 1 Windsor, ON N8P 1B3	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 10555 Clairview Ave. Windsor, ON N8P 1B3	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 10557 Clairview Ave. Floor 2 Windsor, ON N8P 1B3	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Stop 26 Ice Cream 10575 and 10585 Clairview Ave. Mailing Address: Sam & Phany Sarakines 10585 Clairview Ave. Windsor, ON N8P 1B3	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment	22-Nov-22	Sign-in Sheet	Attended Public Information Drop-in Centre
Civic Address: 10575 Clairview Ave. Windsor, ON N8P 1B3	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 10615 Clairview Ave. Mailing Address: 210 West Pike Creek Rd. Windsor, ON N8N 2L9	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 0 Clairview Ave. Mailing Address: 2602 Wyandotte St. E. Windsor, ON N8Y 0A5	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: Angus McKenzie & Naomi McLaurie 10655 Clairview Ave. Windsor, ON N8P 1B4 amckenzie9@me.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Civic Address: 10675 Clairview Ave. Windsor, ON N8P 1B4	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 10725 Clairview Ave. Windsor, ON N8N 1B4	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 10755 and 10775 Clairview Ave. Mailing Address: 10775 Clairview Ave. Windsor, ON N8P 1B5	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 10755 Clairview Ave. Windsor, ON N8P 1B5	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			

Adjacent Land Owners and Business Owners

Communications Sent

Communications Received

	Date	Type	Description	Date	Type	Description
Civic Address: Laura and Andron Strahl 551 Adelaide Ave. Windsor, ON N8P 1C7	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment	22-Nov-22	Sign-in Sheet	Attended Public Information Drop-in Centre
Civic Address: 561 Adelaide Ave. Windsor, ON N8P 1C7	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Civic Address: 565 Adelaide Ave. Windsor, ON N8P 1C7	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Southwestern Sales Corporation East Windsor Dock: 10120 Riverside Dr. E. Windsor, ON N8P 1A1	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Southwestern Sales Corporation Headquarters: 100 Lesperance Rd., Unit 5 Windsor, ON N8N 1W1 info@southwesternsales.ca	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Manuel Calleta 455 Martinique Ave. Windsor, ON N8P 0E7	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Sheila McCabe Windsor Accessibility Advisory Committee 9906 Riverside Dr. E. Windsor, ON N8P 1A1 sheila.mccabe46@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment	22-Nov-22	Sign-in Sheet	Attended Public Information Drop-in Centre (provided comments on the
John & Sarah Holmes 566 Clover St. Windsor, ON N8P 1C6	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Mike Parent Clover & Clairview no address or email provided						
Dave Cooke 466 Martinique Ave. Windsor, ON N8P 1G7 davecooke1952@gmail.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Sharon Mayers 10261 Paulina Ct. Windsor, ON N8P 1H6 sharon_mayers@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Lisa McKee 9935 Riverside Dr. E. Windsor, ON N8P 1A2	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment	14-Nov-22	Lettermail	Retunred due to no unit #provided.

Adjacent Land Owners and Business Owners

Communications Sent

Communications Received

	Date	Type	Description	Date	Type	Description
Justin Boner 573 Elinor Windsor, ON N8P 1E3 justin_brown@wecdsb.on.ca	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Donna & Doug Newton 10796 Riverside Dr. E. Windsor, ON N8P 1A4 dougnewton1@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Beth Marshall 450 Sand Point Crt. Windsor, ON N8P 1S3 bmarshall1717@gmail.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Carol & Tom Nosella 990 Riverdale Avenue Windsor, ON N8S 4C3 Snaps990@yahoo.ca	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment	22-Nov-22	Sign-in Sheet	Attended Public Information Drop-in Centre
Carolyn Cecile 375 Betty Drive Windsor, ON N8S 3W9 whaatever24@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
John Cecile 475 Martinique Avenue Windsor, ON N8P 1G7 jcecile07@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Chantalle Macdonald 331 Carling Crescent Windsor, ON N8S 3X7 chantallemacdonald@yahoo.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Omar Abouhoussein 581 Elinor Street Windsor, ON N8P 1E3 Oabouhoussein@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Helen Wade 444 Martinique Avenue Windsor, ON N8P 1G7 hwscrapbooking@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Stephen Botsford 444 Martinique Avenue Windsor, ON N8P 1G7 bots4d@gmail.com (online survey was completed with different mailing address - see survey #155)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			

Sandpoint Beach Master Plan Agency & Public Consultation - Distribution List & Communications Inventory

Public	Communications Sent			Communications Received		
	Date	Type	Description	Date	Type	Description
Audrey Ingratta aingratta1@cogeco.ca	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Angelo Marignani 11250 Wyandotte St. E. Windsor, ON N8P 1J9 angelomarignani@gmail.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Dayna Marignani 11250 Wyandotte St. E. Windsor, ON N8P 1J9 dsciencegirl@gmail.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Art Ringwood 1725 Northway Ave Apt #203 Windsor, ON N9B 3M1	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Michael George 2337 Lillian Windsor, ON N8X 4B4 michaelgeorge@royalpage.ca	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Lorelei Norman 1770 Polonia Park Place Windsor, ON N8Y 4W3 loleleinorman@hotmail.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Jannet Long 298 Martin Lane LaSalle, ON N9J 2M3 jlong@janettelonglaw.ca	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
David Norman davidnorman@hotmail.ca	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Gary Rizzo 8888 Riverside Dr. E. Apt #1512 Windsor, ON N8S1H2 garyrizzo@gmail.com	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Neil Mens 1011 Coventry Crt. Windsor, ON N8S 2W6 neilmens@gmail.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
K. Haywood 1948 Souilliere Dr. Windsor, ON N8R 2H3	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment	17-Nov-22	Lettermail	Returned, incorrect street #
P. Schestzer 2572 Gatwick Ave. Windsor, ON N8P 1Y8	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Emmi Sud emmisud@gmail.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			

Public**Communications Sent****Communications Received**

	Date	Type	Description	Date	Type	Description
Jan & Dave Conlon conlon.jan@gmail.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Al DeRose myderose@gmail.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Mary-Anne McLellan 946 Esdras Ave. Windsor, ON N8S 2M9 mamcanada@aol.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Ed Link 768 Newport Cres. Windsor, ON N9E 4Z5 edlink@cogeco.ca	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Mario & Susan Fisico 10333 Lonsdale Cres. Windsor, ON N8R 2E2 mfisico@cogeco.ca	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment	22-Nov-22	Sign-in Sheet	Attended Public Information Drop-in Centre
Tim & Maureen Heavens 9099 Riverside Dr. E. Windsor, ON	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
John Burt 1775 Balfour Blvd. Windsor, ON N8T 2S2 rugbyburt@gmail.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
William F. Balazs bbalazs452@hotmail.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Susanne Blaney 4665 Riverside Dr. E. Apt # 310 Windsor, ON N8Y 4S8 susanneblaney@hotmail.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Nino Marion 2794 Askin Ave. Windsor, ON N9E 3H7 ninomarion2@hotmail.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Ed Sears 1175 Adair Crt. Apt. #508 Windsor, ON N8S 4P8 egs251@outlook.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Kathy Menard menardk53@yahoo.ca	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Lynne Wills 1339 Radcliff Ave. Windsor, ON N8P 1P2	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			

Public**Communications Sent****Communications Received**

	Date	Type	Description	Date	Type	Description
Bill & Heather Howitt 4077 Riverside Dr. E. Windsor, ON N8Y 1B4 carnut2@mac.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Cindy Piec 414 Riverdale Windsor, ON N8S 4B6 cynpiece@hotmail.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Mike Alexander 854 Lincoln Rd. Windsor, ON N8Y 2H1 myownpersonus@yahoo.ca	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment	8-Nov-22	Email	email returned undeliverable
	08-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Joy Molinari 542 GreendaleDr. Windsor, ON N8S 4A8	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Chris Manzon 937 Jarvis Ave. Windsor, ON N8P 1C8 ctmanzon@outlook.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment	22-Nov-22	Sign-in Sheet	Attended Public Information Drop-in Centre
Rosanna DeMarco 1750 Parent Ave. Windsor, ON N8X 4K1 rosanna_demarco@hotmail.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Christine King rcmking@cogeco.ca	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Dave Devlin ddevlin@cogeco.ca	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
James and Sherry Dugal 454 Flora Ave. Windsor, ON N8P 1G2 jdugal2002@yahoo.ca	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment	08-Nov-22	Email	email returned undeliverable
	8-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Donna Setay 2298 Luxury Ave. Windsor, ON N8P 1W9	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
John Lesperance contact info not provided	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Caron Bolton earonmyh@gmail.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment	08-Nov-22	Email	email returned underliverable
Sue Bacarro sbacarro@gmail.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			

Public**Communications Sent****Communications Received**

	Date	Type	Description	Date	Type	Description
Evangelista Bose 3295 Aurora Dr. Windsor, ON N8R 1Y9 ebose4@cogeco.ca	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Omar Abouhussein oabouhussein@hotmail.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Randy & Liah Drexler Randy.Drexler@gmail.com	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Heather Gardiner 471 Florence Ave. Windsor, ON N8P 1B9 creationsbyheatherlynn@yahoo.ca	8-Nov-22	Email	Notice of Intent and Invitation to Public Comment	22-Nov-22	Sign-in Sheet	Attended Public Information Drop-in Centre
Christine Easterbrook 275 Kempt St., Apt #17 Amherstburg, ON N9V 3V5	07-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Laura Herlehy 853 Westchester Drive Windsor, ON N8S 3Y6 LauraHerlehy7@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
N 1948 Glenbrook Court Windsor, ON N8W 5K3 bburton63@icloud.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Makayla Simpson 211 Buckingham Windsor, ON N8S 2C5 makaylas01@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Devis Fiorido 2380 Francois Road Windsor, ON N8W 4T2 Devisfiorido@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
B Mailloux wuromai@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Carol Agapito 892 Fairview Boulevard Windsor, ON N8S 3E5 Agapito@bell.net	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Ray Bezaire 6765 Riverside Drive East Windsor, ON N8S 1C1 r_bezaire@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Michael Kollar 2955 Apple Lane Windsor, ON N8R 1K7 mike_kollar@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			

Public**Communications Sent****Communications Received**

	Date	Type	Description	Date	Type	Description
Suzanne Adams 1133 Aire Place Windsor, ON N8S 4G1 susieqadams2@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Shelley Andrews 260 Maple Street P.O Box 194 Windsor, ON N9J 1N8 shelly.bug@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Sherry Raeside Sherryraeside@aol.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Renee Kailer 18-10200 Menard St. E. reneekailer4@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Heather Mcmillan 7045 Riverside Drive East Windsor, ON N8S 1C1 hcmcmillan5268@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Charmaine Janisse 485 Bertha Avenue Windsor, ON N8P 1B6 janmaine485@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Sherri Breaton 1723 County Road 27 Windsor, ON N0R 1V0 sbreaton@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Meredith Lee 1071 Westchester Drive Windsor, ON N8S 3Z1 Macleee57@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Kevin Olejniczak 2849 Sherway Drive Windsor, ON N8R 1K3 Kevinolejniczak@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Marilyn Briese 275 Isabelle Place Windsor, ON N8S 3A7 M_briese@yahoo.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Monique Dugal 146 Chene Street Windsor, ON N8T 1T1 mldugal465@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Rachel Cartier 11264 Wyandotte Street East Windsor, ON N8P 1J9 famielstlc@yahoo.ca	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Tracey Campbell 4747 Riverside Drive Windsor, ON N8Y 1B9 Tcampbell67@yahoo.ca	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			

Public**Communications Sent****Communications Received**

	Date	Type	Description	Date	Type	Description
Rick Fullerton 150 Park Street West Windsor, ON N9A 7A2 prntwork@mnsi.net	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Sue Richard 462 Sandpoint Court Windsor, ON N8P 1R6 Srichard888@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Wendy Cassidy 466 Greendale Drive Windsor, ON N8S 4A6 wcassidy@cogeco.ca	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Karen Mitchell 27 Mersea Road 12 Leamington, ON N8H 3V4 Yellowbaffin57@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Debra Mero 456 Laporte Windsor, ON N8S 3R2 Debra28yyz@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Pam Chittim 481 Flora Avenue Windsor, ON N8P 1G3 Pamela.chittim@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Priscilla O'Connor 8650 Wyandotte Street East Unit D21 Windsor, ON N8S 1T9 priscilla2928@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Ryan Campbell 875 Eastlawn Windsor, ON N8S 3H6 ryan411@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Anthony 508 Mountbatten Crescent Windsor, ON N8P 1W4 N_code3@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Carly Morrison Hunt 1304 Church Windsor, ON N8X 1T8 Mobiusscurve@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Craig Lescombe 848 Vicotr Drive Windsor, ON N8S 2S7 craiglescombe@aol.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Mary Lou Killen 9449 Kirby Windsor, ON N8R 1K1 mlkillen6@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment	22-Nov-22	Sign-in Sheet	Attended Public Information Drop-in Centre
Linda Sauve 2326 Cypress Avenue Windsor, ON N8P OA7 Linda_Sauve@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			

Public**Communications Sent****Communications Received**

	Date	Type	Description	Date	Type	Description
Nancy 454 Vanderbilt Windsor, ON N8P 1R6 flicknj@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Glen Bacarro 368 Watson Avenue Windsor, ON N8S 3S4 gman22@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
MaryAnn Benoit 2562 George Avenue Windsor, ON N8W 4M7 benoitmaryann1@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Mark Russchen 1155 Bellagio Drive Windsor, ON N8P 1J6 Mrusschen@cogeco.ca	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Carla Mallett 1090 Copeland Avenue Windsor, ON mallettcarla@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Diana Fratarcangeli 411 Sand Point Court Windsor, ON N8P 1R5 diana.fratarcangeli@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Bonnie Lea Demers 8950 Wyandotte Street East Windsor, ON N8S 1V3 bdemers2014@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Kristi Monforton 6789 County Road 50 Amherstburg, ON N9V 2Y8 kristi_monforton@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Christopher Burston 1133 Ford Boulevard Windsor, ON N8S 2G2 cburston@cogeco.ca	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Linda Czilli 337 Carling Crescent Windsor, ON N8S 3X7 edczilli@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Kim 32 Prince Albert Street Kingsville, ON N9Y 2B7 kimdemrrs01@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment	8-Nov-22	Email	email returned undeliverable
	8-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Flora 573 Greenpark Boulevard Windsor, ON N8P 1J9 floragocaj1@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Angela Gerelus 423 Sandpoint Court Windsor, ON N8P 1R5 anggerelus@yahoo.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			

Public**Communications Sent****Communications Received**

	Date	Type	Description	Date	Type	Description
Carmen Derose 10656 Beaumaris Rd. cderose01@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Jayce Draven 5-1009 Niagara Street Windsor, ON N9A 3V3 jaycedraven72@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Pauline Thibert 8888 Riverside Drive Windsor, ON iamthe_queen2001@yahoo.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Randy 920 Oulette Avenue Windsor, ON N9A 1C8 randydahl61@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Lise Lehoux 2348 Marentette Avenue Windsor, ON N8W 2C3 positivethinker@live.ca	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Joanne Szczyrek 315 Gignac Crescent Windsor, ON N9J 3S7 jdszczyrek@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Anthony Prsa 8310 Kingston Crescent Windsor, ON N8S 4R8 prsa6@aol.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Shirley O'Brien 310 Grace Road Windsor, ON N8N 2G6 longpointgal@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Rudy Tonus 598 Lisa Crescent Windsor, ON N9G 2M6 rtonuswin@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Lisa Lajoei 9568 Manitou Crescent Windsor, ON N8P 1H8 lisaleboeuflangis@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Alexis Foster 145 Brien Avenue Essex, ON N8M 1W2 sxylexy37@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Mike Lucier Mlucier@yahoo.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Kevin Deziel 1239 Prince Road Windsor, ON N9C 3A1 Kevindeziel@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			

Public**Communications Sent****Communications Received**

	Date	Type	Description	Date	Type	Description
Allen Ganton 8575 Riverside Drive East Windsor, ON N8S 1E9 GantonDEsignslnc@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Adua Aderose1234@hotmail.ca	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Denise 541 Estate Park Windsor, ON N8N 3C5 denisehaslam59@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Ken Mccarthy 564 Jarvis Windsor, ON N8P 1C9 kennycapri@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Jocelyn Smith 8885 Riverside Drive East Windsor, ON N8S 2G9 jocelyn-s@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
David Parent 2021 St Anne Street Windsor, ON N8N 1V8 dparent242@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Liz Sandstedt 489 Bertha Avenue Windsor, ON N8P 1B6 lsandstedt@nationalfiberlink.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Susan Moroz 581 Greenpark Boulevard Windsor, ON N8P 1J9 Rsmoroz581@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Alyssa 1658 Arthur Road Windsor, ON N8Y 3Z3 alyssalynn.co@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Julie Taylor-Renaud 11941 Maitland Avenue Windsor, ON Julierenaud65@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Jon Serdachny 332 Lauzon Road N8S 3L9 Windsor, ON kampher48@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Melissa Spadafora 360 Watson Avenue Windsor, ON N8S 3S4 badnixie@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Laurie Arrand 7847 Cedarview Windsor, ON N8S 1L1 lauriearrand1971@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			

Public**Communications Sent****Communications Received**

	Date	Type	Description	Date	Type	Description
Lindsay Smith 1070 Watson Avenue Windsor, ON N8S 3T4 lindsaymeloche@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Andre 1059 Coventry Windsor, ON N8S 2W6 andrelatendre@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Cherlynn Stachow 9705 Menard Windsor, ON N8P 1G5 Cstachow@cogeco.net	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Ronald Renaud 888 Riverside Drive East, Apartment 607 Windsor, ON N8S 1H2 Cstachow@cogeco.net	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Beverly Watson 11573 Cormorant Street Windsor, ON N8P 1L7 watsonb521@aol.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Chantelle Patrick 8320 East Moor Court Windsor, ON N8S 4M7 cfaas1@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Steven Chittle 885 Dawson Road Windsor, ON N8Y 4A1 thechittle@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Mark Moreira 463 Martinique Avenue Windsor, ON N8P 0E7 mark_moreira@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Nicole Bourque 1160 Lauzon Road, Apartment 102 Windsor, ON N8S 4T1 nbourque81@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Alexander Vernon 257 St Rose Avenue Windsor, ON N8S 1X1 agvernon@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Sharon Stubbington 8575 Riverside Drive East, Apartment 908 Windsor, ON N8S 1E9 Sstubbington@cogeco.ca	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Marie Pecz 8575 Riverside Drive East, Apartment 510 Windsor, ON N8S 1E9 peczjoelle@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Shawna Simpson 211 Buckingham Road Apartment 52 Windsor, ON N8S 2C5 shawnalsimpson@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			

Public**Communications Sent****Communications Received**

	Date	Type	Description	Date	Type	Description
Mark Stevens 487 Isack Drive Windsor, ON N8S 3W2 309shooter@cogeco.ca	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment	9-Nov-22	email	Email returned undeliverable
	9-Nov-22	Lettermail	Notice of Intent and Invitation to Public Comment			
Cindy Seisun 1053 Frederica Ave. Windsor, ON seisuncindy@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Julie Normand 360 Caron Avenue, Apartment 505 Windsor, ON N9A 5B2 devonandjulie@hotmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Kara 330 St. Paul Ave. Windsor, ON Kara.prepolec@hotmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Sherry Hickson 1542 Hickory Rd. Windsor, ON rainbow_sherry@hotmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Jessica 3701 Riverside Dr. E. Windsor, ON bubblewrap911@hotmail.com (doesn't want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Doug 1909 Norman Windsor, ON dougclarkson@rocketmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Caroline 580 Jarvis Ave. Windsor, ON Carejacobson@gmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Judy Hastings 1067 Reedmere Windsor, ON jhastings55@cogeco.ca (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Kylee Cojocar 2337 Docherty Dr. Windsor, ON kyleecojocar@hotmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Meagan Dent 1019 Laporte Windsor, ON megdent@hotmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Rachelle Bellamy 1233 Cottage Place Windsor, ON bellamyrachelle@yahoo.ca (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Terra 340 Genevieve Windsor, ON terrataggart@hotmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			

Public**Communications Sent****Communications Received**

	Date	Type	Description	Date	Type	Description
Erika Zelaya Ezelaya@hotmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Brittany Easton 8320 Clairview Ave. Windsor, ON b_egan06@hotmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
David W/ 8575 Riverside Dr. E. Windsor, ON davewilliston@hotmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Brandon 551 Elm Ave. Windsor, ON homer86@hotmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Patti Blain 149 Walstedt Way rpblain@mnsi.net (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Janet Sand Point jan.jansmail@gmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Pat Brimmer 1853 Windermere Rd. Windsor, ON Pat62hanson@gmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Stacie Surette 580 Breezewood Crt. staciemoor@hotmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Denise Reaume 2788 Norman dendreaume@hotmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Tanya Dottor 846 Isabelle Pl. tdottoraiello@gmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Sharon Jette 1300 Luxury Ave. Windsor, ON bjette6@cogeco.ca (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Matt Wagner 462 St. John St. mattwags1986@gmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Stephanie Garant 8565 Jerome St. stephaniealison@hotmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			

Public**Communications Sent****Communications Received**

	Date	Type	Description	Date	Type	Description
Sean Pinnell 1583 Bayswater Cres. Sean.pinnell@dxc.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment	8-Nov-22	Email	Email returned underdeliverable
Janet Sokol 1327 Copperfield Place jeepfreak33@hotmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Heather Anger 322 Carling heather_anger@hotmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
K. Michaud 307-5955 Ontario St. (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Brandi Smith 286 Villaire Ave. qweenbee286@gmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Ashley Myers ashley-24-1995@hotmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Candyce 372 Betty Dr. Candyce_anne@hotmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Lisa Tremblay 1028 St. Mary's Blvd. jernlis@hotmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Dave Jacques 8335 Wyandotte E. djacques4@cogeco.ca (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Mark drosehamilton@hotmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Sherrie 1756 Kildare sherriestpierre@gmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Kim Battaglia 573 Elinor kbatt101@gmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Carol Lappalainen 542 Westchester Dr. carolappal@gmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			

Public**Communications Sent****Communications Received**

	Date	Type	Description	Date	Type	Description
Anne Luck 1350 Laurel Bay Crt. aluck@cogeco.ca (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Ivana Zagar Desilets 455 Fairview Blvd. izagar22@gmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Lori 842 Dawson labutiful@gmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Jan Primeau 1211-8888 Riverside Dr. E. Windsor, ON N8S 1H2 janprimeau5@gmail.com	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Sandy Jacobson 580 Jarvis jacobsonsonjarvis@gmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Rose Ann Andrian 10570 Eastcourt Dr. brochure61@icloud.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Adrianna 8080 Clairview Ave. adritodd55@gmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Floria Chiarotti 567 Elinor St. flohip@hotmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Janis Williams 3-10200 Menard St. janis.williams0727@gmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Annette Rorison 581 Cabana Rd. E. a_kailer@hotmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Joseph 1049 Pelissier joey@joeyacott.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Tara Garrett 836 St. Rose Ave. tmgarrett6@gmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Joyce Amyot 2080 Questa Dr. realjoy512@gmail.com (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			

Public**Communications Sent****Communications Received**

	Date	Type	Description	Date	Type	Description
Jeff Bunde 3040 Suffolk St. jbunde@cogeco.ca (does not want mailings)	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Resident 8717 Riverside Drive East., Apt. #205 Windsor, Ontario N8S 1G6	08-Nov-22	Email	Notice of Intent and Invitation to Public Comment			
Paul Drca drca@detroitriver.ca				22-Nov-22	Sign-in Sheet	Attended Public Information Drop-in Centre
Amit Sood amit@soodfm.com				22-Nov-22	Sign-in Sheet	Attended Public Information Drop-in Centre
Anuj Sood anuj@soodfm.com				22-Nov-22	Sign-in Sheet	Attended Public Information Drop-in Centre
Barb Mailloux 1036 Jarvis Ave. Windsor, ON N8P 1C9				22-Nov-22	Sign-in Sheet	Attended Public Information Drop-in Centre
Mary-Anne McLellan 946 Esdras Pl. Windsor, ON N8S 2M9				22-Nov-22	Sign-in Sheet	Attended Public Information Drop-in Centre
Stewart McLellan 1438 Bernard Rd. Windsor, ON N8Y 4K3				22-Nov-22	Sign-in Sheet	Attended Public Information Drop-in Centre

Liz Michaud

From: Badali, Mark (MECP) <Mark.Badali1@ontario.ca>
Sent: November 9, 2022 10:02 AM
To: Ash, Laura
Cc: Liz Michaud; Wilson, Marcelina (MECP)
Subject: RE: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Intent and Invitation to Comment
Attachments: MECP Acknowledgement of NOC - MEA Class EA Sch B - Windsor Sandpoint Beach Park Shoreline.pdf; Supporting Attachment - Proponent's Intro to Delegation of Procedural Aspects of Consultation with Aboriginal Communities.pdf; Supporting Attachment - Species at Risk Proponents Guide to Preliminary Screening (Draft May 2019).pdf; 21-050 Notice of Intent & Location Plan (7Nov22).pdf

Good morning,

Please find the attached letter of acknowledgement and supporting attachments in response to the Notice of Commencement/Intent for the Sandpoint Beach Park Shoreline project (Schedule B) being undertaken by the City of Windsor under the Municipal Class Environmental Assessment.

Best regards,

Mark Badali ([he/him](#))

Regional Environmental Planner (REP) – Southwest Region
Project Review Unit | Environmental Assessment Branch
Ontario Ministry of the Environment, Conservation and Parks
Mark.Badali1@ontario.ca | (416) 457-2155



From: Liz Michaud <lmichaud@landmarkengineers.ca>
Sent: November 8, 2022 2:26 PM
To: EA Notices to SWRegion (MECP) <eanotification.swregion@ontario.ca>
Cc: Badali, Mark (MECP) <Mark.Badali1@ontario.ca>
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.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

c (519) 999-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

**Ministry of the Environment,
Conservation and Parks**

**Ministère de l'Environnement,
de la Protection de la nature
et des Parcs**

Environmental Assessment
Branch

Direction des évaluations
environnementales

1st Floor
135 St. Clair Avenue W
Toronto ON M4V 1P5
Tel.: 416 314-8001
Fax.: 416 314-8452

Rez-de-chaussée
135, avenue St. Clair Ouest
Toronto ON M4V 1P5
Tél. : 416 314-8001
Télééc. : 416 314-8452

November 9, 2022

Laura Ash, P.Eng.
City of Windsor
lash@citywindsor.ca

BY EMAIL ONLY

**Re: Sandpoint Beach Park Shoreline
City of Windsor
Municipal Class Environmental Assessment, Schedule B
Acknowledgement of Notice of Commencement/Intent**

Dear Laura Ash,

This letter is in response to the Notice of Commencement/Notice of Intent and Invitation for Public Comment for the above noted project. The Ministry of the Environment, Conservation and Parks (MECP) acknowledges that the City of Windsor (proponent) has indicated that the study is following the approved environmental planning process for a Schedule B project under the Municipal Class Environmental Assessment (Class EA).

The **updated (August 2022)** attached "Areas of Interest" document provides guidance regarding the ministry's interests with respect to the Class EA process. Please address all areas of interest in the EA documentation at an appropriate level for the EA study. Proponents who address all the applicable areas of interest can minimize potential delays to the project schedule. **Further information is provided at the end of the Areas of Interest document relating to recent changes to the Environmental Assessment Act through Bill 197, Covid-19 Economic Recovery Act 2020.**

The Crown has a legal duty to consult Aboriginal communities when it has knowledge, real or constructive, of the existence or potential existence of an Aboriginal or treaty right and contemplates conduct that may adversely impact that right. Before authorizing this project, the Crown must ensure that its duty to consult has been fulfilled, where such a duty is triggered. Although the duty to consult with Aboriginal peoples is a duty of the Crown, the Crown may delegate procedural aspects of this duty to project proponents while retaining oversight of the consultation process.

The proposed project may have the potential to affect Aboriginal or treaty rights protected under Section 35 of Canada's *Constitution Act* 1982. Where the Crown's duty to consult is triggered in relation to the proposed project, **the MECP is delegating the procedural aspects of rights-based consultation to the proponent through this letter.** The Crown intends to rely on the delegated consultation process in discharging its duty to consult and maintains the right to participate in the consultation process as it sees fit.

Based on information provided to date and the Crown's preliminary assessment the proponent is required to consult with the following communities who have been identified as potentially affected by the proposed project:

- Aamjiwnaang First Nation
- Bkejwanong (Walpole Island)
- Caldwell First Nation
- Chippewas of Kettle and Stony Point
- Chippewas of the Thames First Nation
- Oneida Nation of the Thames

Steps that the proponent may need to take in relation to Aboriginal consultation for the proposed project are outlined in the "[Code of Practice for Consultation in Ontario's Environmental Assessment Process](#)". Additional information related to Ontario's Environmental Assessment Act is available online at: www.ontario.ca/environmentalassessments.

Please also refer to the attached document "A Proponent's Introduction to the Delegation of Procedural Aspects of consultation with Aboriginal Communities" for further information, including the MECP's expectations for EA report documentation related to consultation with communities.

The proponent must contact the Director of Environmental Assessment Branch (EABDirector@ontario.ca) under the following circumstances after initial discussions with the communities identified by the MECP:

- Aboriginal or treaty rights impacts are identified to you by the communities;
- You have reason to believe that your proposed project may adversely affect an Aboriginal or treaty right;

- Consultation with Indigenous communities or other stakeholders has reached an impasse; or
- A Section 16 Order request is expected based on impacts to Aboriginal or treaty rights

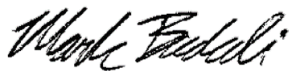
The MECP will then assess the extent of any Crown duty to consult for the circumstances and will consider whether additional steps should be taken, including what role you will be asked to play should additional steps and activities be required.

A draft copy of the report should be sent directly to me prior to the filing of the final report, allowing a minimum of 30 days for the ministry's technical reviewers to provide comments.

Please also ensure a copy of the final notice is sent to the ministry's Southwest Region EA notification email account (eanotification.swregion@ontario.ca) after the draft report is reviewed and finalized.

Should you or any members of your project team have any questions regarding the material above, please contact me at mark.badali1@ontario.ca.

Sincerely,



Mark Badali
Regional Environmental Planner – Southwest Region

Cc: Marcelina Wilson, Supervisor, Windsor Area Office, MECP
Liz Michaud, P.Eng., Landmark Engineers Inc.

Enclosed: Areas of Interest

Attached: Client's Guide to Preliminary Screening for Species at Risk

A Proponent's Introduction to the Delegation of Procedural Aspects of Consultation with Aboriginal Communities

AREAS OF INTEREST (v. August 2022)

It is suggested that you check off each section after you have considered / addressed it.

Planning and Policy

- Applicable plans and policies should be identified in the report, and the proponent should describe how the proposed project adheres to the relevant policies in these plans.
 - Projects located in MECP Central, Eastern or West Central Region may be subject to [A Place to Grow: Growth Plan for the Greater Golden Horseshoe \(2020\)](#).
 - Projects located in MECP Central or Eastern Region may be subject to the [Oak Ridges Moraine Conservation Plan \(2017\)](#) or the [Lake Simcoe Protection Plan \(2014\)](#).
 - Projects located in MECP Central, Southwest or West Central Region may be subject to the [Niagara Escarpment Plan \(2017\)](#).
 - Projects located in MECP Central, Eastern, Southwest or West Central Region may be subject to the [Greenbelt Plan \(2017\)](#).
 - Projects located in MECP Northern Region may be subject to the [Growth Plan for Northern Ontario \(2011\)](#).
- The [Provincial Policy Statement \(2020\)](#) contains policies that protect Ontario's natural heritage and water resources. Applicable policies should be referenced in the report, and the proponent should describe how the proposed project is consistent with these policies.
- In addition to the provincial planning and policy level, the report should also discuss the planning context at the municipal and federal levels, as appropriate.

Source Water Protection

The *Clean Water Act, 2006* (CWA) aims to protect existing and future sources of drinking water. To achieve this, several types of vulnerable areas have been delineated around surface water intakes and wellheads for every municipal residential drinking water system that is located in a source protection area. These vulnerable areas are known as a Wellhead Protection Areas (WHPAs) and surface water Intake Protection Zones (IPZs). Other vulnerable areas that have been delineated under the CWA include Highly Vulnerable Aquifers (HVAs), Significant Groundwater Recharge Areas (SGRAs), Event-based modelling areas (EBAs), and Issues Contributing Areas (ICAs). Source protection plans have been developed that include policies to address existing and future risks to sources of municipal drinking water within these vulnerable areas.

Projects that are subject to the Environmental Assessment Act that fall under a Class EA, or one of the Regulations, have the potential to impact sources of drinking water if they occur in designated vulnerable areas or in the vicinity of other at-risk drinking water systems (i.e.

systems that are not municipal residential systems). MEA Class EA projects may include activities that, if located in a vulnerable area, could be a threat to sources of drinking water (i.e. have the potential to adversely affect the quality or quantity of drinking water sources) and the activity could therefore be subject to policies in a source protection plan. Where an activity poses a risk to drinking water, policies in the local source protection plan may impact how or where that activity is undertaken. Policies may prohibit certain activities, or they may require risk management measures for these activities. Municipal Official Plans, planning decisions, Class EA projects (where the project includes an activity that is a threat to drinking water) and prescribed instruments must conform with policies that address significant risks to drinking water and must have regard for policies that address moderate or low risks.

- In October 2015, the MEA Parent Class EA document was amended to include reference to the Clean Water Act (Section A.2.10.6) and indicates that proponents undertaking a Municipal Class EA project must identify early in their process whether a project is or could potentially be occurring with a vulnerable area. **Given this requirement, please include a section in the report on source water protection.**
 - The proponent should identify the source protection area and should clearly document how the proximity of the project to sources of drinking water (municipal or other) and any delineated vulnerable areas was considered and assessed. Specifically, the report should discuss whether or not the project is located in a vulnerable area and provide applicable details about the area.
 - If located in a vulnerable area, proponents should document whether any project activities are prescribed drinking water threats and thus pose a risk to drinking water (this should be consulted on with the appropriate Source Protection Authority). Where an activity poses a risk to drinking water, the proponent must document and discuss in the report how the project adheres to or has regard to applicable policies in the local source protection plan. This section should then be used to inform and be reflected in other sections of the report, such as the identification of net positive/negative effects of alternatives, mitigation measures, evaluation of alternatives etc.
- While most source protection plans focused on including policies for significant drinking water threats in the WHPAs and IPZs it should be noted that even though source protection plan policies may not apply in HVAs, these are areas where aquifers are sensitive and at risk to impacts and within these areas, activities may impact the quality of sources of drinking water for systems other than municipal residential systems.
- In order to determine if this project is occurring within a vulnerable area, proponents can use [Source Protection Information Atlas](#), which is an online mapping tool available to the public. Note that various layers (including WHPAs, WHPA-Q1 and WHPA-Q2, IPZs, HVAs, SGRAs, EBAs, ICAs) can be turned on through the “Map Legend” bar on the left. The

mapping tool will also provide a link to the appropriate source protection plan in order to identify what policies may be applicable in the vulnerable area.

- For further information on the maps or source protection plan policies which may relate to their project, proponents must contact the appropriate source protection authority. **Please consult with the local source protection authority to discuss potential impacts on drinking water. Please document the results of that consultation within the report and include all communication documents/correspondence.**

More Information

For more information on the *Clean Water Act*, source protection areas and plans, including specific information on the vulnerable areas and drinking water threats, please refer to [Conservation Ontario's website](#) where you will also find links to the local source protection plan/assessment report.

A list of the prescribed drinking water threats can be found in [section 1.1 of Ontario Regulation 287/07](#) made under the *Clean Water Act*. In addition to prescribed drinking water threats, some source protection plans may include policies to address additional "local" threat activities, as approved by the MECP.

Climate Change

The document "[Considering Climate Change in the Environmental Assessment Process](#)" (Guide) is now a part of the Environmental Assessment program's Guides and Codes of Practice. The Guide sets out the MECP's expectation for considering climate change in the preparation, execution and documentation of environmental assessment studies and processes. The guide provides examples, approaches, resources, and references to assist proponents with consideration of climate change in EA. Proponents should review this Guide in detail.

• **The MECP expects proponents of Class EA projects to:**

1. Consider during the assessment of alternative solutions and alternative designs, the following:
 - a. the project's expected production of greenhouse gas emissions and impacts on carbon sinks (climate change mitigation); and
 - b. resilience or vulnerability of the undertaking to changing climatic conditions (climate change adaptation).
2. Include a discrete section in the report detailing how climate change was considered in the EA.

How climate change is considered can be qualitative or quantitative in nature and should be scaled to the project's level of environmental effect. In all instances, both a project's impacts on climate change (mitigation) and impacts of climate change on a project (adaptation) should be considered.

- The MECP has also prepared another guide to support provincial land use planning direction related to the completion of energy and emission plans. The "[Community Emissions Reduction Planning: A Guide for Municipalities](#)" document is designed to educate stakeholders on the municipal opportunities to reduce energy and greenhouse gas emissions, and to provide guidance on methods and techniques to incorporate consideration of energy and greenhouse gas emissions into municipal activities of all types. We encourage you to review the Guide for information.

□ **Air Quality, Dust and Noise**

- If there are sensitive receptors in the surrounding area of this project, a quantitative air quality/odour impact assessment will be useful to evaluate alternatives, determine impacts and identify appropriate mitigation measures. The scope of the assessment can be determined based on the potential effects of the proposed alternatives, and typically includes source and receptor characterization and a quantification of local air quality impacts on the sensitive receptors and the environment in the study area. The assessment will compare to all applicable standards or guidelines for all contaminants of concern. **Please contact this office for further consultation on the level of Air Quality Impact Assessment required for this project if not already advised.**
- If a quantitative Air Quality Impact Assessment is not required for the project, the MECP expects that the report contain a qualitative assessment which includes:
 - A discussion of local air quality including existing activities/sources that significantly impact local air quality and how the project may impact existing conditions;
 - A discussion of the nearby sensitive receptors and the project's potential air quality impacts on present and future sensitive receptors;
 - A discussion of local air quality impacts that could arise from this project during both construction and operation; and
 - A discussion of potential mitigation measures.
- As a common practice, "air quality" should be used as an evaluation criterion for all road projects.
- Dust and noise control measures should be addressed and included in the construction plans to ensure that nearby residential and other sensitive land uses within the study area are not adversely affected during construction activities.
- The MECP recommends that non-chloride dust-suppressants be applied. For a comprehensive list of fugitive dust prevention and control measures that could be applied, refer to [Cheminfo Services Inc. Best Practices for the Reduction of Air Emissions from](#)

[Construction and Demolition Activities](#) report prepared for Environment Canada. March 2005.

- The report should consider the potential impacts of increased noise levels during the operation of the completed project. The proponent should explore all potential measures to mitigate significant noise impacts during the assessment of alternatives.

Ecosystem Protection and Restoration

- Any impacts to ecosystem form and function must be avoided where possible. The report should describe any proposed mitigation measures and how project planning will protect and enhance the local ecosystem.
- Natural heritage and hydrologic features should be identified and described in detail to assess potential impacts and to develop appropriate mitigation measures. The following sensitive environmental features may be located within or adjacent to the study area:
 - Key Natural Heritage Features: Habitat of endangered species and threatened species, fish habitat, wetlands, areas of natural and scientific interest (ANSIs), significant valleylands, significant woodlands; significant wildlife habitat (including habitat of special concern species); sand barrens, savannahs, and tallgrass prairies; and alvars.
 - Key Hydrologic Features: Permanent streams, intermittent streams, inland lakes and their littoral zones, seepage areas and springs, and wetlands.
 - Other natural heritage features and areas such as: vegetation communities, rare species of flora or fauna, Environmentally Sensitive Areas, Environmentally Sensitive Policy Areas, federal and provincial parks and conservation reserves, Greenland systems etc.

We recommend consulting with the Ministry of Natural Resources and Forestry (MNRF), Fisheries and Oceans Canada (DFO) and your local conservation authority to determine if special measures or additional studies will be necessary to preserve and protect these sensitive features. In addition, for projects located in Central Region you may consider the provisions of the Rouge Park Management Plan if applicable.

Species at Risk

- The Ministry of the Environment, Conservation and Parks has now assumed responsibility of Ontario's Species at Risk program. Information, standards, guidelines, reference materials and technical resources to assist you are found at <https://www.ontario.ca/page/species-risk>.
- The Client's Guide to Preliminary Screening for Species at Risk (Draft May 2019) has been attached to the covering email for your reference and use. Please review this document for next steps.

- For any questions related to subsequent permit requirements, please contact SAROntario@ontario.ca.

□ **Surface Water**

- The report must include enough information to demonstrate that there will be no negative impacts on the natural features or ecological functions of any watercourses within the study area. Measures should be included in the planning and design process to ensure that any impacts to watercourses from construction or operational activities (e.g. spills, erosion, pollution) are mitigated as part of the proposed undertaking.
- Additional stormwater runoff from new pavement can impact receiving watercourses and flood conditions. Quality and quantity control measures to treat stormwater runoff should be considered for all new impervious areas and, where possible, existing surfaces. The ministry's [Stormwater Management Planning and Design Manual \(2003\)](#) should be referenced in the report and utilized when designing stormwater control methods. **A Stormwater Management Plan should be prepared as part of the Class EA process** that includes:
 - Strategies to address potential water quantity and erosion impacts related to stormwater draining into streams or other sensitive environmental features, and to ensure that adequate (enhanced) water quality is maintained
 - Watershed information, drainage conditions, and other relevant background information
 - Future drainage conditions, stormwater management options, information on erosion and sediment control during construction, and other details of the proposed works
 - Information on maintenance and monitoring commitments.
- Ontario Regulation 60/08 under the *Ontario Water Resources Act* (OWRA) applies to the Lake Simcoe Basin, which encompasses Lake Simcoe and the lands from which surface water drains into Lake Simcoe. If the proposed sewage treatment plant is listed in Table 1 of the regulation, the report should describe how the proposed project and its mitigation measures are consistent with the requirements of this regulation and the OWRA.
- Any potential approval requirements for surface water taking or discharge should be identified in the report. A Permit to Take Water (PTTW) under the OWRA will be required for any water takings that exceed 50,000 L/day, except for certain water taking activities that have been prescribed by the Water Taking EASR Regulation – *O. Reg. 63/16*. These prescribed water-taking activities require registration in the EASR instead of a PTTW. Please

review the [Water Taking User Guide for EASR](#) for more information. Additionally, an Environmental Compliance Approval under the OWRA is required for municipal stormwater management works.

Groundwater

- The status of, and potential impacts to any well water supplies should be addressed. If the project involves groundwater takings or changes to drainage patterns, the quantity and quality of groundwater may be affected due to drawdown effects or the redirection of existing contamination flows. In addition, project activities may infringe on existing wells such that they must be reconstructed or sealed and abandoned. Appropriate information to define existing groundwater conditions should be included in the report.
- If the potential construction or decommissioning of water wells is identified as an issue, the report should refer to Ontario Regulation 903, Wells, under the OWRA.
- Potential impacts to groundwater-dependent natural features should be addressed. Any changes to groundwater flow or quality from groundwater taking may interfere with the ecological processes of streams, wetlands or other surficial features. In addition, discharging contaminated or high volumes of groundwater to these features may have direct impacts on their function. Any potential effects should be identified, and appropriate mitigation measures should be recommended. The level of detail required will be dependent on the significance of the potential impacts.
- Any potential approval requirements for groundwater taking or discharge should be identified in the report. A Permit to Take Water (PTTW) under the OWRA will be required for any water takings that exceed 50,000 L/day, with the exception of certain water taking activities that have been prescribed by the Water Taking EASR Regulation – *O. Reg. 63/16*. These prescribed water-taking activities require registration in the EASR instead of a PTTW. Please review the [Water Taking User Guide for EASR](#) for more information.
- Consultation with the railroad authorities is necessary wherever there is a plan to use construction dewatering in the vicinity of railroad lines or where the zone of influence of the construction dewatering potentially intercepts railroad lines.

Excess Materials Management

- In December 2019, MECP released a new regulation under the Environmental Protection Act, titled “[On-Site and Excess Soil Management](#)” (O. Reg. 406/19) to support improved management of excess construction soil. This regulation is a key step to support proper management of excess soils, ensuring valuable resources don’t go to waste and to provide

clear rules on managing and reusing excess soil. New risk-based standards referenced by this regulation help to facilitate local beneficial reuse which in turn will reduce greenhouse gas emissions from soil transportation, while ensuring strong protection of human health and the environment. The new regulation is being phased in over time, with the first phase in effect on January 1, 2021. For more information, please visit <https://www.ontario.ca/page/handling-excess-soil>.

- The report should reference that activities involving the management of excess soil should be completed in accordance with O. Reg. 406/19 and the MECP's current guidance document titled "[Management of Excess Soil – A Guide for Best Management Practices](#)" (2014).
- All waste generated during construction must be disposed of in accordance with ministry requirements

Contaminated Sites

- Any current or historical waste disposal sites should be identified in the report. The status of these sites should be determined to confirm whether approval pursuant to Section 46 of the EPA may be required for land uses on former disposal sites. We recommend referring to the [MECP's D-4 guideline](#) for land use considerations near landfills and dumps.
 - Resources available may include regional/local municipal official plans and data; provincial data on [large landfill sites](#) and [small landfill sites](#); Environmental Compliance Approval information for waste disposal sites on [Access Environment](#).
- Other known contaminated sites (local, provincial, federal) in the study area should also be identified in the report (Note – information on federal contaminated sites is found on the Government of Canada's [website](#)).
- The location of any underground storage tanks should be investigated in the report. Measures should be identified to ensure the integrity of these tanks and to ensure an appropriate response in the event of a spill. The ministry's Spills Action Centre must be contacted in such an event.
- Since the removal or movement of soils may be required, appropriate tests to determine contaminant levels from previous land uses or dumping should be undertaken. If the soils are contaminated, you must determine how and where they are to be disposed of, consistent with *Part XV.1 of the Environmental Protection Act* (EPA) and Ontario Regulation 153/04, Records of Site Condition, which details the new requirements related to site assessment and clean up. Please contact the appropriate MECP District Office for further consultation if contaminated sites are present.

Servicing, Utilities and Facilities

- The report should identify any above or underground utilities in the study area such as transmission lines, telephone/internet, oil/gas etc. The owners should be consulted to discuss impacts to this infrastructure, including potential spills.
- The report should identify any servicing infrastructure in the study area such as wastewater, water, stormwater that may potentially be impacted by the project.
- Any facility that releases emissions to the atmosphere, discharges contaminants to ground or surface water, provides potable water supplies, or stores, transports or disposes of waste must have an Environmental Compliance Approval (ECA) before it can operate lawfully. Please consult with MECP's Environmental Permissions Branch to determine whether a new or amended ECA will be required for any proposed infrastructure.
- We recommend referring to the ministry's [environmental land use planning guides](#) to ensure that any potential land use conflicts are considered when planning for any infrastructure or facilities related to wastewater, pipelines, landfills or industrial uses.

Mitigation and Monitoring

- Contractors must be made aware of all environmental considerations so that all environmental standards and commitments for both construction and operation are met. Mitigation measures should be clearly referenced in the report and regularly monitored during the construction stage of the project. In addition, we encourage proponents to conduct post-construction monitoring to ensure all mitigation measures have been effective and are functioning properly.
- Design and construction reports and plans should be based on a best management approach that centres on the prevention of impacts, protection of the existing environment, and opportunities for rehabilitation and enhancement of any impacted areas.
- The proponent's construction and post-construction monitoring plans must be documented in the report, as outlined in Section A.2.5 and A.4.1 of the MEA Class EA parent document.

Consultation

- The report must demonstrate how the consultation provisions of the Class EA have been fulfilled, including documentation of all stakeholder consultation efforts undertaken during the planning process. This includes a discussion in the report that identifies concerns that were raised and **describes how they have been addressed by the proponent** throughout

the planning process. The report should also include copies of comments submitted on the project by interested stakeholders, and the proponent's responses to these comments (as directed by the Class EA to include full documentation).

- Please include the full stakeholder distribution/consultation list in the documentation.

□ **Class EA Process**

- If this project is a Master Plan: there are several different approaches that can be used to conduct a Master Plan, examples of which are outlined in Appendix 4 of the Class EA. **The Master Plan should clearly indicate the selected approach for conducting the plan**, by identifying whether the levels of assessment, consultation and documentation are sufficient to fulfill the requirements for Schedule B or C projects. Please note that any Schedule B or C projects identified in the plan would be subject to Part II Order Requests under the Environmental Assessment Act, although the plan itself would not be. **Please include a description of the approach being undertaken (use Appendix 4 as a reference).**
- If this project is a Master Plan: Any identified projects should also include information on the MCEA schedule associated with the project.
- The report should provide clear and complete documentation of the planning process in order to allow for transparency in decision-making.
- The Class EA requires the consideration of the effects of each alternative on all aspects of the environment (including planning, natural, social, cultural, economic, technical). The report should include a level of detail (e.g. hydrogeological investigations, terrestrial and aquatic assessments, cultural heritage assessments) such that all potential impacts can be identified, and appropriate mitigation measures can be developed. Any supporting studies conducted during the Class EA process should be referenced and included as part of the report.
- Please include in the report a list of all subsequent permits or approvals that may be required for the implementation of the preferred alternative, including but not limited to, MECP's PTTW, EASR Registrations and ECAs, conservation authority permits, species at risk permits, MTO permits and approvals under the *Impact Assessment Act*, 2019.
- Ministry guidelines and other information related to the issues above are available at <http://www.ontario.ca/environment-and-energy/environment-and-energy>. We encourage you to review all the available guides and to reference any relevant information in the report.

Amendments to the EAA through the Covid-19 Economic Recovery Act, 2020

Once the EA Report is finalized, the proponent must issue a Notice of Completion providing a minimum 30-day period during which documentation may be reviewed and comment and input can be submitted to the proponent. The Notice of Completion must be sent to the appropriate MECP Regional Office email address.

The public can request a higher level of assessment on a project if they are concerned about potential adverse impacts to constitutionally protected Aboriginal and treaty rights. In addition, the Minister may issue an order on his or her own initiative within a specified time period. The Director (of the Environmental Assessment Branch) will issue a Notice of Proposed Order to the proponent if the Minister is considering an order for the project within 30 days after the conclusion of the comment period on the Notice of Completion. At this time, the Director may request additional information from the proponent. Once the requested information has been received, the Minister will have 30 days within which to make a decision or impose conditions on your project.

Therefore, the proponent cannot proceed with the project until at least 30 days after the end of the comment period provided for in the Notice of Completion. Further, the proponent may not proceed after this time if:

- a Section 16 Order request has been submitted to the ministry regarding potential adverse impacts to constitutionally protected Aboriginal and treaty rights, or
- the Director has issued a Notice of Proposed order regarding the project.

Please ensure that the Notice of Completion advises that outstanding concerns are to be directed to the proponent for a response, and that in the event there are outstanding concerns regarding potential adverse impacts to constitutionally protected Aboriginal and treaty rights, Section 16 Order requests on those matters should be addressed in writing to:

Minister David Piccini
Ministry of Environment, Conservation and Parks
777 Bay Street, 5th Floor
Toronto ON M7A 2J3
minister.mecp@ontario.ca

and

Director, Environmental Assessment Branch
Ministry of Environment, Conservation and Parks
135 St. Clair Ave. W, 1st Floor
Toronto ON, M4V 1P5
EABDirector@ontario.ca

A PROPONENT’S INTRODUCTION TO THE DELEGATION OF PROCEDURAL ASPECTS OF CONSULTATION WITH ABORIGINAL COMMUNITIES

DEFINITIONS

The following definitions are specific to this document and may not apply in other contexts:

Aboriginal communities – the First Nation or Métis communities identified by the Crown for the purpose of consultation.

Consultation – the Crown’s legal obligation to consult when the Crown has knowledge of an established or asserted Aboriginal or treaty right and contemplates conduct that might adversely impact that right. This is the type of consultation required pursuant to s. 35 of the *Constitution Act, 1982*. Note that this definition does not include consultation with Aboriginal communities for other reasons, such as regulatory requirements.

Crown – the Ontario Crown, acting through a particular ministry or ministries.

Procedural aspects of consultation – those portions of consultation related to the process of consultation, such as notifying an Aboriginal community about a project, providing information about the potential impacts of a project, responding to concerns raised by an Aboriginal community and proposing changes to the project to avoid negative impacts.

Proponent – the person or entity that wants to undertake a project and requires an Ontario Crown decision or approval for the project.

I. PURPOSE

The Crown has a legal duty to consult Aboriginal communities when it has knowledge of an existing or asserted Aboriginal or treaty right and contemplates conduct that may adversely impact that right. In outlining a framework for the duty to consult, the Supreme Court of Canada has stated that the Crown may delegate procedural aspects of consultation to third parties. This document provides general information about the Ontario Crown’s approach to delegation of the procedural aspects of consultation to proponents.

This document is not intended to instruct a proponent about an individual project, and it does not constitute legal advice.

II. WHY IS IT NECESSARY TO CONSULT WITH ABORIGINAL COMMUNITIES?

The objective of the modern law of Aboriginal and treaty rights is the *reconciliation* of Aboriginal peoples and non-Aboriginal peoples and their respective rights, claims and interests. Consultation is an important component of the reconciliation process.

The Crown has a legal duty to consult Aboriginal communities when it has knowledge of an existing or asserted Aboriginal or treaty right and contemplates conduct that might adversely impact that right. For example, the Crown’s duty to consult is triggered when it considers

issuing a permit, authorization or approval for a project which has the potential to adversely impact an Aboriginal right, such as the right to hunt, fish, or trap in a particular area.

The scope of consultation required in particular circumstances ranges across a spectrum depending on both the nature of the asserted or established right and the seriousness of the potential adverse impacts on that right.

Depending on the particular circumstances, the Crown may also need to take steps to accommodate the potentially impacted Aboriginal or treaty right. For example, the Crown may be required to avoid or minimize the potential adverse impacts of the project.

III. THE CROWN'S ROLE AND RESPONSIBILITIES IN THE DELEGATED CONSULTATION PROCESS

The Crown has the responsibility for ensuring that the duty to consult, and accommodate where appropriate, is met. However, the Crown may delegate the procedural aspects of consultation to a proponent.

There are different ways in which the Crown may delegate the procedural aspects of consultation to a proponent, including through a letter, a memorandum of understanding, legislation, regulation, policy and codes of practice.

If the Crown decides to delegate procedural aspects of consultation, the Crown will generally:

- Ensure that the delegation of procedural aspects of consultation and the responsibilities of the proponent are clearly communicated to the proponent;
- Identify which Aboriginal communities must be consulted;
- Provide contact information for the Aboriginal communities;
- Revise, as necessary, the list of Aboriginal communities to be consulted as new information becomes available and is assessed by the Crown;
- Assess the scope of consultation owed to the Aboriginal communities;
- Maintain appropriate oversight of the actions taken by the proponent in fulfilling the procedural aspects of consultation;
- Assess the adequacy of consultation that is undertaken and any accommodation that may be required;
- Provide a contact within any responsible ministry in case issues arise that require direction from the Crown; and
- Participate in the consultation process as necessary and as determined by the Crown.

IV. THE PROPONENT'S ROLE AND RESPONSIBILITIES IN THE DELEGATED CONSULTATION PROCESS

Where aspects of the consultation process have been delegated to a proponent, the Crown, in meeting its duty to consult, will rely on the proponent's consultation activities and documentation of those activities. The consultation process informs the Crown's decision of whether or not to approve a proposed project or activity.

A proponent's role and responsibilities will vary depending on a variety of factors including the extent of consultation required in the circumstance and the procedural aspects of consultation the Crown has delegated to it. Proponents are often in a better position than the Crown to discuss a project and its potential impacts with Aboriginal communities and to determine ways to avoid or minimize the adverse impacts of a project.

A proponent can raise issues or questions with the Crown at any time during the consultation process. If issues or concerns arise during the consultation that cannot be addressed by the proponent, the proponent should contact the Crown.

a) What might a proponent be required to do in carrying out the procedural aspects of consultation?

Where the Crown delegates procedural aspects of consultation, it is often the proponent's responsibility to provide notice of the proposed project to the identified Aboriginal communities. The notice should indicate that the Crown has delegated the procedural aspects of consultation to the proponent and should include the following information:

- a description of the proposed project or activity;
- mapping;
- proposed timelines;
- details regarding anticipated environmental and other impacts;
- details regarding opportunities to comment; and
- any changes to the proposed project that have been made for seasonal conditions or other factors, where relevant.

Proponents should provide enough information and time to allow Aboriginal communities to provide meaningful feedback regarding the potential impacts of the project. Depending on the nature of consultation required for a project, a proponent also may be required to:

- provide the Crown with copies of any consultation plans prepared and an opportunity to review and comment;
- ensure that any necessary follow-up discussions with Aboriginal communities take place in a timely manner, including to confirm receipt of information, share and update information and to address questions or concerns that may arise;

- as appropriate, discuss with Aboriginal communities potential mitigation measures and/or changes to the project in response to concerns raised by Aboriginal communities;
- use language that is accessible and not overly technical, and translate material into Aboriginal languages where requested or appropriate;
- bear the reasonable costs associated with the consultation process such as, but not limited to, meeting hall rental, meal costs, document translation(s), or to address technical & capacity issues;
- provide the Crown with all the details about potential impacts on established or asserted Aboriginal or treaty rights, how these concerns have been considered and addressed by the proponent and the Aboriginal communities and any steps taken to mitigate the potential impacts;
- provide the Crown with complete and accurate documentation from these meetings and communications; and
- notify the Crown immediately if an Aboriginal community not identified by the Crown approaches the proponent seeking consultation opportunities.

b) What documentation and reporting does the Crown need from the proponent?

Proponents should keep records of all communications with the Aboriginal communities involved in the consultation process and any information provided to these Aboriginal communities.

As the Crown is required to assess the adequacy of consultation, it needs documentation to satisfy itself that the proponent has fulfilled the procedural aspects of consultation delegated to it. The documentation required would typically include:

- the date of meetings, the agendas, any materials distributed, those in attendance and copies of any minutes prepared;
- the description of the proposed project that was shared at the meeting;
- any and all concerns or other feedback provided by the communities;
- any information that was shared by a community in relation to its asserted or established Aboriginal or treaty rights and any potential adverse impacts of the proposed activity, approval or disposition on such rights;
- any proposed project changes or mitigation measures that were discussed, and feedback from Aboriginal communities about the proposed changes and measures;
- any commitments made by the proponent in response to any concerns raised, and feedback from Aboriginal communities on those commitments;
- copies of correspondence to or from Aboriginal communities, and any materials distributed electronically or by mail;

- information regarding any financial assistance provided by the proponent to enable participation by Aboriginal communities in the consultation;
- periodic consultation progress reports or copies of meeting notes if requested by the Crown;
- a summary of how the delegated aspects of consultation were carried out and the results; and
- a summary of issues raised by the Aboriginal communities, how the issues were addressed and any outstanding issues.

In certain circumstances, the Crown may share and discuss the proponent's consultation record with an Aboriginal community to ensure that it is an accurate reflection of the consultation process.

c) Will the Crown require a proponent to provide information about its commercial arrangements with Aboriginal communities?

The Crown may require a proponent to share information about aspects of commercial arrangements between the proponent and Aboriginal communities where the arrangements:

- include elements that are directed at mitigating or otherwise addressing impacts of the project;
- include securing an Aboriginal community's support for the project; or
- may potentially affect the obligations of the Crown to the Aboriginal communities.

The proponent should make every reasonable effort to exempt the Crown from confidentiality provisions in commercial arrangements with Aboriginal communities to the extent necessary to allow this information to be shared with the Crown.

The Crown cannot guarantee that information shared with the Crown will remain confidential. Confidential commercial information should not be provided to the Crown as part of the consultation record if it is not relevant to the duty to consult or otherwise required to be submitted to the Crown as part of the regulatory process.

V. WHAT ARE THE ROLES AND RESPONSIBILITIES OF ABORIGINAL COMMUNITIES' IN THE CONSULTATION PROCESS?

Like the Crown, Aboriginal communities are expected to engage in consultation in good faith. This includes:

- responding to the consultation notice;
- engaging in the proposed consultation process;
- providing relevant documentation;

- clearly articulating the potential impacts of the proposed project on Aboriginal or treaty rights; and
- discussing ways to mitigate any adverse impacts.

Some Aboriginal communities have developed tools, such as consultation protocols, policies or processes that provide guidance on how they would prefer to be consulted. Although not legally binding, proponents are encouraged to respect these community processes where it is reasonable to do so. Please note that there is no obligation for a proponent to pay a fee to an Aboriginal community in order to enter into a consultation process.

To ensure that the Crown is aware of existing community consultation protocols, proponents should contact the relevant Crown ministry when presented with a consultation protocol by an Aboriginal community or anyone purporting to be a representative of an Aboriginal community.

VI. WHAT IF MORE THAN ONE PROVINCIAL CROWN MINISTRY IS INVOLVED IN APPROVING A PROPONENT'S PROJECT?

Depending on the project and the required permits or approvals, one or more ministries may delegate procedural aspects of the Crown's duty to consult to the proponent. The proponent may contact individual ministries for guidance related to the delegation of procedural aspects of consultation for ministry-specific permits/approvals required for the project in question. Proponents are encouraged to seek input from all involved Crown ministries sooner rather than later.

Client's Guide to Preliminary Screening for Species at Risk

***Ministry of the Environment, Conservation and Parks
Species at Risk Branch, Permissions and Compliance***

DRAFT - May 2019

Table of Contents

1.0 Purpose, Scope, Background and Context	3
1.1 Purpose of this Guide.....	3
1.2 Scope.....	3
1.3 Background and Context.....	4
2.0 Roles and Responsibilities	5
3.0 Information Sources	6
3.1 Make a Map: Natural Heritage Areas	7
3.2 Land Information Ontario (LIO)	7
3.3 Additional Species at Risk Information Sources.....	8
3.4 Information Sources to Support Impact Assessments	8
4.0 Check-List	9

1.0 Purpose, Scope, Background and Context

1.1 Purpose of this Guide

This guide has been created to:

- help clients better understand their obligation to gather information and complete a preliminary screening for species at risk before contacting the ministry,
- outline guidance and advice clients can expect to receive from the ministry at the preliminary screening stage,
- help clients understand how they can gather information about species at risk by accessing publicly available information housed by the Government of Ontario, and
- provide a list of other potential sources of species at risk information that exist outside the Government of Ontario.

It remains the client's responsibility to:

- carry out a preliminary screening for their projects,
- obtain best available information from all applicable information sources,
- conduct any necessary field studies or inventories to identify and confirm the presence or absence of species at risk or their habitat,
- consider any potential impacts to species at risk that a proposed activity might cause, and
- comply with the *Endangered Species Act (ESA)*.

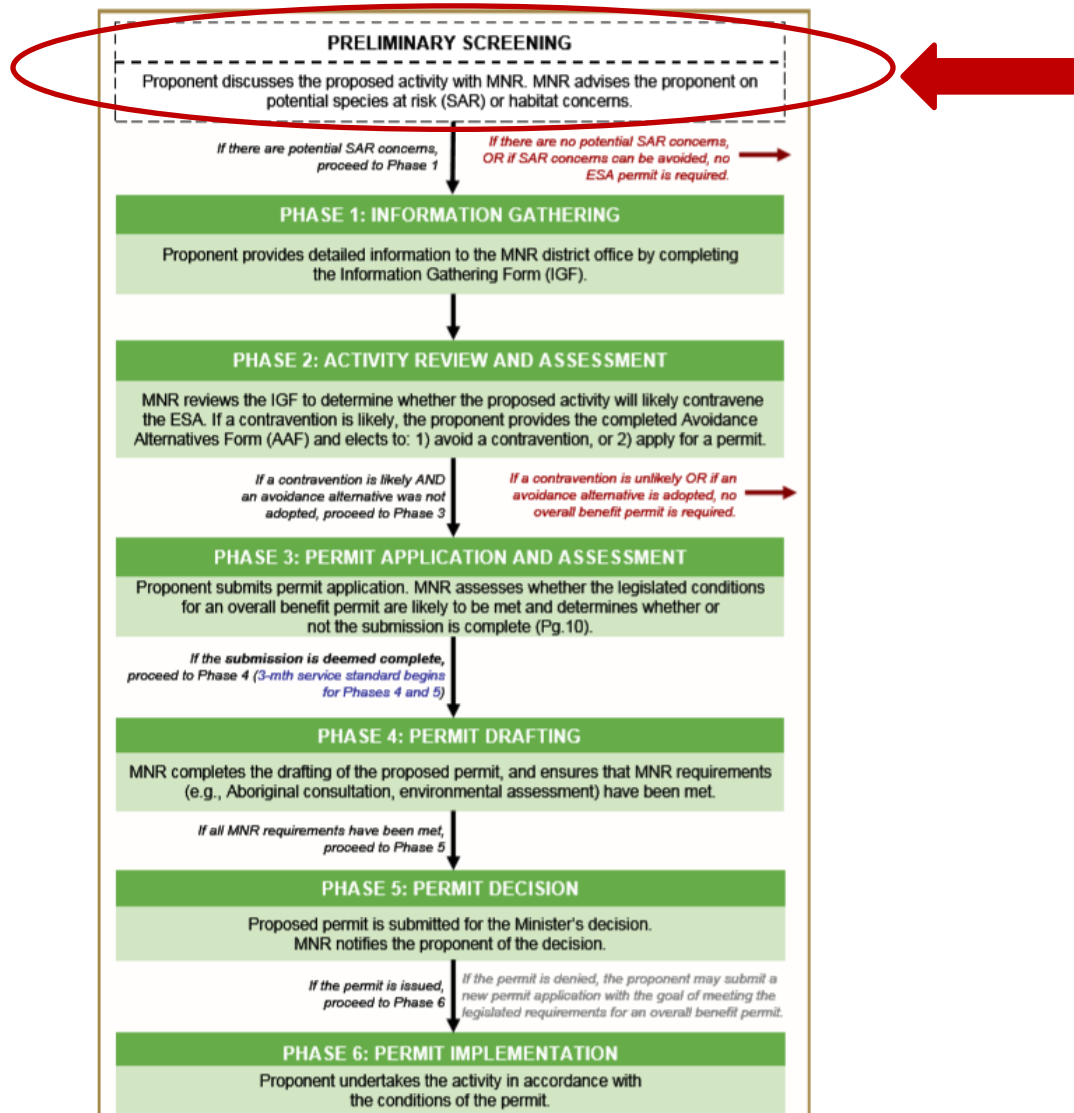
To provide the most efficient service, clients should initiate species at risk screenings and seek information from all applicable information sources identified in this guide, at a minimum, prior to contacting Government of Ontario ministry offices for further information or advice.

1.2 Scope

This guide is a resource for clients seeking to understand if their activity is likely to impact species at risk or if they are likely to trigger the need for an authorization under the ESA. It is not intended to circumvent any detailed site surveys that may be necessary to document species at risk or their habitat nor to circumvent the need to assess the impacts of a proposed activity on species at risk or their habitat. This guide is not an exhaustive list of available information sources for any given area as the availability of information on species at risk and their habitat varies across the province. This guide is intended to support projects and activities carried out on Crown and private land, by private landowners, businesses, other provincial ministries and agencies, or municipal government.

1.3 Background and Context

To receive advice on their proposed activity, clients must first determine whether any species at risk or their habitat exist or are likely to exist at or near their proposed activity, and whether their proposed activity is likely to contravene the ESA. Once this step is complete, clients may contact the ministry at SAROntario@ontario.ca to discuss the main purpose, general methods, timing and location of their proposed activity as well as information obtained about species at risk and their habitat at, or near, the site. At this stage, the ministry can provide advice and guidance to the client about potential species at risk or habitat concerns, measures that the client is considering to avoid adverse effects on species at risk or their habitat and whether additional field surveys are advisable. This is referred to as the “Preliminary Screening” stage. For more information on additional phases in the diagram below, please refer to the *Endangered Species Act Submission Standards for Activity Review and 17(2)(c) Overall Benefit Permits* policy available online at <https://www.ontario.ca/page/species-risk-overall-benefit-permits>



2.0 Roles and Responsibilities

To provide the most efficient service, clients should initiate species at risk screenings and seek information from all applicable information sources identified in this guide prior to contacting Government of Ontario ministry offices for further information or advice.

Step 1: Client seeks information regarding species at risk or their habitat that exist, or are likely to exist, at or near their proposed activity by referring to all applicable information sources identified in this guide.

Step 2: Client reviews and consider guidance on whether their proposed activity is likely to contravene the ESA (see section 3.4 of this guide for guidance on what to consider).

Step 3: Client gathers information identified in the checklist in section 4 of this guide.

Step 4: Client contacts the ministry at SAROntario@ontario.ca to discuss their preliminary screening. Ministry staff will ask the client questions about the main purpose, general methods, timing and location of their proposed activity as well as information obtained about species at risk and their habitat at, or near, the site. Ministry staff will also ask the client for their interpretation of the impacts of their activity on species at risk or their habitat as well as measures the client has considered to avoid any adverse impacts.

Step 5: Ministry staff will provide advice on next steps.

Option A: Ministry staff may advise the client they can proceed with their activity without an authorization under the ESA where the ministry is confident that:

- no protected species at risk or habitats are likely to be present at or near the proposed location of the activity; or
- protected species at risk or habitats are known to be present but the activity is not likely to contravene the ESA; or
- through the adoption of avoidance measures, the modified activity is not likely to contravene the ESA.

Option B: Ministry staff may advise the client to proceed to Phase 1 of the overall benefit permitting process (i.e. Information Gathering in the previous diagram), where:

- there is uncertainty as to whether any protected species at risk or habitats are present at or near the proposed location of the activity; or
- the potential impacts of the proposed activity are uncertain; or
- ministry staff anticipate the proposed activity is likely to contravene the ESA.

3.0 Information Sources

Land Information Ontario (LIO) and the Natural Heritage Information Centre (NHIC) maintain and provide information about species at risk, as well as related information about fisheries, wildlife, crown lands, protected lands and more. This information is made available to organizations, private individuals, consultants, and developers through online sources and is often considered under various pieces of legislation or as part of regulatory approvals and planning processes.

The information available from LIO or NHIC and the sources listed in this guide should not be considered as a substitute for site visits and appropriate field surveys. Generally, this information can be regarded as a starting point from which to conduct further field surveys, if needed. While this data represents best available current information, it is important to note that a lack of information for a site does not mean that species at risk or their habitat are not present. There are many areas where the Government of Ontario does not currently have information, especially in more remote parts of the province. The absence of species at risk location data at or near your site does not necessarily mean no species at risk are present at that location. On-site assessments can better verify site conditions, identify and confirm presence of species at risk and/or their habitats.

Information on the location (i.e. observations and occurrences) of species at risk is considered sensitive and therefore publicly available only on a 1km square grid as opposed to as a detailed point on a map. This generalized information can help you understand which species at risk are in the general vicinity of your proposed activity and can help inform field level studies you may want to undertake to confirm the presence, or absence of species at risk at or near your site.

Should you require specific and detailed information pertaining to species at risk observations and occurrences at or near your site on a finer geographic scale; you will be required to demonstrate your need to access this information, to complete data sensitivity training and to obtain a Sensitive Data Use License from the NHIC. Information on how to obtain a license can be found online at <https://www.ontario.ca/page/get-natural-heritage-information>.

Many organizations (e.g. other Ontario ministries, municipalities, conservation authorities) have ongoing licensing to access this data so be sure to check if your organization has this access and consult this data as part of your preliminary screening if your organization already has a license.

3.1 Make a Map: Natural Heritage Areas

The Make a Natural Heritage Area Map (available online at http://www.gisapplication.lrc.gov.on.ca/mamnh/Index.html?site=MNR_NHLUPS_NaturalHeritage&viewer=NaturalHeritage&locale=en-US) provides public access to natural heritage information, including species at risk, without the user needing to have Geographic Information System (GIS) capability. It allows users to view and identify generalized species at risk information, mark areas of interest, and create and print a custom map directly from the web application. The tool also shows topographic information such as roads, rivers, contours and municipal boundaries.

Users are advised that sensitive information has been removed from the natural areas dataset and the occurrences of species at risk has been generalized to a 1-kilometre grid to mitigate the risks to the species (e.g. illegal harvest, habitat disturbance, poaching).

The web-based mapping tool displays natural heritage data, including:

- Generalized Species at risk occurrence data (based on a 1-km square grid),
- Natural Heritage Information Centre data.

Data cannot be downloaded directly from this web map; however, information included in this application is available digitally through Land Information Ontario (LIO) at <https://www.ontario.ca/page/land-information-ontario>.

3.2 Land Information Ontario (LIO)

Most natural heritage data is publicly available. This data is managed in a large provincial corporate database called the LIO Warehouse and can be accessed online through the LIO Metadata Management Tool at <https://www.javacoeapp.lrc.gov.on.ca/geonetwork/srv/en/main.home>. This tool provides descriptive information about the characteristics, quality and context of the data. Publicly available geospatial data can be downloaded directly from this site.

While most data are publicly available, some data may be considered highly sensitive (i.e. nursery areas for fish, species at risk observations) and as such, access to some data maybe restricted.

3.3 Additional Species at Risk Information Sources

- The Breeding Bird Atlas can be accessed online at <http://www.birdsontario.org/atlas/index.jsp?lang=en>
- eBird can be accessed online at <https://ebird.org/home>
- iNaturalist can be accessed online at <https://www.inaturalist.org/>
- The Ontario Reptile and Amphibian Atlas can be accessed online at <https://ontarionature.org/programs/citizen-science/reptile-amphibian-atlas>
- Your local Conservation Authority. Information to help you find your local Conservation Authority can be accessed online at <https://conservationontario.ca/conservation-authorities/find-a-conservation-authority/>

Local naturalist groups or other similar community-based organizations

- Local Indigenous communities
- Local land trusts or other similar Environmental Non-Government Organizations
- Field level studies to identify if species at risk, or their habitat, are likely present or absent at or near the site.
- When an activity is proposed within one of the continuous caribou ranges, please be sure to consider the caribou Range Management Policy. This policy includes figures and maps of the continuous caribou range, can be found online at <https://www.ontario.ca/page/range-management-policy-support-woodland-caribou-conservation-and-recovery>

3.4 Information Sources to Support Impact Assessments

- Guidance to help you understand if your activity is likely to adversely impact species at risk or their habitat can be found online at <https://www.ontario.ca/page/policy-guidance-harm-and-harass-under-endangered-species-act> and <https://www.ontario.ca/page/categorizing-and-protecting-habitat-under-endangered-species-act>
- A list of species at risk in Ontario is available online at <https://www.ontario.ca/page/species-risk-ontario>. On this webpage, you can find out more about each species, including where it lives, what threatens it and any specific habitat protections that apply to it by clicking on the photo of the species.

4.0 Check-List

Please feel free to use the check list below to help you confirm you have explored all applicable information sources and to support your discussion with Ministry staff at the preliminary screening stage.

- ✓ Land Information Ontario (LIO)
- ✓ Natural Heritage Information Centre (NHIC)
- ✓ The Breeding Bird Atlas
- ✓ eBird
- ✓ iNaturalist
- ✓ Ontario Reptile and Amphibian Atlas
- ✓ List Conservation Authorities you contacted: _____

- ✓ List local naturalist groups you contacted: _____

- ✓ List local Indigenous communities you contacted: _____

- ✓ List any other local land trusts or Environmental Non-Government Organizations you contacted: _____

- ✓ List and field studies that were conducted to identify species at risk, or their habitat, likely to be present or absent at or near the site: _____

- ✓ List what you think the likely impacts of your activity are on species at risk and their habitat (e.g. damage or destruction of habitat, killing, harming or harassing species at risk): _____

Liz Michaud

From: Cedar, Karen <kcedar@citywindsor.ca>
Sent: November 9, 2022 1:01 PM
To: Liz Michaud
Cc: Ash, Laura; Alexander, Karen; Hart, Chris
Subject: RE: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Intent and Invitation to Comment

Thank you Liz for sharing this.

I have copied Chris Hart, our Biodiversity Coordinator, and Karen Alexander, our new City Naturalist and Outreach Coordinator as they will be providing feedback on this project going forward.

You may remove me from the mailing list and add them instead, please :)

Thank you!

Karen Cedar
Naturalist, City of Windsor
Ojibway Prairie Complex
5200 Matchette Road
Windsor, ON
N9C 4E8
519-966-5852
kcedar@citywindsor.ca
www.ojibway.ca

Windsor was developed on land that is the traditional territory of the Anishnaabeg people of the Three Fires Confederacy (Ojibwe, Potawatomi, and Odawa). Before Europeans arrived, the land along the Detroit River was referred to as Wawiiatanong by the Indigenous populations. Due to Windsor's unique location along the Detroit River many different groups have called this area home including: Haudenosaunee, Attawandaron (Neutral), and Huron (Wyandot) peoples. Today, many indigenous people and Métis across Turtle Island call this area home. We are thankful to be able to share our history in this area.

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: 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 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.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

c (519) 999-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

Liz Michaud

From: Liz Michaud
Sent: November 10, 2022 2:13 PM
To: Barboza, Karla (MCM)
Cc: lash@citywindsor.ca; Harvey, Joseph (MCM)
Subject: RE: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Intent and Invitation to Comment

Hi Karla,

I have requested our consultant provide a final copy of the report and I can share it once received.

The PIF # on the draft copy – P058-2108-2022

Thank you,

Liz Michaud, P.Eng.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

c (519) 999-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

From: Barboza, Karla (MCM) <Karla.Barboza@ontario.ca>
Sent: November 9, 2022 9:53 AM
To: Liz Michaud <lmichaud@landmarkengineers.ca>
Cc: lash@citywindsor.ca; Harvey, Joseph (MCM) <Joseph.Harvey@ontario.ca>
Subject: RE: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Intent and Invitation to Comment

Hi Liz,

Thanks for the update about the Stage 1 and 2 Archaeological Assessment. Would you be able to send us the Project Information Form number of the archaeological assessments? We can then link our files internally.

Much appreciated,
Karla

From: Liz Michaud <lmichaud@landmarkengineers.ca>
Sent: November-09-22 9:51 AM
To: Barboza, Karla (MCM) <Karla.Barboza@ontario.ca>
Cc: lash@citywindsor.ca; Harvey, Joseph (MCM) <Joseph.Harvey@ontario.ca>
Subject: RE: 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.

Thank you for the update Karla. I will update our distribution list accordingly.

Through our Master Plan process we had a Stage 1 and 2 Archaeological Assessment completed for the site. I have been told by our consultant (AMICK) that their report should be submitted to MCM shortly if it hasn't already.

Thank you,

Liz Michaud, P.Eng.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

c (519) 999-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

From: Barboza, Karla (MCM) <Karla.Barboza@ontario.ca>

Sent: November 8, 2022 4:01 PM

To: Liz Michaud <lmichaud@landmarkengineers.ca>

Cc: lash@citywindsor.ca; Harvey, Joseph (MCM) <Joseph.Harvey@ontario.ca>

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

Hi Liz,

Thanks for sending the Notice of Intention for the Sandpoint Beach Park Shoreline Project to the Ministry of Citizenship and Multiculturalism (MCM).

Please note that the responsibility for administration of the Ontario Heritage Act and matters related to cultural heritage has been transferred to the Ministry of Citizenship and Multiculturalism (MCM). Individual staff roles and contact information remain unchanged.

Could you please include both Joseph Harvey, MCM Heritage Planner, and me in this project's contact list? You can remove Dan Minkin.

We will review the notice and provide preliminary comments by early December.

Let us know if you have any questions in the meantime.

Thanks,
Karla

Karla Barboza, RPP, MCIP, CAHP

Team Lead, Heritage | Heritage Planning Unit | **Ministry of Citizenship and Multiculturalism** | 416-660-1027 | karla.barboza@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.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

c (519) 999-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

Liz Michaud

From: Kimberly Darroch <KDarroch@erca.org>
Sent: November 22, 2022 9:23 AM
To: Liz Michaud
Subject: RE: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Intent and Invitation to Comment
Attachments: NOTICE OF INTENT: SANDPOINT BEACH PARK MASTER PLAN & ENVIRONMENTAL ASSESSEMENT

Thank you for the Notice.

We had previously commented on the Master Plan (see attached). I have copied our Planning inbox. Please send all Municipal Class Environmental Assessment study correspondence to the Planning inbox in the future, including Notices of Study Commencements, PICs, Completions, etc. Our office can provide additional feedback, as needed, once more detailed information is provided and reviewed, as the study progresses. Note that depending on our level of involvement, there may be a fee charged for our review and or time spent this type of study.

Please keep the following on the study distribution list:

planning@erca.org – Planning inbox
tmartin@erca.org – Tian Martin, P.Eng., Water Resources Engineer



KIM DARROCH, B.A.(HONS.), M.PL., RPP, MCIP
Team Lead, Planning Services, Watershed Management Services
Essex Region Conservation Authority
360 Fairview Avenue West, Suite 311 | Essex, Ontario | N8M 1Y6
P. 519-776-5209 x 347 | F. 519-776-8688
kdarroch@erca.org www.essexregionconservation.ca

Please consider the environment before printing this email

This e-mail transmission is confidential and may contain proprietary information for the express use of the intended recipient. Any use, distribution or copying of this transmission, other than by the intended recipient, is strictly prohibited. If you are not the intended recipient, please notify us by telephone at the number above and arrange to return this transmission to us or destroy it.

Follow us on Twitter: @essexregionca

****NOTE: In accordance with public health guidelines, our offices are closed to the public, but staff are working remotely to provide responses to inquiries and review applications as efficiently as possible. Your patience and understanding is greatly appreciated at this time. ****

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

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.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

c (519) 999-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

Liz Michaud

From: Kimberly Darroch <KDarroch@erca.org>
Sent: June 14, 2022 10:03 AM
To: Liz Michaud; lash@citywindsor.ca
Cc: Planning
Subject: NOTICE OF INTENT: SANDPOINT BEACH PARK MASTER PLAN & ENVIRONMENTAL ASSESSEMENT

RE: SANDPOINT BEACH PARK MASTER PLAN & ENVIRONMENTAL ASSESSEMENT- City of Windsor

Good morning, please find below some preliminary comments from the ERCA, on the above noted project, in the City of Windsor:

The City of Windsor is carrying out a study of Sandpoint Beach Park for the purpose of establishing a Park Master Plan and potentially modifying the existing shoreline to improve public safety.

This study is being conducted in accordance with the requirements for Phases 1 and 2 of the Municipal Class Environmental Assessment, which is an approved process under the Environmental Assessment Act. The study has progressed to the point where preliminary site layouts have been developed for public review and feedback.

Please be advised, that this property, is subject to our *Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation* under the *Conservation Authorities Act* (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the Detroit River / Lake St. Clair. The property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority, prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

The subject property is located within a floodplain / hazard land area and it is anticipated that Riverside Drive East, maybe inundated with water during a 1:100 year storm event. It is the responsibility of the Municipal Emergency Services (fire, police) to confirm that they have the ability to effect an access to these areas, in order to fulfill the roles and responsibilities of first responders during times of flooding.

The proposed development is also in close proximity to the shoreline and there is a need for a comprehensive shoreline hazard assessment in this area. Any recommendations out of the shoreline assessment, will need to be implemented in the proposed design, including, but not limited to any setbacks requirements.

ERCA has concerns with the potential impact of the quality of runoff in the downstream watercourse due to the proposed development on this site. ERCA recommends that stormwater quality will need to be addressed, in accordance with the guidance provided by the Stormwater Management Planning and Guidance Manual, prepared by the Ministry of the Environment (MOE, March 2003) and the "Windsor-Essex Region Stormwater Management Standards Manual". If this project is subject to site plan control by the City, we request to be included in the application's circulation for further comment on stormwater management. A full assessment, will likely take place at the detailed design stage. The engineering analysis to identify and address stormwater quality, is to be completed, to the satisfaction of the City and the Essex Region Conservation Authority.

The subject property may lie wholly or partially within the Event Based Area (EBA) and the Windsor's (A.H. Weeks) Drinking Water Intake Protection Zone 2 (IPZ 2) and Intake Protection Zone 3 (IPZ3) of the Essex Region Source Protection Plan, which came into effect October 1, 2015. The Source Protection Plan was developed to provide measures to protect Essex Region's municipal drinking water sources. As a result of these policies, new projects in these areas may require approval by the Essex Region Risk Management Official (RMO) to ensure that appropriate actions are taken to mitigate any potential drinking water threats. Should your proposal require the installation of fuel, the application or storage of agricultural source material (ASM), the application or storage of non agricultural source material (NASM), or the application of pesticide

on the site, please contact the RMO to ensure the activity will not pose a significant risk to local sources of municipal drinking water. The Essex Region's Risk Management Official can be reached by email at riskmanagement@erca.org. For any questions regarding Source Water Protection and the applicable source protection plan policies that may apply to the site, please contact the Essex Region Risk Management Official.

The subject property is within 120 metres of a terrestrial natural heritage feature, located on the other side of Riverside Drive East. Intervening infrastructure between natural heritage feature and subject property exists. Therefore, no negative impacts are anticipated for terrestrial natural heritage feature. The subject property does contain aquatic fish habitat, including critical habitat for endangered Nothern Madtom. DFO Authorizations required for any in-water works.

I have copied our Planning inbox. Please send all Municipal Class Environmental Assessment study correspondence to the Planning inbox in the future, including Notices of Study Commencements, PICs, Completions, etc. Our office can provide additional feedback, as needed, once more detailed information is provided and reviewed, as the study progresses. Note that depending on our level of involvement, there may be a fee charged for our review and or time spent this type of study.

Please keep the following on the study distribution list:

planning@erca.org – Planning inbox
tmartin@erca.org – Tian Martin, P.Eng., Water Resources Engineer

Regards,



KIM DARROCH, B.A.(HONS.), M.PL., RPP, MCIP
Team Lead, Planning Services, Watershed Management Services
Essex Region Conservation Authority
360 Fairview Avenue West, Suite 311 | Essex, Ontario | N8M 1Y6
P. 519-776-5209 x 347 | F. 519-776-8688
kdarroch@erca.org www.essexregionconservation.ca

Please consider the environment before printing this email

This e-mail transmission is confidential and may contain proprietary information for the express use of the intended recipient. Any use, distribution or copying of this transmission, other than by the intended recipient, is strictly prohibited. If you are not the intended recipient, please notify us by telephone at the number above and arrange to return this transmission to us or destroy it.

Follow us on Twitter: @essexregionca

****NOTE: In accordance with public health guidelines, our offices are closed to the public, but staff are working remotely to provide responses to inquiries and review applications as efficiently as possible. Your patience and understanding is greatly appreciated at this time. ****

Liz Michaud

From: Wilson, Ian <IWilson@citywindsor.ca>
Sent: November 22, 2022 4:21 PM
To: Ash, Laura; Liz Michaud
Cc: Mikhael, Fahd
Subject: Sandpoint Beach Park Master Plan and EA - Comments

Good Afternoon Laura and Liz,

We wanted to provide comments in relation to the Sandpoint Beach Park Master Plan & EA. Comments below are based on the project's identified in the City's Sewer Master Plan (SMP) and capital projects planned within the next 10 years.

- The proposed potential parking in the Sandpoint EA appears to cross the SMP proposed improvements to the Existing Flood protection berm (identified in the SMP as a high priority project, 10+ years away).
- Records indicate no existing sewers or SMP proposed sewers cross the parks north of Riverside (Sandpoint Beach, Ganatchio and Stop 26). No outlets use or cross the parks.
- We are completing a road rehabilitation project for Clairview Avenue (Ganatchio Trail adjacent) and Clover Street. Road improvements are adjacent to or through the potential parking locations noted in the EA materials.

Please let me know if further information is required. Thank you,

Ian Wilson, P. Eng., MAsc. | Engineer II



Engineering Department
350 City Hall Square West | Suite 310 | Windsor, ON | N9A 6S1
(P): 519-255-6100 Ext. 6369
(C): 519-791-2706
www.citywindsor.ca

Liz Michaud

Subject: FW: Assignment - 22-00051073
Attachments: Sandpoint Beach - Goose Problem.pdf

From: Ash, Laura <lash@citywindsor.ca>
Sent: December 6, 2022 5:12 PM
To: Liz Michaud <lmichaud@landmarkengineers.ca>
Subject: FW: Assignment - 22-00051073

Hi Liz,

Just checking if this resident's feedback made it to the comments summary?
This is the goose control device Wadah was asking about: <https://www.gc1goosecontrol.com/about>

Thank you,
Laura

From: Al-Yassiri, Wadah <walyassiri@citywindsor.ca>
Sent: November 4, 2022 9:40 AM
To: Ash, Laura <lash@citywindsor.ca>
Cc: Hayes, Steve <shayes@citywindsor.ca>
Subject: FW: Assignment - 22-00051073

Hi Laura,
Maybe Landmark could look into the effectiveness of equipment similar to the GC1 Goose Control unit (link below) in combating the issue raised in attached?

Just a thought!

Best Regards,

Wadah Al-Yassiri, P. Eng., CET.

Manager, Parks Development | Parks Department | 2450 McDougall St. | Windsor, ON., N8X 3N6 |

 519. 253. 2300 Ext. 2740 |  519. 562. 8525 |  walyassiri@citywindsor.ca



www.citywindsor.ca

IMPORTANT NOTICE:

This email is confidential and intended for the addressee only. If you are not the intended person, please notify me and destroy this and all copies immediately. Thank you!

From: Hayes, Steve <shayes@citywindsor.ca>
Sent: Friday, November 4, 2022 8:34 AM
To: Ash, Laura <lash@citywindsor.ca>
Cc: Al-Yassiri, Wadah <walyassiri@citywindsor.ca>
Subject: FW: Assignment - 22-00051073

See attached summary report ...

From: Windsor311-CSR44@motorolasolutions.com <Windsor311-CSR44@motorolasolutions.com>

Sent: Thursday, November 03, 2022 1:16 PM

To: Hayes, Steve <shayes@citywindsor.ca>

Subject: Assignment - 22-00051073

Parks Design & Development - Improvements at 10300 RIVERSIDE DR E, WINDSOR, ON. (22-00051073)

assigned to Hayes, Steve.

Service Request Summary Report

Sandpoint Redevelopment

Goose Problem

22-00051073

Printed Date : Nov 4, 2022 8:32:29 AM

Type: Parks Design & Development - Improvements

SR #: 22-00051073

Area: -

Priority: Standard

Group: Parks Operations

Status: Open

Jurisdiction: City of Windsor

Status Date: Nov 3, 2022 1:08:51 PM

Input By: Tosti, Maria

Created Date: Nov 3, 2022 12:59:21 PM

Method Received: Phone

Overdue on: Nov 10, 2022 12:59:21 PM

Location: 10300 RIVERSIDE DR E, WINDSOR, ON

Location Details: [PARKS] SANDPOINT BEACH

SR Comments: There are a lot of geese at Sandpoint beach, all over the park. Caller heard talk about changes being made to the park, concerned because there's going to be geese all over the area. There's a huge number of geese. Caller leaves nearby and know that if you can't "shoo" them away they'll never go. Has lived there for many years and has not seen it this bad.

Flex Notes

Flex Note Question	Flex Note Answer
Park Name:	Sandpoint Beach
Requested/Suggested Improvements:	Sandpoint Beach Relocation
Do you wish to be contacted?	Yes
Park Classification (entered by Parks D&D staff):	

Participants

Participant Type	Participant Name	Address	Email	Phones/Extension
Caller	Ouellette, Alison	10810 RIVERSIDE DR E, WINDSOR, ON N8P 1A4	aouellette6@gmail.com	HOME 519-735-4704

Activities

Activities	Assigned Staff	Due Date	Completed Date	Outcome
Notify Parks Design/Development (Email)	Hayes, Steve	Nov 3, 2022 1:08:52 PM		

Details

Activities

Activities	Assigned Staff	Due Date	Completed Date	Outcome
Parks Design/Development Investigation	Ash, Laura	Nov 10, 2022 6:00:00 PM	Nov 4, 2022 8:31:00 AM	Assigned to Parks Design/Development Staff

Details

Service Request Summary Report

Sandpoint Redevelopment

Goose Problem

22-00051073

Printed Date : Nov 4, 2022 8:32:29 AM

Activities				
Activities	Assigned Staff	Due Date	Completed Date	Outcome
Caller Contacted:		Nov 3, 2022 1:09:24 PM		
Details				

Liz Michaud

From: Paul Drca <drca@detroitriver.ca>
Sent: December 22, 2022 10:19 AM
To: Liz Michaud
Subject: RE: Sandpoint Beach

Thanks Liz

From: Liz Michaud <lmichaud@landmarkengineers.ca>
Sent: December 22, 2022 9:35 AM
To: Paul Drca <drca@detroitriver.ca>
Subject: RE: Sandpoint Beach

Good Morning Paul,

Unfortunately, I really don't have an answer to that question. We are still wrapping up the EA project file to send to the Ministry. It also has to go to Public review and then to Council. We hope that will be early in the new year.

After that, there is no set time. Money has to be budgeted and then detailed design can commence. As well, approvals can take up to a year. Realistically the earliest any construction could commence would be in 2024.

Thank you for reaching out and have a Merry Christmas,

Liz Michaud, P.Eng.



Landmark Engineers Inc.
2280 Ambassador Drive
Windsor, ON, N9C 4E4
p (519) 972-8052
c (519) 999-8052
f (519) 972-8644
e-mail lmichaud@landmarkengineers.ca

From: Paul Drca <drca@detroitriver.ca>
Sent: December 21, 2022 2:05 PM
To: Liz Michaud <lmichaud@landmarkengineers.ca>
Subject: Sandpoint Beach

Hi Elizabeth,

You may recall we met at the Sandpoint Beach project EA open house at the Riverside Sportsman Club a few weeks ago. I have a quick question for youwhen is construction scheduled to start?

I don't need an exact date, so just be as specific as you can be.

Thanks,

Paul Drca
Detroit River Canadian Cleanup RAP
Coordinator (T)
Essex Region Conservation Authority
360 Fairview Avenue West, Suite 311,
Essex, Ontario N8M 1Y6
P. 519-776-5209 x356 F. 519-776-8688

***I am working remotely,
Please call 519-982-3722**
www.essexregionconservation.ca



Liz Michaud

From: Harvey, Joseph (MCM) <Joseph.Harvey@ontario.ca>
Sent: December 13, 2022 9:15 AM
To: Liz Michaud
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

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

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.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

c (519) 999-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

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

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

From: Liz Michaud

Sent: November 28, 2022 4:32 PM

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

Cc: lash@citywindsor.ca

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

Thank you Joseph.

I will forward this to our Consultants for review as they have completed an Archeological report and will be submitting to MCM soon. Some or all of the comments may already be addressed in their report.

I will coordinate with them and get back to you with a full response.

Regards,

Liz Michaud, P.Eng.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

c (519) 999-8052

f (519) 972-8644

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.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

c (519) 999-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

Liz Michaud

Subject: FW: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Intent and Invitation to Comment
Attachments: ERSPA_SandpointBeachMCEA.pdf

From: Katie Stammler <KStammler@erca.org>
Sent: March 14, 2023 2:56 PM
To: Liz Michaud <lmichaud@landmarkengineers.ca>
Cc: Kimberly Darroch <KDarroch@erca.org>
Subject: RE: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Intent and Invitation to Comment

Hi Liz,
Thank you for your call today and apologies for the extreme delay. Attached is my formal response regarding Source Water Protection. Please let me know if you need anything else! The letter includes a list of all of activities that are a significant drinking water threat in these areas, so you can say you know what they are and that you're not doing any of them!
Thanks, Katie

KATIE STAMMLER, PHD
Water Quality Scientist/Source Water Protection Project Manager
Adjunct Associate Professor at GLIER, University of Windsor
Essex Region Conservation Authority
360 Fairview Avenue West, Suite 311 Essex, Ontario N8M 1Y6
*Please note that I often work remotely and can be reached at (519) 981 - 4184
kstammler@erca.org www.essexregionconservation.ca
Follow us on Twitter: @essexregionca



From: Liz Michaud <lmichaud@landmarkengineers.ca>
Sent: Monday, January 30, 2023 12:55 PM
To: Katie Stammler <KStammler@erca.org>
Subject: FW: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Intent and Invitation to Comment

Good Afternoon Katie,

I am just following up regarding the status of the Source Water Protection review for the Sandpoint Beach Project. Please reach out if you have any questions.

Thank you,

Liz Michaud, P.Eng.



Landmark Engineers Inc.

2280 Ambassador Drive
Windsor, ON, N9C 4E4
p (519) 972-8052
c (519) 999-8052
f (519) 972-8644
e-mail lmichaud@landmarkengineers.ca

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

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.



Landmark Engineers Inc.
2280 Ambassador Drive
Windsor, ON, N9C 4E4
p (519) 972-8052
c (519) 999-8052
f (519) 972-8644
e-mail lmichaud@landmarkengineers.ca



14 March 2023
Liz Michaud
Landmark Engineers, Inc.
2280 Ambassador Drive
Windsor, ON

kstammler@erca.org
P.519.776.5209
F.519.776.8688
360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

RE: Sandpoint Beach Park Shoreline Class Environmental Assessment

Dear Ms.Michaud,

Thank you for the opportunity to review the information related to the above named project as part of the Municipal Class Environmental Assessment process as it relates to Source Water Protection in the Essex Region. The proposed works are within two different vulnerable areas in the Essex Region - Windsor IPZ-2 and the Event Based Area (Please see the included maps).

There are no Source Water related concerns about this project at this time. However, further information is provided below and we would ask that you continue to consult with Source Protection staff on this project as necessary.

Significant Drinking Water Threats

The proposed works are within the Event Based Area (EBA) for the A.H. Week's Water Treatment Plant. In this area, the above grade handling and storage of liquid fuel in volumes greater than 15,000 L is identified as a Significant Drinking Water Threat (SDWT). Based on the information provided, it does not appear that fuel of this volume will be used or installed as a direct result of the proposed project. Should fuel of this volume be necessary during or as a result of the proposed project, a Risk Management Plan will be required and the proponent would need to consult with the Risk Management Official.

The proposed works are also within the IPZ-2 for the A.H. Week's Water Treatment Plant. There are several activities identified as SDWTs in this area with related policies in the Essex Region Source Protection Plan. Each SDWT has very specific conditions under which the activity is considered to be a threat and most are managed either with existing Provincial Instruments and/or Risk Management Plan. SDWTs in this area include:

combined



- Sewer discharge and sewage treatment plant bypass discharge to surface water
- Stormwater management
- Industrial effluent discharges
- Application of septage to land
- Application of pesticides
- Application and/or storage of agricultural and non-agricultural source material
- Livestock grazing.

The proponents are encouraged to consult the Essex Region Source Protection Plan (<https://essexregionconservation.ca/wp-content/uploads/2018/03/source-protection-plan.pdf>) and the Essex Region Source Protection Project Manager should any of these activities be required or affected during or as a result of this project. Based on the information provided, these SDWTs appear to be unlikely during or as result of this project and no action is required at this time.

Transport Pathways

The EBA and other vulnerable areas are delineated using the best available mapping of drains and other watercourses. The proposed project does not appear to include the creation, relocation or removal of drains and/or other open watercourses and sewers, which could alter the delineation of vulnerable areas in the Essex Region. Should the project plan result in any of the above actions that could affect the delineation of the vulnerable area, the proponent is asked to inform the Essex Region Source Protection Authority.

Groundwater

The proposed project area is not within any Significant Ground Water Recharge Areas or Highly Vulnerable Aquifers.

Again, we thank you for the opportunity to provide comments on this project and look forward to hearing more as it progresses.

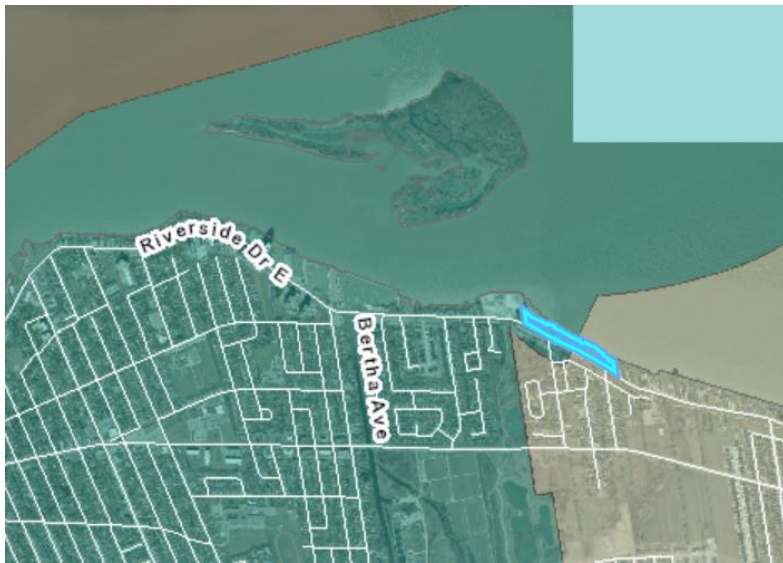
Sincerely,



Katie Stammler, PhD
Source Water Protection Project Manager

(encl – maps)





Maps showing the location of the proposed works (highlighted with a blue outline) within the Windsor IPZ-2 (top – dark green area) and the Event Based Area (bottom – yellow hatched area)

Liz Michaud

Subject: Sandpoint Beach Park Shoreline Class Environmental Assessment - DRAFT Project File

From: Badali, Mark (MECP) <Mark.Badali1@ontario.ca>

Sent: May 17, 2023 11:35 AM

To: Liz Michaud <lmichaud@landmarkengineers.ca>

Cc: Wilson, Marcelina (MECP) <Marcelina.Wilson@ontario.ca>; Ash, Laura <lash@citywindsor.ca>

Subject: RE: Sandpoint Beach Park Shoreline Class Environmental Assessment - DRAFT Project File

Hi Liz,

Thank you for providing these responses to MECP's comments on the Draft Project File Report, to be integrated into the final Report. I have no questions or concerns at this time.

Please ensure that the MECP comments letter dated April 24, 2023 and this correspondence are included in the final Report in order to maintain an accurate record of agency correspondence and consultation.

I look forward to receipt of the final Notice and Report.

Thank you,

Mark Badali ([he/him](#)) | Senior Project Evaluator
Environmental Assessment Program Support | Environmental Assessment Branch
Ontario Ministry of the Environment, Conservation and Parks
Mark.Badali1@ontario.ca | (416) 457-2155

From: Liz Michaud <lmichaud@landmarkengineers.ca>

Sent: May 11, 2023 2:53 PM

To: Badali, Mark (MECP) <Mark.Badali1@ontario.ca>

Cc: Wilson, Marcelina (MECP) <Marcelina.Wilson@ontario.ca>; Ash, Laura <lash@citywindsor.ca>

Subject: RE: Sandpoint Beach Park Shoreline Class Environmental Assessment - DRAFT Project File

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

Good Afternoon Mark,

Thank you for providing your comments. I wish to provide the following response to each comment below:

General

- 1) Section 2 pages were accidentally added in again. I apologise for the confusion and it will be fixed in the final report before we publish for public review.

Planning and Policy

- 2) I have updated the project file to include discussion and refence both the PPS and the City of Windsor's Official Plan. The following will be added to Section 3 front end discussion.

Provincial Policy Statement (PPS)

Section 1.5 of the Provincial Policy Statement discusses the planning considerations for Public Spaces, Recreation, Parks, Trails and Open Spaces. The Preferred Solution supports the policy of creating a healthy and active community by providing public access to the shoreline on the park side and direct access to the water on the beach side. As part of the Preferred Solution, the natural corridor along the west side of the site will be maintained to minimize negative impacts to the existing habitat and maintain access to the water for the native wildlife.

The PPS is also discussed in the SAR Impact Assessment which is included in Section 7 of the project file.

City of Windsor Official Plan (CWOP)

The City of Windsor's Official Plan outlines how land should be used when considering future development. Similarly to the PPS, the CWOP includes consideration for a sustainable and healthy environment, including providing public access to the waters' edge (Section 3.2.3.2).

The CWOP identifies the project study area land use as 'Waterfront Recreation.' Based on this designation, the Preferred Solution has considered the following planning objectives:

- Protecting and enhancing the quality of the naturalized habitat;
- Mitigating potential impacts to the shoreline and flood-prone areas;
- Providing sufficient flooding and erosion protection;
- Providing the public with access to the shoreline; and,
- Providing the public with safer direct access to the water (swimming beach).

Indigenous Consultation

- 3) The distribution list has been updated accordingly.
- 4) COTTFN did express interest in attending the AA just a few days before the scheduled date. COTTFN sent a contract to the City to sign. The City's legal department had an issue with one of the clauses in the contract. COTTFN could not resolve the issue with their legal department prior to the date of the one site Stage 2. It was unfortunate that they could not attend, but they did provide a review of the information we sent them. The invoice paid by the City was for their desktop review. More discussion on what transpired will be added to the Project File for clarity.
- 5) Noted.

Public Consultation

- 6) Discussion has been added to Section 2 of the project file to indicate how the questions were addressed.

2.4.1 Public Information Centre Feedback

At the PIC, local property owners and other stakeholders had the opportunity to ask questions and discuss any concerns directly with the project team. Comment sheets were made available at the Public Information Center. Only two comment sheets were filled out and submitted at the PIC.

Below are a few of the frequently asked questions of the Project Team at the PIC:

- When will the construction begin?
- How long will construction take to complete?
- Who will be paying for the improvements?

The Project Team could not provide specific answers to the first two questions as they are largely based on the City's budget. At this time, there is no specific date for construction to commence. Once the EA is complete, detailed design can commence. Prior to construction, approvals will need to be obtained as well. The Project Team estimated that construction would not commence for minimally 1 year following the EA completion.

The City will be paying for the improvements. The City will also look into any available funding or grant money that may be available for flooding and erosion protection projects.

Species at Risk

- 7) It is intended that the proponent will implement the recommendations made in the Species at Risk Impact Assessment. This statement will be added to the front end of Section 7.

Surface Water

- 8) A list of mitigation measures were added to Section 3 (3.3.2). See below.

3.3.2 Quality/Erosion Control

The proposed beach areas on the site are predominantly pervious in nature (i.e., grass and sand). As such, the pollutant loading for this particular site is expected to be quite low. Runoff from future paved trails identified in the Master Plan will be directed to the adjacent grass/beach areas. It is intended that the grass areas will be drained via trench drains and/or surface inlets with small drainage tiles outletting into the proposed rock revetment. The designs for any new surface inlets should consider using a pervious bottom to utilize the potentially high percolation rate available in the native sandy soils.

In summary, quality/erosion impacts associated with the preferred solution are expected to be negligible given the following:

- the relatively small size of the proposed impervious areas;
- the indirect discharge of runoff into the adjacent grass/beach areas prior to outletting to the receiver (i.e., Lake St. Clair);
- the relatively low pollutant loading anticipated from the site; and,
- maintenance of the existing stormwater strategy at the site (i.e., no need to add capacity to existing sewers).

To mitigate any potential negative impacts to Lake St. Clair during construction of the shoreline works, the following measures are recommended:

- all rock material should be clean and free of fines to reduce sedimentation;
- all work should be scheduled to avoid wet, windy, and rainy periods; and,
- all equipment on site should be in clean condition and maintained free of fluid leaks and invasive species.

9) Noted.

Please let me know if you have any questions or concerns with the above additions and clarifications to the Project File.

Thank you,

Liz Michaud, P.Eng.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

c (519) 999-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

From: Badali, Mark (MECP) <Mark.Badali1@ontario.ca>

Sent: April 24, 2023 11:54 AM

To: Liz Michaud <lmichaud@landmarkengineers.ca>

Cc: Wilson, Marcelina (MECP) <Marcelina.Wilson@ontario.ca>; Ash, Laura <lash@citywindsor.ca>

Subject: RE: Sandpoint Beach Park Shoreline Class Environmental Assessment - DRAFT Project File

Hi Liz,

In response to the draft Project File Report provided for the Sandpoint Beach Park Shoreline project (Municipal Class EA, Schedule B) being completed by the City of Windsor, please find the ministry's comments attached for your consideration.

Thank you for providing the ministry with an opportunity to comment on the above noted draft Report.

Best regards,

Mark Badali ([he/him](#))

Regional Environmental Planner (REP) – Southwest Region

Project Review Unit | Environmental Assessment Branch

Ontario Ministry of the Environment, Conservation and Parks

Mark.Badali1@ontario.ca | (416) 457-2155

From: Liz Michaud <lmichaud@landmarkengineers.ca>

Sent: April 19, 2023 12:57 PM

To: Badali, Mark (MECP) <Mark.Badali1@ontario.ca>

Cc: Wilson, Marcelina (MECP) <Marcelina.Wilson@ontario.ca>; Ash, Laura <lash@citywindsor.ca>

Subject: RE: Sandpoint Beach Park Shoreline Class Environmental Assessment - DRAFT Project File

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

Thank you for the update Mark. Not a problem.

Regards,

Liz Michaud, P.Eng.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

c (519) 999-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

From: Badali, Mark (MECP) <Mark.Badali1@ontario.ca>

Sent: April 19, 2023 12:54 PM

To: Liz Michaud <lmichaud@landmarkengineers.ca>

Cc: Wilson, Marcelina (MECP) <Marcelina.Wilson@ontario.ca>; Ash, Laura <lash@citywindsor.ca>

Subject: RE: Sandpoint Beach Park Shoreline Class Environmental Assessment - DRAFT Project File

Hi Liz,

I wanted to share an update on the ministry's review of the draft Project File Report for the Sandpoint Beach Park Shoreline Class EA.

Unfortunately due to unforeseen capacity issues for the ministry's technical reviewers, I anticipate that the earliest I will be able to return MECP comments on the draft Report is **Monday, April 24th**, 2023. I apologize for any inconvenience that this unexpected delay causes.

Best regards,

Mark Badali ([he/him](#))

Regional Environmental Planner (REP) – Southwest Region

Project Review Unit | Environmental Assessment Branch

Ontario Ministry of the Environment, Conservation and Parks

Mark.Badali1@ontario.ca | (416) 457-2155

From: Badali, Mark (MECP)

Sent: March 20, 2023 4:16 PM

To: Liz Michaud <lmichaud@landmarkengineers.ca>

Cc: Wilson, Marcelina (MECP) <Marcelina.Wilson@ontario.ca>; Ash, Laura <lash@citywindsor.ca>

Subject: RE: Sandpoint Beach Park Shoreline Class Environmental Assessment - DRAFT Project File

Good afternoon Liz,

Thank you for providing this draft Project File Report of the above-noted Class EA project for the ministry's consideration, in advance of the final Notice of Completion. I was able to successfully download the 372-page PDF report.

I will coordinate the ministry's review and aim to return any comments that we may have within 30 days.

Best regards,

Mark Badali ([he/him](#))

Regional Environmental Planner (REP) – Southwest Region
Project Review Unit | Environmental Assessment Branch
Ontario Ministry of the Environment, Conservation and Parks
Mark.Badali1@ontario.ca | (416) 457-2155

From: Liz Michaud <lmichaud@landmarkengineers.ca>

Sent: March 20, 2023 4:10 PM

To: Badali, Mark (MECP) <Mark.Badali1@ontario.ca>

Cc: Wilson, Marcelina (MECP) <Marcelina.Wilson@ontario.ca>; Ash, Laura <lash@citywindsor.ca>

Subject: RE: Sandpoint Beach Park Shoreline Class Environmental Assessment - DRAFT Project File

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

Good Afternoon Mark,

In the acknowledgment letter received on November 9, 2022 it was noted that MECP should be given 30 days to review the file prior to the public 30-day review period. Per your request, we are pleased to submit a DRAFT copy of our Project File for the Sandpoint Beach Park Shoreline Class EA. Due to the file size, the file can be downloaded by using this link : <https://spaces.hightail.com/receive/cSpS0j8nJq>

The link will be active for 7 days. Please let me know if you have any issues downloading the file.

Upon completion of the Ministry's review, we intend to issue the Notice of Completion.

Regards,

Liz Michaud, P.Eng.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

c (519) 999-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

**Ministry of the Environment,
Conservation and Parks**

**Ministère de l'Environnement,
de la Protection de la nature
et des Parcs**

Environmental Assessment
Branch

Direction des évaluations
environnementales

1st Floor
135 St. Clair Avenue W
Toronto ON M4V 1P5
Tel.: 416 314-8001
Fax.: 416 314-8452

Rez-de-chaussée
135, avenue St. Clair Ouest
Toronto ON M4V 1P5
Tél. : 416 314-8001
Télééc. : 416 314-8452

Via E-mail Only

April 24, 2023

Liz Michaud, P.Eng.
Landmark Engineers Inc.
lmichaud@landmarkengineers.ca

**Re: Sandpoint Beach Park Shoreline
City of Windsor
Municipal Class Environmental Assessment – Schedule B
Project Review Unit Comments – Draft Project File Report**

Dear Liz Michaud,

Thank you for providing the ministry with an opportunity to comment on the draft Project File Report (Report) for the above noted Class Environmental Assessment (EA) project. Our understanding is that in order to address issues of flood erosion/protection and public safety at Sandpoint Beach Park while maintaining its function and public access to Lake St. Clair, the City of Windsor (the proponent) has determined that the preferred alternative includes relocating the beach to the east side of the main facilities building by removing the existing steel sheet pile walls at that location and installing new rock revetments at the current beach location on the west half of the site, in addition to other shoreline improvements. The Ministry of the Environment, Conservation and Parks (ministry) provides the following comments for your consideration.

General

- 1) Section 2 of the Report (pages 32-35 of the PDF file) is repeated in section 4 (pages 78-81 of the PDF file). It is unclear if this is intentional because section 2 documents the Public Consultation Process and section 4 documents the Distribution List and Communication Inventory, but regardless it is confusing in terms of report formatting because the headers of section 4 still use the titles "*Section 2 Public Consultation Process*".

Planning and Policy

- 2) Although the Provincial Policy Statement (PPS), 2020 is discussed in the context of Species at Risk (SAR) within the third-party SAR Impact Assessment included in section 7.0 of the Report, a broader discussion of the provincial and municipal planning and policy context is missing from the Report. As noted in Section C.1.1 of the Municipal Class EA document (<https://municipalclassea.ca/manual/page45.html>), the PPS and municipal Official Plans are a key consideration for identifying land-use planning objectives and evaluating alternative solutions in Phase 2 of the Class EA process. The ministry recommends revising the Report to include a discussion of the PPS.

Indigenous Consultation

- 3) The letter from Chippewas of the Thames First Nation (COTTFN) sent May 5, 2022, included in section 5 of the Report (page 184 of the PDF file), is not documented in the First Nations - Distribution List & Communications Inventory also included in that section. The inventory should be revised accordingly.
- 4) The letter from COTTFN sent May 5, 2022 indicates that the community was prepared to have an Archaeology Field Liaison participate in the Stage 2 Archaeology Assessment (AA) on their behalf. The letter also documents that COTTFN provided the proponent's consultant with an invoice. However, the Report does not indicate how the proponent responded to the letter and whether COTTFN participated in the Stage 2 AA. Section 2 and/or section 5 should be revised with this information to improve traceability of consultation. Please make sure to include any follow-up emails or phone calls with communities in the record of consultation and be prepared to provide the record of consultation to Ontario on request.
- 5) The proponent should continue to engage with all communities that have been engaged with to date as the Class EA process proceeds.

Public Consultation

- 6) Section 2.4.1 of the Report notes a few of the frequently asked questions raised during the public consultation process. The Report should include a summary of how these public concerns have been addressed through the planning process in order to best meet the requirements of the Municipal Class EA document, particularly Section A.4.1 (available online at <https://municipalclassea.ca/manual/page30.html>), which requires that the project file for Schedule B projects explain, "*...the public consultation program employed and how concerns raised have been addressed.*"

Species at Risk

- 7) Section 7.0 of the Report indicates that the third-party who completed the Species at Risk Impact Assessment recommended mitigation measures to be implemented during construction to protect the identified species at risk and their habitats. The Report should more directly state which of these mitigation measures the proponent will employ during the implementation phase of the project.

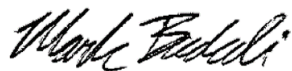
Surface Water

- 8) As is described in Section A.2.3 of the Municipal Class EA parent document, Phase 2 of the Schedule B planning process involves identification of mitigating measures with respect to negative effects of the project. Further to section 3.3 of the Report, given that this undertaking will require in- and near-water works, the Report should be revised to include a discussion of potential construction impacts to nearby surface water bodies, an assessment of the magnitude of the net positive and negative effects, and consideration of any required mitigation measures as a result of the preferred alternative.
- 9) Stormwater management is typically a municipal requirement with the works approved by the ministry. Section 3.3 of the Report states that no further stormwater management works are anticipated to be needed beyond what currently exists at the study area. Should this be approved by the municipality then no further comment is necessary from the ministry.

Thank you for circulating this draft Report for the ministry's consideration. Please document the provision of the draft Report to the ministry as well as this Project Review Unit Comments letter in the final report, and please provide an accompanying response letter to support our review of the final report. A copy of the final Notice should be sent to the ministry's Southwest Region EA notification email account (eanotification.swregion@ontario.ca).

Should you or any members of your project team have any questions regarding the material above, please contact me at mark.badali1@ontario.ca.

Sincerely,



Mark Badali
Regional Environmental Planner
Project Review Unit, Environmental Assessment Branch
Ontario Ministry of the Environment, Conservation and Parks

cc Marcelina Wilson, Supervisor, Windsor Area Office, MECP
Laura Ash, P.Eng., City of Windsor

Section 5: First Nation Consultations

Table of Contents

5.0	First Nation Consultations	
5.1	Notices and Information Packages	1
5.2	Feedback Summary	1
5.2.1	Aamjiwnaang First Nation	1
5.2.2	Caldwell First Nation	1
5.2.3	Chippewas of Kettle and Stony Point First Nation	1
5.2.4	Chippewa of the Thames First Nation	1
5.2.5	Oneida Nation of the Thames First Nation	2
5.2.6	Walpole Island First Nation	2

5.0 First Nation Consultations

As part of the Public Consultation process, six (6) First Nations, were contacted and offered the opportunity to provide input on the project. The Project Team also extended the invitation to engage in direct consultation (if desired) with each First Nation.

Correspondence with each First Nation has been provided in the corresponding sub-sections herein. A distribution list cataloguing all of the correspondence sent and received with each First Nation is also attached in this section of the Project File.

5.1 Notices and Information Packages

The following notices were sent to all of the First Nations to notify them of the Public Drop-In Centres, update them on the project status and to extend an offer of consultation.

- Notice of Intent & Invitation for Consultation (Public Drop-In Centre No. 1) – November 8, 2022
- Notice of Completion - TBD

5.2 Feedback Summary

A summary of the feedback we have received from each First Nation has been provided below.

5.2.1 Aamjiwnaang First Nation:

All of the project information and notifications were submitted by e-mail. No feedback or response was received over the course of the project.

5.2.2 Caldwell First Nation:

All of the project information was submitted to Caldwell using the online portal. No feedback or response was received over the course of the project. Screen shots of the online portal have been provided for reference.

5.2.3 Chippewas of Kettle and Stony Point First Nation:

All of the project information and notifications were submitted by e-mail. No feedback or response was received over the course of the project.

5.2.4 Chippewas of the Thames First Nation:

The project was reviewed by COTTFN during the Master Plan stage of the project and a letter was provided by Fallon indicating minimal concern. A copy of the review received May 16, 2022 is attached in this section for reference.

Through the Master Plan process, COTTFN was notified that a Stage 2 Archaeological Assessment was scheduled for May 25th, 2022. COTTFN expressed interest in attending and sent an agreement for the City

to sign in order for a representative to attend. The City's legal department made two changes to the agreement sent by COTTFN on May 19th, 2022. COTTFN's legal department could not respond to those changes in time for the agreement to be signed and therefore, they did not attend the site for the Stage 2. After the Stage 2 was completed, an update e-mail was sent to Fallon Burch to notify her of the outcome.

During the EA phase, the Nations Connect portal was updated as the project progressed. A copy of the conversation with Fallon on the portal is also attached.

5.2.5 Oneida Nation of the Thames First Nation:

All of the project information and notifications were submitted by e-mail. No feedback or response was received over the course of the project.

5.2.6 Walpole Island First Nation:

All of the project information and notifications were submitted by e-mail. No feedback or response was received over the course of the project.

Sandpoint Beach Master Plan First Nations - Distribution List & Communications Inventory

First Nations	Communications Sent			Communications Received		
	Date	Type	Description	Date	Type	Description
Aamjiwnaang First Nation 978 Tashmoo Avenue Sarnia, Ontario N7T 7H5 Attn: Chief Chris Plain chief.plain@aamjiwnaang.ca cc: Sharilyn Johnston sjohnston@aamjiwnaang.ca Cathleen O'Brien Environment Coordinator cobrien@aamjiwnaang.ca cc: Courtney Jackson Environment Consultant Worker cjackson@aamjiwnaang.ca	8-Nov-22	E-mail	Notice of Intent and Invitation for Consultation	8-Nov-22	E-mail	Sharilyn is retired. New contact is Cathleen O'Brien
	TBD	E-mail	Notice of Completion			
Walpole Island First Nation Bkejwanong Territory R.R.#3 Wallaceburg, Ontario N8A 4K9 Attn: Mr. Dean Jacobs Consultation Manager dean.jacobs@wifn.org cc: Janet Macbeth Project Review Coordinator janet.macbeth@wifn.org cc: Chief Dan Miskokomon drskoke@wifn.org	8-Nov-22	E-mail	Notice of Intent and Invitation for Consultation			
	TBD	E-mail	Notice of Completion			
Chippewas of Kettle & Stoney Point First Nation 6247 Indian Lane Kettle & Stoney Point, FN, Ontario NON 1J0 Attn: Emily Ferguson Consultation Advisor consultation@kettlepoint.org	8-Nov-22	E-mail	Notice of Intent and Invitation for Consultation			
	TBD	E-mail	Notice of Completion			
Chippewas of the Thames First Nation 320 Chippewa Road, R.R. #1 Muncey, Ontario N0L 1Y0 Attn: Chief Jacqueline French jfrench@cottfn.com Attn: Fallon Burch Consultation Coordinator consultations@cottfn.com	9-Nov-22	Online Portal	Notice of Intent and Invitation for Consultation - sent through the online consultation portal chat.	10-Nov-22	Online Portal	Confirmation received from Fallon Burch
	TBD	Online Portal	Notice of Completion			
Caldwell First Nation 14 Orange St. Leamington, Ontario N8H 3W3 Consultation Coordinator ecc@caldwellfirstnation.ca	9-Nov-22	Online Portal	Notice of Intent and Invitation for Consultation - uploaded to the online consultation portal.			
	TBD	Online Portal	Notice of Completion			
Oneida Nation of the Thames Attn: Chief Adrian Chrisjohn adrian.chrisjohn@oneida.on.ca 519-318-4598	8-Nov-22	E-mail	Notice of Intent and Invitation for Consultation			
	TBD	E-mail	Notice of Completion			

NOTE:

1. This distribution list pertains to only the communication sent during the EA process. Some consultation was undertaken prior to the EA, during the Master Plan phase for the project site. Correspondence from the Master Plan phase has been added to the project file where applicable.
2. Only COTTFN and CFN have online portals for consultation. Screen shots of the information sent through the portals has been included in this section of the file.

Liz Michaud

Subject: FW: Sandpoint Beach Park Master Plan and Environmental Assessment
Attachments: 21-050 Notice of Intent & Location Plan (7Nov22).pdf; 21-050 Concept Plan (27April22).pdf

Good Afternoon,

In May of 2022, we commenced the Master Plan phase of the Sandpoint Beach Park Master Plan and Shoreline Class Environmental Assessment (EA) project and initiated consultation on the preliminary design concept. A copy of the concept plan is attached for reference.

The concept plan developed through the Master Plan process identified a set of potential modifications to the existing shoreline. The shoreline modifications trigger the Environmental Assessment (EA) process, which must be completed prior to detailed design or construction of the project. Through the EA process, shoreline alternatives must be considered and ultimately, a preferred solution will be identified.

At this time, the City of Windsor is proceeding with the Sandpoint Beach Park Shoreline Class EA in accordance with the approved procedures contained in the Municipal Class EA. The project team has identified that this project falls under the Schedule 'B' of the MCEA. Attached is a copy of the Notice of Intent and Invitation for Public Comment and a Location Plan.

We are presently reaching out to notify you of our upcoming Public Information Centre and offer consultation on the proposed shoreline improvements.

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 would like to plan a time to discuss the project, please feel free to reach out to me at any time.

Thank you,

Liz Michaud, P.Eng.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

c (519) 999-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

SANDPOINT BEACH PARK SHORELINE CLASS ENVIRONMENTAL ASSESSMENT



NOTICE OF INTENT AND INVITATION FOR PUBLIC COMMENT

The City of Windsor intends to carry out a study of the Sandpoint Beach Park shoreline in order to assess possible shoreline modifications that would address public safety concerns, while improving and/or maintaining flood and erosion protection. The study is being planned under Schedule B of the Municipal Class Environmental Assessment which is an approved process under the Environmental Assessment Act.

The study has progressed to the point where alternative solutions have been evaluated and a recommended solution has been identified for review and public comment.

PUBLIC INFORMATION CENTRE

The study area is as shown on the attached location plan. Interested parties are welcome to attend the Public Information Centre. Representatives of the City of Windsor and Landmark Engineers Inc. will be present to answer any questions and obtain feedback. The Public Information Centre will be held on:

DATE: Tuesday, November 22, 2022
TIME: 2:00 – 4:00 p.m. and 6:00 – 8:00 p.m.
PLACE: Riverside Sportsmen Club
10835 Riverside Drive East
Windsor, Ontario

We are presently contacting all private and public agencies that may have an interest in the project to solicit their comments and to confirm their interest in the Environmental Assessment process. For additional information or to provide direct comments regarding the project, please contact one of the following individuals:

Landmark Engineers Inc.
Ms. Liz Michaud, P.Eng.
2280 Ambassador Drive
Windsor, Ontario N9C 4E4
(519) 972-8052
lmichaud@landmarkengineers.ca

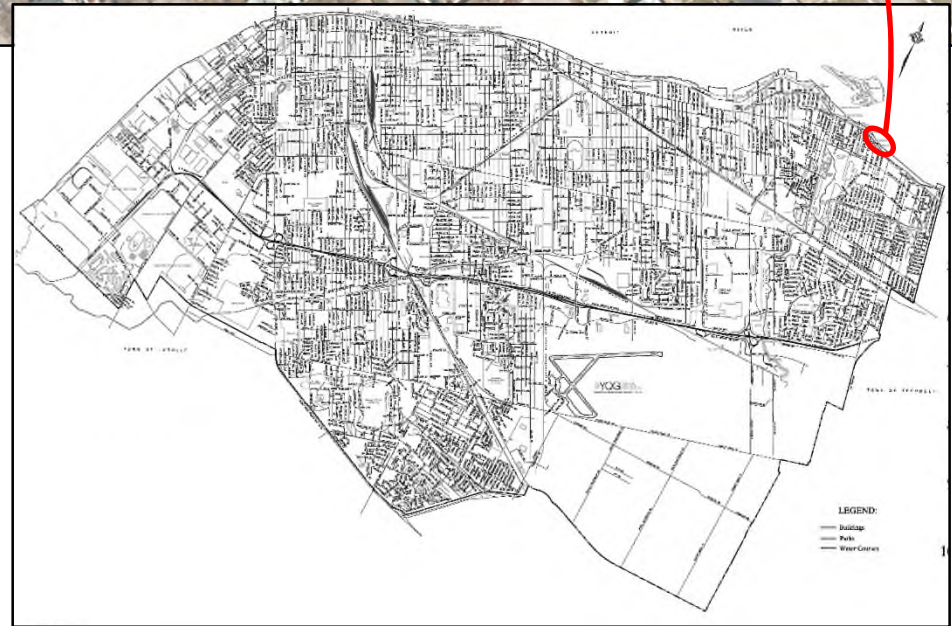
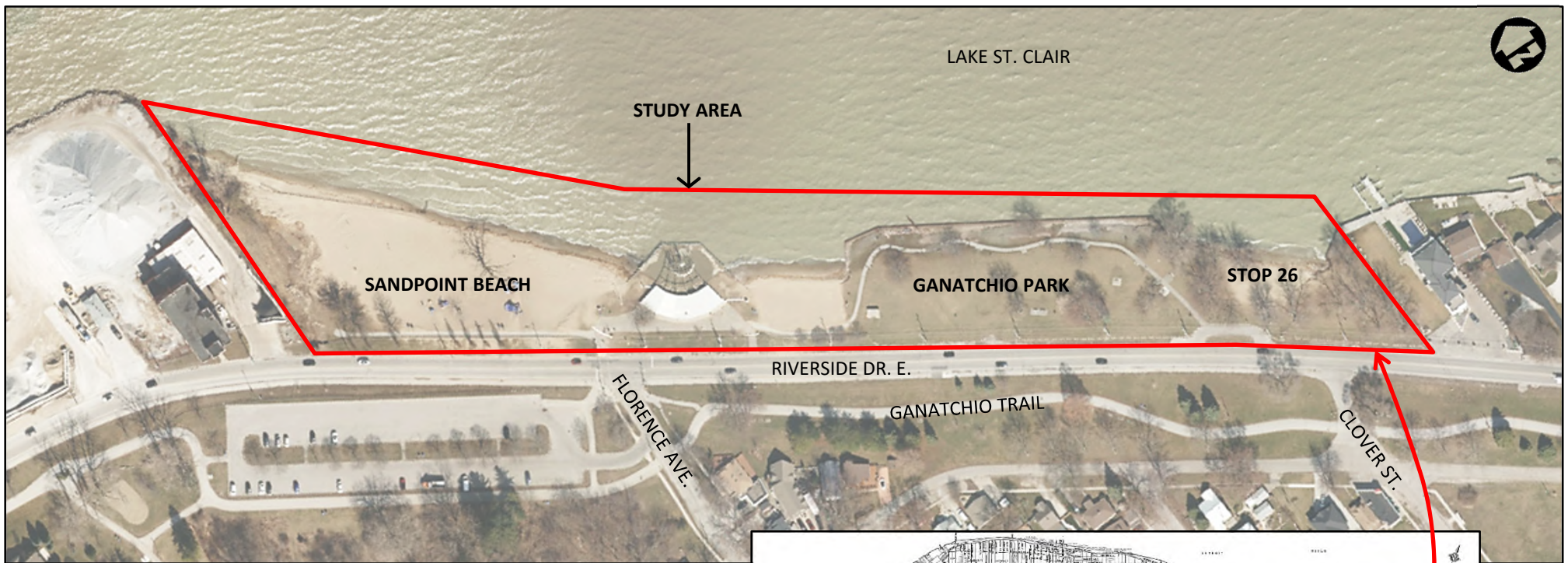
City of Windsor
Ms. Laura Ash, P.Eng.
2450 McDougall St.
Windsor, Ontario N8X 3N6
(519) 253-2300 Ext. 2735
lash@citywindsor.ca

Project information can be found at the website below or by scanning the QR code here:

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



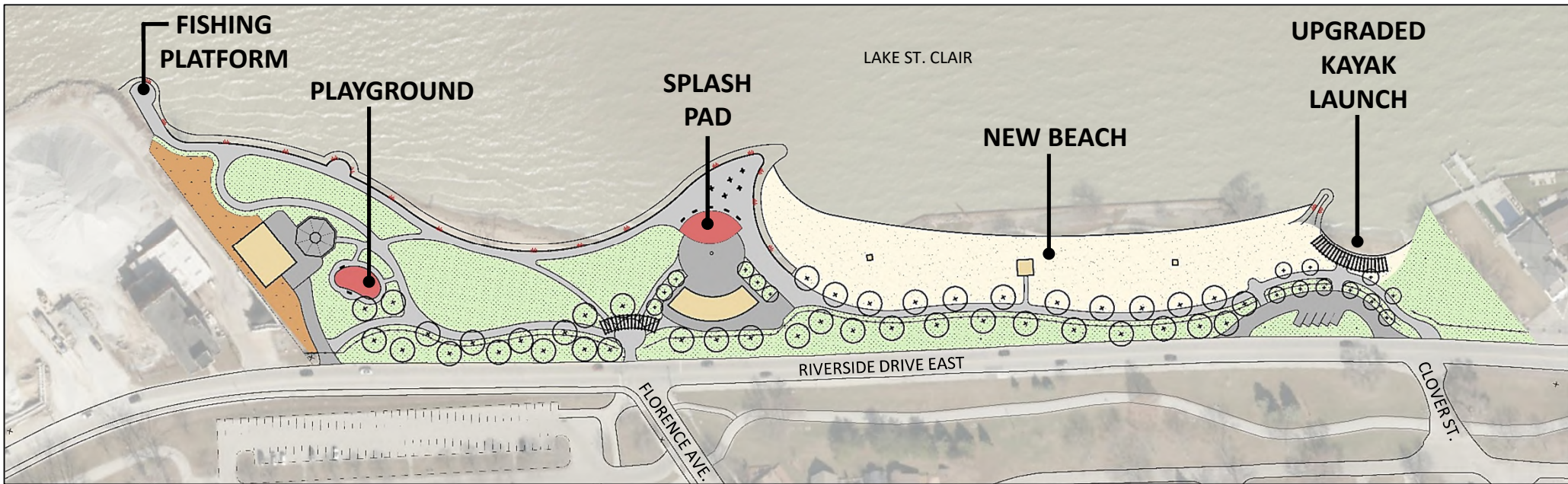
Under the *Municipal Freedom of Information and Protection of Privacy Act* and the *Ontario Environmental Assessment Act*, unless otherwise stated in submission (with the exception of personal information) all comments will become part of the public record and will be released (if requested) to any person.



Title	LOCATION PLAN	Date	NOV. 2022	FIGURE 1
	Project	SANDPOINT BEACH PARK SHORELINE CLASS ENVIRONMENTAL ASSESSMENT	Scale	
			Project No.	



EXISTING



PROPOSED

Chippewas of the Thames
First Nation Correspondence

21-050 : Sandpoint Beach Park Master Plan and EA

Distributed: May 5, 2022

Project description

The City of Windsor is carrying out a study of Sandpoint Beach Park for the purpose of establishing a Park Master Plan and potentially modifying the existing shoreline to improve public safety. Located on the east end of Windsor, Sandpoint Beach Park is a municipally-owned park, comprised of three segments; Sandpoint Beach, Ganatchio Park and Stop 26, which together are commonly referred to as Sandpoint Beach Park. The park provides recreational facilities and public beach access to Lake St. Clair near the mouth of the Detroit River.

In response to the most recent drowning incident that occurred in May of 2021, the City of Windsor has retained Landmark Engineers Inc. (hereafter Landmark) to undertake a redesign of Sandpoint Beach Park. The primary purpose of this redesign would be to modify the existing shoreline and swimming facilities in a manner that would improve public safety. At this time, we are reaching out to commence consultation through the Master Plan and Municipal Class Environmental Assessment process.

Information

<p>Consulting organization</p> <p>Organization: Landmark Engineers Inc.</p>	<p>Primary Contacts</p> <p>Contact: Elizabeth Michaud</p>
<p>Region</p> <p>Ontario</p>	<p>Consultation stream</p> <p>Municipal / County Governance</p>
<p>Project type</p> <p>Master Plans</p>	<p>Project access requirements</p> <p>Uses existing access</p>
<p>Requested response date</p> <p>2022-05-19</p>	<p>Project area</p> <p>2.15 hectares</p>
<p>Area of new cut (disturbance)</p> <p>hectares</p>	

< Details

Area of new cut (disturbance)

hectares

Location description

Sandpoint Beach Park, Windsor, Ontario

Supplemental organizations

Organization: City of Windsor




Contacts: Laura Ash

Documentation

Project web page links

[City of Windsor Website](#)



Attachments

-  [21-050 First Nations Letter \(5May22\).pdf](#)
-  [21-050 Notice of Intent, Location Map and Photos \(5May22\) .pdf](#)
-  [Stage 1 DRAFT Archaeological Plan - 2022-654 29 March 2022.pdf](#)

Spatial files

 [Sandpoint Beach Park.kmz](#)

Attachments for Chippewas of the Thames First Nation

-  [21-050 First Nations Letter \(5May22\).pdf](#)
-  [21-050 Notice of Intent, Location Map and Photos \(5May22\) .pdf](#)

⏪ BACK



CHIPPEWAS OF THE THAMES FIRST NATION

Project Name:

Sandpoint Beach Park Master Plan and EA

FN Consultation ID:

21-050

Consulting Org Contact:

Liz Michaud

Consulting Organization:

[Landmark Engineers Inc.](#)

Date Received:

Thursday, May 5, 2022

May 16, 2022

Dear: Liz

We have received information concerning Sandpoint Beach Park Master Plan and EA, submitted on May 5, 2022. The proposed project is located within the McKee Treaty area to which Chippewas of the Thames First Nation (COTTFN) is a signatory. It is also located within the Big Bear Creek Additions to Reserve (ATR) land selection area, as well as COTTFN's Traditional Territory.

After reviewing Sandpoint Beach Park Master Plan and EA, we have identified minimal concerns with the information that has been presented to us at this time. We ask that if there are any substantive changes to the proposed plan that you notify COTTFN with the opportunity to review and provide comments if needed. We understand that there is a Stage 2 Archaeology Assessment planned on May 25, 2022. I have attached an agreement that is required to be signed by the consultant/proponent and COTTFN prior to an Archaeology Field Liaison actively participating on behalf of this First Nation.

In regards to the invitation to provide feedback to expand or enhance the existing Indigenous Heritage Recognition site, I encourage you to contact COTTFN's Language, Cultural and Heritage Department at (519) 264-2500.

We look forward to continuing this open line of communication. To implement meaningful consultation, COTTFN has developed its own protocol - a document and a process that will guide positive working relationships. As per 'Appendix D' of the Wiindmaagewin, please find attached invoice #0313.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Original Signed

Fallon Burch

Consultation Coordinator

Chippewa of the Thames First Nation

320 Chippewa Road, Muncey, ON, N0L 1Y0

(519) 289-5555 Ext 251

fburch@cottfn.com

Liz Michaud

From: Liz Michaud
Sent: May 26, 2022 10:29 AM
To: Fallon Burch
Cc: Ash, Laura; 'Chippewas of the Thames First Nation'; Jennifer Mills; Rochelle Smith
Subject: RE: Decision regarding consultation: 21-050 - Sandpoint Beach Park Master Plan and EA

Good Morning Fallon,

The Stage 2 assessment was undertaken yesterday morning. The Archaeologists determined that the entire study area is disturbed and no further work is required. Once we have the final report, I will forward for your records. I will continue to update the online consultation portal with information as the project progresses.

If you have any questions, please don't hesitate to reach out.

Thank you,

Liz Michaud, P.Eng.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

From: Fallon Burch <fburch@cottfn.com>
Sent: May 25, 2022 9:19 PM
To: Ash, Laura <lash@citywindsor.ca>; 'Chippewas of the Thames First Nation' <no-reply-cottfn@knowledgekeeper.ca>; Jennifer Mills <jmills@cottfn.com>; Rochelle Smith <rsmith@cottfn.com>
Cc: Liz Michaud <lmichaud@landmarkengineers.ca>
Subject: RE: Decision regarding consultation: 21-050 - Sandpoint Beach Park Master Plan and EA

Hi Laura,

I apologize for the delay on our end, we had to seek legal advice on the proposed changes the City of Windsor had made to the agreement. Can you please provide an update on the status of this assessment?

Thank you,

Fallon



Fallon Burch

Consultation Coordinator, Chippewas of the Thames First Nation

320 Chippewa Rd Muncey, ON N0L 1Y0 | 519-289-5555 | www.cottfn.com/consultation

This email or documents accompanying this email contain information belonging to the Chippewas of the Thames First Nation. Which may be confidential and/or legally privileged. The information is intended only for the addressed recipients(s). If you are not an intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this email. Is strictly prohibited. If you have received this email in error, please advise my office and delete it from your system.

From: Ash, Laura <lash@citywindsor.ca>

Sent: May 19, 2022 10:25 AM

To: 'Chippewas of the Thames First Nation' <no-reply-cottfn@knowledgekeeper.ca>; Fallon Burch <fburch@cottfn.com>; Jennifer Mills <jmills@cottfn.com>; Rochelle Smith <rsmith@cottfn.com>

Cc: lmichaud@landmarkengineers.ca

Subject: RE: Decision regarding consultation: 21-050 - Sandpoint Beach Park Master Plan and EA

Some people who received this message don't often get email from lash@citywindsor.ca. [Learn why this is important](#)

Good morning,

Thank you very much for reviewing the information and providing feedback. Please review the revised agreement attached for an AFL to attend the Stage 2 Archaeological Assessment on May 25, 2022. Your earliest attention to this matter would be greatly appreciated.

Revisions include:

- 1) added a provision in item 3.5 for the City of Windsor's COVID 19 and mask policy; and
 - 2) added item 12.3 regarding the Municipal Freedom of Information and Protection of Privacy Act.
- Both revisions coincide with a recent agreement signed between The Corporation of the City of Windsor and The Chippewas of the Thames First Nation for another project.

Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Laura Ash, MAsc, P.Eng | Supervisor, Parks Projects



Parks - Design & Development

2450 McDougall St. | Windsor, ON | N8X 3N6

Office: 519-253-2300 Ext. 2735

Cell: 519-564-4187

www.citywindsor.ca

From: Chippewas of the Thames First Nation <no-reply-cottfn@knowledgekeeper.ca>

Sent: May 16, 2022 8:33 PM

To: fburch@cottfn.com; jmills@cottfn.com; rsmith@cottfn.com; lmichaud@landmarkengineers.ca; Ash, Laura <lash@citywindsor.ca>

Subject: Decision regarding consultation: 21-050 - Sandpoint Beach Park Master Plan and EA

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.

Please see attached PDF.

^ From: Elizabeth Michaud

Created: 9-Nov-2022 

Good Afternoon,

This project has moved from the Master Plan phase of the project into the Environmental Assessment phase. At this time we are sending out Notices regarding the start of the Shoreline Environment Assessment. I have attached the Notice here for your records.

At this time there has been no changes to the plan itself. Once the PIC is complete and the Preferred Solution is identified, I will reach out again with an update to the project.

If you have any questions please reach out at any time.

Thank you,
Liz Michaud
519-972-8052

”

 [21-050 Notice of Intent & Location Plan \(7Nov22\).pdf](#)

^ From: External system

Created: 10-Nov-2022

Good morning Liz,

Thank you for providing the Notice of Intent & Location Plan. I look forward to future updates on the preferred solution.

Fallon Burch
Consultation Coordinator
Chippewas of the Thames First Nation
(519) 289-5555 Ext. 251

”

Caldwell

First Nation Correspondence



[← Back to My Projects](#)

Project Overview

Project Report

Attachments

Project Overview

Project:	Sandpoint Beach Park Master Plan and Environmental Assessment
Created:	Apr 18, 2022
Timeline:	This is a planning project. The intent is to finalize the Master Plan and Environmental Assessment by November 2022
Status:	Awaiting response from CFN
Description:	In response to the most recent drowning incident that occurred in May of 2021, the City of Windsor is considering a complete redesign of the Sandpoint Beach Park. The primary purpose of the redesign would be to modify the existing shoreline and swimming facilities in a manner that would improve public safety.
Assessment Level:	Level 4



[← Back to My Projects](#)

Project Overview

Project Report

Attachments

Project Report

Project Location

Does your project or any associated activities physically overlap with any of the following areas, including land, water and flora and fauna therein? Please see the map for reference and select all that apply.

None

Does your project or any associated activities likely to result in impacts on the highlighted area on the map, including land, water and flora and fauna therein? Please see the map for reference.

No

Is it possible the project could still have impacts on the air, water or land within a 100 km radius of The Municipality of Leamington, The Town of Essex, The Township of Kingsville, and The Township of Pelee (Point Pelee & Pelee/Island), as set out on the map? Please see the map for reference.

Yes

Project Impact Assessment

Do you anticipate or are you already aware that this project will require approvals by any of the following regulatory authorities or ministries? Please select all that apply.

Fisheries and Oceans Canada

Ontario Ministry of the Environment, Conservation and Parks

Ministry of Natural Resources and Forestry

If you anticipate that the project requires a federal impact assessment and/or a provincial environmental assessment, or you are already aware that such an assessment is required, please indicate the classification for each assessment (e.g. Municipal Class EA, Schedule C, TPAP, etc.)

Provincial

This project is the Municipal Class EA project for the site. The project is being completed as a Schedule 'B' with an additional public consultation added for the Master Planning stage for additional feedback.

Impact assessment documents - description of uploads:

Location Plan - Indicates location of the site and study boundary.rnrnMore information will be updated as the project progresses.

Impact assessment documents - files

[21-050-Location-Plan-14April22.pdf](#)

Economic Impacts

Could this project directly benefit CFN members economically through any of the following? Please select all that apply:

Unsure, too early in the process

Please explain.

There will be opportunity for attend the site for a Stage 2 Archaeological Assessment. This date has not been scheduled yet. As well, there may be opportunity to become involved in projects that come out of the Master Planning process of the site.

Could this project directly impact the CFN members economically through any of the following? Please select all that apply:

None of the above

Does this project physically overlap with the area highlighted in this map (located within the municipality of Leamington)?

No

Archaeological & Sacred Sites

Please select all of the statements regarding archaeological and sacred sites that apply to this project.

An archaeologist has been hired for this project

According to the Ministry of Heritage, Sport, Tourism and Culture Industries' Standards and Guidelines for Consultant Archaeologists, does this project require any of the following. Please select all that apply. If unsure about any, please select 'Unsure' as well.

Stage One Archaeological Assessment

Stage Two Archaeological Assessment

Archaeological assessment documents - description of uploads:

Stage 1 DRAFT Archaeological Plan from AMICK Consultants. A Stage 2 on site assessment will be held on May 25th, 2022. Please reach out if you or a member of your staff would like to attend the Stage 2.

Archaeological assessment documents - files

[Stage-1-DRAFT-Archaeological-Plan-2022-654-29-March-2022.pdf](#)

Species at Risk

Have you entered into, or are you in negotiations toward a landscape agreement under Ontario's Endangered Species Act, 2007?

No

Have you applied for a permit under section 17 of Ontario's Endangered Species Act, 2007, or have you applied for a permit or an agreement under section 73 of the Species at Risk Act?

No

Does the project construction, operation and / or implementation overlap with the habitat or flight paths of the following species listed in Ontario's Endangered Species Act, the Species at Risk Act, or in the Schedule of the Migratory Birds Convention Act?

Yes

Waterways

Do any of the following apply to the project? Please refer to the map. If you are unsure about any of these, please select unsure as well.

The project physically overlaps with or concerns a waterway located within the area circled

The project involves building or improvement of infrastructure over or adjacent to a waterway located within the area circled

Do any of the following apply to the project? If you are unsure about any of these, please select unsure as well.

The project requires at least one authorization from the Minister of Fisheries, Oceans and the Canadian Coast Guard (e.g., Fisheries Act authorizations, Species At Risk Act permit, etc.)

Culture & Language

Could this project directly benefit CFN members culturally through any of the following? Please select all that apply. If you are unsure about any of these, please select unsure as well.

Other (please explain)

The site is located along a municipal recreational trail on the south side of Riverside Drive known as the "Ganatchio" trail. It is our understanding that this name is derived from the Native American/First Nations name for Lake St. Clair. In 1982, the Windsor-St. Clair Rotary Club assisted in funding the creation of the Sandpoint Beach Totem Pole. It was carved by a Nootkon artist, Wikinanish, in 22 weeks of work over 14 months of time. The log used for the pole was a red cedar, imported from British Columbia. The existing totem pole and name of the adjacent municipal trail system are testament to the presence of the indigenous heritage of the area. As part of our consultation, we are interested in feedback on the potential to enhance or expand the indigenous recognition at the site.

Human Health

Does this project involve the use, production, or release of any pollutant, effluent or substance that has been known or presumed to have harmful effects on human health?

No

Please list which substances, pollutants or effluents this project will use, produce and release.

Are there any scientific reports you have had to submit or will have to submit to the Crown concerning the use of toxins or contaminants?

No

Other

Does the project involve an influx of people during the construction phase (more than 100) within any of the regions below? Please select all that apply.

None of the above

Are there any addition documents you would like to include for this submission?

Yes

Additional documents - description of uploads:

21-050 First Nations Letter - Letter to inform Consultation Coordinators about the project and invitation to attend Stage 2 Archaeological on May 25th at 10am.rnrn21-050 Notice of Intent, Location Map and Photos - Project Notice, Location Map, Site Photos and Preliminary Proposed Plan images.

Additional documents - files

[21-050-First-Nations-Letter-5May22.pdf](#)

[21-050-Notice-of-Intent-Location-Map-and-Photos-5May22-.pdf](#)

[21-050-Notice-of-Intent-Location-Plan-7Nov22.pdf](#)

Is there anything else you would like to share about the project?

Would you like a follow-up meeting?

No meeting is necessary

Recommendation

Based on the results of the proponents responses, we recommend that CFN negotiate with the proponent for funding to retain traditional ecological knowledge expert and an expert in a relevant field of western science to determine whether the project impacts construction, operation and / or implementation overlap with the habitat or flight paths of the following species, which are important to CFN's traditional harvesting:

- White-tailed Deer
- Wild Turkey
- Perch
- Pickerel
- Crappy
- Blue Gill
- Dogfish
- Mudpuppies
- Rainbow Trout
- Ducks
- Geese
- Cotton Tail Rabbits
- Jack Rabbits
- Birch
- Muskrat
- Pickerel
- Frogs
- Turtles
- Beavers
- Min
- Smelt
- Sweetgrass
- Tobacco
- Sage
- Cedar
- Black Willow
- Red Willow



[← Back to My Projects](#)

Project Overview

Project Report

Attachments

Project Attachments

Impact Assessment Documents

1 File:

Filename	Date Uploaded
21-050-Location-Plan-14April22.pdf	

Archaeological Assessment Documents

1 File:




Filename	Date Uploaded
Stage-1-DRAFT-Archaeological-Plan-2022-654-29-March-2022.pdf	

Scientific Report Documents

None

Additional Documents

3 Files:

Filename	Date Uploaded
 21-050-First-Nations-Letter-5May22.pdf	
 21-050-Notice-of-Intent-Location-Map-and-Photos-5May22-.pdf	
 21-050-Notice-of-Intent-Location-Plan-7Nov22.pdf	Nov 9, 2022

[Click here](#) to upload additional documents

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 along with the supporting documentation for each. A summary of each assessment has been included below.

6.1 Archaeological Assessments

6.1.1 Stage 1 Archaeological Background Study

A Stage 1 Archaeological Background Study of the area of the Sandpoint Beach Class Environmental Assessment was undertaken by AMICK Consultants Limited. A copy of AMICK's report can be found in this section of the Project File.

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 established 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 was then undertaken by AMICK. A copy of AMICK's report can be found in this section of the Project File.

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 *Criteria for Evaluating Marine Archaeological Potential* check list was completed. The checklist determined that a Marine Archaeological Assessment was required. In discussion with the Ministry of Citizenship and Multiculturalism (MCM), it was agreed that a Stage 1 assessment would be sufficient to satisfy the requirements of the EA.

Matrix Heritage (hereafter Matrix) was retained to undertake the Stage 1 Marine Archaeological Assessment. A copy of their report can be found in this section of the Project File.

The following recommendations were made based on the results of their investigation:

- 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.

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.

AMICK Consultants Limited was retained to undertake a CHER study. 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.



1.0 PROJECT REPORT COVER PAGE

LICENSEE INFORMATION:

Contact Information:

Michael B. Henry CD BA FRAI FRSA
Southwestern District Office
237 Sanders Street East
Exeter, ON N0M 1S1
Phone: (519) 432-4435
Email: mhenry@amick.ca
www.amick.ca

Licensee:

Michael B. Henry CD BA FRAI FRSA
P058

Ontario Archaeology Licence:

PROJECT INFORMATION:

Corporate Project Number:

2022-654

MCM Project Number:

P058-2079-2022

Investigation Type:

Stage 1 Archaeological Background Study

Project Name:

Sand Point Beach

Project Location:

10300 Riverside Drive East, Windsor, Part of Lots 139,
140 & 141, Concession 1 (Geographic Township of East
Sandwich, County of Essex), City of Windsor.

Project Designation Number:

Not Currently Available

MCM FILING INFORMATION:

Site Record/Update Form(s):

N/A

Date of Report Filing:

06 December 2022

Type of Report:

ORIGINAL

2.0 EXECUTIVE SUMMARY

This report describes the results of the 2022 Stage 1 Archaeological Background Study of Sand Point Beach, 10300 Riverside Drive East, Windsor, Part of Lots 139, 140 & 141, Concession 1 (Geographic Township of East Sandwich, County of Essex), City of Windsor, conducted by AMICK Consultants Limited. This study was conducted under Professional Archaeologist License #P058 issued to Michael Henry by the Minister of Citizenship & Multiculturlism for the Province of Ontario. This assessment was undertaken as a requirement under the Environmental Assessment Act (RSO 1990) and the Provincial Policy Statement (2020) as a component study of an Environmental Assessment (EA) for the proposed undertaking. Within the land use planning and development context, Ontario Regulation 544/06 under the Planning Act (1990b) requires an evaluation of archaeological potential and, where applicable, an archaeological assessment report completed by an archaeologist licensed by the Ministry of Citizenship & Multiculturlism (MCM). Policy 2.6 of the Provincial Policy Statement (PPS 2020) addresses archaeological resources. All work was conducted in conformity with Ontario Ministry of Tourism and Culture (MTC) Standards and Guidelines for Consultant Archaeologists (MTC 2011), the Ontario Heritage Act (RSO 1990a).

AMICK Consultants Limited was engaged by the proponent to undertake a Stage 1 Archaeological Background Study of lands potentially affected by the proposed undertaking and was granted permission to carry out archaeological fieldwork. The entirety of the study area was subject to a desktop assessment on 1 February 2022. All records and documentation related to the conduct and findings of these investigations are held at the Lakelands District corporate offices of AMICK Consultants Limited until such time that they can be transferred to an agency or institution approved by the Ontario Ministry of Citizenship & Multiculturalism (MCM) on behalf of the government and citizens of Ontario.

STAGE 1 RECOMMENDATIONS:

The study area has been identified as a property that exhibits potential to yield archaeological deposits of Cultural Heritage Value or Interest (CHVI). The objectives of the Stage 1 Background Study have therefore been met and in accordance with the results of this investigation, the following recommendations are made:

- 1. Further archaeological assessment of the study area is warranted;*
- 2. The proposed undertaking has a potential for archaeological resources and a Stage 2 Archaeological Assessment is recommended;*
- 3. No soil disturbances or removal of vegetation shall take place within the study area prior to the acceptance of a report recommending that all archaeological concerns for the study area have been addressed and that no further archaeological studies are warranted into the Provincial Registry of Archaeological reports maintained by MCM;*

3.0 TABLE OF CONTENTS

1.0 PROJECT REPORT COVER PAGE.....	1
2.0 EXECUTIVE SUMMARY	2
3.0 TABLE OF CONTENTS	4
4.0 PROJECT PERSONNEL.....	4
5.0 PROJECT CONTEXT	4
6.0 PROPERTY INSPECTION	18
7.0 ANALYSIS AND CONCLUSIONS.....	19
8.0 RECOMMENDATIONS	28
9.0 ADVICE ON COMPLIANCE WITH LEGISLATION	30
10.0 BIBLIOGRAPHY AND SOURCES	31
11.0 MAPS	33

4.0 PROJECT PERSONNEL

AMICK CONSULTANTS LIMITED PARTNERS

Michael Henry (MCM Professional Archaeologist Licence #P058)

Marilyn Cornies (MCM Professional Archaeologist Licence #P038)

PROJECT COORDINATOR

Marilyn Cornies (MCM Professional Archaeologist Licence #P038)

PROJECT LICENSEE ARCHAEOLOGIST

Michael Henry (MCM Professional Archaeologist Licence #P058)

PROJECT REPORT PREPARATION

Jessica Watson

PROJECT GRAPHICS

Jessica Watson

5.0 PROJECT CONTEXT

5.1 DEVELOPMENT CONTEXT

This report describes the results of the 2022 Stage 1 Archaeological Background Study of Sand Point Beach, 10300 Riverside Drive East, Windsor, Part of Lots 139, 140 & 141, Concession 1 (Geographic Township of East Sandwich, County of Essex), City of Windsor, conducted by AMICK Consultants Limited. This study was conducted under Professional Archaeologist License #P058 issued to Michael Henry by the Minister of Citizenship & Multiculturlism for the Province of Ontario. This assessment was undertaken as a requirement under the Environmental Assessment Act (RSO 1990) and the Provincial Policy Statement (2020) as a component study of an Environmental Assessment (EA) for the proposed undertaking. Within the land use planning and development context, Ontario Regulation 544/06 under the Planning Act (1990b) requires an evaluation of archaeological potential and, where applicable, an archaeological assessment report completed by an archaeologist licensed by the Ministry of Citizenship & Multiculturlism (MCM). Policy 2.6 of the Provincial Policy Statement (PPS 2020) addresses archaeological resources. All work was conducted in conformity with Ontario Ministry of Tourism and Culture (MTC) Standards and Guidelines for Consultant Archaeologists (MTC 2011), the Ontario Heritage Act (RSO 1990a).

AMICK Consultants Limited was engaged by the proponent to undertake a Stage 1 Archaeological Background Study of lands potentially affected by the proposed undertaking and was granted permission to carry out archaeological fieldwork. The entirety of the study area was subject to a desktop assessment on 1 February 2022. All records and documentation related to the conduct and findings of these investigations are held at the Lakelands District corporate offices of AMICK Consultants Limited until such time that they can be transferred to an agency or institution approved by the Ontario Ministry of Citizenship & Multiculturalism (MCM) on behalf of the government and citizens of Ontario.

5.2 HISTORICAL CONTEXT

5.2.1 PRE-CONTACT LAND-USE OUTLINE

What follows is an outline of Aboriginal occupation in the area during the Pre-Contact Era from the earliest known period, about 9000 B.C. up to approximately 1650 AD.

5.2.1.1 PALEO-INDIAN PERIOD (APPROXIMATELY 9000-7500 B.C.)

North of Lake Ontario, evidence suggests that early occupation began around 9000 B.C. People probably began to move into this area as the glaciers retreated and glacial lake levels began to recede. The early occupation of the area probably occurred in conjunction with environmental conditions that would be comparable to modern Sub-Arctic conditions. Due to the great antiquity of these sites, and the relatively small populations likely involved,

evidence of these early inhabitants is sparse and generally limited to tools produced from stone or to by-products of the manufacture of these implements.

5.2.1.2 ARCHAIC PERIOD (APPROXIMATELY 8000-1000 B.C.)

By about 8000 B.C. the gradual transition from a post glacial tundra-like environment to an essentially modern environment was largely complete. Prior to European clearance of the landscape for timber and cultivation, the area was characterized by forest. The Archaic Period is the longest and the most apparently stable of the cultural periods identified through archaeology. The Archaic Period is divided into the Early, Middle and Late Sub-Periods, each represented by specific styles in projectile point manufacture. Many more sites of this period are found throughout Ontario, than of the Palaeo-Indian Period. This is probably a reflection of two factors: the longer period of time reflected in these sites, and a greater population density. The greater population was likely the result of a more diversified subsistence strategy carried out in an environment offering a greater variety of abundant resources (Smith 2002:58-59).

Current interpretations suggest that the Archaic Period populations followed a seasonal cycle of resource exploitation. Although similar in concept to the practices speculated for the big game hunters of the Palaeo-Indian Period, the Archaic populations utilized a much broader range of resources, particularly with respect to plants. It is suggested that in the spring and early summer, bands would gather at the mouths of rivers and at rapids to take advantage of fish spawning runs. Later in the summer and into the fall season, smaller groups would move to areas of wetlands to harvest nuts and wild rice. During the winter, they would break into yet smaller groups probably based on the nuclear family and perhaps some additional relatives to move into the interior for hunting. The result of such practices would be to create a distribution of sites across much of the landscape (Smith 2002: 59-60).

The material culture of this period is much more extensive than that of the Palaeo-Indians. Stylistic changes between Sub-Periods and cultural groups are apparent, although the overall quality in production of chipped lithic tools seems to decline. This period sees the introduction of ground stone technology in the form of celts (axes and adzes), manos and metates for grinding nuts and fibres, and decorative items like gorgets, pendants, birdstones, and bannerstones. Bone tools are also evident from this time period. Their presence may be a result of better preservation from these more recent sites rather than a lack of such items in earlier occupations. In addition, copper and exotic chert types appear during the period and are indicative of extensive trading (Smith 2002: 58-59).

5.2.1.3 WOODLAND PERIOD (APPROXIMATELY 1000 B.C.-1650 A.D.)

The primary difference in archaeological assemblages that differentiates the beginning of the Woodland Period from the Archaic Period is the introduction of ceramics to Ontario populations. This division is probably not a reflection of any substantive cultural changes, as the earliest sites of this period seem to be in all other respects a continuation of the Archaic mode of life with ceramics added as a novel technology. The seasonally based system of

resource exploitation and associated population mobility persists for at least 1500 years into the Woodland Period (Smith 2002: 61-62).

The Early Woodland Sub-Period dates from about 1000-400 B.C. Many of the artifacts from this time are similar to the late Archaic and suggest a direct cultural continuity between these two temporal divisions. The introduction of pottery represents an entirely new technology that was probably acquired through contact with more southerly populations from which it likely originates (Smith 2002:62).

The Middle Woodland Sub-Period dates from about 400 B.C.-800 A.D. Within the region including the study area, a complex emerged at this time termed “Point Peninsula”. Point Peninsula pottery reflects a greater sophistication in pottery manufacture compared with the earlier industry. The paste and temper of the new pottery is finer and new decorative techniques such as dentate and pseudo-scallop stamping appear. There is a noted Hopewellian influence in southern Ontario populations at this time. Hopewell influences from south of the Great Lakes include a widespread trade in exotic materials and the presence of distinct Hopewell style artifacts such as platform pipes, copper or silver panpipe covers and shark’s teeth. The populations of the Middle Woodland participated in a trade network that extended well beyond the Great Lakes Region.

The Late Woodland Sub-Period dates from about 500-1650 A.D. The Late Woodland includes four separate phases: Princess Point, Early Ontario Iroquoian, Middle Ontario Iroquoian and Late Ontario Iroquoian.

The Princess Point phase dates to approximately 500-1000 A.D. Pottery of this phase is distinguished from earlier technology in that it is produced by the paddle method instead of coil and the decoration is characterized by the cord wrapped stick technique. Ceramic smoking pipes appear at this time in noticeable quantities. Princess Point sites cluster along major stream valleys and wetland areas. Maize cultivation is introduced by these people to Ontario. These people were not fully committed to horticulture and seemed to be experimenting with maize production. They generally adhere to the seasonal pattern of occupation practiced by earlier occupations, perhaps staying at certain locales repeatedly and for a larger portion of each year (Smith 2002: 65-66).

The Early Ontario Iroquoian stage dates to approximately 950-1050 A.D. This stage marks the beginning of a cultural development that led to the historically documented Ontario Iroquoian groups that were first contacted by Europeans during the early 1600s (Petun, Neutral, and Huron). At this stage formal semi-sedentary villages emerge. The Early stage of this cultural development is divided into two cultural groups in southern Ontario. The areas occupied by each being roughly divided by the Niagara Escarpment. To the west were located the Glen Meyer populations, and to the east were situated the Pickering people (Smith 2002: 67).

The Middle Ontario Iroquoian stage dates to approximately 1300-1400 A.D. This stage is divided into two sub-stages. The first is the Uren sub-stage lasting from approximately 1300-

1350 A.D. The second of the two sub-stages is known as the Middleport sub-stage lasting from roughly 1350-1400 A.D. Villages tend to be larger throughout this stage than formerly (Smith 2002: 67).

The Late Ontario Iroquoian stage dates to approximately 1400-1650 A.D. During this time the cultural divisions identified by early European explorers are under development and the geographic distribution of these groups within southern Ontario begins to be defined.

5.2.2 GENERAL HISTORICAL OUTLINE

Essex County was among the first areas of Ontario to be settled. The original settlers were primarily disbanded French soldiers or former fur traders. Permanent settlement began on what was to become the Canadian side of the Detroit River in 1747, at this time these lands were largely inhabited by native peoples, both the Huron and the Ottawas had villages in the area (Connecting Windsor-Essex 2011).

Areas along Lake St. Clair and the Puce, Belle, and Ruscom rivers were originally occupied by the Huron and Wyandot First Nations. Some French colonists associated with Fort Detroit and the fur trade settled in this area in the 18th century. Their descendants are known as Fort Detroit French. They also came from Sandwich, where colonists had developed farms at what was known as Petite Côte, a bend in the Detroit River (Wikipedia 2019).

Sandwich was one of the original towns in Essex County and grew up across the river from the fort on the Detroit side. Although settlement had begun earlier the town of Sandwich was established in 1796 when the British gave up Detroit in accordance with the Jay Treaty. Many of the early settlers were Loyalists who chose to remain loyal to the crown and settled therefore on the Canadian side of the river. In 1845 an act to better define counties and townships in Ontario defined the Boundaries of the Township of Sandwich (Connecting Windsor-Essex 2011).

Map 2 is a facsimile segment of the Township of East and West Sandwich map reproduced from The Illustrated Historical Atlas of the County of Essex (Walker & Miles 1881). Map 2 illustrates the location of the study area and environs as of 1881. The study area is not shown to contain or be adjacent to any significant structures, and does not have a listed owner. Accordingly, it has been determined that there is potential for archaeological deposits related to early Post-contact settlement within the study area. In addition, this map illustrates an unnamed stream channel situated east of the study area. Recent maps show this stream channel as being unnamed.

It must be borne in mind that inclusion of names of property owners and depictions of structures and other features within properties on these maps were sold by subscription. Property owners paid to include information or details about their properties. While information included within these maps may provide information about the occupation of a property at a specific moment in time when the information was collected, the absence of such information does not necessarily indicate that the property was not occupied.

5.2.3 CURRENT CONDITIONS

The present use of the study area is beach. The study area is roughly 2.50 hectares in area. The study area includes within it two (2) buildings, two (2) structures, and various areas of asphalt, which form walking trails within the study area. The first of the two buildings is larger in size, in the shape of a crescent. The smaller building is located approximately 60 meters east and is rectangular. Additionally, two (2) freestanding structures are located on either side of the larger building, facing the shoreline. The shore of Lake St. Clair acts as the northern boundary of the study area, and Riverside Drive East defines the southern boundary. A plan of the study area is included within this report as Map 3. Current conditions encountered during the Stage 1 Property Assessment are illustrated in Maps 4 & 5.

5.2.4 SUMMARY OF HISTORICAL CONTEXT

The brief overview of readily available documentary evidence indicates that the study area is situated within an area that was well populated during the nineteenth century and therefore has potential for sites relating to early Post-contact settlement in the region. Background research indicates the property has potential for significant archaeological resources of Native origins based on proximity to a natural source of potable water in the past. There is an unnamed stream is located in close proximity to the study area. This stream is depicted on Map 2 Illustrated Historical Atlas of the Township of East and West Sandwich. (Walker & Miles 1881). The City of Windsor Archaeological Potential Map has been reproduced in this report as Map 6.

5.3 ARCHAEOLOGICAL CONTEXT

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

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

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

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

(MTC 2011: 126 Emphasis Added)

In accordance with data supplied by MCM for the purposes of completing this study, there are no previous reports detailing, *“archaeological fieldwork carried out on the lands to be impacted by this project”*, nor do any previous reports document known archaeological sites within 50 metres of the study area

The Standards and Guidelines for Consultant Archaeologists stipulates that the necessity to summarize the results of previous archaeological assessment reports, or to cite MCM File Numbers in references to other archaeological reports, is reserved for reports that are directly relevant to the fieldwork and recommendations for the study area (S & Gs 7.5.7, Standard 2, MTC 2011: 125). This is further refined and elaborated upon in Section 7.5.8, Standards 4 & 5, MTC 2011:

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

“5. If previous findings and recommendations are relevant to the current stage of work, provide the following:

- a. *a brief summary of previous findings and recommendations*
- b. *documentation of any differences in the current work from the previously recommended work*
- c. *rationale for the differences from the previously recommended work”*

(Emphasis Added)

There are no previous reports detailing that archaeological fieldwork has been carried out on the lands to be impacted by this project.

The study area is situated within an area subject to an archaeological master plan or a similar regional overview study. *The City of Windsor Archaeological Master Plan* was adopted by Council on 19 October, 2005 (CRM Group Limited et al., 2005). According to the plan:

Due to differences in approach, separate models were developed for Precontact Native settlement and historic period settlement. The Native model is based primarily on environmental and geomorphological criteria which would have influenced Native peoples relationship to the landscape. Although social factors have also been taken into consideration, these are difficult to re-create or interpret given both the time and cultural differences that separate the researcher from the people who lived here in the more distant past. The Euro- Canadian model, which includes the post-contact Native occupation, is based on known settlement locations drawn from historic mapping and other archival sources. The archaeological potential map created through the combination of the two models was subsequently screened to identify areas for which the physical landscape had been extensively modified or disturbed as a result of development. Since land that has been extensively disturbed retains little or no archaeological integrity, it was identified and excluded from the final archaeological potential map.

(CRM Group Limited et al., 2005: Executive Summary – 2)

Additionally, active archaeological sites were included in the modelling put forward by the plan (CRM Group Limited et al., 2005: Executive Summary – 2). The archaeological First Nations (“Native”) potential modelling considers soil type, glacial geomorphology, drainage and topography, proximity to water and aboriginal transportation networks (CRM Group Limited et al., 2005: Section 4.2). The Euro-Canadian site potential modelling considers historic maps and other historical documentation of settlement patterns, as well as the proximity to previously registered archaeological sites. The resulting potential map shows that the current study area is within an area of high composite archaeological potential.

It must be further noted that there are no relevant plaques associated with the study area, which would suggest an activity or occupation within, or in close proximity to, the study area that may indicate potential for associated archaeological resources of significant CHVI.

5.3.1 PRE-CONTACT REGISTERED SITES

A summary of registered and/or known archaeological sites within a 1-kilometre radius of the study area was gathered from the Archaeological Sites Database, administered by MCM. As a result it was determined that one (1) archaeological site relating directly to Pre-contact habitation/activity had been formally registered within the immediate vicinity of the study area. However, the lack of formally documented archaeological sites does not mean that Pre-contact people did not use the area; it more likely reflects a lack of systematic archaeological research in the immediate vicinity. Even in cases where one or more assessments may have been conducted in close proximity to a proposed landscape alteration, an extensive area of physical archaeological assessment coverage is required throughout the region to produce a representative sample of all potentially available archaeological data in order to provide any meaningful evidence to construct a pattern of land use and settlement in the past. All previously registered Pre-contact sites are briefly described below in Table 1:

TABLE 1 PRE-CONTACT SITES WITHIN 1KM

Site Name	Borden #	Site Type	Cultural Affiliation
Nicodemo-Dupuis	AbHr-19	camp / campsite	Pre-contact, Archaic, Woodland

None of the above noted archaeological sites are situated within 300 metres of the study area. Therefore, they have no impact on determinations of archaeological potential for further archaeological resources related to Pre-contact activity and occupation with respect to the archaeological assessment of the proposed undertaking.

Within the study area lies the shoreline of Lake St, Clair, which is a source of potable water and a navigable water way. The distance to water criteria used to establish potential for archaeological sites suggests potential for Pre-contact occupation and land use in the area in the past. There was an unnamed tributary stream in close proximity to the study area. This stream is depicted on Map 2 of this report. The presence of this unnamed stream prior to urban development in the vicinity of the study area indicates that there was potential for First Nations occupation and land use activities in the immediate vicinity in the past and therefore, there is potential for associated archaeological resources to be encountered within the study area. The City of Windsor Archaeological Potential Map has been reproduced in this report as Map 6.

Table 2 illustrates the chronological development of cultures within southern Ontario prior to the arrival of European cultures to the area at the beginning of the 17th century. This general cultural outline is based on archaeological data and represents a synthesis and summary of research over a long period of time. It is necessarily generalizing and is not necessarily representative of the point of view of all researchers or stakeholders. It is offered here as a rough guideline and as a very broad outline to illustrate the relationships of broad cultural groups and time periods.

TABLE 2 PRE-CONTACT CULTURAL CHRONOLOGY FOR SOUTHERN ONTARIO

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

5.3.2 POST-CONTACT REGISTERED SITES

A summary of registered and/or known archaeological sites within a 1-kilometre radius of the study area was gathered from the Archaeological Sites Database, administered by MCM. As a result it was determined that zero (0) archaeological sites relating directly to Post-contact habitation/activity had been formally registered within the immediate vicinity of the study area.

5.3.3 LOCATION AND CURRENT CONDITIONS

The study area is described as Sand Point Beach, 10300 Riverside Drive East, Windsor, Part of Lots 139, 140 & 141, Concession 1 (Geographic Township of East Sandwich, County of Essex), City of Windsor. The study area was subject to this assessment as a requirement under the Environmental Assessment Act (RSO 1990) and the Provincial Policy Statement (2020) as a component study of an Environmental Assessment (EA) for the proposed undertaking.

The present use of the study area is beach. The study area is roughly 2.50 hectares in area. The study area includes within it two (2) buildings, two (2) structures, and various areas of asphalt, which form walking trails within the study area. The first of the two buildings is larger in size, in the shape of a crescent. The smaller building is located approximately 60 meters east and is rectangular. Additionally, two (2) freestanding structures are located on either side of the larger building, facing the shoreline. The shore of Lake St. Clair acts as the northern boundary of the study area, and Riverside Drive East defines the southern boundary. A plan of the study area is included within this report as Map 3. Current conditions encountered during the Stage 1 Property Assessment are illustrated in Maps 4 & 5.

5.3.4 PHYSIOGRAPHIC REGION

The study area is within the St. Clair Clay Plains. The St. Clair clay plains cover 2, 270 square miles including the Counties of Essex, Kent and Lambton. The region has little relief varying between 575 and 700 feet a.s.l. in most areas. The counties of Lambton and Essex are till plains which have been smoothed by deposits of lacustrine clay which has settled in depressions as a result of glacial lakes Whittlesey and Warren which covered the whole area. A deep cover of overburden lies on the bedrock creating good conditions for vegetation (Chapman and Putnam 1984: 147-151).

5.3.5 SURFACE WATER

Sources of potable water, access to waterborne transportation routes, and resources associated with watersheds are each considered, both individually and collectively to be the highest criteria for determination of the potential of any location to support extended human activity, land use, or occupation. Accordingly, proximity to water is regarded as the primary indicator of archaeological resource potential. The Standards and Guidelines for Consultant

Archaeologists stipulates that undisturbed lands within 300 metres of a water source are considered to have archaeological potential (MTC 2011: 21).

An intermittent stream course is located southeast of the study area, flowing north to south. The study area is located approximately 280 metres northwest of this unnamed stream that is shown on the Illustrated Historical Atlas of the Township of East and West Sandwich. (Walker & Miles 1881).

5.3.6 CURRENT PROPERTY CONDITIONS CONTEXT

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

5.3.6.1 BUILDINGS AND STRUCTURAL FOOTPRINTS

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

The study area contains two (2) buildings and two (2) structures, located centrally. The first of the two buildings is larger in size, in the shape of a crescent. The smaller building is located approximately 60 meters east and is rectangular. Additionally, two (2) freestanding structures are located on either side of the larger building, facing the shoreline. Maps 4 & 5 of this report illustrate the locations of these features.

As a Property Inspection has not been undertaken as a component of this study, the presence of any structures and their respective influence on Stage 2 Property Assessment strategy must be confirmed through a Property Inspection undertaken by a licensed archaeologist before any apparent structural footprints can be deemed areas of deep prior disturbance of no

archaeological potential and/or are not accessible and/or are not viable to assess and can therefore, be excluded from Stage 2 Property Assessment.

5.3.6.2 DISTURBANCE

Areas that have been subjected to extensive and deep land alteration that has severely damaged the integrity of archaeological resources are known as land disturbances. Examples of land disturbances are areas of past quarrying, major landscaping, and sewage and infrastructure development (MTC 2011: 18), as well as driveways made of gravel or asphalt or concrete, in-ground pools, and wells or cisterns. Surfaces paved with interlocking brick, concrete, asphalt, gravel and other surfaces meant to support heavy loads or to be long wearing hard surfaces in high traffic areas, must be prepared by the excavation and removal of topsoil, grading, and the addition of aggregate material to ensure appropriate engineering values for the supporting matrix and also to ensure that the installations shed water to avoid flooding or moisture damage. All hard surfaced areas are prepared in this fashion and therefore have no or low archaeological potential. Major utility lines are conduits that provide services such as water, natural gas, hydro, communications, sewage, and others. These major installations should not be confused with minor below ground service installations not considered to represent significant disturbances removing archaeological potential, such as services leading to individual structures which tend to be comparatively very shallow and vary narrow corridors. Areas containing substantial and deeply buried services or clusters of below ground utilities are considered areas of disturbance and may be excluded from Stage 2 Property Assessment. Disturbed areas are excluded from Stage 2 Property Assessment due to no or low archaeological potential and often because they are also not viable to assess using conventional methodology.

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

(Goel 2013)

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

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

As a Property Inspection has not been undertaken as a component of this study, the presence of any disturbances must be confirmed through a Property Inspection undertaken by a licensed archaeologist before areas of deep prior disturbance where archaeological potential has been removed and/or where current conditions prohibit conventional assessment, can be deemed excluded from Stage 2 Property Assessment.

5.3.6.3 LOW-LYING AND WET AREAS

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

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

As a Property Inspection has not been undertaken as a component of this study, the presence of any low-lying wet areas must be confirmed through a Property Inspection undertaken by a licensed archaeologist before any low-lying wet areas can be deemed of low archaeological potential and/or not viable to assess and therefore, excluded from Stage 2 Property Assessment.

5.3.6.4 STEEP SLOPE

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

Generally, steep slopes are not assessed because steep slopes are interpreted to have low potential, not due to viability to assess, except in cases where the slope is severe enough to become a safety concern for archaeological field crews. In such cases, the Occupational Health and Safety Act takes precedence as indicated in the introduction to the Standards and Guidelines. AMICK Consultant Limited policy is to assess all slope areas whenever it is safe to do so. Assessment of slopes, except where safety concerns arise, eliminates the invariably subjective interpretation of what might constitute a steep slope in the field. This is done to

minimize delays due to conflicts in such interpretations and to increase the efficiency of review.

The study area does not contain areas of steep slope.

As a Property Inspection has not been undertaken as a component of this study, the presence of any potential steep slopes must be confirmed through a Property Inspection undertaken by a licensed archaeologist before any slope areas can be deemed too steep to assess or too steep to have archaeological potential and therefore be excluded from Stage 2 Property Assessment.

5.3.6.5 WOODED AREAS

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

The study area does not contain any wooded areas.

5.3.6.6 PLOUGHABLE AGRICULTURAL LANDS

Areas of current or former agricultural lands that have been ploughed in the past are considered ploughable agricultural lands. Ploughing these lands regularly turns the soil, which in turn brings previously buried artifacts to the surface, which are then easily identified during visual inspection. Furthermore, by allowing the ploughed area to weather sufficiently through rainfall, soil is washed off of exposed artifacts at the surface and the visibility of artifacts at the surface of recently worked field areas is enhanced markedly. Pedestrian survey of ploughed agricultural lands is the preferred method of physical assessment because of the greater potential for finding evidence of archaeological resources if present.

The study area does not contain any ploughable lands.

5.3.6.7 LAWN, PASTURE, MEADOW

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

The study area contains areas of lawn, stretching from west to east along the south boundary of the study area; this lawn area is disturbed centrally by areas of asphalt and existing structures, with sand beach encroaching from the northern boundary. Maps 4 & 5 of this report illustrate the locations of these features.

5.3.7 SUMMARY

Background research indicates the vicinity of the study area has potential for archaeological resources of Native origins based on proximity to a source of potable water that was also used as a means of waterborne trade and communication. Background research also suggests potential for archaeological resources of Post-contact origins based on proximity to areas of documented historic settlement.

Current conditions within the study area indicate that some areas of the property may have no or low archaeological potential and do not require Stage 2 Property Assessment or should be excluded from Stage 2 Property Assessment. These areas would include the footprint of existing structures and areas under pavement. A significant proportion of the study area does exhibit archaeological potential and therefore a Stage 2 Property Assessment is required.

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

6.0 PROPERTY INSPECTION

A property inspection or field reconnaissance is not required as part of a Stage 1 Background Study unless there is reason to believe that portions of the study area may be excluded from physical assessment on the basis of the conditions of the property or portions thereof and it is desired by the proponent to formally exclude any such areas from a Stage 2 Property Assessment. As this study was undertaken during winter conditions, a Stage 1 Property Inspection was not viable. Therefore, no part of the study area may be excluded from the Stage 2 Property Assessment. The Stage 1 Property Inspection will have to be undertaken concurrently with the Stage 2 Property Assessment.

7.0 ANALYSIS AND CONCLUSIONS

AMICK Consultants Limited was engaged by the proponent to undertake a Stage 1 Archaeological Assessment of lands potentially affected by the proposed undertaking and was granted permission to carry out archaeological fieldwork. The field reconnaissance component of a Stage 1 is optional. Accordingly, a Winter Work Strategy was employed to limit the archaeological investigation to a desktop study only and to defer any necessary fieldwork until the spring. The study area was subject to a desktop assessment on 8 February 2022. All records, documentation, field notes, photographs and artifacts (as applicable) related to the conduct and findings of these investigations are held at the Lakelands District

corporate offices of AMICK Consultants Limited until such time that they can be transferred to an agency or institution approved by the Ontario Ministry of Citizenship & Multiculturalism (MCM) on behalf of the government and citizens of Ontario.

7.1 STAGE 1 ANALYSIS AND CONCLUSIONS

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

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

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

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

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

- “ - *previously identified archaeological sites*
 - *water sources (It is important to distinguish types of water and shoreline, and to distinguish natural from artificial water sources, as these features affect site locations and types to varying degrees.):*
 - *primary water sources (lakes, rivers, streams, creeks)*
 - *secondary water sources (intermittent streams and creeks, springs, marshes, swamps)*
 - *features indicating past water sources (e.g., glacial lake shorelines indicated by the presence of raised sand or gravel beach ridges, relic river or stream channels indicated by clear dip or swale in the topography, shorelines of drained lakes or marshes, cobble beaches)*
 - *accessible or inaccessible shoreline (e.g., high bluffs, swamp or marsh fields by the edge of a lake, sandbars stretching into marsh)*
 - *elevated topography (e.g., eskers, drumlins, large knolls, plateaux)*
 - *pockets of well-drained sandy soil, especially near areas of heavy soil or rocky ground*
 - *distinctive land formations that might have been special or spiritual places, such as waterfalls, rock outcrops, caverns, mounds, and promontories and their bases. There may be physical indicators of their use, such as burials, structures, offerings, rock paintings or carvings.*
 - *resource areas, including:*

- food or medicinal plants (e.g., migratory routes, spawning areas, prairie)
- scarce raw materials (e.g., quartz, copper, ochre or outcrops of chert)
- early Post-contact industry (e.g., fur trade, logging, prospecting, mining)
- areas of early Post-contact settlement. These include places of early military or pioneer settlement (e.g., pioneer homesteads, isolated cabins, farmstead complexes), early wharf or dock complexes, pioneer churches and early cemeteries. There may be commemorative markers of their history, such as local, provincial, or federal monuments or heritage parks.
- Early historical transportation routes (e.g., trails, passes, roads, railways, portage routes)
- property listed on a municipal register or designated under the Ontario Heritage Actor that is a federal, provincial or municipal historic landmark or site
- property that local histories or informants have identified with possible archaeological sties, historical events, activities, or occupations”

(MTC 2011: 17-18)

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

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

(MCC & MOE 1992: 6-7)

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

(MTC 2011: 17)

In addition, archaeological sites data is also used to determine if any archaeological resources had been formerly documented within or in close proximity to the study area and if these same resources might be subject to impacts from the proposed undertaking. This data was also collected in order to establish the relative cultural heritage value or interest of any resources that might be encountered during the conduct of the present study. For example, the relative rarity of a site can be used to assign an elevated level of cultural heritage value or interest to a site that is atypical for the immediate vicinity. The requisite archaeological sites data of previously registered archaeological sites was collected from the Programs and Services Branch, Culture Programs Unit, MCM and the corporate research library of AMICK Consultants Limited. The Stage 1 Background Research methodology also includes a review of the most detailed available topographic maps, historical settlement maps, archaeological

management plans (where applicable) and commemorative plaques or monuments. When previous archaeological research documents lands to be impacted by the proposed undertaking or archaeological sites within 50 metres of the study area, the reports documenting this earlier work are reviewed for pertinent information. AMICK Consultants Limited will often modify this basic methodology based on professional judgment to include additional research (such as, local historical works or documents and knowledgeable informants).

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

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

CHARACTERISTICS INDICATING ARCHAEOLOGICAL POTENTIAL

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

- 1) *Previously Identified Archaeological Sites*

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

- 2) *Water Sources*

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

There are identified primary water sources within 300 metres of the study area. The shore of lake St. Clair falls within the northern boundary of the study area.

Secondary water sources are described as including intermittent streams and creeks, springs, marshes, and swamps. Close proximity (300 metres) to secondary water sources indicates that people had access to readily available sources of potable water,

at least on a seasonal basis, and in some cases seasonal access to routes of waterborne trade and communication should the study area have been used or occupied in the past.

There is one (1) identified secondary water source within 300 metres of the study area. This unnamed stream is located approximately 280m southeast of the study area.

3) *Features Indicating Past Water Sources*

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

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

4) *Accessible or Inaccessible Shoreline*

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

There are shorelines within 300 metres of the study area. The shore of lake St. Clair falls within the northern boundary of the study area, which provides a means of waterborne trade and communication, as well as a potable water source.

5) *Elevated Topography*

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

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

6) *Pockets of Well-drained Sandy Soil*

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

As a Property Inspection has not been undertaken as a component of this study, the presence of any potential steep slopes must be confirmed through a Property Inspection undertaken by a licensed archaeologist before any slope areas can be deemed too steep to assess or too steep to have archaeological potential and therefore be excluded from Stage 2 Property Assessment.

7) *Distinctive Land Formations*

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

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

8) Resource Areas

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

There are no identified resource areas within the study area.

9) Areas of Early Post-contact Settlement

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

The study area is not situated in close proximity to any historic structures identified on the historic atlas map.

10) Early Historical Transportation Routes

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

The study area is not situated within 100 metres of any early settlement roads or railway lines. The property is situated within 300 metres of a body of water that was used for waterborne trade and communication.

11) Heritage Property

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

There is one (1) listed heritage building or property that is adjacent to the study area. Located at 10150 Riverside Drive East, this former distillery was built in 1928 by design of Albert J. Lothian. Home to Monarch Liqueurs, this building was registered as heritage property by the City of Windsor (Windsor Architectural Conservation Advisory Committee, 2021).

12) Documented Historical or Archaeological Sites

This includes property that local histories or informants have identified with possible archaeological sites, historical events, activities, or occupations. These are properties which have not necessarily been formally recognized or for which there is additional

evidence identifying possible archaeological resources associated with historic properties in addition to the rationale for formal recognition.

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

CHARACTERISTICS INDICATING REMOVAL OF ARCHAEOLOGICAL POTENTIAL

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

The introduction of Section 1.3.2 (MTC 2011: 18) notes that “*Archaeological potential can be determined not to be present for either the entire property or a part(s) of it when the area under consideration has been subject to extensive and deep land alterations that have severely damaged the integrity of any archaeological resources. This is commonly referred to as ‘disturbed’ or ‘disturbance’, and may include:*”

1) Quarrying

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

2) Major Landscaping Involving Grading Below Topsoil

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

There is evidence to suggest that major landscaping operations involving grading below topsoil were ever carried out within the study area. Surfaces paved with interlocking brick, concrete, asphalt, gravel and other surfaces meant to support heavy loads or to be long wearing hard surfaces in high traffic areas, must be prepared by the excavation and removal of topsoil, grading, and the addition of aggregate material to ensure appropriate engineering values for the supporting matrix and also to ensure that the installations shed water to avoid flooding or moisture damage. All hard

surfaced areas are prepared in this fashion and therefore have no or low archaeological potential. Disturbed areas are excluded from Stage 2 Property Assessment due to no or low archaeological potential and often because they are also not viable to assess using conventional methodology.

3) *Building Footprints*

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

There are two (2) buildings within the study area, located centrally.

4) *Sewage and Infrastructure Development*

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

There is evidence to suggest that substantial below ground services of any kind have resulted in significant impacts to any significant portion of the study area. Major utility lines are conduits that provide services such as water, natural gas, hydro, communications, sewage, and others. These major installations should not be confused with minor below ground service installations not considered to represent significant disturbances removing archaeological potential, such as services leading to individual structures which tend to be comparatively very shallow and vary narrow corridors. Areas containing substantial and deeply buried services or clusters of below ground utilities are considered areas of disturbance, and may be excluded from Stage 2 Property Assessment.

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

(MTC 2011: 18)

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

(MTC 2011: 18)

SUMMARY

Table 3 below summarizes the evaluation criteria of the Ministry of Citizenship & Multiculturalism (MCM) together with the results of the Stage 1 Background Study for the proposed undertaking. Based on the criteria, the property is deemed to have archaeological potential on the basis of proximity to water.

TABLE 3 EVALUATION OF ARCHAEOLOGICAL POTENTIAL

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

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

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

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

8.0 RECOMMENDATIONS

8.1 STAGE 1 RECOMMENDATIONS

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

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

STAGE 1 RECOMMENDATIONS:

The study area has been identified as a property that exhibits potential to yield archaeological deposits of Cultural Heritage Value or Interest (CHVI). The objectives of the Stage 1 Background Study have therefore been met and in accordance with the results of this investigation, the following recommendations are made:

1. *Further archaeological assessment of the study area is warranted;*
2. *The proposed undertaking has a potential for archaeological resources and a Stage 2 Archaeological Assessment is recommended;*
3. *No soil disturbances or removal of vegetation shall take place within the study area prior to the acceptance of a report recommending that all archaeological concerns for the study area have been addressed and that no further archaeological studies are warranted into the Provincial Registry of Archaeological reports maintained by MCM;*

9.0 ADVICE ON COMPLIANCE WITH LEGISLATION

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

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

10.0 BIBLIOGRAPHY AND SOURCES

Chapman, L.J. & D.F. Putnam. (1984). *The Physiography of Southern Ontario (Third Edition)*. Ontario Geological Survey, Special Report #2. Ontario Ministry of Natural Resources, Toronto.

Connecting Windsor-Essex (2011) *Early History of Essex County*. URL: <http://www.windsor-essex.info/wps/wcm/connect/COE/COE/ABOUT+ESSEX+COUNTY/History+of+Essex+County/Early+History+of+Essex+County+%281792+-+1924%29/>, as of October 18, 2011.

Cultural Resource Management Group Limited, Fisher Archaeological Consulting, Historic Horizon Inc., and Dillon Consulting Limited. (2005). *The City of Windsor Archaeological Master Plan Study Report for the City of Windsor*. The City of Windsor Planning & Building Services Department (Planning Division), Windsor Ontario. Retrieved 1 June, 2020 from URL <https://www.citywindsor.ca/residents/planning/Plans-and-Community-Information/Know-Your-Community/Heritage-Planning/Pages/Windsor-Archaeological-Master-Plan.aspx>

Esri (2019). “Topographic” [basemap]. Scale Not Given. “World Topographic Map.” February 16, 2021. <http://www.arcgis.com/home/item.html?id=30e5fe3149c34df1ba922e6f5bbf808f> (February 16, 2021).

Goel, Tarun (2013). Road Construction: History and Procedure. Bright Hub Engineering. Retrieved 24 May 2015 from URL: <http://www.brighthubengineering.com/structural-engineering/59665-road-construction-history-and-procedure/>

Google Earth (Version 7.3.3.7786) [Software]. (2016). Available from <http://www.google.com/earth/index.html>.

Ontario Heritage Act, RSO 1990a, Government of Ontario. (Queen’s Printer, Toronto).

Ontario Heritage Amendment Act, SO 2005, Government of Ontario. (Queen’s Printer, Toronto).

Ontario Ministry of Citizenship, Culture and Recreation (OMCzCR). (1993). *Archaeological Assessment Technical Guidelines, Stages 1-3 and Reporting Format*. (Queen’s Printer for Ontario 1993)

Ontario Ministry of Culture (MCL). (2005). *Conserving a Future for Our Past: Archaeology, Land Use Planning & Development in Ontario (An Educational Primer and Comprehensive Guide for Non-Specialists)*. (Heritage & Libraries Branch, Heritage Operations Unit: Toronto).

Ontario Ministry of Culture and Communications (MCC) & Ministry of Environment (MOE). (1992). *Guideline for Preparing the Cultural Heritage Resource Component of Environmental Assessments*. (Cultural Programs Branch, Archaeology and Heritage Planning: Toronto).

Ontario Ministry of Tourism and Culture (MTC). (2011). *Standards and Guidelines for Consultant Archaeologist*. (Programs and Services Branch: Culture Programs Unit, Toronto).

Ontario Planning Act, RSO 1990b, Government of Ontario. (Queen’s Printer, Toronto).

Provincial Policy Statement (2020). Government of Ontario. (Queen’s Printer, Toronto).

**ORIGINAL 06 Decemeber 2022 Stage 1 Archaeolglcal Background Study of Sand Point Beach,
10300 Riverside Dr. E., Windsor, Part of Lots 139, 140 & 141, Concession 1 (Geographic Township of East
Sandwich, County of Essex), City of Windsor. (AMICK File #2022-654 /MCM File # P058-2079-2022)**

Walker & Miles. (1881). *Illustrated Historical Atlas of the Township of East and West Sandwich, Ont.* Walker & Miles: Toronto.

Windsor Architectural Conservation Advisory Committee. (2021, December 21). *Windsor Municipal Register December 21, 2021*. City of Windsor. Retrieved February 9, 2022, from <https://www.citywindsor.ca/residents/planning/Plans-and-Community-Information/Know-Your-Community/Heritage-Planning/Documents/Municipal%20Register%202021-01-20.pdf>

Wright, J.V. (1972). *Ontario Prehistory: an Eleven-thousand-year Archaeological Outline*. Archaeological Survey of Canada. National Museum of Man, Ottawa.

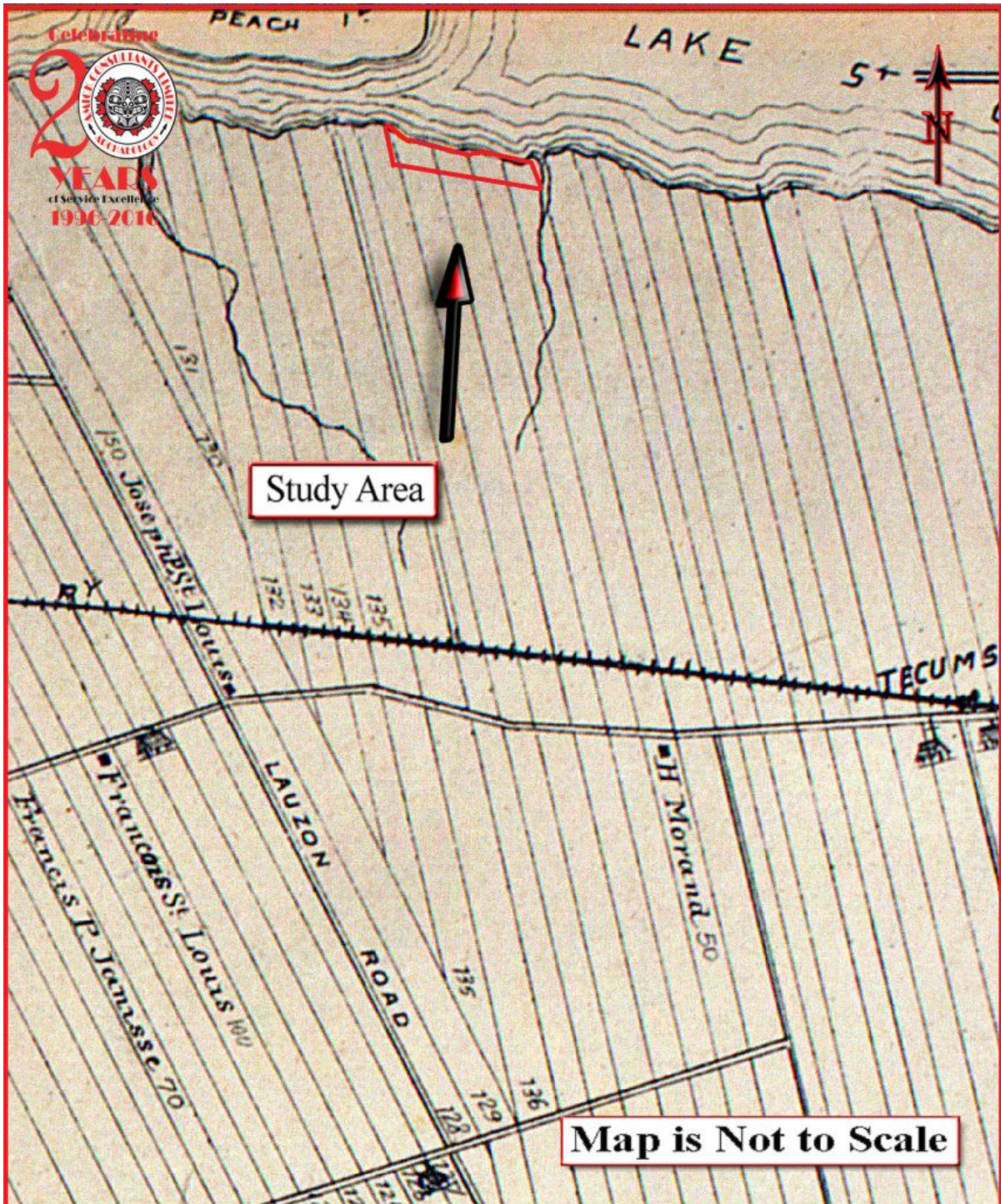
2011 Early History of Essex County. URL: <http://www.windsor-essex.info/wps/wcm/connect/COE/COE/ABOUT+ESSEX+COUNTY/History+of+Essex+County/Early+History+of+Essex+County+%281792+-+1924%29/>, as of October 18, 2011.

11.0 MAPS



MAP 1 LOCATION OF THE STUDY AREA (ESRI 2019)

ORIGINAL 06 Decemeber 2022 Stage 1 Archaeolgal Background Study of Sand Point Beach, 10300 Riverside Dr. E., Windsor, Part of Lots 139, 140 & 141, Concession 1 (Geographic Township of East Sandwich, County of Essex), City of Windsor. (AMICK File #2022-654 /MCM File # P058-2079-2022)



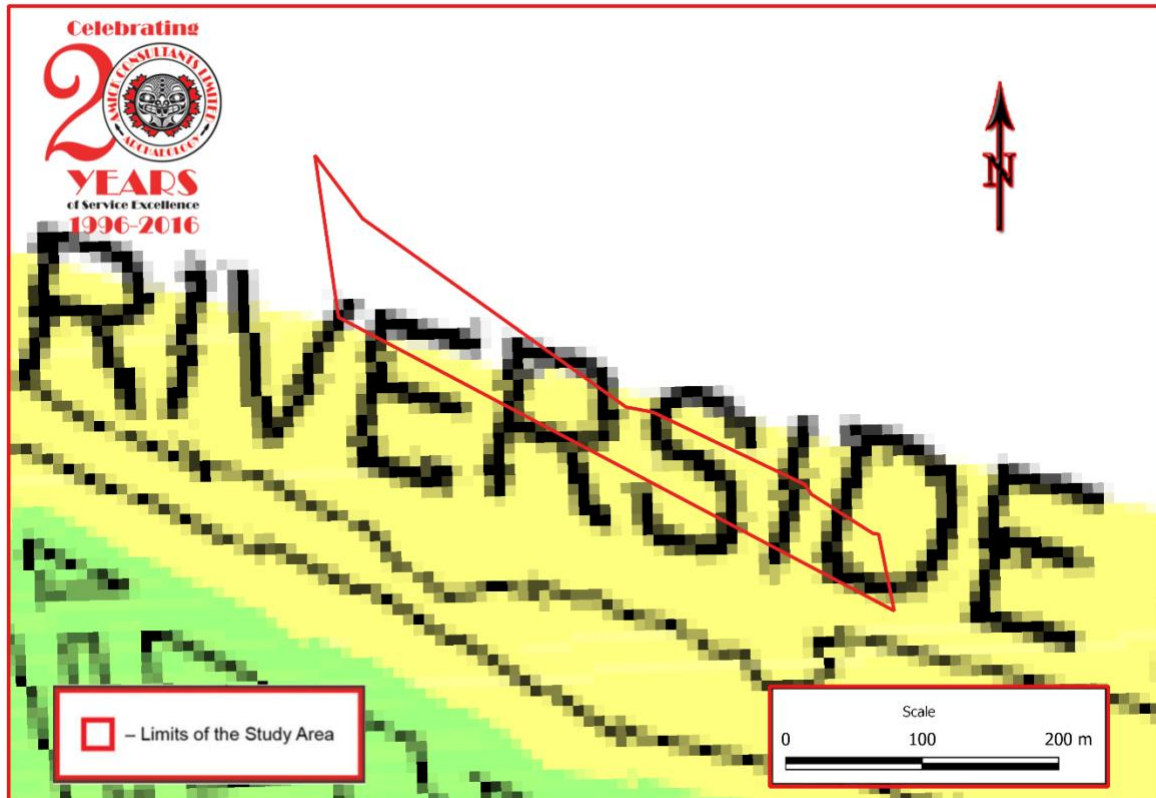
MAP 2 FACSIMILE SEGMENT OF THE HISTORIC ATLAS MAP OF THE TOWNSHIP OF EAST AND WEST SANDWICH (WALKER & MILES 1881)

MAP 3 PLAN OF SURVEY (YOUNG & YOUNG SURVEYORS INC. 2015)



MAP 4 AERIAL PHOTO OF THE STUDY AREA (GOOGLE EARTH 2016)

MAP 5 DETAILED PLAN OF THE STUDY AREA



MAP 6 SEGMENT OF THE CITY OF WINDSOR ARCHAEOLOGICAL POTENTIAL MAP



ORIGINAL 06 DECEMBER2022

STAGE 2 ARCHAEOLOGICAL ASSESSMENT

*10300 Riverside Drive East, Part of Lot 139, 140 & 141, Concession 1
(Geographic Township of East Sandwich, County of Essex), City of Windsor
(AMICK Corporate File #2022-655/MCM File #P058-2108-2022)*

SUBMITTED TO:

Ontario Ministry of Citizenship & Multiculturalism
(MCM)

SUBMITTED BY:

AMICK Consultants Limited
Southwestern District Office
237 Sanders Street East
Exeter, ON N0M 1S1
Phone: (519) 432-4435
Email: mhenry@amick.ca
www.amick.ca

LICENSEE:

Michael B. Henry CD BA FRAI FRSA (P058)

MCM FILE NUMBER: P058-2108-2022

CORPORATE PROJECT NUMBER: 2022-655

06 DECEMBER2022

TABLE OF CONTENTS

1.0 PROJECT CONTEXT	4
2.0 FIELD WORK METHODS AND WEATHER CONDITIONS	13
3.0 RECORD OF FINDS	14
4.0 ANALYSIS AND CONCLUSIONS	13
5.0 RECOMMENDATIONS	17
6.0 ADVICE ON COMPLIANCE WITH LEGISLATION	17
WORKS CITED	19
MAPS	20
IMAGES	24

PROJECT PERSONNEL

AMICK CONSULTANTS LIMITED PARTNERS

Michael Henry (MCM Professional Archaeologist Licence #P058)

Marilyn Cornies (MCM Professional Archaeologist Licence #P038)

AMICK CONSULTANTS LIMITED BUSINESS MANAGER

Melissa Maclean BBA email mmaclean@amick.ca

PROJECT COORDINATOR

Marilyn Cornies (MCM Professional Archaeologist Licence #P038)

PROJECT LICENSEE ARCHAEOLOGIST

Michael Henry (MCM Professional Archaeologist Licence #P058)

PROJECT FIELD DIRECTORS

Alex Cassidy-Neumiller (MCM Applied Research Archaeologist Licence #R1311)

PROJECT FIELD ASSISTANTS

Cameron Davenport

Kathleen MacLeod Kerr

Shannon Rayner

PROJECT REPORT PREPARATION & GRAPHICS

Olivia Vieira

PROJECT PHOTOGRAPHY

Alex Cassidy-Neumiller (MCM Applied Research Archaeologist Licence #R1311)

EXECUTIVE SUMMARY

This report describes the results of the 2022 Stage 2 Archaeological Property Assessment of 10300 Riverside Drive East, Windsor, Part of Lots 139, 140 & 141, Concession 1 (Geographic Township of East Sandwich, County of Essex), City of Windsor, conducted by AMICK Consultants Limited. This assessment was undertaken as a requirement under the Planning Act (RSO 1990) and was conducted under Professional Archaeologist License #P058 issued to Michael Henry by the Minister of Citizenship & Multiculturalism (MCM) for the Province of Ontario. All work was conducted in conformity with Ontario Ministry of Tourism and Culture (MTC) Standards and Guidelines for Consultant Archaeologists (MTC 2011) and the Ontario Heritage Act (RSO 1990a).

The entirety of the study area is approximately 2.5 hectares (ha) in area and includes within it mostly lawn. The study area is bounded on the north by Lake St. Clair, on the east by the beach, on the south by Riverside Dr E and on the west by beach and existing commercial development. AMICK Consultants Limited was engaged by the proponent to undertake a Stage 2 Archaeological Property Assessment of lands potentially affected by the proposed undertaking and was granted permission to carry out archaeological fieldwork. Following the criteria outlined by MCM (2011) for determining archaeological potential, portions of the study area were determined as having archaeological potential for Pre-contact archaeological resources. Consequently, this report is being prepared in advance of the planning process for this property.

The entirety of the study area was subject to property inspection and photographic documentation concurrently with the Stage 2 Property Assessment which consisted of high intensity test pit methodology at a five-metre interval between individual test pits, test pit survey at a ten-metre interval to confirm disturbance on 25 May 2022. All records, documentation, field notes, photographs, and artifacts (as applicable) related to the conduct and findings of these investigations are held at the Lakelands District corporate offices of AMICK Consultants Limited until such time that they can be transferred to an agency or institution approved by the MCM on behalf of the government and citizens of Ontario.

As a result of the Stage 2 Property Assessment of the study area, no archaeological resources were encountered. Consequently, the following recommendations are made:

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

1.0 PROJECT CONTEXT

1.1 DEVELOPMENT CONTEXT

This report describes the results of the 2022 Stage 2 Archaeological Property Assessment of 10300 Riverside Drive East, Windsor, Part of Lots 139, 140 & 141, Concession 1 (Geographic Township of East Sandwich, County of Essex), City of Windsor, conducted by AMICK Consultants Limited. This assessment was undertaken as a requirement under the Planning Act (RSO 1990) and was conducted under Professional Archaeologist License #P058 issued to Michael Henry by the Minister of Citizenship & Multiculturalism (MCM) for the Province of Ontario. All work was conducted in conformity with Ontario Ministry of Tourism and Culture (MTC) Standards and Guidelines for Consultant Archaeologists (MTC 2011) and the Ontario Heritage Act (RSO 1990a).

The entirety of the study area is approximately 2.5 hectares (ha) in area and includes within it mostly lawn. The study area is bounded on the north by Lake St. Clair, on the east by the beach, on the south by Riverside Dr E and on the west by beach and existing commercial development. AMICK Consultants Limited was engaged by the proponent to undertake a Stage 2 Archaeological Property Assessment of lands potentially affected by the proposed undertaking and was granted permission to carry out archaeological fieldwork. Following the criteria outlined by MCM (2011) for determining archaeological potential, portions of the study area were determined as having archaeological potential for Pre-contact archaeological resources. Consequently, this report is being prepared in advance of the planning process for this property.

The entirety of the study area was subject to property inspection and photographic documentation concurrently with the Stage 2 Property Assessment which consisted of high intensity test pit methodology at a five-metre interval between individual test pits, test pit survey at a ten-metre interval to confirm disturbance on 25 May 2022. All records, documentation, field notes, photographs, and artifacts (as applicable) related to the conduct and findings of these investigations are held at the Lakelands District corporate offices of AMICK Consultants Limited until such time that they can be transferred to an agency or institution approved by the MCM on behalf of the government and citizens of Ontario.

A preliminary plan of the proposed development has been submitted together with this report to MCM for review and reproduced within this report as Map 3.

1.2 HISTORICAL CONTEXT

1.2.1 PRE-CONTACT LAND-USE OUTLINE

Table 1 illustrates the chronological development of cultures within southern Ontario prior to the arrival of European cultures to the area at the beginning of the 17th century. This general cultural outline is based on archaeological data and represents a synthesis and summary of

research over a long period of time. It is necessarily generalizing and is not necessarily representative of the point of view of all researchers or stakeholders. It is offered here as a rough guideline and as a very broad outline to illustrate the relationships of broad cultural groups and time periods.

TABLE 1 PRE-CONTACT CULTURAL CHRONOLOGY FOR SOUTHERN ONTARIO

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

What follows is an outline of Aboriginal occupation in the area during the Pre-Contact Era from the earliest known period, about 9000 B.C. up to approximately 1650 AD.

1.2.1.1 PALEO-INDIAN PERIOD (APPROXIMATELY 9000-7500 B.C.)

North of Lake Ontario, evidence suggests that early occupation began around 9000 B.C. People probably began to move into this area as the glaciers retreated and glacial lake levels began to recede. The early occupation of the area probably occurred in conjunction with environmental conditions that would be comparable to modern Sub-Arctic conditions. Due to the great antiquity of these sites, and the relatively small populations likely involved, evidence of these early inhabitants is sparse and generally limited to tools produced from stone or to by-products of the manufacture of these implements.

1.2.1.2 ARCHAIC PERIOD (APPROXIMATELY 8000-1000 B.C.)

By about 8000 B.C. the gradual transition from a post glacial tundra-like environment to an essentially modern environment was largely complete. Prior to European clearance of the landscape for timber and cultivation, the area was characterized by forest. The Archaic Period is the longest and the most apparently stable of the cultural periods identified through archaeology. The Archaic Period is divided into the Early, Middle and Late Sub-Periods, each represented by specific styles in projectile point manufacture. Many more sites of this period are found throughout Ontario, than of the Palaeo-Indian Period. This is probably a reflection of two factors: the longer period of time reflected in these sites, and a greater population density. The greater population was likely the result of a more diversified subsistence strategy carried out in an environment offering a greater variety of abundant resources (Smith 2002:58-59).

Current interpretations suggest that the Archaic Period populations followed a seasonal cycle of resource exploitation. Although similar in concept to the practices speculated for the big game hunters of the Palaeo-Indian Period, the Archaic populations utilized a much broader range of resources, particularly with respect to plants. It is suggested that in the spring and early summer, bands would gather at the mouths of rivers and at rapids to take advantage of fish spawning runs. Later in the summer and into the fall season, smaller groups would move to areas of wetlands to harvest nuts and wild rice. During the winter, they would break into yet smaller groups probably based on the nuclear family and perhaps some additional relatives to move into the interior for hunting. The result of such practices would be to create a distribution of sites across much of the landscape (Smith 2002: 59-60).

The material culture of this period is much more extensive than that of the Palaeo-Indians. Stylistic changes between Sub-Periods and cultural groups are apparent, although the overall quality in production of chipped lithic tools seems to decline. This period sees the introduction of ground stone technology in the form of celts (axes and adzes), manos and metates for grinding nuts and fibres, and decorative items like gorgets, pendants, birdstones, and bannerstones. Bone tools are also evident from this time period. Their presence may be a result of better preservation from these more recent sites rather than a lack of such items in earlier occupations. In addition, copper and exotic chert types appear during the period and are indicative of extensive trading (Smith 2002: 58-59).

1.2.1.3 WOODLAND PERIOD (APPROXIMATELY 1000 B.C.-1650 A.D.)

The primary difference in archaeological assemblages that differentiates the beginning of the Woodland Period from the Archaic Period is the introduction of ceramics to Ontario populations. This division is probably not a reflection of any substantive cultural changes, as the earliest sites of this period seem to be in all other respects a continuation of the Archaic mode of life with ceramics added as a novel technology. The seasonally based system of resource exploitation and associated population mobility persists for at least 1500 years into the Woodland Period (Smith 2002: 61-62).

The Early Woodland Sub-Period dates from about 1000-400 B.C. Many of the artifacts from this time are similar to the late Archaic and suggest a direct cultural continuity between these two temporal divisions. The introduction of pottery represents an entirely new technology that was probably acquired through contact with more southerly populations from which it likely originates (Smith 2002:62).

The Middle Woodland Sub-Period dates from about 400 B.C.-800 A.D. Within the region including the study area, a complex emerged at this time termed "Point Peninsula." Point Peninsula pottery reflects a greater sophistication in pottery manufacture compared with the earlier industry. The paste and temper of the new pottery is finer and new decorative techniques such as dentate and pseudo-scallop stamping appear. There is a noted Hopewellian influence in southern Ontario populations at this time. Hopewell influences from south of the Great Lakes include a widespread trade in exotic materials and the presence of distinct Hopewell style artifacts such as platform pipes, copper or silver panpipe

covers and shark's teeth. The populations of the Middle Woodland participated in a trade network that extended well beyond the Great Lakes Region.

The Late Woodland Sub-Period dates from about 500-1650 A.D. The Late Woodland includes four separate phases: Princess Point, Early Ontario Iroquoian, Middle Ontario Iroquoian and Late Ontario Iroquoian.

The Princess Point phase dates to approximately 500-1000 A.D. Pottery of this phase is distinguished from earlier technology in that it is produced by the paddle method instead of coil and the decoration is characterized by the cord wrapped stick technique. Ceramic smoking pipes appear at this time in noticeable quantities. Princess Point sites cluster along major stream valleys and wetland areas. Maize cultivation is introduced by these people to Ontario. These people were not fully committed to horticulture and seemed to be experimenting with maize production. They generally adhere to the seasonal pattern of occupation practiced by earlier occupations, perhaps staying at certain locales repeatedly and for a larger portion of each year (Smith 2002: 65-66).

The Early Ontario Iroquoian stage dates to approximately 950-1050 A.D. This stage marks the beginning of a cultural development that led to the historically documented Ontario Iroquoian groups that were first contacted by Europeans during the early 1600s (Petun, Neutral, and Huron). At this stage formal semi-sedentary villages emerge. The Early stage of this cultural development is divided into two cultural groups in southern Ontario. The areas occupied by each being roughly divided by the Niagara Escarpment. To the west were located the Glen Meyer populations, and to the east were situated the Pickering people (Smith 2002: 67).

The Middle Ontario Iroquoian stage dates to approximately 1300-1400 A.D. This stage is divided into two sub-stages. The first is the Uren sub-stage lasting from approximately 1300-1350 A.D. The second of the two sub-stages is known as the Middleport sub-stage lasting from roughly 1350-1400 A.D. Villages tend to be larger throughout this stage than formerly (Smith 2002: 67).

The Late Ontario Iroquoian stage dates to approximately 1400-1650 A.D. During this time the cultural divisions identified by early European explorers are under development and the geographic distribution of these groups within southern Ontario begins to be defined.

1.2.2 POST-CONTACT LAND USE OUTLINE

Essex County was among the first areas of Ontario to be settled. The original settlers were primarily disbanded French soldiers or former fur traders. Permanent settlement began on what was to become the Canadian side of the Detroit River in 1747, at this time these lands were largely inhabited by native peoples, both the Huron and the Ottawas had villages in the area (Connecting Windsor-Essex 2011).

Areas along Lake St. Clair and the Puce, Belle, and Ruscom rivers were originally occupied by the Huron and Wyandot First Nations. Some French colonists associated with Fort Detroit

and the fur trade settled in this area in the 18th century. Their descendants are known as Fort Detroit French. They also came from Sandwich, where colonists had developed farms at what was known as Petite Côte, a bend in the Detroit River (Wikipedia 2019).

Sandwich was one of the original towns in Essex County and grew up across the river from the fort on the Detroit side. Although settlement had begun earlier the town of Sandwich was established in 1796 when the British gave up Detroit in accordance with the Jay Treaty. Many of the early settlers were Loyalists who chose to remain loyal to the crown and settled therefore on the Canadian side of the river. In 1845 an act to better define counties and townships in Ontario defined the Boundaries of the Township of Sandwich (Connecting Windsor-Essex 2011).

Map 2 is a facsimile segment of the Township of East and West Sandwich map reproduced from The Illustrated Historical Atlas of the County of Essex (Walker & Miles 1881). Map 2 illustrates the location of the study area and environs as of 1881. The study area is not shown to contain or be adjacent to any significant structures and does not have a listed owner. Accordingly, it has been determined that there is potential for archaeological deposits related to early Post-contact settlement within the study area. In addition, this map illustrates an unnamed stream channel situated east of the study area. Recent maps show this stream channel as being unnamed.

A plan of the study area is included within this report as Map 3. Current conditions encountered during the Stage 2 Property Assessment are illustrated in Maps 4 & 5.

1.2.3 SUMMARY OF HISTORICAL CONTEXT

The brief overview of readily available documentary evidence indicates that the study area is situated within an area that was close to historic transportation routes and in an area well populated during the nineteenth century and therefore has potential for sites relating to early Post-Contact settlement in the region. A brief overview of the current understanding of First Nations land use and occupation in the area indicates that the study area in close proximity to a potable and navigable source of water and therefore has potential for sites relating to Pre-Contact occupation.

1.3 ARCHAEOLOGICAL CONTEXT

The study area is located near East Riverside and is bounded on the north by Lake St. Clair, on the east by the beach, on the south by Riverside Dr E and on the west by beach and existing commercial development.

The study area includes within it two 4 structures. The main facilities building has 1 roof but is 3 separate buildings, there is also a small storage building within the study area. The study area does not contain any areas of steep slope. The study area does not contain any ploughable lands.

1.3.1 PHYSIOGRAPHIC REGION

The study area is within the St. Clair Clay Plains. The St. Clair clay plains cover 2, 270 square miles including the Counties of Essex, Kent and Lambton. The region has little relief varying between 575 and 700 feet a.s.l. in most areas. The counties of Lambton and Essex are till plains which have been smoothed by deposits of lacustrine clay which has settled in depressions as a result of glacial lakes Whittlesey and Warren which covered the whole area. A deep cover of overburden lies on the bedrock creating good conditions for vegetation (Chapman and Putnam 1984: 147-151).

1.3.2 SURFACE WATER & VEGETATION

The study area is located immediately south of the shore of Lake St. Clair, which is a source of potable water and a navigable waterway.

The study area contains areas of lawn, stretching from west to east along the south boundary of the study area; this lawn area is disturbed centrally by areas of asphalt and existing structures, with sand beach encroaching from the northern boundary. Maps 4 & 5 of this report illustrate the locations of these features. Maps 4 & 5 of this report illustrate the locations of these features.

1.3.3 LITHIC SOURCES

The study area is located near the Kettle Point Formation which has outcrops of Essex County chert. Kettle Point formation chert is from the Late Devonian age and is situated between the Kettle Point (Late Devonian shales) and the Ipperwash Formations (Middle Devonian Limestone). It occurs as submerged outcrops that extend approximately 1,350 meters into Lake Huron (Janusas 1984:3). Secondary deposits have been reported in Essex County (Janusas 1984) and in the Ausable Basin (Kenyon 1980; Eley and Von Bitter 1989). Kettle Point chert can be identified by the presence of a waxy lustre and occurs in a wide range of colours including brown, grey and greenish colours as well as reddish purple and dark blue varieties (Eley and von Bitter 1989). A rusty staining on the surface of artifacts is frequently noted (Fisher 1997). The closest known outcrops of Essex County are located approximately 18.82 kilometers southeast of the study area.

1.3.4 REGISTERED ARCHAEOLOGICAL SITES

The Archaeological Sites Database administered by the MCM indicates that there is one (1) previously documented sites within 1 kilometre of the study area. However, it must be noted that this assumes the accuracy of information compiled from numerous researchers using different methodologies over many years. AMICK Consultants Limited assumes no responsibility for the accuracy of site descriptions, interpretations such as cultural affiliation, or location information derived from the Archaeological Sites Database administered by MCM. In addition, it must also be noted that a lack of formerly documented sites does not

indicate that there are no sites present as the documentation of any archaeological site is contingent upon prior research having been conducted within the study area.

1.3.4.1 PRE-CONTACT REGISTERED SITES

A summary of registered and/or known archaeological sites within a 1-kilometre radius of the study area was gathered from the Archaeological Sites Database, administered by MCM. As a result, it was determined that one (1) archaeological site relating directly to Pre-contact habitation/activity had been formally registered within the immediate vicinity of the study area. However, the lack of formally documented archaeological sites does not mean that Pre-contact people did not use the area; it more likely reflects a lack of systematic archaeological research in the immediate vicinity. Even in cases where one or more assessments may have been conducted in close proximity to a proposed landscape alteration, an extensive area of physical archaeological assessment coverage is required throughout the region to produce a representative sample of all potentially available archaeological data in order to provide any meaningful evidence to construct a pattern of land use and settlement in the past. All previously registered Pre-contact sites are briefly described below in Table 2:

TABLE 2 PRE-CONTACT SITES WITHIN 1KM

Borden #	Site Name	Time Period	Affinity	Site Type
AbHr-19	Nicodemo-Dupuis	Archaic/ Woodland	Aboriginal	Camp/ campsite

None of the above noted archaeological sites are situated within 300 metres of the study area. Therefore, they have no impact on determinations of archaeological potential for further archaeological resources related to Pre-contact activity and occupation with respect to the archaeological assessment of the proposed undertaking.

1.3.4.2 POST-CONTACT REGISTERED SITES

A summary of registered and/or known archaeological sites within a 1-kilometre radius of the study area was gathered from the Archaeological Sites Database, administered by MCM. As a result, it was determined that zero (0) archaeological sites relating directly to Post-contact habitation/activity had been formally registered within the immediate vicinity of the study area.

1.3.4.3 REGISTERED SITES OF UNKNOWN CULTURAL AFFILIATION

A summary of registered and/or known archaeological sites within a 1-kilometre radius of the study area was gathered from the Archaeological Sites Database, administered by MCM. As a result, it was determined that zero (0) archaeological sites of unknown cultural affiliation have been formally registered within the immediate vicinity of the study area.

1.3.5 PREVIOUS ARCHAEOLOGICAL ASSESSMENTS

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

1.3.5.2 PREVIOUS REGIONAL ARCHAEOLOGICAL POTENTIAL MODELLING

The study area is situated within an area subject to an archaeological master plan or a similar regional overview study. *The City of Windsor Archaeological Master Plan* was adopted by Council on 19 October, 2005 (CRM Group Limited et al., 2005). According to the plan:

Due to differences in approach, separate models were developed for Precontact Native settlement and historic period settlement. The Native model is based primarily on environmental and geomorphological criteria which would have influenced Native peoples relationship to the landscape. Although social factors have also been taken into consideration, these are difficult to re-create or interpret given both the time and cultural differences that separate the researcher from the people who lived here in the more distant past. The Euro- Canadian model, which includes the post-contact Native occupation, is based on known settlement locations drawn from historic mapping and other archival sources. The archaeological potential map created through the combination of the two models was subsequently screened to identify areas for which the physical landscape had been extensively modified or disturbed as a result of development. Since land that has been extensively disturbed retains little or no archaeological integrity, it was identified and excluded from the final archaeological potential map.

(CRM Group Limited et al., 2005: Executive Summary – 2)

Additionally, active archaeological sites were included in the modelling put forward by the plan (CRM Group Limited et al., 2005: Executive Summary – 2). The archaeological First Nations (“Native”) potential modelling considers soil type, glacial geomorphology, drainage and topography, proximity to water and aboriginal transportation networks (CRM Group Limited et al., 2005: Section 4.2). The Euro-Canadian site potential modelling considers historic maps and other historical documentation of settlement patterns, as well as the proximity to previously registered archaeological sites. The resulting potential map shows that the current study area is within an area of high/low composite archaeological potential.

1.3.6 HISTORIC PLAQUES

There are no relevant plaques associated with the study area, which would suggest an activity or occupation within, or near, the study area that may indicate potential for associated archaeological resources of significant CHVI.

1.3.7 SUMMARY OF ARCHAEOLOGICAL CONTEXT

The study area is located near East Riverside and is bounded on the north by Lake St. Clair, on the east by the beach, on the south by Riverside Dr E and on the west by beach and existing commercial development.

The study area includes within it two 4 structures. The main facilities building has 1 roof but is 3 separate buildings, there is also a small storage building within the study area. There are various areas of asphalt present which form walking trails within the study area. The study area does not contain any areas of steep slope. The study area does not contain any ploughable lands.

Current conditions within the study area indicate that some areas of the property may have no or low archaeological potential and do not require Stage 2 Property Assessment or should be excluded from Stage 2 Property Assessment. These areas would include the footprint of existing structures, areas under pavement, and areas that are not accessible due to previously dumped soil covering the original surface of the ground. A significant proportion of the study area does exhibit archaeological potential and therefore a Stage 2 Property Assessment is required.

Background research also indicates that the study area is situated in the St. Clair clay physiographic region, which is characterized by till plains with overburden over bedrock. In addition, the study area is located near the Kettle Point Formation which has outcrops of Essex County chert.

A total of 1 previously registered archaeological sites have been documented within 1km of the study area. Of these, 1 is Pre-contact, 0 are Post-contact and 0 are of unknown cultural affiliation. None of these sites are located within 300m of the study area and, therefore, do not demonstrate archaeological potential for further archaeological resources of Pre-contact activity and occupation with respect to the archaeological assessment of the current study area.

The study area is situated within an area subject to an archaeological master plan or a similar regional overview study. There are no relevant plaques associated with the study area.

The study area has potential for archaeological resources of Native origins based on proximity to previously registered archaeological sites of Pre-contact origins and proximity to a source of potable water that was also used as a means of waterborne trade and communication.

2.0 FIELD WORK METHODS AND WEATHER CONDITIONS

2.1 INTRODUCTION

A property inspection was carried out in compliance with Standards and Guidelines for Consultant Archaeologists (MTC 2011) to document the existing conditions of the study area to facilitate the Stage 2 Property Assessment. All areas of the study area were visually inspected and select features were photographed as a representative sample of each area defined within Maps 5 and 6. Observations made of conditions within the study area at the time of the inspection were used to inform the requirement for Stage 2 Property Assessment for portions of the study area as well as to aid in the determination of appropriate Stage 2 Property Assessment strategies. The locations from which photographs were taken and the directions toward which the camera was aimed for each photograph are illustrated in Maps 4 & 5 of this report.

The Stage 2 Assessment of the study area was carried out on 25 May 2022 and consisted of high intensity test pit methodology at a five-metre interval between individual test pits and test pit survey at a ten-metre interval to confirm disturbance which was conducted in compliance with the Standards and Guidelines for Consultant Archaeologists, section 2.1.8: Property Survey to Confirm Previous Disturbance (MTC 2011). Weather conditions were appropriate for the necessary fieldwork required to complete the Stage 2 Property Assessment and to create the documentation appropriate to this study.

2.4 CONFIRMATION OF DISTURBANCE

Approximately 2.5 ha of the study area was subject to test pit survey at 10m intervals to confirm disturbance. Areas of suspected disturbance within the study area consists of an area identified as probable disturbance from the construction of the pavilion and associated features. AMICK Consultants Limited tested the suspected disturbed area at a 10-metre interval to confirm disturbance in a manner consistent with the objectives to ensure that the area is accurately delimited and properly identified. This procedure demonstrated that the entire disturbed portion of the study area consists of mottled soils or gravel fill. There is no archaeological potential within this area.

Approximately 100% of the study area consisted of lawn area that was test pit surveyed at an interval of 10 metres between individual test pits.

3.0 RECORD OF FINDS

3.1 INTRODUCTION

As a result of the Stage 2 Assessment of the study area, no archaeological resources of any description were encountered.

3.2 STAGE 2 FIELDWORK DOCUMENTATION

The documentation produced during the field investigation conducted in support of this report includes: one sketch map, one page of photo log, one page of field notes, and 23 digital photographs.

4.0 ANALYSIS AND CONCLUSIONS

4.1 STAGE 1 ANALYSIS AND CONCLUSIONS

4.1.1 CHARACTERISTICS INDICATING ARCHAEOLOGICAL POTENTIAL

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

- 1) Within 300m of Previously Identified Archaeological Sites
- 2) Within 300m of Primary Water Sources (e.g., lakes, rivers, streams, and creeks)
- 3) Within 300m of Secondary Water Sources (e.g., intermittent streams and creeks, springs, marshes, and swamps)
- 4) Within 300 m of Features Indicating Past Water Sources (e.g., glacial lake shorelines indicated by the presence of raised sand or gravel beach ridges, relic river or stream channels indicated by clear dip or swale in the topography, shorelines of drained lakes or marshes, and cobble beaches)
- 5) Within 300m of an Accessible or Inaccessible Shoreline (e.g., high bluffs, swamp, or marsh fields by the edge of a lake, sandbars stretching into marsh)
- 6) Elevated Topography (e.g., eskers, drumlins, large knolls, and plateaux)
- 7) Pockets of Well-drained Sandy Soil, especially near areas of heavy soil or rocky ground.
- 8) Distinctive Land Formations that might have been special or spiritual places, such as waterfalls, rock outcrops, caverns, mounds, and promontories and their bases. There may be physical indicators of their use, such as burials, structures, offerings, rock paintings or carvings.
- 9) Resource Areas, including:
 - food or medicinal plants (e.g., migratory routes, spawning areas, and prairie)

- scarce raw materials (e.g., quartz, copper, ochre or outcrops of chert)
 - resources of importance to early Post-contact industry (e.g., logging, prospecting, and mining)
- 10) Within 300m of Areas of Early Post-contact Settlement, including:
- military or pioneer settlement (e.g., pioneer homesteads, isolated cabins, and farmstead complexes)
 - early wharf or dock complexes, pioneer churches and early cemeteries
- 11) Within 100m of Early Historical Transportation Routes (e.g., trails, passes, roads, railways, portage routes)
- 12) Heritage Property – A property listed on a municipal register or designated under the Ontario Heritage Act or is a federal, provincial, or municipal historic landmark or site.
- 13) Documented Historical or Archaeological Sites – property that local histories or informants have identified with possible archaeological sites, historical events, activities, or occupations. These are properties which have not necessarily been formally recognized or for which there is additional evidence identifying possible archaeological resources associated with historic properties in addition to the rationale for formal recognition.

The study area is situated right on the shore of Lake St. Clair which is a primary water source and a navigable waterway.

4.1.2 CHARACTERISTICS INDICATING REMOVAL OF ARCHAEOLOGICAL POTENTIAL

Section 1.3.2 of the Standards and Guidelines for Consultant Archaeologists specifies the property characteristics which indicate no archaeological potential or for which archaeological potential has been removed (MTC 2011). These characteristics include:

- 1) Quarrying
- 2) Major Landscaping Involving Grading Below Topsoil
- 3) Building Footprints
- 4) Sewage and Infrastructure Development

The study area contains asphalt walkways used for trails and 4 structures.

4.1.3 SUMMARY OF ARCHAEOLOGICAL POTENTIAL

Table 3 below summarizes the evaluation criteria of the Ministry of Citizenship & Multiculturalism (MCM) together with the results of the Stage 1 Background Study for the proposed undertaking. Based on the criteria, the property is deemed to have archaeological potential on the basis of proximity to water and the proximity of other registered archaeological sites.

TABLE 3 EVALUATION OF ARCHAEOLOGICAL POTENTIAL

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

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

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

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

4.2 STAGE 2 ANALYSIS AND CONCLUSIONS

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

5.0 RECOMMENDATIONS

5.1 STAGE 2 RECOMMENDATIONS

As a result of the Stage 2 Property Assessment of the study area, no archaeological resources were encountered. Consequently, the following recommendations are made:

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

6.0 ADVICE ON COMPLIANCE WITH LEGISLATION

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

- a. *This report is submitted to the Minister of Tourism and Culture as a condition of licensing in accordance with Part VI of the Ontario Heritage Act, R.S.O. 1990, c. 0.18. The report is reviewed to ensure that it complies with the standards and guidelines issued by the Minister, and that the archaeological fieldwork and report recommendations ensure the conservation, protection and preservation of the cultural heritage of Ontario. When all matters relating to archaeological sites within the project area of a development proposal have been addressed to the satisfaction of the Ministry of Tourism and Culture, a letter will be issued by the ministry stating that there are no further concerns with regard to alterations to archaeological sites by the proposed development.*
- b. *It is an offence under Sections 48 and 69 of the Ontario Heritage Act for any party other than a licensed archaeologist to make any alteration to a known archaeological site or to remove any artifact or other physical evidence of past human use or activity from the site, until such time as a licensed archaeologist has completed archaeological fieldwork on the site, submitted a report to the Minister stating that the site has no further cultural heritage value or interest, and the report has been filed in the Ontario Public Register of Archaeological Reports referred to in Section 65.1 of the Ontario Heritage Act.*
- c. *Should previously undocumented archaeological resources be discovered, they may be a new archaeological site and therefore subject to Section 48 (1) of the Ontario Heritage Act. The proponent or person discovering the archaeological resources*

- must cease alteration of the site immediately and engage a licensed archaeologist to carry out archaeological fieldwork, in compliance with sec. 48 (1) of the Ontario Heritage Act.*
- d. *The Cemeteries Act, R.S.O. 1990, c. C.4 and the Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33 (when proclaimed in force) require that any person discovering human remains must notify the police or coroner and the Registrar of Cemeteries at the Ministry of Consumer Services.*
- e. *Archaeological sites recommended for further archaeological fieldwork or protection remain subject to Section 48 (1) of the Ontario Heritage Act and may not be altered, or have artifacts removed from them, except by a person holding an archaeological licence.*

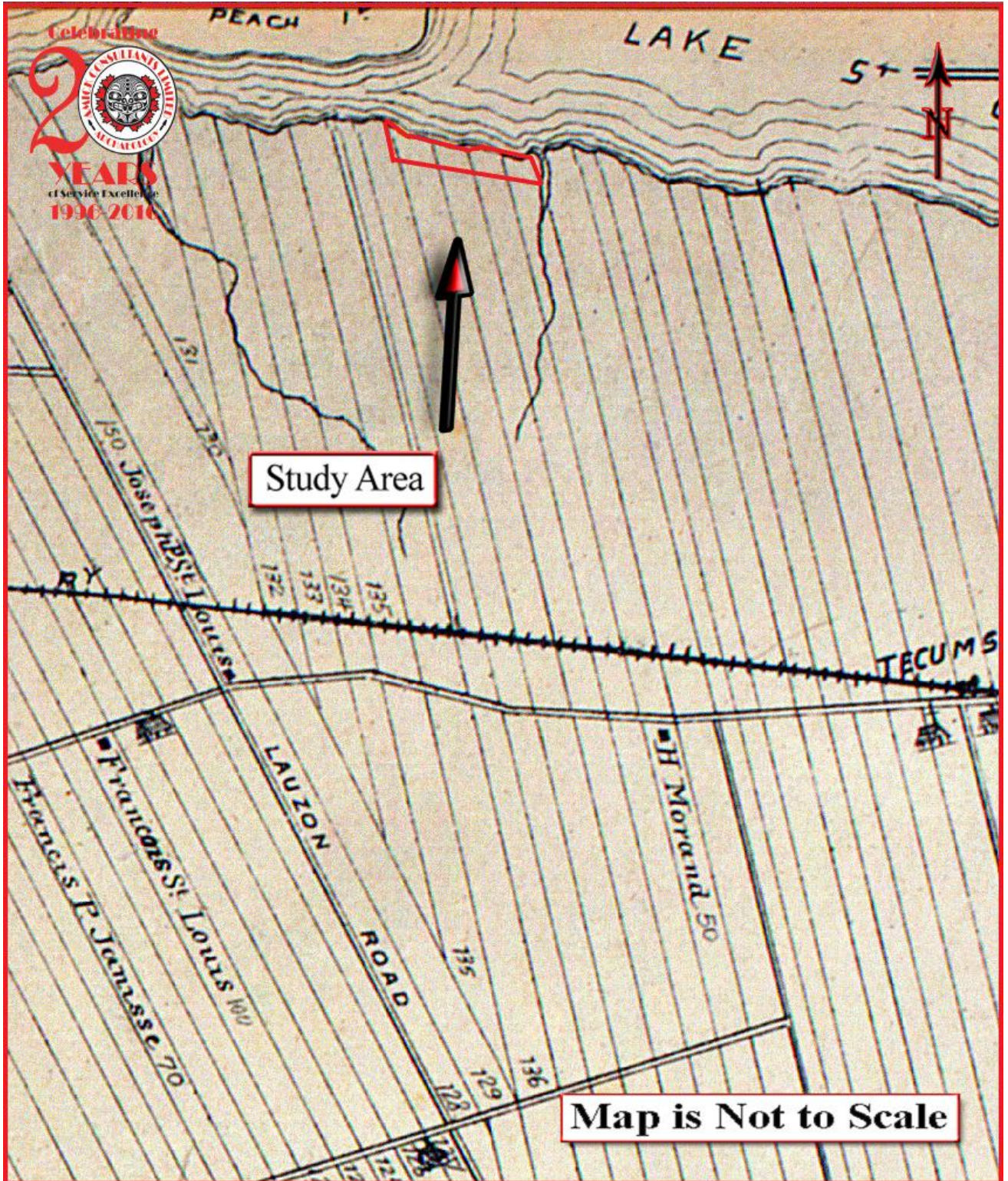
WORKS CITED

- Chapman, L.J. & D.F. Putnam. (1984). *The Physiography of Southern Ontario (Third Edition)*. Ontario Geological Survey, Special Report #2. Ontario Ministry of Natural Resources, Toronto.
- Connecting Windsor-Essex (2011) *Early History of Essex County*. URL: <http://www.windsor-essex.info/wps/wcm/connect/COE/COE/ABOUT+ESSEX+COUNTY/History+of+Essex+County/Early+History+of+Essex+County+%281792+-+1924%29/>, as of October 18, 2011.
- Cultural Resource Management Group Limited, Fisher Archaeological Consulting, Historic Horizon Inc., and Dillon Consulting Limited. (2005). *The City of Windsor Archaeological Master Plan Study Report for the City of Windsor*. The City of Windsor Planning & Building Services Department (Planning Division), Windsor Ontario. Retrieved 1 June, 2020 from URL <https://www.citywindsor.ca/residents/planning/Plans-and-Community-Information/Know-Your-Community/Heritage-Planning/Pages/Windsor-Archaeological-Master-Plan.aspx>
- Esri (2019). “Topographic” [basemap]. Scale Not Given. “World Topographic Map.” February 16, 2021. <http://www.arcgis.com/home/item.html?id=30e5fe3149c34df1ba922e6f5bbf808f> (February 16, 2021).
- Goel, Tarun (2013). Road Construction: History and Procedure. Bright Hub Engineering. Retrieved 24 May 2015 from URL: <http://www.brighthubengineering.com/structural-engineering/59665-road-construction-history-and-procedure/>
- Google Earth (Version 6.2.5200.0) [Software]. (2016). Available from <http://www.google.com/earth/index.html>.
- Ontario Heritage Act, RSO 1990a, Government of Ontario. (Queen’s Printer, Toronto).
- Ontario Heritage Amendment Act, SO 2005, Government of Ontario. (Queen’s Printer, Toronto).
- Ontario Ministry of Tourism and Culture (MTC). (2011). *Standards and Guidelines for Consultant Archaeologist*. (Programs and Services Branch: Culture Programs Unit, Toronto).
- Ontario Planning Act, RSO 1990b, Government of Ontario. (Queen’s Printer, Toronto).
- Provincial Policy Statement (2020). Government of Ontario. (Queen’s Printer, Toronto).
- Walker & Miles. (1881). *Illustrated Historical Atlas of the Township of East and West Sandwich, Ont.* Walker & Miles: Toronto.
- Wright, J.V. (1972). *Ontario Prehistory: an Eleven-thousand-year Archaeological Outline*. Archaeological Survey of Canada. National Museum of Man, Ottawa.

MAPS



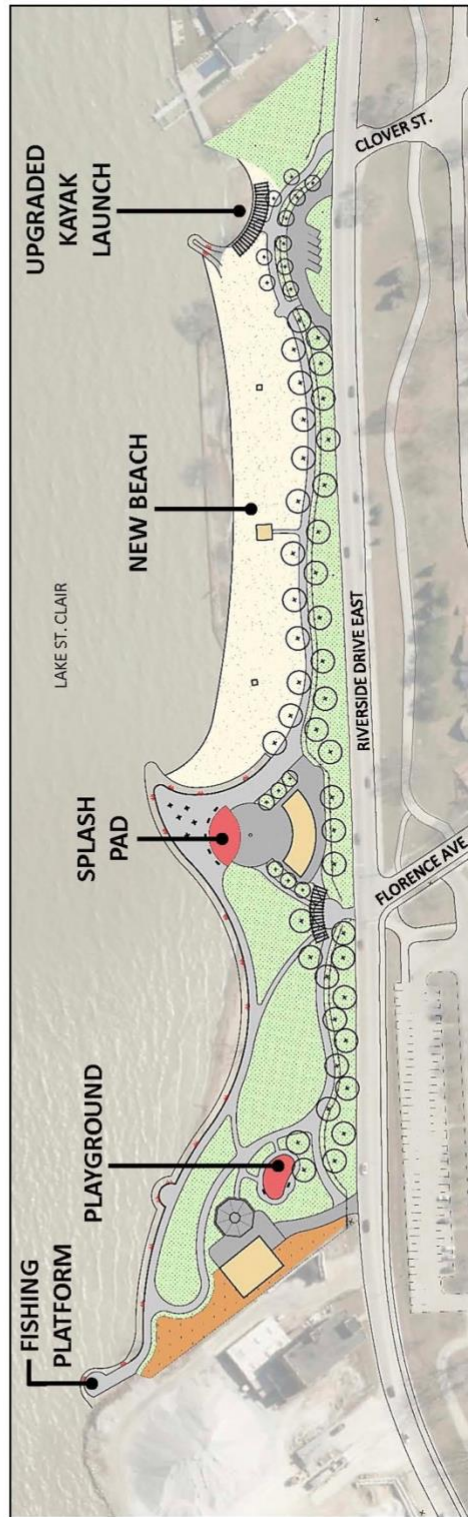
MAP 1 LOCATION OF THE STUDY AREA (ESRI 2019)



MAP 2 FACSIMILE SEGMENT OF THE HISTORIC ATLAS MAP OF THE TOWNSHIP OF EAST AND WEST SANDWICH (WALKER & MILES 1881)



EXISTING



PROPOSED



BP
Bezaire Partners
Planners, Landscape Architects

**MAP 4 PRELIMINARY PROJECT PLAN
(BEZAIRE PARTNERS AND LANDMARK ENGINEERS INC.)**



MAP 5 AERIAL PHOTO OF THE STUDY AREA (GOOGLE EARTH 2016)

IMAGES



IMAGE 1 CREW AT WORK



IMAGE 2 OVERVIEW



IMAGE 3 COMPLETED TP



IMAGE 4 DISTURBED TP



<p>IMAGE 5 DISTURBED TP</p> 	<p>IMAGE 6 DISTURBED TP</p> 
<p>IMAGE 7 DISTURBED TP</p> 	<p>IMAGE 8 DISTURBED TP</p> 
<p>IMAGE 9 ASPHALT DRIVEWAY</p> 	<p>IMAGE 10 SIDEWALK AND PARK BENCHES</p> 
<p>IMAGE 11 DISTURBED TP</p>	<p>IMAGE 12 OVERVIEW AND ARTIFICIAL BERM</p>



IMAGE 13 DISTURBED TP



IMAGE 14 OVERVIEW



IMAGE 15 OVERVIEW



IMAGE 16 DISTURBED TP



<p>IMAGE 17 DISTURBED TP</p>  A photograph showing a disturbed topsoil area. The foreground is a mix of brown soil and green grass. In the background, there are tall, thin trees and a dense line of green bushes.	<p>IMAGE 18 PATIO STONE SURFACE</p>  A photograph of a large, flat, light-colored patio stone surface. The surface is made of rectangular stones laid in a grid pattern. In the background, there are trees and a building.
<p>IMAGE 19 DISTURBED DRAINAGE DITCH</p>  A photograph of a disturbed drainage ditch. The ditch is filled with dark, rich soil and has a large, rounded mound of soil in the center. There are some green plants growing around the ditch.	<p>IMAGE 20 OVERVIEW OF BEACH</p>  A photograph showing an overview of a beach area. A paved path leads from the foreground towards a grassy area. In the background, there are trees and a red brick building.
<p>IMAGE 21 DISTURBED TP</p>  A photograph of a disturbed topsoil area. The soil is dark and appears to be a mix of topsoil and subsoil. There are some green plants growing around the area.	<p>IMAGE 22 OVERVIEW</p>  A photograph showing an overview of a park shelter area. A paved path leads from the foreground towards a grassy area. In the background, there are trees and a red brick building.
<p>IMAGE 23 PARK SHELTER</p> A photograph of a park shelter. The shelter is a small, rectangular building with a flat roof and a few windows. It is located on a paved area next to a grassy area.	

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

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

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

Windsor, ON, N9C 4E4

p (519) 972-8052

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

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

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.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

c (519) 999-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

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
f (519) 972-8644
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.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

c (519) 999-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

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

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

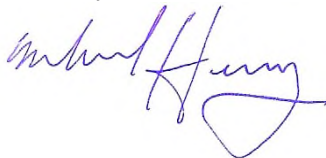
The proposed undertaking will propose shoreline improvements, including moving the existing swimming beach east to a safer location and raising of the grades along the site to address long term flooding concerns. The area consists of previous disturbance (asphalt walkways used for trails) as well as 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
237 Sanders Street East, Exeter, Ontario N0M 1S1
Tel: (519) 432-4435 Email: mhenry@amick.ca
www.amick.ca



ORIGINAL REPORT

Stage 1 Underwater Archaeological Assessment

Sandpoint Beach Park
10300 Riverside Drive East
Part Lots 138, 139, and 140, Concession 1
Geographic Township of East Sandwich
County of Essex
City of Windsor, Ontario

Prepared For

Liz Michaud
Landmark Engineers
2280 Ambassador Drive
Windsor, ON N9C 4E4
lmichaud@landmarkengineers.ca

March 2023

Submitted for review March 14, 2023

Marine License No: 2023-03

Nadine Kopp (License Number P378)

Report: MH1159-REP.01

Matrix Heritage Inc.
6131 Perth Street
Richmond, Ontario
K0A 2Z0
Tel: (613) 807-2071
www.MatrixHeritage.ca

1.0 Executive Summary

Matrix Heritage, on behalf of Landmark Engineers, undertook a Stage 1 Underwater Archaeological Assessment (UAA) in-water development impacts within the development area at Sandpoint Beach Park, civically addressed 10300 Riverside Drive East on part of Lots 138, 139, and 140, Concession 1, in the Geographic Township of East Sandwich, County of Essex, now the City of Windsor, Ontario. (Map 1). This UAA assessment was required as a component of the Municipal Class Environmental Assessment (Class EA). The City of Windsor plans to modify the existing shoreline and swimming facilities within the park to improve access and overall public safety. A proposed development plan map of the study area provided by the client was used to delineate the development area (Map 2) and to establish the assessment area.

The Stage 1 Underwater Archaeological Assessment included a review of the updated MCM's archaeological site databases, Save Ontario Shipwreck's Marine Heritage Database, a review of relevant environmental, historical literature, and primary historical research including: aerial imagery, historical maps, and land registry records.

This Stage 1 Underwater Archaeological Assessment concludes that while the study area lies in an area of high archaeological potential, extensive disturbances have removed the potential for finding archaeological sites dating to after the establishment of the current Lake St. Clair, dating from the Middle Woodland to historical Euro-Canadian sites. These disturbances relate to the 21st century cottaging era and later beach park developments that have been documented through the adjacent terrestrial Stage 2 archaeological assessment (AMICK Consultants Ltd. 2022b). The potential for Late Paleo and/or Early Archaic archaeological resources exists in the lakebed area of the study area in deposits now deeply buried from extensive sedimentation of the area.

The current shoreline improvements to the study area consist of landscaping to redirect beachgoers away from the existing beach including the installation of new rock revetments along the west half of the site, and other activities that represent infill rather than excavation. Based on the results of this investigation, the following is recommended:

1. The proposed development impacts consisting of beach infilling and installation of rock revetments at the study area are clear of archeological concern.

and

2. There remains potential for deeply buried archaeological sites in the study area. Any work extending 1 m 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 cleared the potential for deeply buried archaeological sites.

2.0 Table of Contents

1.0	Executive Summary.....	i
2.0	Table of Contents	ii
3.0	Project Personnel	iii
4.0	Project Context	4
4.1	Development Context.....	4
4.2	Historical Context	4
4.2.1	Historic Documentation	4
4.2.2	Pre-Contact Period.....	4
4.2.3	Contact Period.....	6
4.2.4	Post-Contact Euro-Canadian History	7
4.2.5	Study Area Specific History	9
4.3	Archaeological Context	10
4.3.1	Current Conditions	10
4.3.2	Physiography.....	10
4.3.3	Previous Archaeological Assessments	10
4.3.4	Registered Archaeological Sites, Commemorative Plaques, S.O.S. Marine Heritage Database	11
4.4	Archaeological Potential.....	11
5.0	Conclusions and Recommendations	14
6.0	Advice on Compliance with Legislation	15
7.0	Closure	16
8.0	Bibliography and Sources.....	17
9.0	Maps.....	20
10.0	Images.....	31
	Appendix A: Map Catalogue.....	32

3.0 Project Personnel

Licensee	Nadine Kopp, MA (P378)
Report Preparation	Nadine Kopp, MA (P378)
Archival Research	Nadine Kopp, MA (P378)
GIS and Mapping	Ben Mortimer, MA (P369)
Report Review	Ben Mortimer, MA (P369)

4.0 Project Context

4.1 Development Context

Matrix Heritage, on behalf of Landmark Engineers, undertook a Stage 1 Underwater Archaeological Assessment (UAA) in-water development impacts within the development area at Sandpoint Beach Park, civically addressed 10300 Riverside Drive East on part of Lots 138, 139, and 140, Concession 1, in the Geographic Township of East Sandwich, County of Essex, now the City of Windsor, Ontario. (Map 1). This UAA assessment was required as a component of the Municipal Class Environmental Assessment (Class EA). The City of Windsor plans to modify the existing shoreline and to create swimming facilities within the park to improve access and overall public safety. A proposed development plan map of the study area provided by the client was used to delineate the development area (Map 2). The current development plan includes potential shoreline improvements, including the relocation of the existing beach through infilling and the installation of new rock revetments along the west half of the site. All activities are infill rather than excavation.

At the time of the archaeological assessment, the study area was under the ownership of the City of Windsor.

4.2 Historical Context

4.2.1 Historic Documentation

The study area falls within the Geographic Township of East Sandwich, County of Essex. As a result of the long history of occupation in the Windsor area there is a great wealth of information available. A few notable references relating to the broader county include: Belden's *Historical Atlas of Essex and Kent Counties* (1881); Frederick Neal's *The Township of Sandwich* (1909) and Lajeunesse's *The Windsor Border Region* (1960).

4.2.2 Pre-Contact Period

Southern Ontario was not hospitable to human occupation until the retreat of glaciers, some 12,500 years ago. The Laurentide Ice Sheet of the Wisconsinian glacier blanketed the southwestern Ontario area until about 12,500 B.P. At this time the receding glacial terminus was the southern edge of present-day Georgian Bay, and melt water in the region formed Lake Algonquin, Early Lake Erie and Lake Iroquois (the basin of today's Lake Ontario).

By circa 11,000 B.P., northeastern North America was home to what are commonly referred to as the Paleo people. The Paleo period probably reflects a time when small groups of people moved across the landscape following seasonal game across a landscape similar to the modern subarctic. For Ontario the Paleo period is been divided into the Early Paleo period (11,000 - 10,400 B.P.) and the Late Paleo period (10,500-9,400 B.P.) based on changes in tool technology (Ellis and Deller 1990). The Paleo people, who had moved into hospitable areas of southwest Ontario (Ellis and Deller 1990), likely consisted of small groups of exogamous hunter-gatherers relying on a variety of plants and animals who ranged over large territories (Jamieson 1999). Many Paleo sites appear to occur around glacial features such as kettle ponds and shorelines of glacial lakes. Due to the high mobility and low population density of people in the region at this time, the archaeological resources from these periods are rare and often ephemeral. Although Paleo-Indian sites are among the most uncommon site type, there is a notable concentration of them between Lake Erie and Lake Huron (Wright 1990). The Parkhill National Historic Site of Canada near Parkhill, Ontario is a significantly large archaeological site that was once a Paleo settlement on the shores of ancient glacial Lake Algonquin. The site covers an

area over six hectares and likely represents communal hunting camps that were used for short periods over many generations. The site is significant as the earliest, firmly dated Paleo habitation site in Ontario and also represents one of the largest Clovis artifact inventories of any known site (Ellis and Deller 2000). While no Paleo sites are recorded within the City of Windsor, several are present within Essex County (MCM Archaeological Sites Database; accessed February 2023). Furthermore, Lake St. Clair did not exist during the Late Paleo period leading to the possibility that some sites from this era in the Windsor area are now submerged (CRM Group Ltd et al. 2000:2–5).

In the Archaic Period, as the climate became warmer, people likely practiced more diverse lifeways while remaining seasonally mobile hunter gatherers. The period is divided into Early (10 000-8 000 B.P.), Middle (5500- 4500 B.P.), and Late (4500 – 2800 B.P.) Archaic, which correspond to transitions in technology and resource exploitation patterns (Ellis et al. 1990). Like the Paleo period, the Archaic is broadly similar across most of Southern Ontario and the surrounding Great Lakes region. This period is generally characterized by increasing populations as seen through an increase in the numbers and sizes of sites, developments in lithic technology (e.g., ground stone tools), and emerging trade networks. Archaic populations remained hunter-gatherers with an increasing emphasis on fishing. There are no registered Early Archaic sites in the Windsor area, but a small number of Middle and Late Archaic sites have been identified (MCM Archaeological Sites Database; accessed February 2023). Low water levels in the Lake Huron basin during the Early Archaic raises the potential that these sites have been inundated by Lake St. Clair.

The Woodland Period saw the advent of many technological and social changes, such as the production of pottery and increased sedentism. The Woodland Period is commonly divided into the Early Woodland (1000 – 300 B.C.), Middle Woodland (400 B.C. to A.D. 1000), and the Late Woodland (A.D. 900 – European Contact) periods. The Early Woodland is typically noted via lithic point styles (i.e., Meadowood bifaces) and pottery types (i.e., Vinette I). The identification of pottery traditions or complexes (Laurel, Point Peninsula, Saugeen) within the Northeast Middle Woodland, the identifiers for the temporal and social organizational changes signifying the Late Woodland Period, subsequent phases within in the Late Woodland, and the overall 'simple' culture history model assumed for Ontario at this time (e.g., Ritchie 1969; Wright 1966, 2004) are much debated in light of newer evidence and improved interpretive models (Engelbrecht 1999; Ferris 1999; Hart 2011; Hart and Brumbach 2003, 2005, 2009; Hart and Englebrecht 2011; Martin 2008; Mortimer 2012). Thus, the shift into the period held as the Late Woodland is not well defined. This period is better understood archaeologically than the preceding ones, as populations grew and left greater impacts on the archaeological record. During the Late Woodland, agriculture was introduced to southern Ontario. There are general trends for increasingly sedentary populations, the gradual introduction of agriculture, and changing pottery and lithic styles. However, nearing the time of contact, Ontario was populated with somewhat distinct regional populations that broadly shared many traits. In the southwest, in good cropland areas, groups were practicing corn-bean-squash agriculture in semi-permanent, often palisaded villages which are commonly assigned to Iroquoian peoples (Wright 2004:1297-1304).

By the Late Woodland, a distinct cultural occupation appeared in the western end of Lake Erie known as the Western Basin Tradition. These peoples have been identified as an Algonquian speaking peoples unique to the western drainage basin of Lake Erie, Lake St. Clair and the southern end of Lake Huron. The Western Basin Tradition is distinguished by its numerous pottery styles including the Riviere au Vase (ca. A.D.600-800/900), Younge (ca. A.D. 800/900-1200), and Springwells (ca. A.D. 1200-1400) phases (Murphy and Ferris 1990).

Late in the 16th century, several changes occurred in the distribution of Iroquoian villages in southern Ontario. Prior to contact with Europeans, the Iroquoian communities along the north shore of Lake Ontario and along the Trent River Valley appear to have disappeared, probably mostly relocating to Huronia. These people collectively became known as the Wendats or Hurons by the 17th century missionaries and explorers to the area. The primary reason for this change is usually considered to be greater participation in the fur trade. Likewise, the Late Ontario Iroquoian people who had expanded primarily as far west as the Chatham area in southwestern Ontario with outlier villages further east, suddenly moved east to the Hamilton-Brantford-Niagara Falls area. These people became known as the Attawandaron, later named the "Neutrals" by the French as they remained neutral in the continuous warfare between the Six Nations and the Hurons.

4.2.3 Contact Period

The first meetings between Europeans and Indigenous Peoples in the Windsor area likely occurred as the Jesuit priests explored the region of southwestern Ontario. In 1640-1, Fathers Jean de Brébeuf and Pierre Joseph Marie Chaumonot visited the eighteen villages within the Attawandaron Nation, including Khioetoa a mixed Attawandaron and Wenrotronon village, which they renamed the Mission of St. Michel. The 1656 Sanson d'Abbeville map indicates that St. Michel was on the Canadian side of the Detroit River near present-day Windsor (Lajeunesse 1960:xxx). Other early travellers made note of the Attawandaron village of Skenchioe in the Windsor area. These villages appear to have been abandoned by 1651 (Lajeunesse 1960:xxxii).

One of the first accounts among the Attawandaron from Father Joseph de La Roche Daillon, a Franciscan Récollet, who spent time among the nation in 1626 estimate the population as 40,000. Approximately 14 years later, Brébeuf and Chaumonot indicated a much-reduced population of 12,000 people and 4,000 warriors. The introduction of European diseases decimated Indigenous groups alongside the devastating influence of alcohol, and the increasing pressure to convert to Christianity which massively contributed to the weakening of their social fabric and their traditional culture.

Fur Trade and the Haudenosaunee (Iroquois) Wars

When the French arrived, there was already a vast trade network in place linking the Huron and the Attawandaron, extending from the Saguenay to Huronia. This route existed at least from the very early beginnings of agricultural societies in Ontario around A.D. 1000 (Moreau et al. 2016). This trade increased rapidly after the arrival of the Europeans with the introduction of European goods and the demand for furs. The Huron held a highly strategic commercial location controlling the trade to the south and the west, and the Algonquin, Michi Saagiig, and Chippewa were their critical connection to goods from the east, including European products.

By the mid-17th century, the demands of the fur trade had caused major impacts to the traditional way of life including a change in tools, weapons, and a shift in diet to more European as hunting was more for furs and not for food. This dependence on European food, ammunition, and protection tied people to European settlements (McMillan 1995). The summer gathering sites shifted from prominent fishing areas to trading posts. This further spurred social changes in community structure and traditional land distribution and use.

The French, as well as other Europeans like the Dutch and English, were able to align their own political and economic rivalries with those of the native populations. The competitive greed and obsession with expanding the fur trade entrenched the rivalries that were already in place, and these were intensified by European weapons and economic ambition. Little information exists about inter-tribal warfare prior to European contact, however, archaeological evidence indicates

that as early as 1000 Huron, Attawandaron, Tionontati (later named the “Petun” by the French because they were known for cultivating tobacco or *petún*), and Haudenosaunee villages were fortified by timber palisades. Prior to European contact, the hostilities had been mainly skirmishes and raids, or formal battles that were often highly ritualized and organized to limit casualties, but everything changed as European reinforcement provided deadlier weapons and higher economic stakes with the introduction of the fur trade.

The trading policies of Europeans created an imbalance between these native rivalries as the Haudenosaunee were readily supplied muskets by their Dutch allies, while the French allied with the Huron and their trading partners the Algonquin, Nippissing, Michi Saagiig, and Chippewa only supplied guns to Christian converts. As the Haudenosaunee exhausted the beaver population in their own territory they became the aggressors, pushing into the lands of their rivals with the added strength of Dutch weaponry. Through the 1630s and 40s constant and increased raiding into rival territories by the Haudenosaunee nations had forced many multi-generational residents to leave their lands in seek protection from their French allies in Quebec while others fled to the north.

By 1650 Huronia, the home of the Huron and traditional and treaty territory of the Chippewa, had been destroyed by the Haudenosaunee. The Haudenosaunee then attacked and destroyed the Attawandaron and Tionontati to their north, the Susquehanna to their east, and decimated the Erie and Wenrohronon to their west. The last mention of the Attawandaron as an independent group was a report in 1653 of 800 members of the tribe living in the vicinity of what is now Detroit, Michigan. The remainder of the nation were assimilated into other Indigenous nations (McMillan and Yellowhorn 2009:88).

4.2.4 Post-Contact Euro-Canadian History

European settlement in the Windsor area began in 1701 when Antoine de la Mothe, sieur de Cadillac established Fort Pontchartrain du Détroit on the north shore of the river, in what would become Detroit, Michigan. The aim of the fort was to prevent British expansion into the Great Lakes Region and to monopolize the fur trade. Until 1697, Cadillac had been commandant of Fort de Buade, another French outpost in the Straits of Mackinac. When that post was abandoned, Cadillac invited the Huron and Odawa to settle near the new post along the Detroit River. Initially the Huron and Odawa settled on the north side of the Detroit River, near the French outpost, but by 1721 the Odawa village had moved to the south shore and in 1747 the Huron village and associated Jesuit mission of ‘Our Lady of the Assumption among the Hurons of Detroit’ had relocated there as well (CRM Group Ltd et al. 2000:2–15).

French settlement of the south shore began in 1749 as the government of New France sponsored farming families from the lower St. Lawrence River to relocate to the area with the aim of provisioning French expansion into the Ohio Valley. Along with civilians and discharged soldiers from Fort Pontchartrain, they formed the community of La Petite Côte, present day Town of LaSalle. Lots were granted in the typical French fashion of long, narrow strips commonly referred to as ribbon farms that usually measured 3 arpents (1 arpent = 58.47 metres) wide by 40 arpents deep. This system provided each lot access to the water, the primary mode of transportation and homestead were placed at a minimum distance from one another continuous row of houses along the river which created the impression that the settlement was larger than it really was (Lajeunesse 1960:lil–liii).

French authority in the area was short-lived as the British gained control of Detroit in 1760 following the end of the Seven Years’ War. This government change little affected the French settlers in the area at first and the settlement continued to grow. New settlers continued to arrive from the St. Lawrence region and the second generation of the original French settlers were

seeking their own lands. In the 1770s, settlement began to expand towards Lake St. Clair but was slow due to the difficulty in obtaining land grants from the British government who restricted the power of granting lands at Detroit solely to the Governor or the Superintendent of Indian Affairs and restricted the Huron and Odawa from directly selling their own land to settlers (Lajeunesse 1960:lxiii).

In 1774, Lots 133-135 opposite of Peche Island¹ were granted by the Odawas to French settlers under the permission of Major Basset, Commandant at Detroit. A survey in 1780 measured the lots as 3 arpents wide by 80 arpents deep (Lajeunesse 1960:lxiv and 68). By 1782, the census of Detroit indicates that the settlement extended upstream to Hog Island, now Belle Isle, with scattered settlers as far as the entrance to Lake St. Clair opposite Peche Island. Although records are missing from 1784-6, later surveyor's lists show that during this time about forty river frontage lots were occupied in this area and by 1790, settlement was solid along the river front all the way to Lake St. Clair (Lajeunesse 1960:lxv).

Following the American Revolution, an influx of United Empire Loyalists prompted formal surveys of the region for settlement. The area had been part of the Montreal District until 1788, when Lord Dorchester, Sir Guy Carleton formed four new districts west of Montreal. From east to west these were Lunenburg, Mecklenburg, Nassau, and Hesse, reflecting the German origins of the Royal family and the many Germans among the Loyalists. Hesse (renamed the Western District in 1792), comprised the western areas of the province including Detroit, north towards Mackinac, and extending towards the Ohio Territory. In the aftermath of the American Revolution, the British retreated from Detroit in 1796 moving across the river and establishing the Town of Sandwich in 1797, within the township of Sandwich. This became the legislative seat of government of the Western District of Upper Canada.

Early Euro-Canadian land divisions into districts, counties, townships, etc. and the expansion of settlement were facilitated by the Indigenous Nations who agreed to enter formal treaty relationships with the newcomers to share the land and resources. The study area is within the lands of Treaty Number 2, also known as the McKee purchase signed in 1790. Following the signing of the treaty, Patrick McNiff, deputy surveyor, was assigned to survey and organize the area into a township. Completed in 1793, the plan shows long narrow lots along the river and extensive marshland on the interior. In 1797, Abraham Iredell, who replaced McNiff as the deputy surveyor, resurveyed the area. It was not until 1824 that Lieutenant-Colonel Mahlon Burwell surveyed the interior of Essex Township, using the standard British grid system where amenable (Clarke 2001:92). These interior areas were not settled until the 19th century, as the land was poorly drained and not well suited to agriculture (CRM Group Ltd et al. 2000:2–17). Settlement along Lake St. Clair and the interior of Essex County expanded with the establishment of the Tecumseh Road, which was set back considerably from the shoreline because of erosion concerns, followed by the Great Western Railway in 1854.

In 1858, both Windsor and Sandwich were incorporated as towns. In 1861, the Township of Sandwich was divided into East Sandwich Township and West Sandwich Township. Historical atlases from 1877 and 1881 show the area opposite Peche Island along the shore of Lake St. Clair remained largely agricultural (Map 4). The historical county atlas of 1881 notes a total population of 36,258 for Essex County, of which 25,303 inhabitants lived in rural settings, while 10,955 lived in urban settings (Belden 1881:8).

¹ Originally from the French, Isle à la Pêche (Fishing Island), now anglicized and sometimes misspelled Peach Island.

In May 1907, the Sandwich, Windsor & Amherstburg Railway, an electric street rail system that already stretched from Amherstburg to Walkerville, was extended six miles east from Windsor to Tecumseh. The line served as the principle municipal transit provider for Windsor and its associated communities with multiple street stops including through the Riverside area. The Tecumseh route was in service until 1938 when the route was dismantled.

The Town of Riverside was incorporated May 3, 1921, consisting of 2,600 acres of land and 1,155 citizens (Campbell 2022). The area grew rapidly as a non-industrial suburb to Windsor, attracting wealthy Americans to settle on its waterfront and managers from the new Ford plant (Canadian Heritage Rivers System 1998:45). Prohibition also had a sizeable influence on this area as several taverns in Riverside prospered serving American interests to secure alcohol. On January 1, 1966, the City of Windsor annexed Riverside and portions of Sandwich East Township.

4.2.5 Study Area Specific History

The study area consists of the water frontage of Lots 138, 139, and 140, Concession 1, Geographic Township of East Sandwich. The first survey maps of the area completed by McNiff in 1793 and Iredell in 1797 (Map 3) indicate only the northern portion of the lots closest to the Detroit River were surveyed. The 1793 McNiff map indicates Lot 138 was owned by Louis Campau (Campeau anglicised), Lot 139 by Antoin Rober (Antoine Robert anglicised), and Lot 140 owned by Simon Molark. By the time of the 1797 Iredell map, only Louis Campeau is depicted on Lot 138. Land registry records indicate Louis Campeau received the patent for Lot 138 on March 9, 1807 and Antoine Robert received his patent for Lot 139 in 1840 (OLR:Essex 12, Sandwich East). Lot 140 was patented in 1850 to Gregoire Hébart, since land speculation was common problem in Essex County in the late 18th and early 19th centuries (Clarke 2001:295–335), it is likely Simon Molark, listed on McNiff's plan, did not actually occupy the lot.

As documented through land registry records, land transactions for these three lots remained within French families throughout the 19th century with surnames like Soulière, Laforet, Ducharme, and Renaud, some of which can be seen on the 1877 Walling map (Map 4) and later 1898 map (Map 5). While the 1881 Belden map does not show landowners or structures (Map 4), this does not indicate lack of ownership on the lots as historical atlases were financed by subscriptions and fees paid by individual landowners to be listed. Notable features on the Belden map include an unnamed creek just to the east of the study area.

In the 20th Century, French surnames still dominated the land transactions of these three lots, with some English surnames such as Miller, Christie, and Wallace noted in the land registries. Mapping from 1912 (Map 5) shows Riverside Drive and the Sandwich, Windsor & Amherstburg Railway to the south of the study area and several structures along the shoreline. The same structures appear on mapping from 1940 (Map 6).

A series of cottages lined the study area in the mid-20th century, visible as early 1947 in aerial imagery (Map 7). A photo from March 25, 1952 (Figure 1) shows nine of these cottages near the western end of the study area with the Monarch Liqueurs building in the background. These cottages were subject to constant floods and ice jams and were determined to be unfit for human habitation (City Desk 2010). They were eventually demolished but are still mapped along the shoreline in 1962 (Map 6) and are visible on aerial imagery from 1970 (Map 7). Aerial imagery from 1982 indicates the cottages furthest to the west were demolished, and by 1988 the area was essentially configured as it currently exists as the Sandpoint Beach Park (Map 7). Aerial imagery demonstrates minimal changes to the park through the 1990s and early 21st Century, with the exception of exposed lakebed related to the fluctuating lake levels (Map 8).

4.3 Archaeological Context

4.3.1 Current Conditions

The study area consists of a 50 m in-water buffer from the topographically mapped shoreline within the development area at Sandpoint Beach Park, civically addressed as 10300 Riverside Drive East. Sandpoint Beach is a City of Windsor owned park that provides recreational facilities and public beach access to Lake St. Clair. The study area is comprised of Sandpoint Beach, Ganatchio Park and Stop 26 Park. The three areas are commonly referred to as Sandpoint Beach Park.

4.3.2 Physiography

The study area is located within the St. Clair Clay Plain (Map 9), which covers an area of 2,270 square miles. There is little relief in the region, lying between 575 and 700 feet a.s.l. in most areas. Essex County consists largely of a till plain which has been smoothed by deposits of lacustrine clay which has settled in depressions as a result of proglacial lakes Whittlesey (~14,000 BP) and Warren (~12,700 BP) which covered the whole area (Chapman and Putnam 2007:147).

According to the City of Windsor's archaeological master plan the natural soils in which the study area is situated consist of Colwood Fine Sandy Loam (Map 9). Colwood Fine Sandy Loam consists of black and dark grey sandy loam over mottled and grey fine sand, silt and clay (CRM Group Ltd et al. 2000:4–3).

The surficial geology of the study area consists of littoral-foreshore deposits (Map 9), which consists of modern beach deposits of sand, gravel and cobbles.

4.3.3 Previous Archaeological Assessments

Archaeological work in the region has primarily consisted of cultural resource management studies related to specific properties or development projects. In 2000, CRM Group Ltd assessed the Land Side Peche Island Property, legally described as Part of Lot 135, Concession 1 in the former geographic Township of East Sandwich. This assessment revealed that the northern section of the property, adjacent to Riverside Drive, had been extensively altered and buried under a thick deposit of fill. The southern portion of the property was tested on a 5 m grid for high potential archaeological sites. Two isolated flakes were found during the shovel testing but were deemed not archaeologically significant as they were recovered from within the fill deposit. The southern portion of the property was cleared, but it was recommended that the northern portion of the property be assessed at such time as the fill deposits are removed (CRM Group Ltd et al. 2000:3–9).

In 2014, CRM Lab Archaeological Services completed a Stage 1 and 2 archaeological assessment (P244-0066-2013 and P244-0067-2014) of historical Lot 138 Concession 1, located within a large section of designated parkland, known as Riverside Kiwanis Park. The Stage 2 assessment alongside an artifact assemblage collected from the area by a local amateur historian/archaeologist identified the Nicodemo-Dupuis Site (AbHr-19), an Early Archaic to Terminal Woodland Site (CRM Lab Archaeological Services 2016).

In 2015, Golder Associates completed a Stage 1 archaeological assessment of Part Lots 142 and 143, Concession 1, in the former geographic Township of East Sandwich (P 364-0089-2014). This study area was between Little River Boulevard and Riverside Drive, set back

significantly from the river. The assessment along with a site visit determined the study area to have no archaeological potential (Golder Associates Inc 2015).

Most pertinent to this underwater assessment, in 2022, Amick Consultants Ltd. conducted a Stage 1 and 2 archaeological assessment (P058-2079-2022 and P058-2108-2022) of the Sandpoint Beach development area. The Stage 1 assessment indicated potential for archaeological sites (AMICK Consultants Ltd. 2022a), however the Stage 2 found no archaeological sites or resources as it was completely disturbed with mottled soils or gravel fill (AMICK Consultants Ltd. 2022b).

4.3.4 Registered Archaeological Sites, Commemorative Plaques, S.O.S. Marine Heritage Database

A search of the Ontario Archaeological Sites Database (March 2023) indicated that there is one registered archaeological site located within 1 km of the study area, the Nicodemo-Dupuis Site (AbHr-19), an Early Archaic to Terminal Woodland Site (CRM Lab Archaeological Services 2016). The Nicodemo-Dupuis Site falls within an area identified in the City of Windsor's Archaeological Master Plan to be of low archaeological potential however the site itself is considered to be of high cultural heritage value and interest as a potentially rare site type (CRM Lab Archaeological Services 2016:v).

Two isolated flakes were found during the shovel testing of Lot 135, approximately 500 m away, though these were not registered as they were recovered from within fill deposits (CRM Group Ltd et al. 2000:3–9).

No commemorative plaques are located within 1 km of the study area.

A search of the Save Ontario Shipwrecks' Marine Heritage Database indicated many shipwrecks within Lake St. Clair, however since the database is largely compiled from historic newspaper notices and primary records exact locational data is generally absent. Refining the search to include Peche, or Peach, Island identified four shipwrecks in the vicinity. Two of these wrecks: the schooner *Eugenie* (1865) and the tug *Rainbow* (1927) have no further locational data other than Peche Island, while the wreck of the *George F. Rand* (1935) was wrecked on the channel side of the island. The brig *John Dougall* (1844) was stranded at Peche Island, but with no other information the possibility exists that it was refloated.

4.4 Archaeological Potential

The 2005 City of Windsor Archaeological Master Plan employed various environmental, geomorphological, and historical criteria to determine the potential for archaeological resources (CRM Group Ltd et al. 2000). According to the Archaeological Master Plan the study area falls within an area of high potential (Map 10).

Potential for finding both Late Paleo and Early Archaic sites exists submerged beneath Lake St. Clair. The post-glacial history of the Great Lakes region was largely affected by the retreating Wisconsinian ice sheet and isostatic rebound. These created fluctuating high and low water levels beyond the current lake levels when melt water drainage channels were opened or closed through removal of ice blockages or rebound of depressed areas. From approximately 9,900 BP to 7,500 BP, glacial Lake Stanley formed in the Lake Huron basin, which straddles the accepted date range of the Late Paleo (9,500 BP to 8,500 BP) and Early Archaic (8,500 BP to 6,500 BP) periods. At this time low lake levels in Lake Stanley were estimated as low as 55–80 m above mean sea level (AMSL), significantly below the current 176 AMSL (O'Shea and Meadows 2009:10120; McCarthy and McAndrews 2010). As the water levels dropped, huge areas of

former lake bottoms were exposed. The exposed land where lake St. Clair now exists provided opportunities for human habitation.

Once the present day St. Clair basin was established, circa the Middle Archaic (5500- 4500 B.P.), potential for pre-contact Indigenous sites can be identified based on physiographic variables that include distance from the nearest source of water, the nature of the nearest source/body of water, distinguishing features in the landscape (e. g. ridges, knolls, eskers, and wetlands), the types of soils found within the area of assessment and resource availability. The study area consists of well drained sandy loam directly on the shores of Lake St. Clair a primary water source and historic transportation and communication network. Furthermore the study area is approximately 800 m east of the Little River and the 1881 Belden map indicates an unnamed creek to the west of the study area. Likewise, the study area is in close proximity to the Nicodemo-Dupuis Site (AbHr-19), an Early Archaic to Terminal Woodland Site and other lithic finds that were not registered with MCM.

Potential for historical Euro-Canadian sites is based on proximity to the historical transportation routes, historical community buildings such as schools, churches, and businesses, and any known archaeological or culturally significant sites. The original French long lot system in the area would have placed homesteads near the shoreline of the river. Later 20th century development in the area in the form of small cottages along the lakeshore likely disturbed any earlier shoreline occupation. The Stage 2 archaeological assessment conducted by Amick Consultants found no archaeological sites or resource and that the area was completely disturbed with mottled soils or gravel fill (AMICK Consultants Ltd. 2022b).

Shipping channel dredging, dyking and draining of wetlands, land clearing and development have all altered the shoreline around Lake St. Clair leading to higher erosion and sedimentation rates. This transient shoreline is seen in historic mapping that indicates a great deal of infill along the study area shoreline since the 1793 McNiff survey (Maps 3-6). Aerial imagery from 1947 and 1970 (Map 7), show a drastic shoreline modification as a result of intentional infilling at the adjacent properties to the west (Map 7). Currently, the study area is a highly active foreshore area with accreting sand along the entire site due to this infill of the westerly property.

Water level fluctuations also result in dramatic shoreline changes in Lake St. Clair's gently sloping lakeplain. These water levels are known to have varied by as much as 1.7 meters since 1898 (Adams 1989:2). The record high water level of 175.78 AMSL was recorded in October 1986, and the record low of 173.71 AMSL in January 1936 (Great Lakes Commission 2006:146). Dredging for the Lake St. Clair navigation channel began in 1886 and has increased the lake's maximum natural depth of 6.4 meters to its current depth of 8.3 meters, and has also redirected the flow of water and sediment through the Lake St. Clair system (Great Lakes Commission 2006:120). At the study area, high water levels are evidenced by the seasonal flooding documented in 1952 (Figure 1) and lowstand levels in recent aerial imagery from 2013 which show the majority the western portion of the study area as exposed dry lakebed (Map 8).

Archaeological potential along the shoreline at the study area has also been altered by regular maintenance by the City of Windsor. The entire sandy area of the beach is regularly groomed on both sides of the pavilion, approximately 5 inches deep to the water's edge (pers. comm. Liz Michaud 2023). Evidence of this grooming activity can be seen in the 2011 aerial imagery (Map 8) where low water levels have exposed large portions of the lakebed in the western side of the study area.

While the study area lies in an area of high archaeological potential, extensive disturbances have removed the potential for finding archaeological sites dating to after the establishment of the current Lake St. Clair, from the Middle Woodland to historical Euro-Canadian sites. These

disturbances relate to the 21st century cottaging era and later beach park developments that have been documented through the terrestrial Stage 2 archaeological assessment. The potential for Late Paleo and/or Early Archaic archaeological resources exists deeply buried in the lakebed area of the study area, a result of extensive sedimentation in the area.

5.0 Conclusions and Recommendations

This Stage 1 Underwater Archaeological Assessment concludes that while the study area lies in an area of high archaeological potential, extensive disturbances have removed the potential for finding archaeological sites dating to after the establishment of the current Lake St. Clair, during the Middle Woodland Period through to historical Euro-Canadian sites. These disturbances relate to the 21st century cottaging era and later beach park developments that have been also been documented through the adjacent terrestrial Stage 2 archaeological assessment (AMICK Consultants Ltd. 2022b). The potential for Late Paleo and/or Early Archaic archaeological resources does exist deeply buried in the lakebed area of the study area, covered by sedimentation of the area.

The current shoreline improvements to the study area consist of relocation of the existing beach and the installation of new rock revetments along the west half of the site, activities that represent infill rather than excavation. Based on the results of this investigation, the following is recommended:

1. The proposed development impacts consisting of beach infilling and installation of rock revetments at the study area are clear of archeological concern.

and

1. There remains potential for deeply buried archaeological sites in the study area. Any work extending 1 m 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 cleared the potential for deeply buried archaeological sites.

6.0 Advice on Compliance with Legislation

- a. This report is submitted to the *Minister of Citizenship and Multiculturalism* as a condition of licencing in accordance with Part VI of the *Ontario Heritage Act*, R.S.O. 1990, c 0.18. The report is reviewed to ensure that it complies with the standards and guidelines that are issued by the Minister, and that the archaeological fieldwork and report recommendations ensure the conservation, protection and preservation of the cultural heritage of Ontario. When all matters relating to archaeological sites within the project area of a development proposal have been addressed to the satisfaction of the Ministry of Citizenship and Multiculturalism, a letter will be issued by the ministry stating that there are no further concerns with regard to alterations to archaeological sites by the proposed development.
- b. It is an offence under Sections 48 and 69 of the *Ontario Heritage Act* for any party other than a licenced archaeologist to make any alteration to a known archaeological site or to remove any artifact or other physical evidence of past human use or activity from the site, until such time as a licensed archaeologist has completed archaeological fieldwork on the site, submitted a report to the Minister stating that the site has no further cultural heritage value or interest , and the report has been filed in the Ontario Public Register of Archaeology Reports referred to in Section 65.1 of the *Ontario Heritage Act*.
- c. Should previously undocumented archaeological resources be discovered, they may be a new archaeological site and therefore subject to Section 48 (1) of the *Ontario Heritage Act*. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licenced consultant archaeologist to carry out archaeological fieldwork, in compliance with Section 48 (1) of the *Ontario Heritage Act*.
- d. The *Cemeteries Act*, R.S.O. 1990 c. C.4 and the *Funeral, Burial and Cremation Services Act*, 2002, S.O. 2002, c.33 (when proclaimed in force) require that any person discovering human remains must notify the police or coroner and the Registrar of Cemeteries at the Ministry of Consumer Services.

Archaeological sites recommended for further archaeological fieldwork or protection remain subject to Section 48 (1) of the *Ontario Heritage Act* and may not be altered, or have artifacts removed from them, except by a person holding an archaeological licence.

7.0 Closure

Matrix has prepared this report in a manner consistent with the time limits and physical constraints applicable to this report. No other warranty, expressed or implied is made. The strategies incorporated in this study comply with those identified in the Ministry of Citizenship and Multiculturalism's *Standards and Guidelines for Consultant Archaeologists* (2011) however; archaeological assessments may fail to identify all archaeological resources.


The present report applies only to the project described in the document. Use of this report for purposes other than those described herein or by person(s) other than Landmark Engineers or their agent(s) is not authorized without review by this firm for the applicability of our recommendations to the altered use of the report.

Unless otherwise indicated, all materials in the report are copyrighted by Matrix Heritage. All rights reserved. Matrix Heritage authorizes the client and approved users to make and distribute copies of this report only for use by those parties. No part of this document either text, map, or image may be used for any purpose other than those described herein. Therefore, reproduction, modification, storage in a retrieval system or retransmission, in any form or by any means, electronic, mechanical or otherwise, for reasons other than those described herein, is strictly prohibited without prior written permission of Matrix Heritage.


This report is pending Ministry approval.

If you have any questions or we may be of further assistance, please contact the undersigned.

Matrix Heritage Inc.



Ben Mortimer, M.A., A.P.A.
Senior Archaeologist



Nadine Kopp, M.A., A.P.A., C.A.H.P.
Senior Archaeologist

8.0 Bibliography and Sources

Adams, Nick

1989 The Geological Formation of the St. Clair River Delta and Its Implications for Archaeological Research on the Walpole Island Indian Reserve. *KEWA, Ontario Archaeological Society Newsletter* 89(2):2–17.

AMICK Consultants Ltd.

2022a *Stage 1 Archaeological Background Study Sand Point Beach, 10300 Riverside Drive East, Windsor, Part of Lots 139, 140 & 141, Concession 1 (Geographic Township of East Sandwich, County of Essex), City of Windsor.* Exeter, ON.

2022b *Stage 2 Archaeological Assessment, 10300 Riverside Drive East, Windsor, Part of Lots 139, 140 & 141, Concession 1 (Geographic Township of East Sandwich, County of Essex), City of Windsor.* Exeter, ON.

Belden, H. & Co

1881 *Illustrated Historical Atlas of the Counties of Essex and Kent, 1880-1881.* H. Belden & Co., Toronto, ON.

Campbell, Taylor

2022 Town of Riverside Celebrates 100th Anniversary with Exhibition, Walking Tour. *Windsor Star* March 31.

Canadian Heritage Rivers System

1998 *Detroit River Canadian Heritage Background ReEport.*

Chapman, L. J., and D. F. Putnam

2007 *The Physiography of Southern Ontario.* Vol. Miscellaneous Release Data 228. Ontario Geological Survey, Toronto.

City Desk

2010 Sandpoint Beach. *Windsor Star* July 12. <https://windsorstar.com/life/from-the-vault/sandpoint-beach>.

Clarke, John

2001 *Land, Power, and Economics on the Frontier of the Upper Canada.* McGill-Queen's Press, Montreal and Kingston.

CRM Group Ltd, historic Horizon Inc., Fisher Archaeological Consulting, and Dillon Consulting Ltd

2000 *Archaeological Master Plan Study Report for the City of Windsor.*

CRM Lab Archaeological Services

2016 *Stage 2 Archaeological Assessment Nicodemo-Dupuis Site AbHr-19, Part of Historic Lot 138 Concession 1 Township of Sandwich East, Essex County Part of Part 22 of Survey 12R-23795, Windsor Ontario.* Windsor, ON.

Ellis, C. J., and B. D. Deller

1990 Paleo-Indians. In *The Archaeology of Southern Ontario to A.D.1650*, C. J. Ellis and N. Ferris, editors, 5:pp. 37–63. Occasional Publications of the London Chapter, OAS, London.

Ellis, C. J., Ian T. Kenyon, and M. W. Spence

1990 The Archaic. In *The Archaeology of Southern Ontario to A.D. 1650*, C. J. Ellis and N. Ferris, editors, 5:pp. 65–124. Occasional Publications of the London Chapter, OAS, London.

Ellis, Christopher, and Brian D. Deller

2000 *An Early Paleo-Indian Site Near Parkhill, Ontario*. Canadian Museum of Civilization, Hull, Quebec.

Golder Associates Inc

2015 *Proposed 120 Lot Residential Subdivision Little River Boulevard to Riverside Drive, Part Lots 142 and 143, Concession 1 Petite Cote, Former Geographic Township of East Sandwich, Now City of Windsor, Essex County, Ontario*. London, On.

Great Lakes Commission

2006 *Lake St. Clair Coastal Habitat Assessment: With Recommendations for Conservation and Restoration Planning*.

Jamieson, S.

1999 A Brief History of Aboriginal Social Interactions in Southern Ontario and Their Taxonomic Implications. In *Taming the Taxonomy: Toward a New Understanding of Great Lakes Archaeology*, R. F. Williamson and Christopher M. Watts, editors, pp. 175–192. eastendbooks, Toronto.

Lajeunesse, Ernest J., editor,

1960 *The Windsor Border Region: Canada's Sothernmost Frontier*. The Champlain Society, Toronto.

McCarthy, Francine, and John McAndrews

2010 Early Holocene Drought in the Laurentian Great Lakes Basin Caused Hydrologic Closure of Georgian Bay. *Journal of Paleolimnology* 47(3). March:411–428.

McMillan, Alan, D

1995 *Native Peoples and Cultures of Canada*. Douglas and McIntyre, Vancouver.

McMillan, Alan D., and Eldon Yellowhorn

2009 *First Peoples In Canada*. D & M Publishers, Vancouver/Toronto.

Moreau, Jean-Francois, F. Guindon, and E. Langevin

2016 The Northern Route, between the Saguenay and Georgian Bay: Construction of a Hypothesis. In *Contact in the 16th Century*. Mercury Series Archaeology Paper 176. Canadian Museum of History and the University of Ottawa Press, Ottawa.

Murphy, C. R., and N. Ferris

1990 The Late Woodland Western Basin Tradition of Southwestern Ontario. In *The Archaeology of Southern Ontario to A.D. 1650*, C. J. Ellis and N. Ferris, editors, 5:pp. 189–277. Occasional Publications of the London Chapter, OAS, London.

Neal, Frederick

1909 *Township of Sandwich, Past and Present*. Frederick Neal, Sandwich, Ontario.

OLR

Ontario Land Registry Office Records.

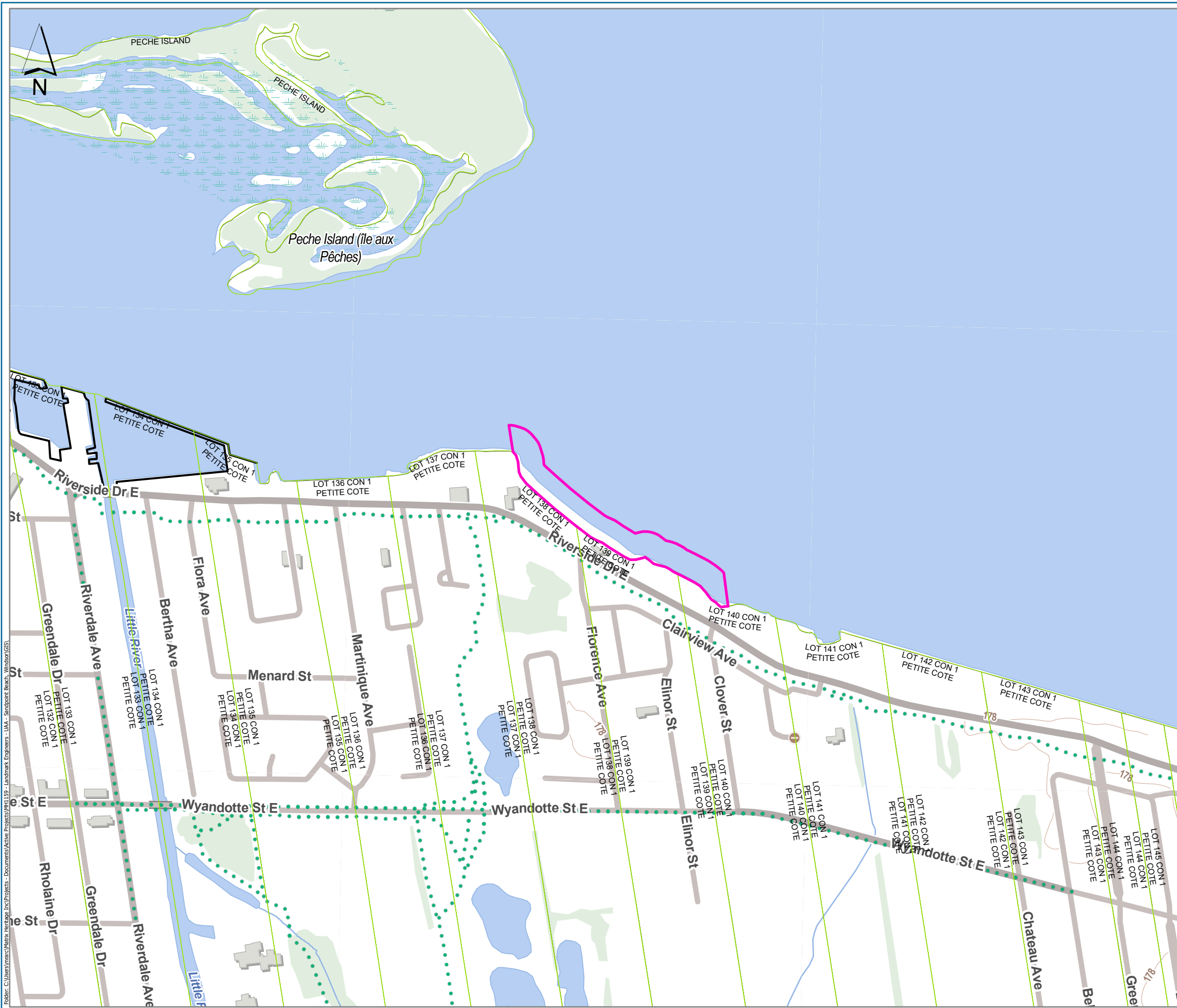
O'Shea, John M., and Guy A. Meadows

2009 Evidence for Early Hunters beneath the Great Lakes. *Proceedings of the National Academy of Sciences* 106(25). June 23:10120–10123.

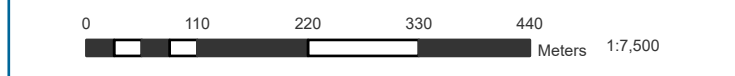
Wright, James V.

1990 Archaeology of Southern Ontario to A.D. 1650: A Critique. In *Archaeology of Southern Ontario to A.D. 1650*, C. Ellis and N. Ferris, editors, pp. 493–503. Ontario Archaeological Society, London Chapter, Publication No. 5. Ontario Archaeological Society, London Chapter, London, Ontario.

9.0 Maps



STUDY AREA



REFERENCES:
 MAXAR
 TOPOGRAPHIC BASE FROM LAND INFORMATION ONTARIO

FILE MH1159 DATE 2023-02-17

PROJECTION: NAD 1983 UTM Zone 17N
 CREATED BY: BM
 CHECKED BY: NK

PROJECT
 UNDERWATER ARCHAEOLOGICAL ASSESSMENT
 SANDPOINT BEACH, WINDSOR

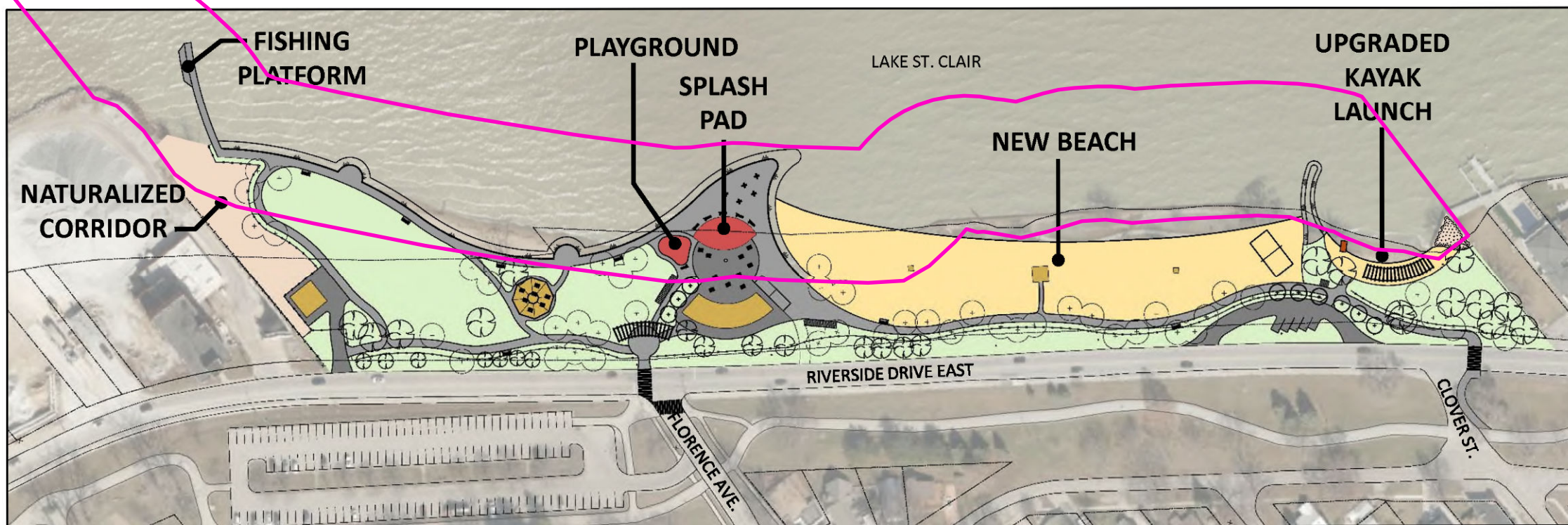
TITLE LOCATION MAP 1

Folder: C:\Users\matrix\Matrix\Heritane Inc\Projects - Documents\Active Projects\MH1159 - Landmark Engineers - UAA - Sandpoint Beach, Windsor\GIS

SANDPOINT BEACH PARK MASTER PLAN & ENVIRONMENTAL ASSESSMENT



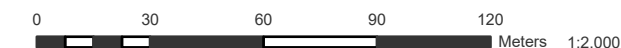
EXISTING



PROPOSED



LEGEND
 STUDY AREA



REFERENCES:
 CITY OF WINDSOR, SEMCOG, PROVINCE OF ONTARIO, ESRI CANADA, ESRI, HERE, GARMIN, USGS, NGA, EPA, USDA, NPS, AAFC, NRCAN

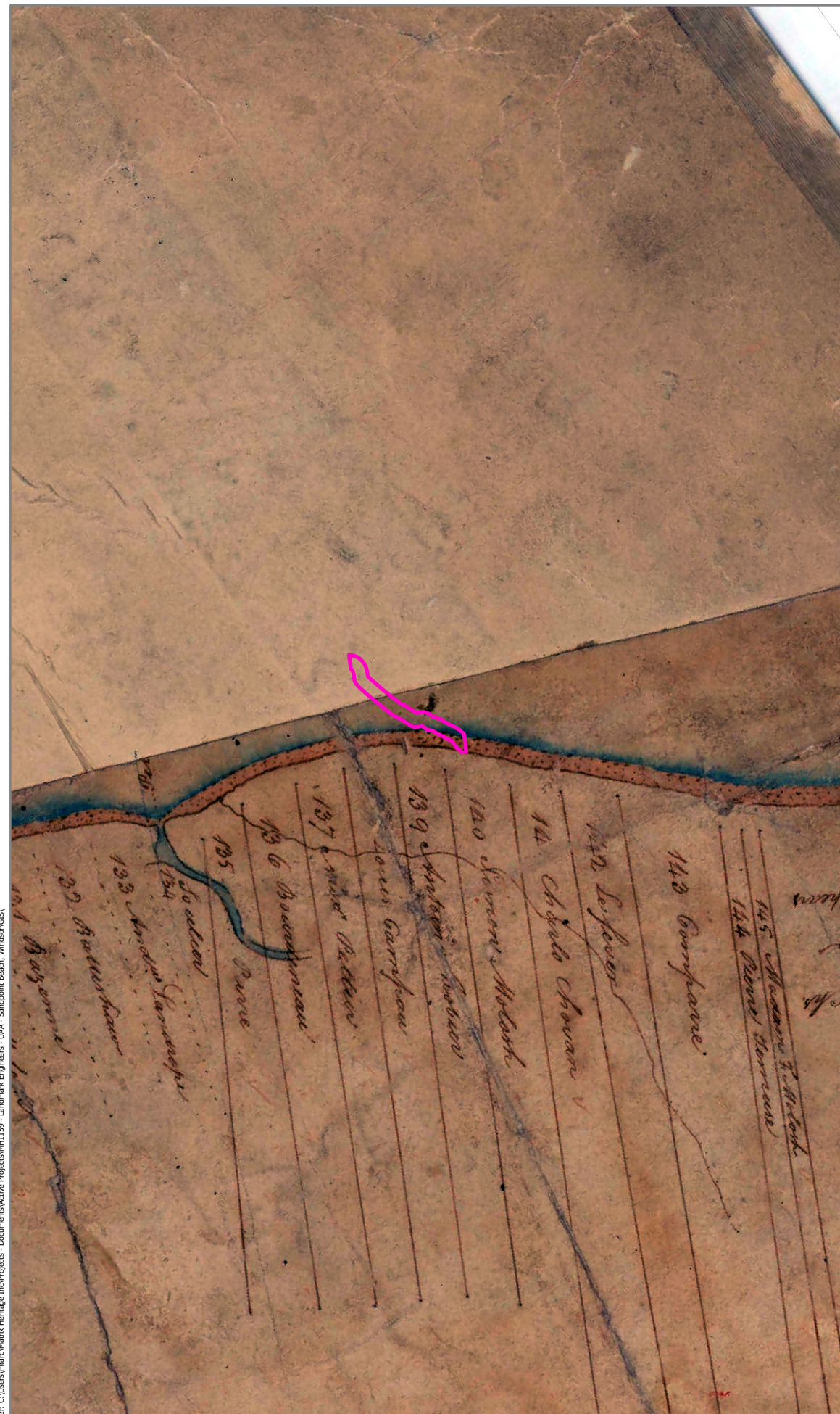
BP
Bezaire Partners
 Planners, Landscape Architects



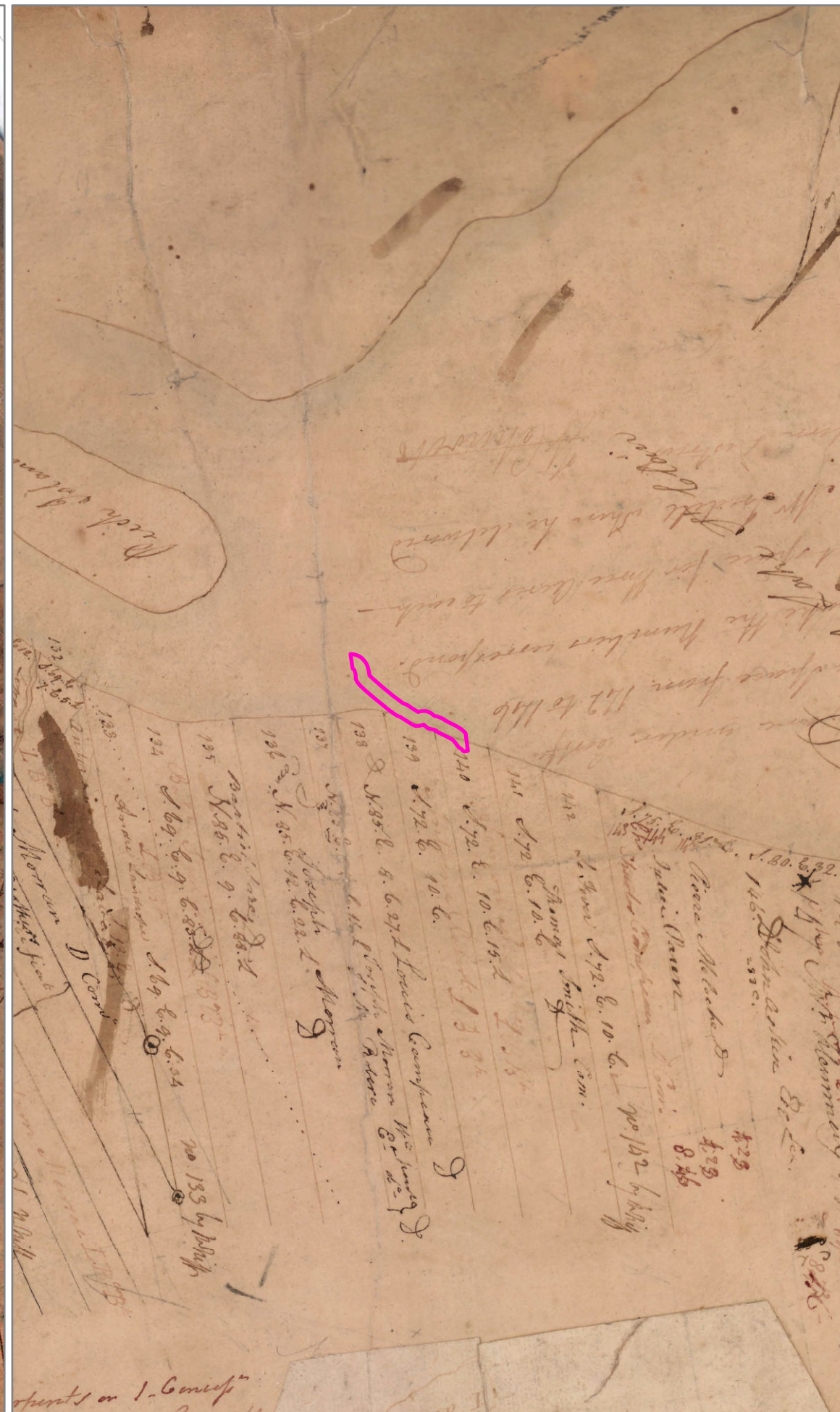
FILEMH1159 DATE 2023-02-17
 CREATED BY: BM
 CHECKED BY: NK

PROJECTION: NAD 1983 UTM Zone 18N
 PROJECT
 UNDERWATER ARCHAEOLOGICAL ASSESSMENT
 SANDPOINT BEACH, WINDSOR

TITLE DEVELOPMENT AREA MAP 2




McNiff 1793



Iredell 1797



LEGEND
 STUDY AREA



0 250 500 750 1,000 1:20,000
 Meters

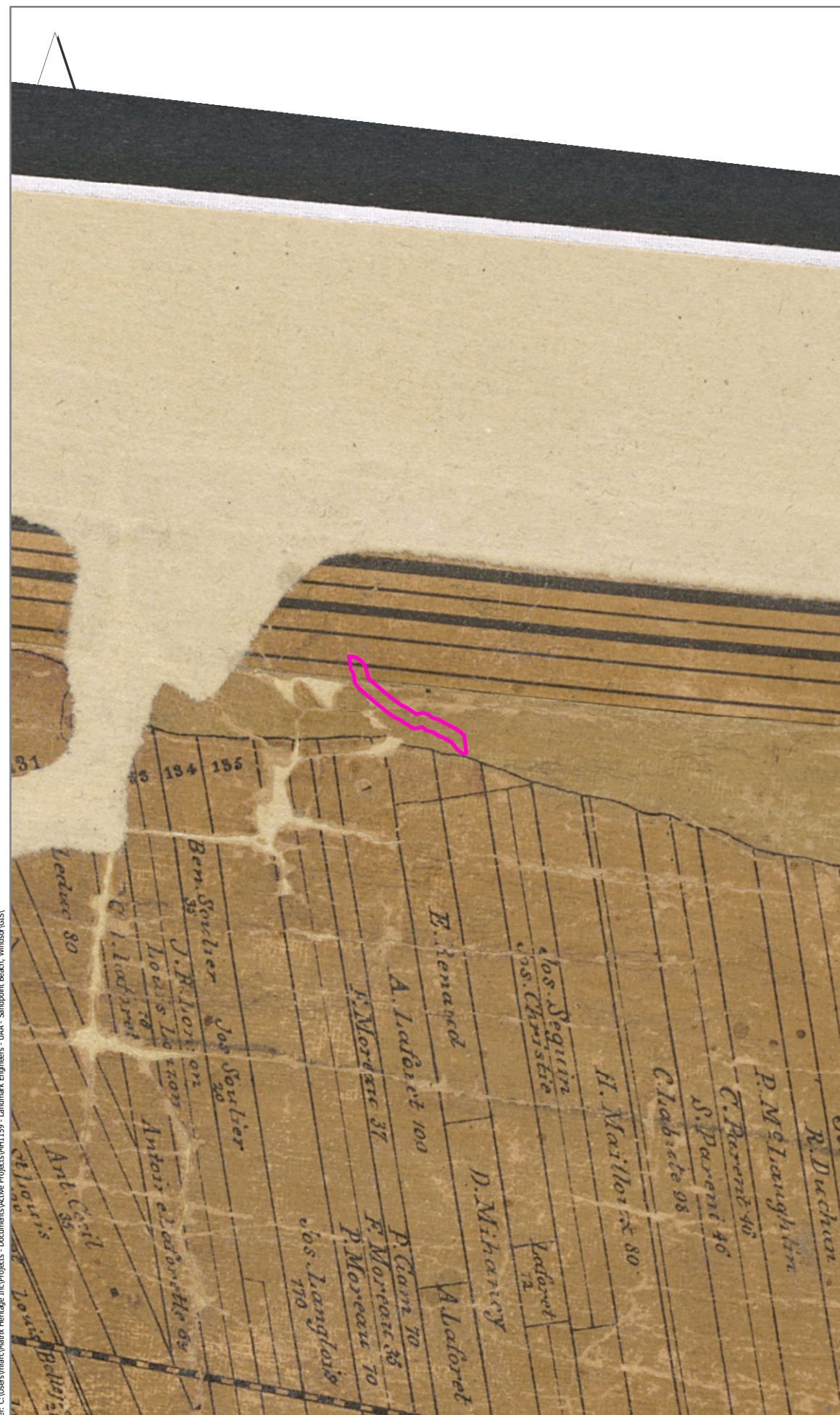
REFERENCES:
 CITY OF WINDSOR, PROVINCE OF ONTARIO, ESRI CANADA, ESRI, HERE, GARMIN, SAFEGRAPH, FAO, METI/NASA, USGS, EPA, NPS, NRCAN, PARKS CANADA, ESRI, CGIAR, USGS
 SEGMENT OF MCNIFF, PATRICK. 1793. MAP A37. SURVEY RECORD NO. 2035 . MINISTRY OF NATURAL RESOURCES, PETERBOROUGH, ONTARIO.
 SEGMENT OF IREDELL, ABRAHAM. 1797. MAP A34. SURVEY RECORD NO. 2029 . MINISTRY OF NATURAL RESOURCES, PETERBOROUGH, ONTARIO.

FILEMH1159 DATE 2023-02-17

PROJECTION: NAD 1983 UTM Zone 17N CREATED BY: BM
 CHECKED BY: NK

PROJECT
 UNDERWATER ARCHAEOLOGICAL ASSESSMENT
 SANDPOINT BEACH, WINDSOR

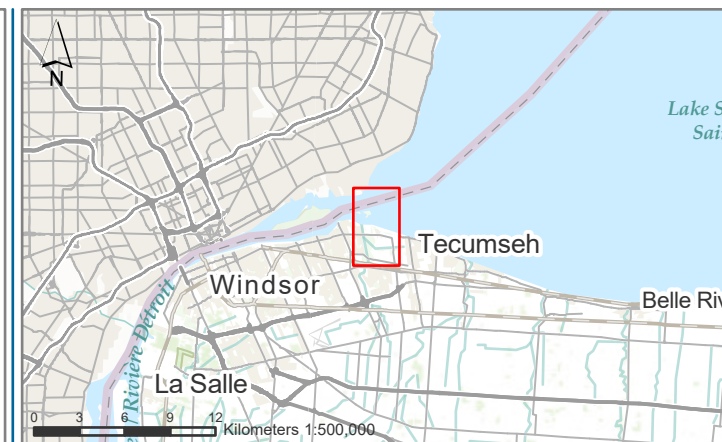
TITLE HISTORIC MAP 3



Walling 1877



Belden 1881

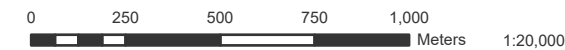


LEGEND

STUDY AREA



Matrix



REFERENCES:
CITY OF WINDSOR, PROVINCE OF ONTARIO, ESRI CANADA, ESRI, HERE, GARMIN, SAFEGRAPH, FAO, METI/NASA, USGS, EPA, NPS, NRCAN, PARKS CANADA, ESRI, CGIAR, USGS
SEGMENT OF 1877 MAP OF ESSEX COUNTY, ONTARIO BY H.F. WALLING
SEGMENT OF 1881 MAP OF SANDWICH TOWNSHIP FROM ILLUSTRATED HISTORICAL ATLAS OF THE COUNTIES OF ESSEX AND KENT, 1880-1881.

FILEMH1159

DATE 2023-02-17

PROJECTION: NAD 1983 UTM Zone 17N

CREATED BY: BM

CHECKED BY: NK

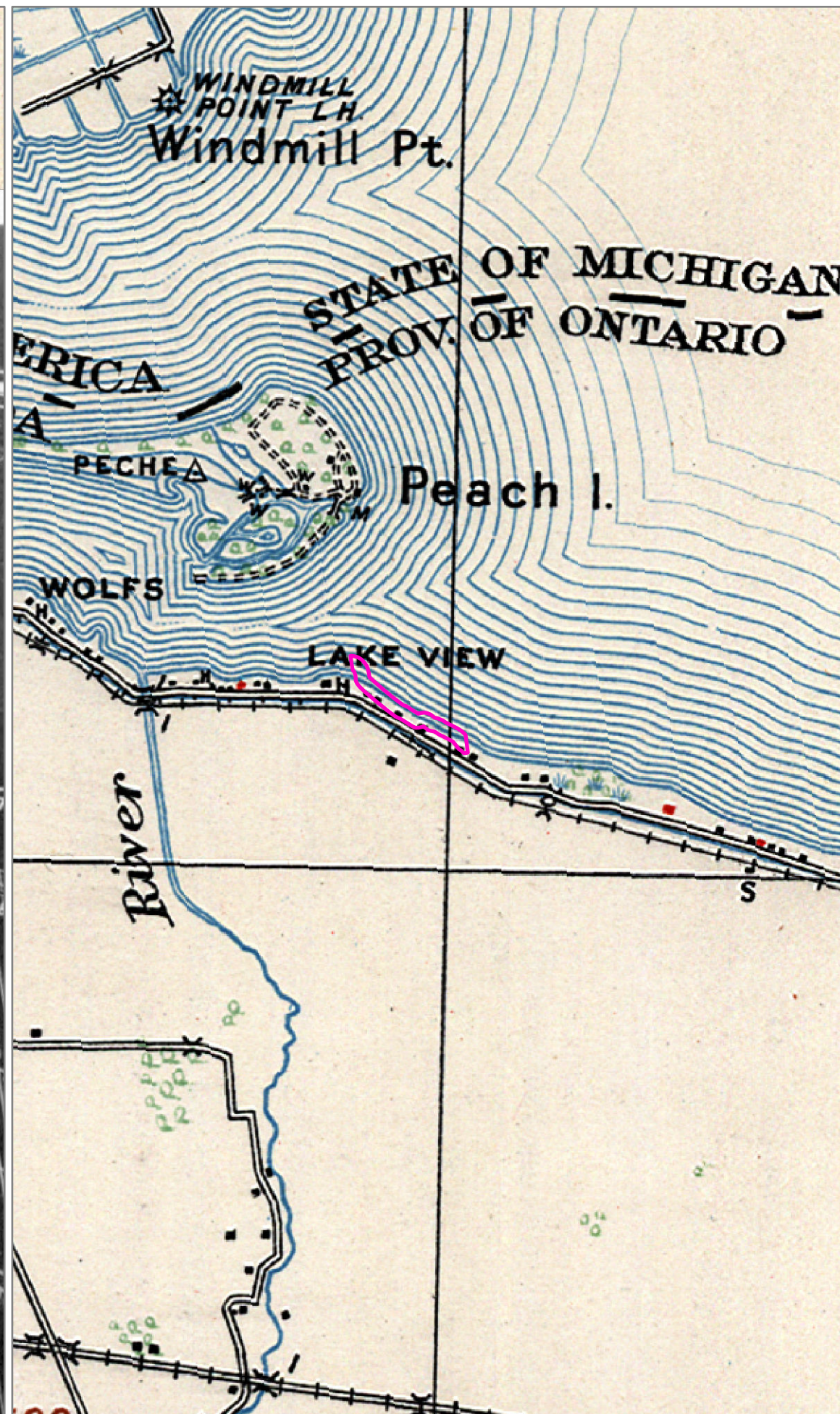
PROJECT
UNDERWATER ARCHAEOLOGICAL ASSESSMENT
SANDPOINT BEACH, WINDSOR

TITLE
HISTORIC

MAP
4



1898



1912



LEGEND
 STUDY AREA



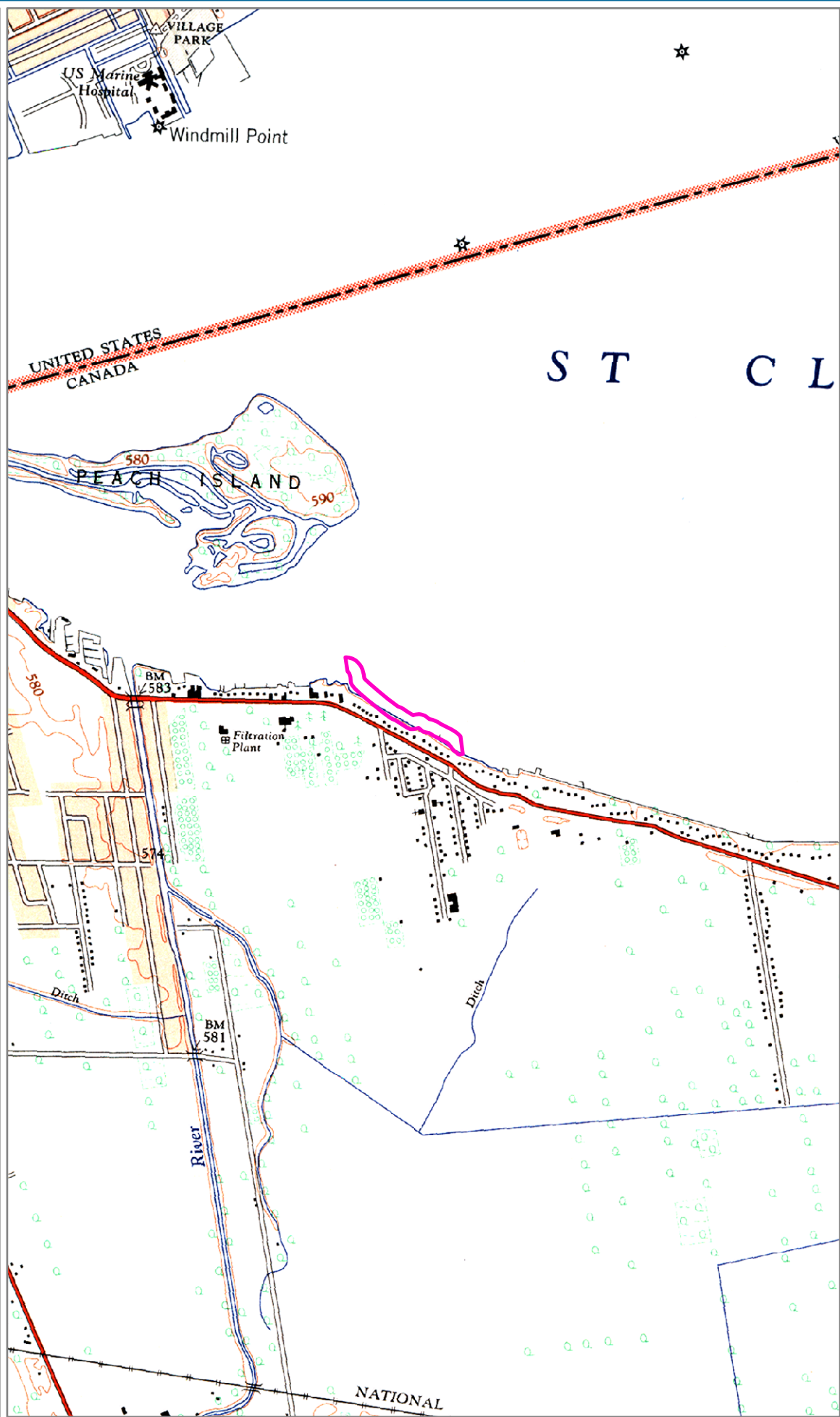
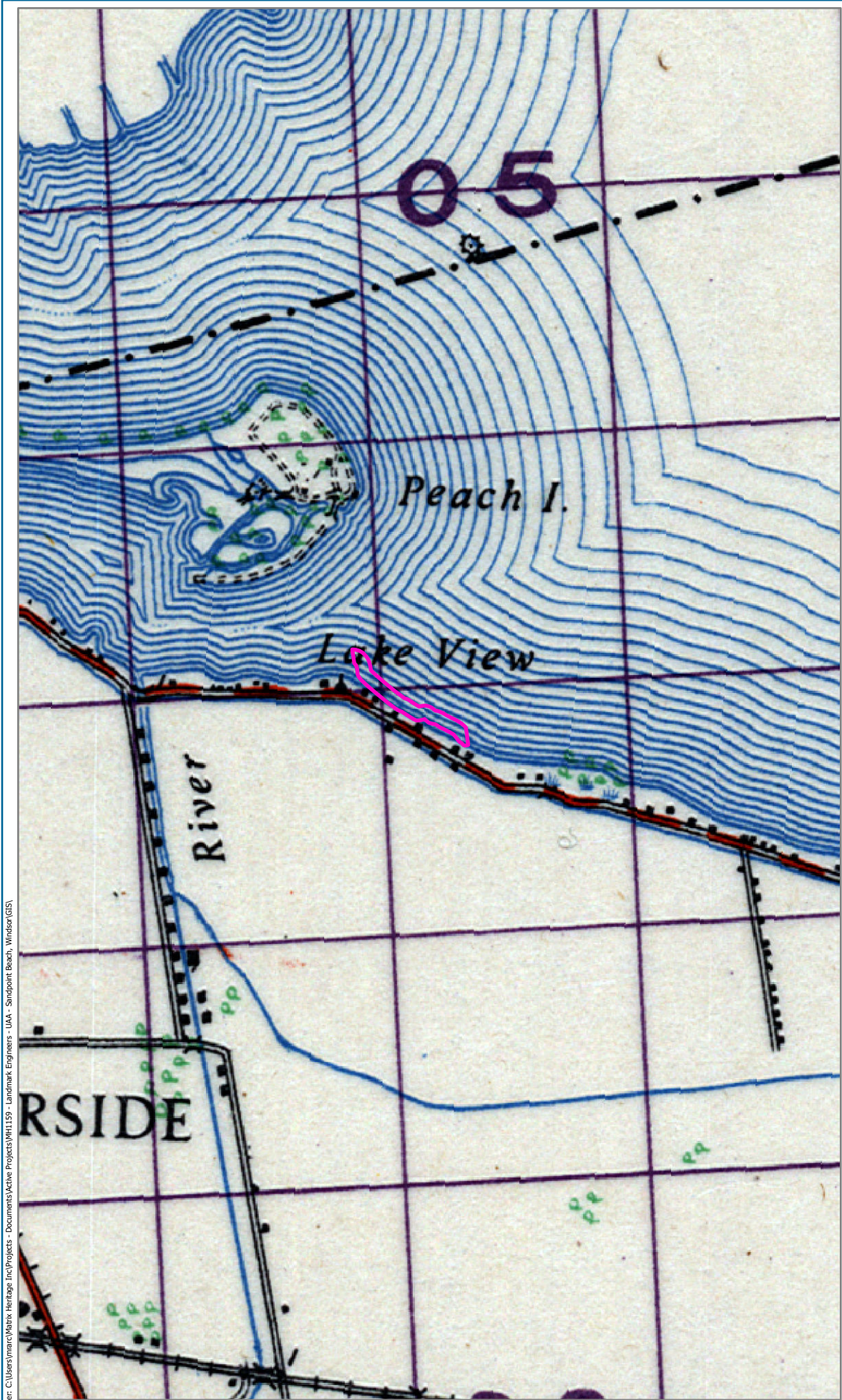
REFERENCES:
 CITY OF WINDSOR, PROVINCE OF ONTARIO, ESRI CANADA, ESRI, HERE, GARMIN, SAFEGRAPH, FAO, METI/NASA, USGS, EPA, NPS, NRCAN, PARKS CANADA, ESRI, CGIAR, USGS
 SEGMENT OF 1898 MAP OF SANDWICH TOWNSHIP, LAC N0011345_A2
 SEGMENT OF 1912 BELLE RIVER, ONTARIO, 1:63,360, MAP SHEET 040J07, SURVEY DIVISION, DEPARTMENT OF MILITIA AND DEFENCE

FILEMH1159 DATE 2023-02-17

PROJECTION: NAD 1983 UTM Zone 17N CREATED BY: BM CHECKED BY: NK

PROJECT
 UNDERWATER ARCHAEOLOGICAL ASSESSMENT
 SANDPOINT BEACH, WINDSOR

TITLE MAP
HISTORIC 5



LEGEND
 STUDY AREA



REFERENCES:
 CITY OF WINDSOR, PROVINCE OF ONTARIO, ESRI CANADA, ESRI, HERE, GARMIN, SAFEGRAPH, FAO, METI/NASA, USGS, EPA, NPS, NRCAN, PARKS CANADA, ESRI, CGIAR, USGS
 SEGMENT OF 1940 BELLE RIVER, ONTARIO. 1:63,360. MAP SHEET 040J07, GEOGRAPHICAL SECTION, GENERAL STAFF, DEPARTMENT OF NATIONAL DEFENCE
 SEGMENT OF 1962 RIVERSIDE, ONTARIO. 1:25,000. MAP SHEET 040J07D, ED. 2, SURVEYS AND MAPPING BRANCH, DEPARTMENT OF ENERGY, MINES AND RESOURCES

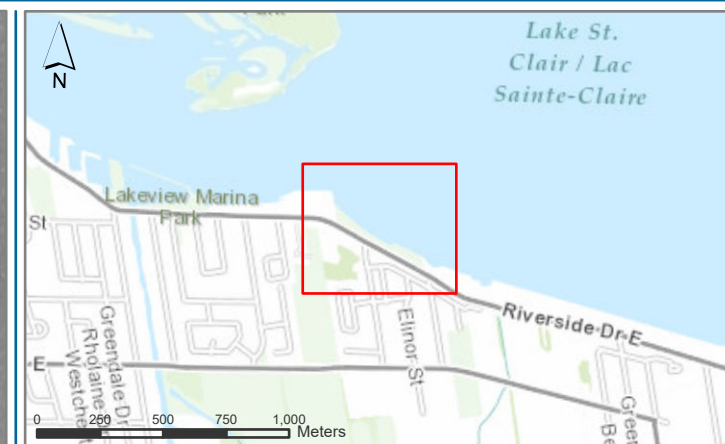
FILEMH1159 DATE 2023-02-17

PROJECTION: NAD 1983 UTM Zone 17N CREATED BY: BM
 CHECKED BY: NK

PROJECT
 UNDERWATER ARCHAEOLOGICAL ASSESSMENT
 SANDPOINT BEACH, WINDSOR

TITLE MAP
HISTORIC 6

Folder: C:\Users\imarc\Matrix Heritage Inc\Projects - Documents\Active Projects\MH1159 - Landmark Engineers - UAA - Sandpoint Beach, Windsor\GIS



REFERENCES:
 CITY OF WINDSOR, SEMCOG, PROVINCE OF ONTARIO, ESRI CANADA, ESRI, HERE,
 GARMIN, INCREMENT P, USGS, METI/NASA, EPA, USDA, AAFC, NRCAN
 1947 A11165-002
 1970 A22030-027
 1982 A25950-090
 1988 A27258-032

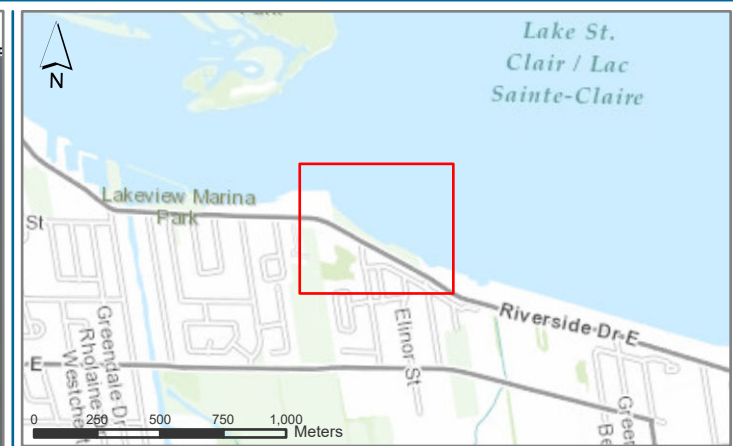
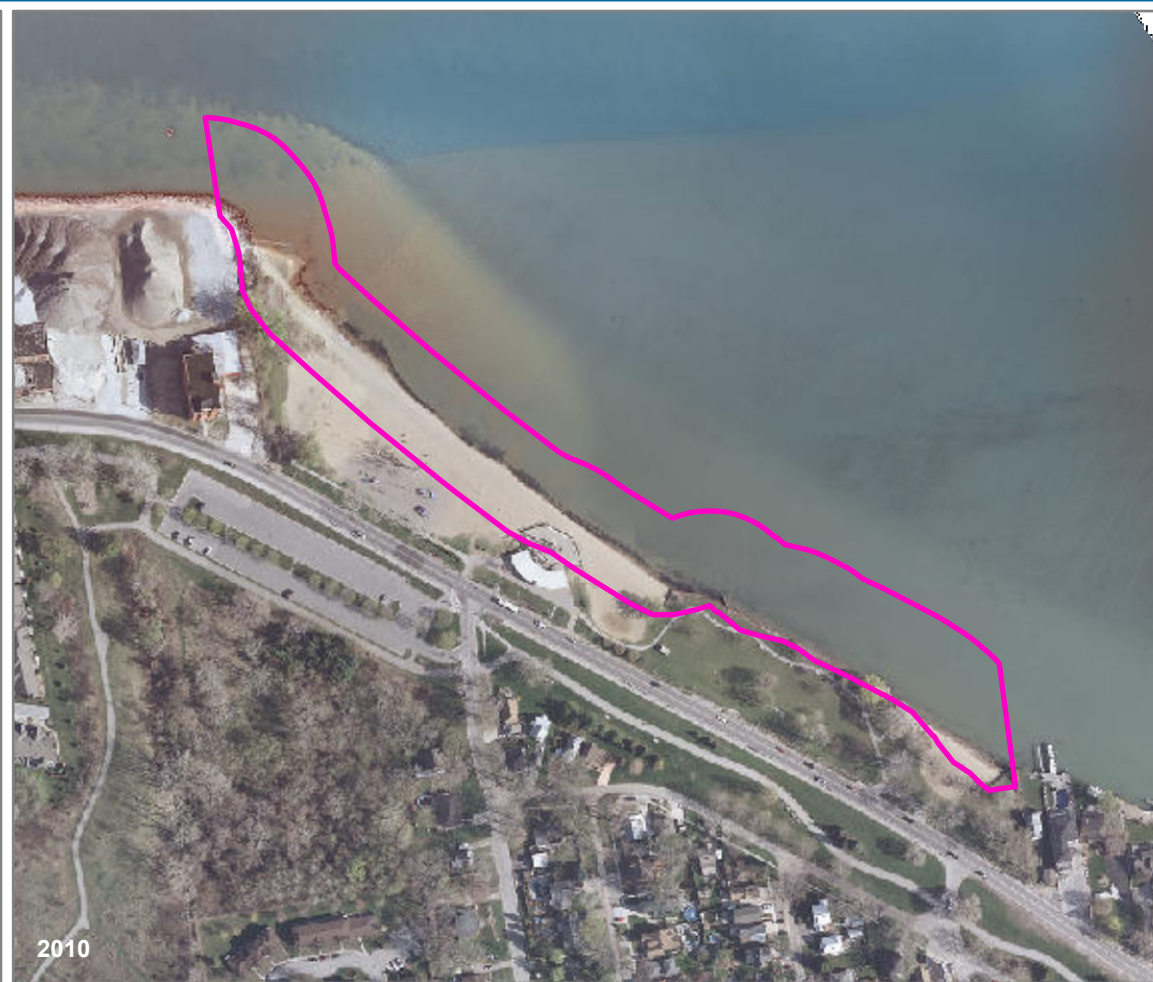
FILE MH1159 DATE 2023-03-07

PROJECTION: NAD 1983 UTM Zone 17N CREATED BY: BM
 CHECKED BY: NK

PROJECT
 UNDERWATER ARCHAEOLOGICAL ASSESSMENT
 SANDPOINT BEACH, WINDSOR

TITLE MAP
AERIAL IMAGERY 1 7

Folder: C:\Users\marr\OneDrive\Documents\Projects\Projects\MH1159 - Landmark Engineers - UAA - Sandpoint Beach, Windsor\GIS



0 60 120 180 240 Meters 1:4,000

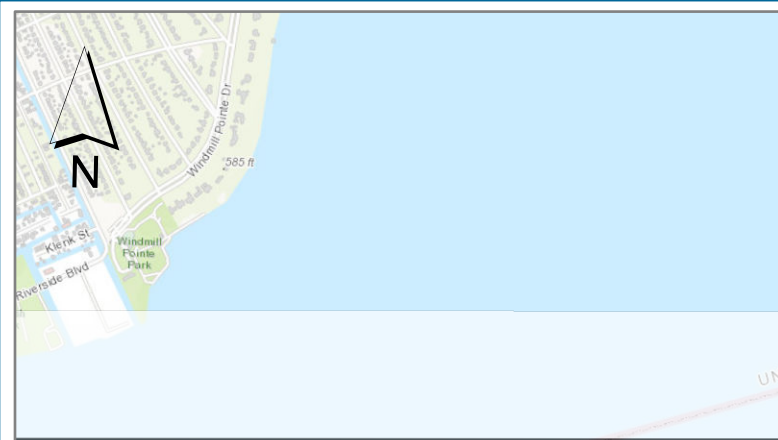
REFERENCES:
 CITY OF WINDSOR, SEMCOG, PROVINCE OF ONTARIO, ESRI CANADA, ESRI, HERE,
 GARMIN, INCREMENT P, USGS, METI/NASA, EPA, USDA, AAFC, NRCAN
 1992 A27801-040
 2010 CITY OF WINDSOR OPENDATA
 2011 GOOGLE EARTH PRO
 2013 CITY OF WINDSOR OPENDATA

FILEMH1159 DATE 2023-03-07

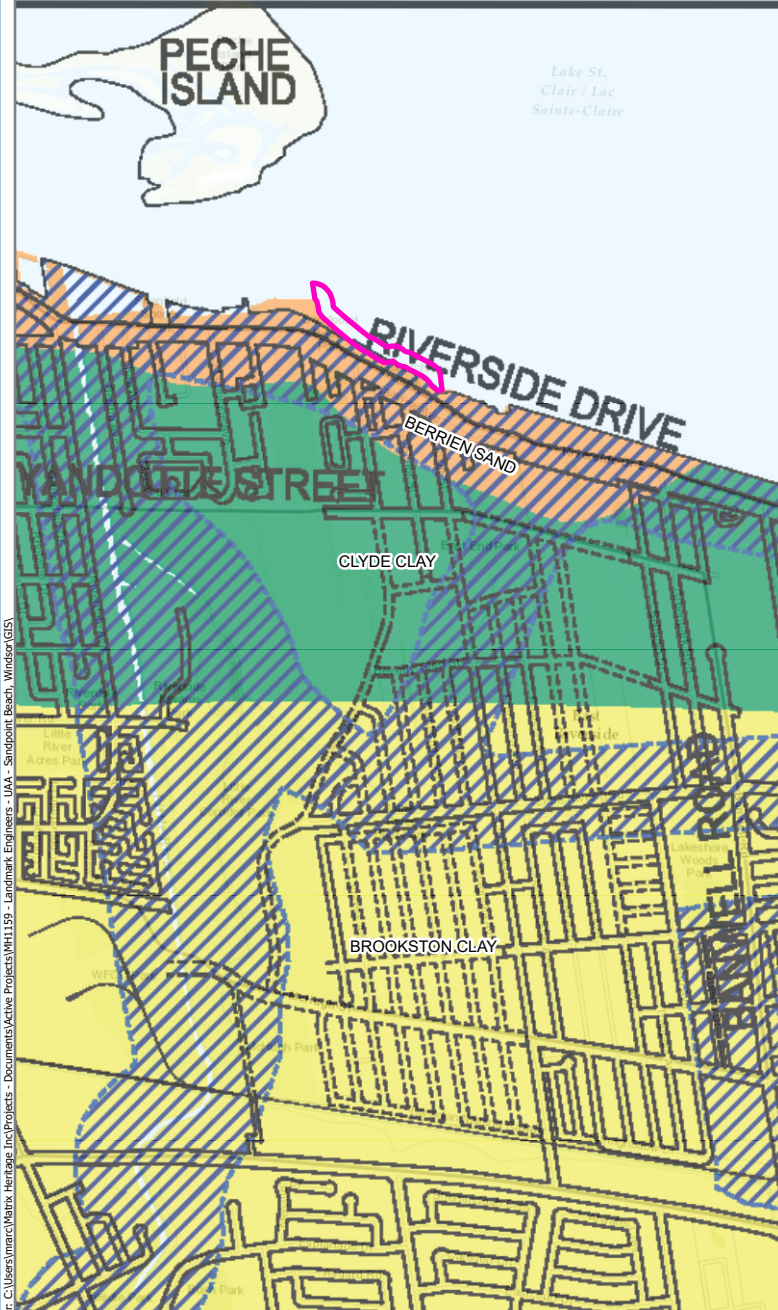
PROJECTION: NAD 1983 UTM Zone 17N CREATED BY: BM
 CHECKED BY: NK

PROJECT
 UNDERWATER ARCHAEOLOGICAL ASSESSMENT
 SANDPOINT BEACH, WINDSOR

TITLE MAP
AERIAL IMAGERY 2 8



RS FOR MODEL



SOILS



SURFICIAL GEOLOGY

- 8A: MASSIVE-WELL LAMINATED
- 14B: LITTORAL-FORESHORE DEPOSITS

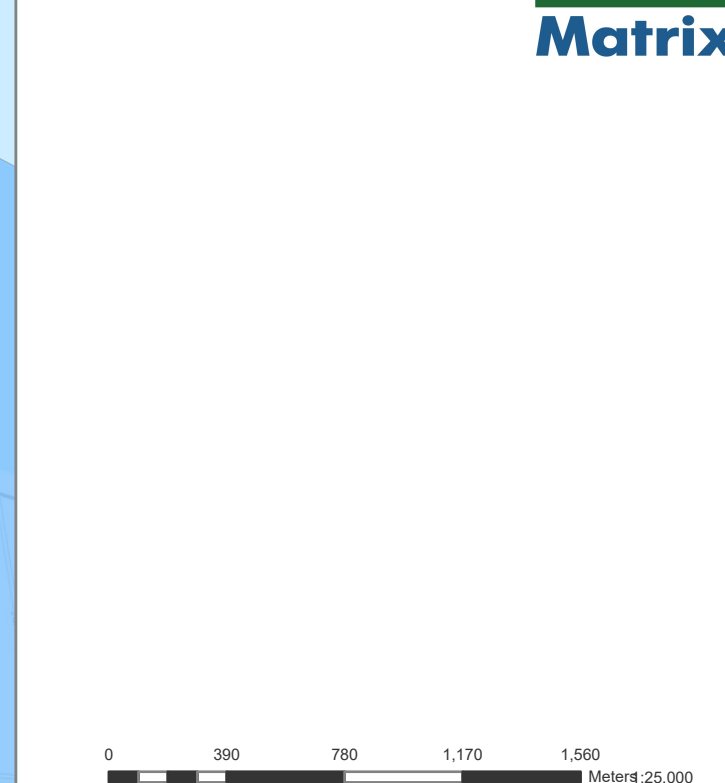


PHYSIOGRAPHY



LEGEND

STUDY AREA

REFERENCES:
 CITY OF WINDSOR, SEMCOG, PROVINCE OF ONTARIO, ESRI CANADA, ESRI, HERE, GARMIN, INCREMENT P, USGS, METI/NASA, EPA, USDA, AAFC, NRCAN, CITY OF WINDSOR, ONTARIO BASE MAP, PROVINCE OF ONTARIO, ESRI CANADA, ESRI, © OPENSTREETMAP CONTRIBUTORS, HERE, GARMIN, USGS, NGA, EPA, USDA, NPS, AAFC, NRCAN
 SOIL DATA FROM WINDSOR ARMP 2005
 SURFICIAL GEOLOGY OF SOUTHERN ONTARIO 2003
 CHAPMAN AND PUTNAM 2007 PHYSIOGRAPHY OF SOUTHERN ONTARIO

FILEMH1159 DATE 2023-03-08

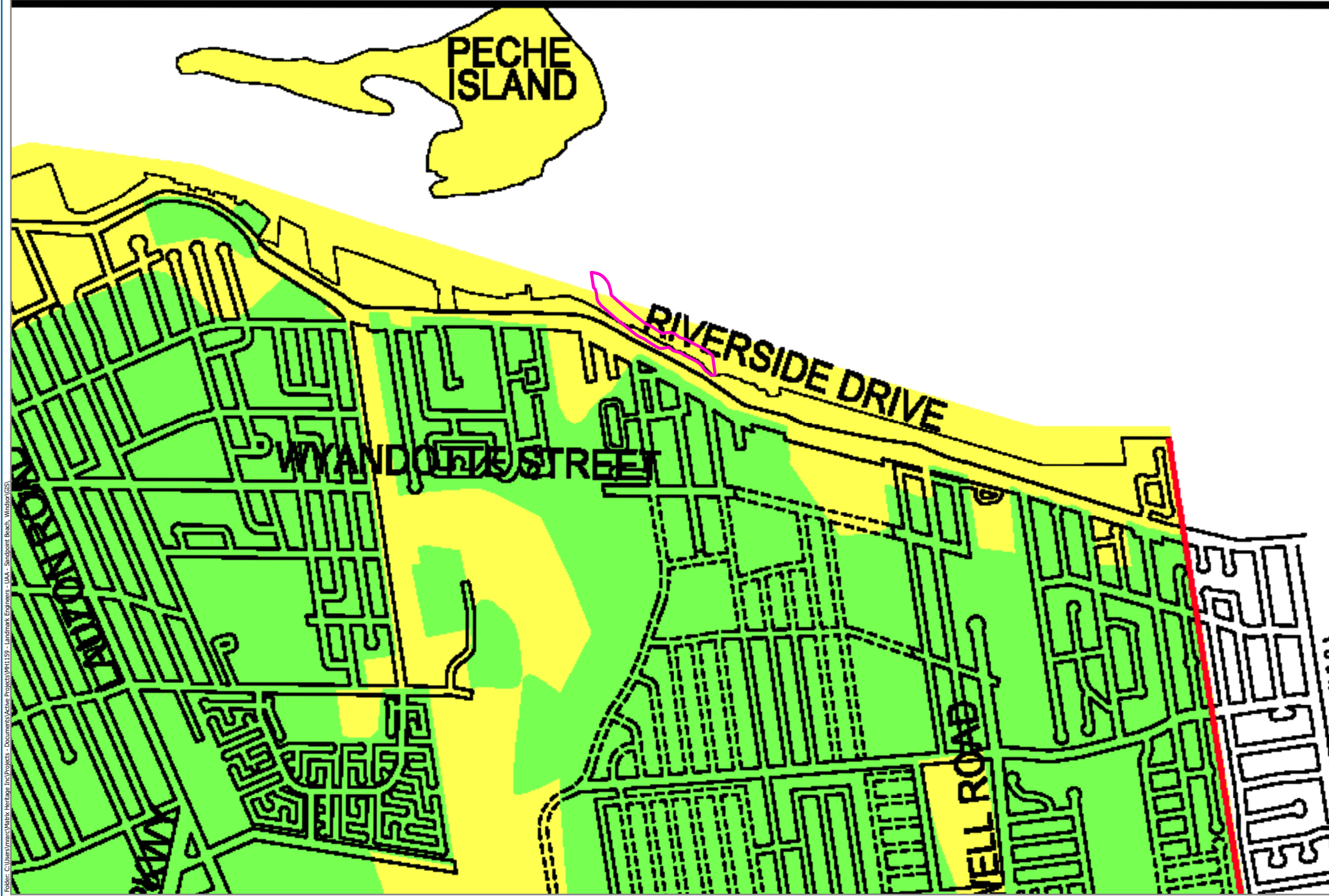
PROJECTION: NAD 1983 UTM Zone 17N CREATED BY: BM
 CHECKED BY: NK

PROJECT
 UNDERWATER ARCHAEOLOGICAL ASSESSMENT
 SANDPOINT BEACH, WINDSOR

TITLE MAP
SOILS AND GEOLOGY 9

Folder: C:\Users\matrix\Matrix\Heritage - Documents\Active Projects\MH1159 - Landmark Engineers - UAA - Sandpoint Beach, Windsor (GIS)

ARCHAEOLOGICAL POTENTIAL



- LEGEND
- STUDY AREA
 - WINDSOR ARCHAEOLOGICAL MASTER PLAN (2005)
 - LOW POTENTIAL
 - HIGH POTENTIAL



REFERENCES:
 CITY OF WINDSOR, SEMCOG, PROVINCE OF ONTARIO, ESRI CANADA, ESRI, HERE,
 GARMIN, INCREMENT P, USGS, METI/NASA, NGA, EPA, USDA, AAFC, NRCAN, MAXAR

FILEMH1159 DATE 2023-03-07
 PROJECTION: NAD 1983 UTM Zone 17N CREATED BY: BM
 CHECKED BY: NK
 PROJECT
 UNDERWATER ARCHAEOLOGICAL ASSESSMENT
 SANDPOINT BEACH, WINDSOR
 TITLE ARCHAEOLOGICAL POTENTIAL MAP 10

Folder: C:\Users\mmax\OneDrive\Heritage - Documents\Active Projects\MH1159 - Landmark Engineers - UAA - Sandpoint Beach, Windsor\GIS

10.0 Images



Figure 1: March 25 1952 - Nine cottages along Riverside Drive were placarded as unfit for human habitation following flooding. They were eventually demolished, and the area developed into Sandpoint Beach Park. The Monarch Liqueurs building located at 10150 Riverside Drive East can be seen in the background (image from Windsor Star <https://windsorstar.com/life/from-the-vault/sandpoint-beach>).

Appendix A: Map Catalogue

Map Number	Description	Created By
1	Location	B. Mortimer
2	Development Area	B. Mortimer
3	Historic	B. Mortimer
4	Historic	B. Mortimer
5	Historic	B. Mortimer
6	Historic	B. Mortimer
7	Aerial Imagery 1	B. Mortimer
8	Aerial Imagery 2	B. Mortimer
9	Soils and Geology	B. Mortimer
10	Archaeological Potential	B. Mortimer

Section 7: Natural Heritage

7.0 Natural Heritage – Species at Risk Impact Assessment

Insight Environmental Solutions Inc. (hereafter IES) was retained to complete a Species at Risk Impact assessment for the area of Sandpoint Beach. A copy of the completed report was submitted to Ministry of the Environment, Conservation and Parks (MECP) on December 5, 2022 via email for review and approval.

The assessment was conducted through a desktop review and field surveys. The objective of the assessment was to determine potential impacts to natural heritage features and Species at Risk (SAR) individuals and/or habitat. When assessing the site and preparing the report, IES referenced the following applicable environmental policies – Species at Risk Act (2002), Fisheries Act (1985), Endangered Species Act (2007), the Provincial Policy Statement (2020), Conservation Authorities Act (1990), and the Migratory Birds Convention Act (1994).

IES evaluated the study area through the following methodology:

- Floristic Quality Assessment – a method to assess the floristic integrity of vegetation communities. It is used to determine the significance and amount of restoration required for individual vegetative communities.
- Tree Inventory – a tree inventory was provided by the City of Windsor.
- Wildlife and Wildlife Habitat – assessed through an incidental wildlife survey and a species at risk survey. These methods were carried out to determine the potential population and distribution of SAR individuals and to delineate the habitat and habitat features within the property.

For evaluation, the site was classified into three areas - the Beach and Anthropogenic area, the Mown Lawn with scattered trees, and the Mineral Treed Shoreline Ecosite. IES noted that all the vegetation communities within the study area are considered widespread and common in Ontario and are secure globally.

Within the assessment area IES identified:

- one provincially significant tree – an Ohio Buckeye (*Aesculus glabra*);
- 13 bird species were observed, eight of these species were identified as protected under the Migratory Birds Convention Act; and,
- A natural corridor containing trees and shrubs that could act as a rest and refuge area for reptiles. This area also contains logs and cover objects that could be used by snakes.

In their Species at Risk Impact Assessment, IES recommended mitigation measures to be implemented during construction to protect the identified species at risk and their habitats. Timing windows were provided in which tree removal and in-water work can not be performed. All recommendations made in the report will be implemented during construction of the works.

A copy of the report can be found in this section of the Project Files.

Liz Michaud

From: Nicole Wajmer <nicole.wajmer@insightenvironmental.ca>
Sent: December 5, 2022 2:45 PM
To: Species at Risk (MECP)
Cc: Liz Michaud; Jennifer Neill
Subject: SAR Impact Assessment for Sand Point Beach, Windsor
Attachments: SAR Impact Assessment_Sandpoint Beach_Windsor_December 5 2022_Final.pdf

Dear MECP:

Please find the attached Species at Risk Assessment for proposed improvements to Sand Point Beach, Windsor.

We are seeking the Ministry of the Environment, Conservation and Parks (MECP) Species at Risk Branch (SARB)'s review of the project documentation and mitigation measures that have been provided, to ensure that the project will likely not contravene section 9 (species protection) or section 10 (habitat protection) of the ESA 2007.

Please let me know if you have any questions or require additional information.

Kind regards,

Nicole

--

Nicole Wajmer
Principal Wildlife Biologist
Insight Environmental Solutions Inc.
www.insightenvironmental.ca
nicole.wajmer@insightenvironmental.ca
519-829-9463

Species at Risk Impact Assessment

Sandpoint Beach, Windsor



Prepared For:

Landmark Engineers

Prepared By:

Nicole Wajmer, B.Sc., M.Sc., Principal Wildlife Biologist
Jennifer Neill, BFA, Dip. Env. Technician, Principal Ecologist

Date:

December 12, 2022

Table of Contents

1.0 INTRODUCTION	5
1.1 SUBJECT PROPERTY.....	5
1.2 DEVELOPMENT PROPOSAL	5
2.0 BACKGROUND REVIEW	5
3.0 SPECIES AT RISK SCREENING	9
3.1 DFO AQUATIC SPECIES AT RISK.....	9
3.2 LAND INFORMATION ONTARIO (LIO)	10
3.3 BREEDING BIRD ATLAS	16
3.4 E-BIRD.....	19
3.5 I – NATURALIST.....	20
3.6 ONTARIO REPTILE AND AMPHIBIAN ATLAS	21
3.7 ATLAS OF MAMMALS OF ONTARIO	23
3.8 ONTARIO BUTTERFLY ATLAS	23
3.9 CONSERVATION AUTHORITIES	24
3.10 LOCAL NATURALIST GROUPS.....	24
3.11 LOCAL INDIGENOUS COMMUNITIES.....	24
4.0 METHODOLOGY	25
4.1 FLORISTIC QUALITY ASSESSMENT.....	25
4.1.1 <i>Floristic Quality Index</i>	25
4.1.2 <i>Wetness Index</i>	26
4.2 TREE INVENTORY.....	26
4.3 WILDLIFE AND WILDLIFE HABITAT	27
4.3.1 <i>Incidental Wildlife Surveys</i>	27
4.3.2 <i>Species At Risk Survey (SAR) Methods</i>	27
5.0 EXISTING CONDITIONS	28
5.1 FIELD SURVEY DATES AND WEATHER CONDITIONS.....	28
5.2 NATURAL HERITAGE FEATURES	28
5.3 PHYSIOGRAPHY AND SOILS	28
5.4 HYDROLOGY	28
5.5 TOPOGRAPHY	28
5.6 FLORA AND VEGETATION COMMUNITIES.....	31
5.6.1 <i>Ecological Land Classification Vegetation Communities</i>	31
5.6.2 <i>Flora</i>	34
5.6.3 <i>Tree Inventory</i>	35
5.7 FAUNA AND WILDLIFE HABITAT.....	37
5.7.1 <i>Birds</i>	37
5.7.2 <i>Herpetofauna</i>	38
5.7.3 <i>Mammals</i>	39

6.0	SUMMARY OF APPLICABLE ENVIRONMENTAL POLICIES	41
6.1	SPECIES AT RISK ACT (2002)	41
6.2	FISHERIES ACT (1985)	41
6.3	ENDANGERED SPECIES ACT (2007)	41
6.4	PROVINCIAL POLICY STATEMENT (2020)	42
6.4.1	<i>Fish Habitat</i>	42
6.4.2	<i>Significant Wildlife Habitat</i>	42
6.4.3	<i>Significant Habitat of Endangered and Threatened Species</i>	43
6.5	CONSERVATION AUTHORITIES ACT (1990)	43
6.5.1	<i>Ontario Regulation 158/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses</i>	43
6.6	MIGRATORY BIRDS CONVENTION ACT (1994)	45
7.0	MITIGATION TO REDUCE IMPACTS TO SPECIES AT RISK AND THEIR HABITAT	45
7.1	POTENTIAL SAR HABITAT ON AND ADJACENT TO SUBJECT PROPERTY	45
7.2	NORTHERN MADTOM MITIGATION	48
7.2.1	<i>Protection of Fish</i>	48
7.2.2	<i>Protection of Fish Habitat from Sedimentation</i>	48
7.2.3	<i>Contaminant and Spill Management</i>	48
7.2.4	<i>Operation of Machinery</i>	49
7.3	MITIGATION FOR SAR REPTILES	49
7.4	MITIGATION TO PROTECT BREEDING BIRDS	50
7.5	MITIGATION MEASURES FOR SAR BATS	50
8.0	CONCLUSION	50
9.0	REFERENCES	52

List of Figures

Figure 1: Key Plan.....	7
Figure 2: Concept Plan.....	8
Figure 3: Natural Heritage Features	29
Figure 4: Regulated Area	30
Figure 5: Existing Conditions.....	40

List of Tables

Table 1: DFO Aquatic Species at Risk	9
Table 2: NHIC SAR Records	11
Table 3: Breeding Bird Atlas Species at Risk (2005)	17
Table 4: E-Bird Species at Risk	19
Table 5: I - Naturalist Species at Risk.....	20
Table 6: ORAA Species at Risk.....	21
Table 7: Atlas of Mammals of Ontario	23
Table 8: Ontario Butterfly Atlas	23
Table 9: Summary Of Ecological Land Classification	33
Table 10: Observed Vascular Plant List	34
Table 11: Tree Species Observed on the Subject Property	36
Table 12: Observed Wildlife Species	39
Table 13: Potentiel SAR or SAR Habitat.....	46

List of Appendices

Appendix A: Name and Qualifications of Retained Consultant	54
Appendix B: Curent Site Conditions	56

1.0 INTRODUCTION

Insight Environmental Solutions Inc., (IES) was retained by Landmark Engineers to complete a background review and Species at Risk (SAR) Impact Assessment for the proposed project located at Sandpoint Beach, Windsor, Ontario (hereafter referred to as the 'Subject Property').

IES has conducted a background review and field investigations to determine potential impacts to natural heritage features and SAR individuals and/or habitat. This report provides an overview of the existing site conditions and applicable *Endangered Species Act* (ESA 2007) and *Species at Risk Act* (SARA 2002) policies, identifies any environmental constraints and opportunities, and provides recommendations with respect to the proposed project. The goal of this report is to attain the Ministry of the Environment, Conservation and Parks (MECP) Species at Risk Branch (SARB)'s review of the project documentation to ensure that the project is not likely to contravene Section 9 (species protection) or Section 10 (habitat protection) of the ESA 2007.

1.1 SUBJECT PROPERTY

The proposed project is located at Sandpoint Beach, City of Windsor, County of Essex, Ontario (17T 341903 4689156). Sandpoint Beach can be accessed at 10300 Riverside Drive East, Windsor. The Subject Property is approximately 45m long (north - south) and 465m wide (east - west) with an area of approximately 2.6 hectares. **Figure 1** shows the property in a regional context. Current site conditions can be seen in **Appendix B**.

1.2 DEVELOPMENT PROPOSAL

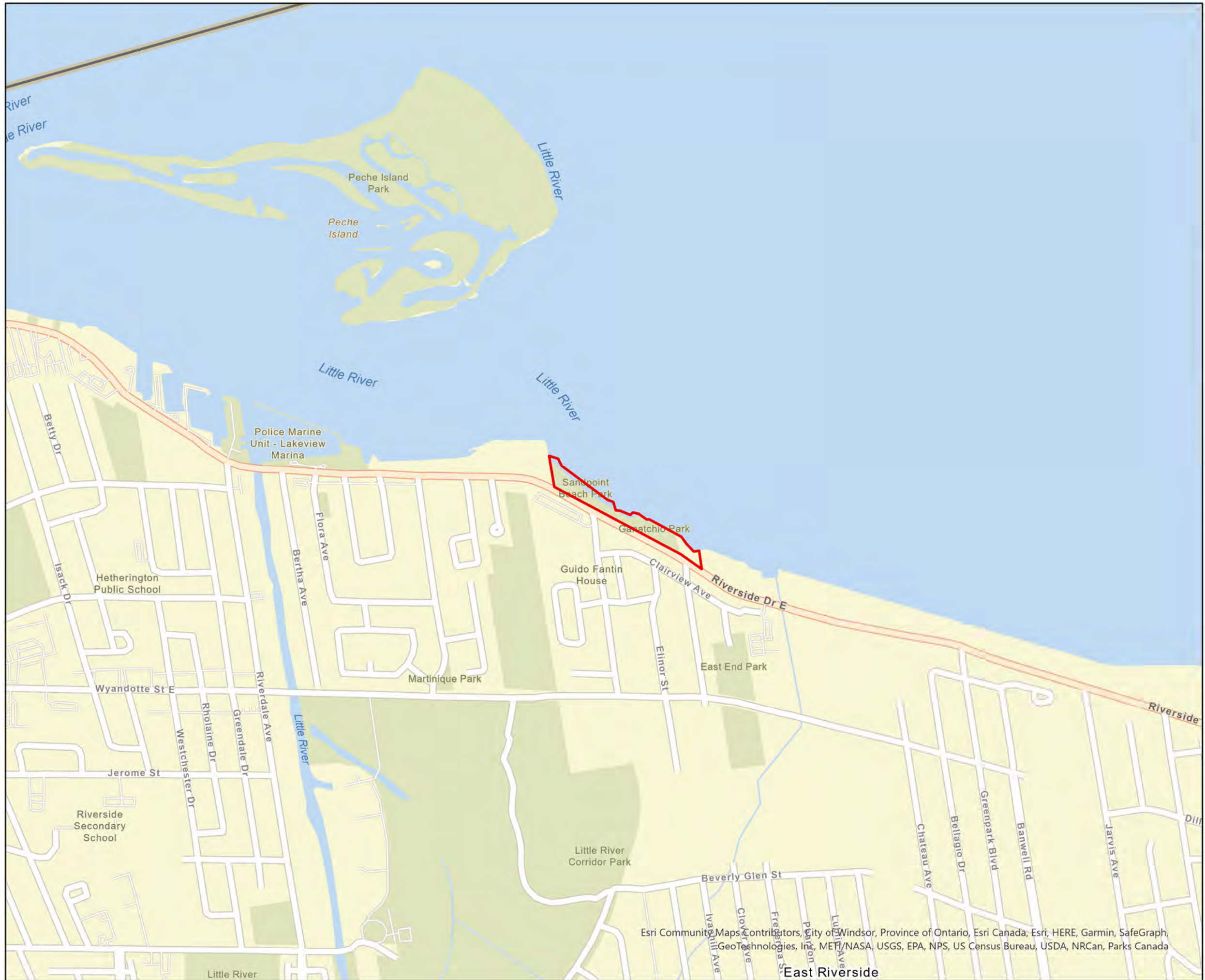
The proposed development will re-configure Sandpoint Beach to accommodate for safe access to a new beach location, the creation of greenspace, walking trails, a pavilion area, and the retention of an existing naturalized wildlife corridor. The Concept Plan for the proposed development can be seen in **Figure 2**.

2.0 BACKGROUND REVIEW

The following sections discuss all applicable information and resources used to support a discussion with Regulatory Authorities at the preliminary screening stage for the proposed development. Background documents and supporting technical documents containing information relevant to potential Species at Risk (SAR) and SAR habitat features on or within the vicinity of the Subject Property were reviewed as well regulatory policies at the federal and provincial levels. These resources include:

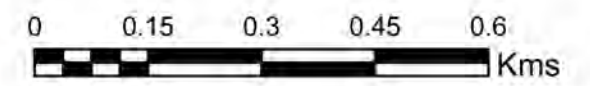
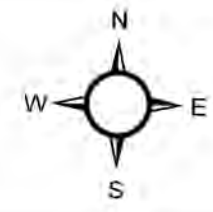
1. Species at Risk Act (SARA, 2002)
2. Fisheries Act (1985)
3. Endangered Species Act (2007)
4. Provincial Policy Statement (2020)

5. Conservation Authorities Act (1990)
6. Ontario Regulation 158/06
7. Migratory Birds Convention Act (MBCA 1994)
8. Ministry of Natural Resources and Forestry. Make A Map: Natural Heritage Areas. Interactive Map
9. Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) on-line interactive 'Ag Maps'
10. Essex Region Conservation Authority Public Interactive Mapping
11. DFO Aquatic Species at Risk Interactive Mapping
12. Ontario Breeding Bird Atlas (OBBA)
13. E-Bird
14. I-Naturalist
15. Ontario Reptile and Amphibian Atlas
16. Atlas of Mammals of Ontario (Dobbyn 1994)
17. Ontario Butterfly Atlas
18. Google Earth Imagery
19. Client's Guide to Preliminary Screening for Species at Risk (MECP, 2019)



Key Plan

Sand Point Beach, Windsor



Legend

— Legal Parcel

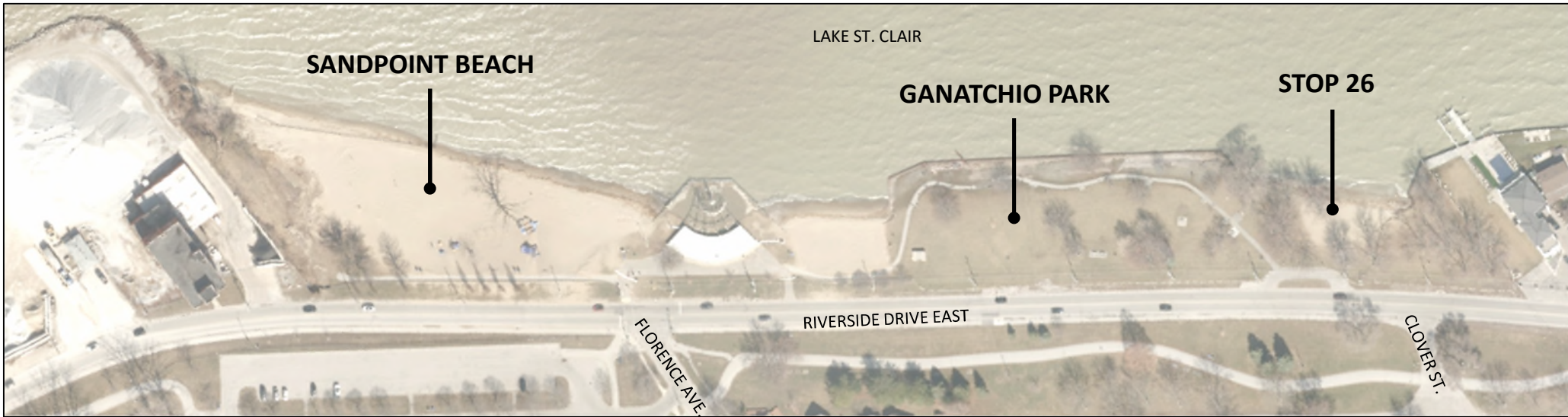
Figure No.: 1
 Project No.: IES22-64
 Scale: 1:10,000
 Date: November 17, 2022
 Creator: Nicole Wajmer



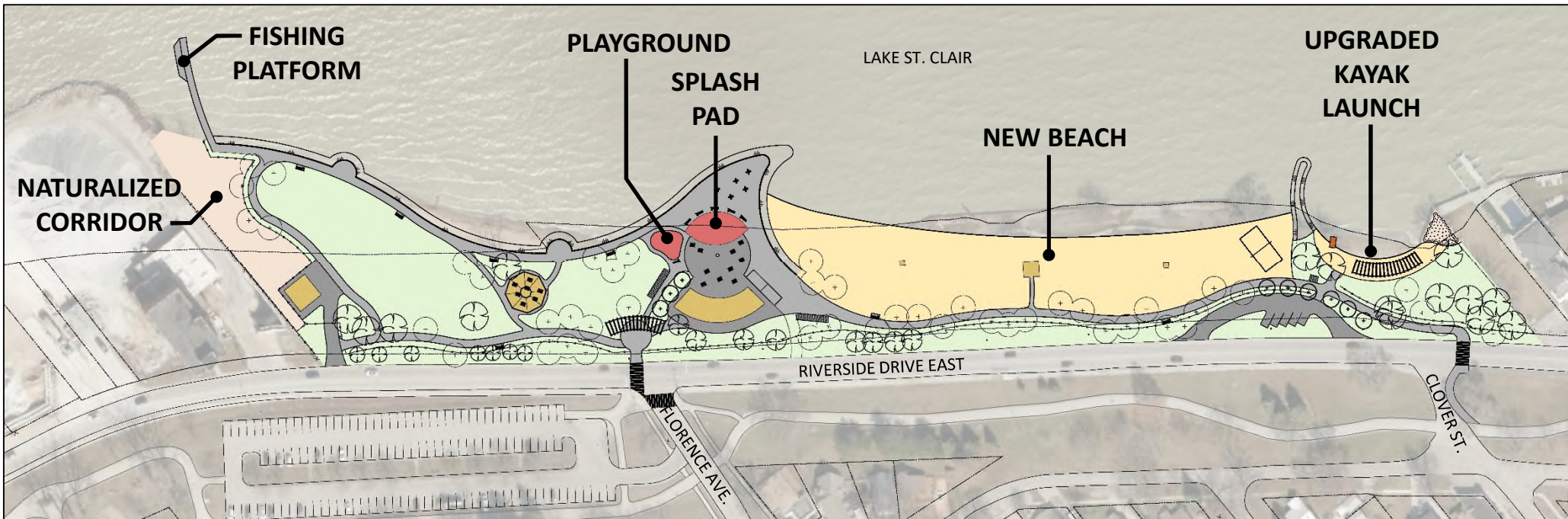
**INSIGHT
 ENVIRONMENTAL
 SOLUTIONS INC.**

Esri Community Maps Contributors, City of Windsor, Province of Ontario, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, NRCan, Parks Canada

East Riverside



EXISTING



PROPOSED

3.0 SPECIES AT RISK SCREENING

3.1 DFO AQUATIC SPECIES AT RISK

A search of the Department of Fisheries and Oceans (DFO) Aquatic Species at Risk Mapping was completed, and the following SAR and critical SAR habitat has been recorded within 1km of the Subject Property can be seen in **Table 1**.

TABLE 1: DFO AQUATIC SPECIES AT RISK

Common Name	Scientific Name	S - Rank	SARA Status	COSEWIC Status	Possible Habitat on Property?	Key Habitats Used by Species
Northern Madtom (Critical Habitat Present)	<i>Noturus stigmosus</i>	S1	END	END	Yes	Prefers clean, unpolluted water, but can tolerate slightly muddy water. Found in large creeks and rivers with a moderate to swift current, and a sand, gravel, or mud bottom. However, in Ontario, this fish has also been captured in the deeper waters of Lake St. Clair and the Detroit River. SARA Protection: Species and general habitat protection. Critical Habitat present at project location.
Channel Darter	<i>Percina copelandi</i>	S2	END	END	Unknown	Prefers clean streams and lakes with sandy or gravel bottoms. Will use riffle areas with fairly fast-moving water during the breeding season and spends the winter in deeper, calmer water (MNRF, 2014). SARA Protection: Species and general habitat protection.
Spotted Sucker	<i>Minytrema melanops</i>	S2	SC	SC	Unknown	Inhabits clear creeks and small to moderate sized rivers with sand, gravel or hard-clay bottoms, usually free of silt. In Ontario it has frequently been found in turbid habitats. In late spring and early summer, Spotted Suckers move to rocky riffle areas of streams to breed (MNRF, 2014). SARA Protection: N/A.

TABLE 1: DFO AQUATIC SPECIES AT RISK

Common Name	Scientific Name	S - Rank	SARA Status	COSEWIC Status	Possible Habitat on Property?	Key Habitats Used by Species
Eastern Sand Darter	<i>Ammocrypta pellucida</i>	S2	THR	THR	Unknown	The Eastern Sand Darter prefers shallow habitats in lakes, streams, and rivers with clean, sandy bottoms. It often buries itself completely in the sand. It feeds on aquatic insects, but due to its small mouth is limited in the size of prey it can eat (MNRF, 2014). SARA Protection: Species and general habitat protection.
Pugnose Shiner	<i>Notropis anogenus</i>	S2	THR	THR	Unknown	The Pugnose Shiner is found in lakes and calm areas of rivers and creeks having clear water and bottoms of sand, mud or organic matter. It prefers water bodies with plenty of aquatic vegetation, particularly stonewort (<i>Chara</i> sp.). Aquatic plants provide hiding places, food, and breeding habitat. The Pugnose Shiner eats aquatic plants, green algae, plankton and some aquatic insects. SARA Protection: Species and general habitat protection.
Grass Pickerel	<i>Esox americanus</i>	S3		SC	No	Grass Pickerel are found in wetlands, ponds, slow-moving streams and shallow bays of larger lakes with warm, shallow, clear water and an abundance of aquatic plants. SARA Protection: NA.
Kidneyshell	<i>Ptychobranchnus fasciolaris</i>	S1	END	END	Unknown	Typically found in small to medium sized rivers. It prefers shallow, clear, swift-moving water with gravel and sand. The Kidneyshell requires Blackside Darter, Fantail Darter and Johnny Darter as fish hosts to support its parasitic larvae stage (MNRF 2014). SARA Protection: Species and general habitat protection.

3.2 LAND INFORMATION ONTARIO (LIO)

A preliminary search of the Natural Heritage Information Centre (NHIC) database was completed, and the following SAR are recorded within 1 km² of the Subject Property:

TABLE 2: NHIC SAR RECORDS

Common Name	Scientific Name	S - Rank	SARO Status	COSEWIC Status	Possible Habitat on Property?	Key Habitats Used by Species
Northern Madtom	<i>Noturus stigmosus</i>	S1	END	END	Yes	See Table 1.
Brindled Madtom	<i>Noturus miurus</i>	S2	NAR	NAR	No	Lives on bottoms of sand, gravel, and woody debris in the warm shallows of slow-moving streams. ESA Protection: N/A.
Prairie Straw Sedge	<i>Carex suberecta</i>	S2			No	Prairie Straw Sedge is found in fens and moist to wet calcareous meadows and prairies. ESA Protection: N/A.
Early-branching Panicgrass	<i>Dichanthelium praecocius</i>	S3			Yes	Early-branching Panicgrass is found in both open wooded areas and sunny areas that are relatively dry and sterile. ESA Protection: N/A.
Channel Darter	<i>Percina copelandi</i>	S2	THR	Look up	Unknown	See Table 1.
Spiny Softshell	<i>Apalone spinifera</i>	S2	END	END	Yes	Spiny Softshells are highly aquatic turtles that rarely travel far from water. They are found primarily in rivers and lakes but also in creeks and even ditches and ponds near rivers. Key habitat requirements are open sand or gravel nesting areas, shallow muddy or sandy areas to bury in, deep pools for hibernation, areas for basking, and suitable habitat for crayfish and other food species. These habitat features may be distributed over an extensive area, as long as the intervening habitat doesn't prevent the turtles from traveling between them (MNRF 2014). ESA Protection: Species and general habitat protection.

TABLE 2: NHIC SAR RECORDS

Common Name	Scientific Name	S - Rank	SARO Status	COSEWIC Status	Possible Habitat on Property?	Key Habitats Used by Species
Climbing Prairie Rose	<i>Rosa setigera</i>	S2S3	SC	SC	No	Grows in early successional habitats around Lake Erie. It colonizes open and disturbed habitats open habitats with moist heavy clay to clay-loam soils such as old fields, abandoned agricultural land, as well as prairie remnants and shrub thickets (MNRF, 2014). ESA Protection: N/A.
Eastern Meadowlark	<i>Sturnella magna</i>	S4B	THR	THR	No	Tall grasslands such as pastures and hayfields. Utilize small trees, shrubs, or fence posts for elevated song perches (MNRF, 2014). ESA Protection: Species and general habitat protection.
Snapping Turtle	<i>Chelydra serpentina</i>	S3	SC	SC	Incidental	Slow-moving water with a soft mud or sand bottom and abundant vegetation (MNRF, 2014). ESA Protection: N/A.
Chestnut Lamprey - Great Lakes - Upper St. Lawrence populations	<i>Ichthyomyzon castaneus pop. 1</i>	SU	DD	DD	Unknown	The Chestnut Lamprey spends its entire life in fresh waters. It is found in lakes and rivers of various sizes (COSEWIC, 2011). ESA Protection: N/A.
Northern Riffleshell	<i>Epioblasma rangiana</i>	S1	END	END	Unknown	The Northern Riffleshell is found in riffle areas within rivers or streams with rocky, sand, or gravel bottoms. Like all freshwater mussels, this species feeds on algae and bacteria that it filters out of the water (MNRF, 2014). ESA Protection: Species and general habitat protection.
Kidneyshell	<i>Ptychobranchus fasciolaris</i>	S1	END	END	Unknown	See Table 1.

TABLE 2: NHIC SAR RECORDS

Common Name	Scientific Name	S - Rank	SARO Status	COSEWIC Status	Possible Habitat on Property?	Key Habitats Used by Species
Fawnsfoot	<i>Truncilla donaciformis</i>	S2	END	END	Unknown	The Fawnsfoot inhabits medium and large rivers with moderate to slow flowing water. It usually inhabits shallow waters (one to five metres deep) with gravel, sand or muddy bottoms (MNRF, 2014). ESA Protection: Species and general habitat protection.
Eastern Pondmussel	<i>Ligumia nasuta</i>	S1	END	SC	Unknown	The Eastern Pondmussel is typically found in sheltered areas of lakes and in slow-moving areas of rivers and canals with sand or mud bottoms. It is not known which species of fish act as hosts for the Eastern Pondmussel (MNRF, 2014). ESA Protection: Species and general habitat Protection.
Lake Sturgeon (Great Lakes - Upper St. Lawrence River population)	<i>Acipenser fulvescens pop. 3</i>	S2	THR	THR	Unknown	Freshwater lakes and rivers with soft bottoms of mud, sand or gravel at depths of five to 20 metres. Prefers to spawn in relatively shallow, fast-flowing water with gravel and boulders at the bottom but will spawn in deeper habitat or open shoals of large rivers with current (MNRF, 2014). ESA Protection: Species and general habitat protection.
Purple Wartyback	<i>Cyclonaias tuberculata</i>	S3	No Status	No Status	Unknown	The Purple Wartyback is found in large rivers with moderate current and stable gravel, sand and mud bottoms. It burrows in the riverbed to filter-feed. ESA Protections: N/A.
Pugnose Shiner	<i>Notropis anogenus</i>	S2	THR	THR	Unknown	See Table 1.

TABLE 2: NHIC SAR RECORDS

Common Name	Scientific Name	S - Rank	SARO Status	COSEWIC Status	Possible Habitat on Property?	Key Habitats Used by Species
Kentucky Coffee-tree	<i>Gymnocladus dioicus</i>	S2	THR	THR	No	Kentucky Coffee-tree is found in a variety of habitats, but grows best on moist, rich soil. Consequently, it is often found in floodplains, though it will tolerate shallow rocky or sandy soils. It is shade-intolerant, and therefore grows along the edges of woodlots or relies on canopy openings in forests and woodlots (MNRF 2014). ESA Protection: Species and general habitat protection.
Mapleleaf Mussel	<i>Quadrula quadrula</i>	S2	THR	SC	Unknown	The Mapleleaf is usually found in medium to large rivers with slow to moderate currents and firmly packed sand, gravel, or clay and mud bottoms. It also lives in lakes and reservoirs. Mussels filter water to find food, such as bacteria and algae. Mussel larvae must attach to a fish, called a host, where they consume nutrients from the fish body until they transform into juvenile mussels and then drop off. In Canada, the fish host of the Mapleleaf is the Channel catfish. Presence of the fish host is one of the key features determining whether the body of water can support a healthy mussel population. ESA Protection: Species and general habitat protection.
Midland Painted Turtle	<i>Chrysemys picta marginata</i>	S4		SC	Incidental	Fresh shallow waters, with slow moving currents, with soft bottoms, basking sites, and aquatic vegetation. Suitable habitat consists of creeks, marshes, ponds, and the shores of lakes (MNRF, 2014). ESA Protection: N/A.
Silver Lamprey (Great Lakes - Upper St. Lawrence populations)	<i>Ichthyomyzon unicuspis pop. 1</i>	S3	SC	SC	Unknown	Silver lampreys require clear water so they can find fish hosts, relatively clean stream beds of sand and organic debris for larvae to live in, and unrestricted migration routes for spawning (MNRF, 2014). ESA Protection: N/A.

TABLE 2: NHIC SAR RECORDS

Common Name	Scientific Name	S - Rank	SARO Status	COSEWIC Status	Possible Habitat on Property?	Key Habitats Used by Species
Barn Swallow	<i>Hirundo rustica</i>	S4B	THR	THR	Yes	Build nests almost exclusively on human-made structures such as open barns, under bridges or in culverts (MNRF, 2014). Will use a variety of habitats for foraging. ESA Protection: Species and general habitat protection.
Chimney Swift	<i>Chaetura pelagica</i>	S4B, S4N	THR	THR	Yes	Before European settlement Chimney Swifts mainly nested on cave walls and in hollow trees or tree cavities in old growth forests. Today, they are more likely to be found in and around urban settlements where they nest and roost (rest or sleep) in chimneys and other manmade structures. They also tend to stay close to water as this is where the flying insects they eat congregate (MNRF 2014). ESA Protection: species and general habitat protection.
Butternut	<i>Juglans cinerea</i>	S3	END	END	No	Forests and hedgerows. ESA Protection: Species and general habitat protection.
Butler's Gartersnake	<i>Thamnophis butleri</i>	S2	END	END	No	Prefers open, moist habitats, such as dense grasslands and old fields, with small wetlands where it can feed on leeches and earthworms. Often found in rock piles and old stonewall. Burrows made by small mammals and even crayfish are sometimes used as hibernation sites (MNRF, 2014). ESA Protection: Species and general habitat protection.
Northern Map Turtle	<i>Graptemys geographica</i>	S3	SC	SC	Incidental	Inhabits rivers and lakes where it basks on emergent rocks, banks, logs and fallen trees. Prefer shallow, soft-bottomed aquatic habitats with exposed objects for basking (COSEWIC, 2012). ESA Protection: N/A.

TABLE 2: NHIC SAR RECORDS

Common Name	Scientific Name	S - Rank	SARO Status	COSEWIC Status	Possible Habitat on Property?	Key Habitats Used by Species
Blanding's Turtle	<i>Emydoidea blandingii</i>	S3	THR	END	Incidental	Prefer shallow water, usually in large wetlands and shallow lakes with lots of water plants. May travel hundreds of metres from water, especially while they are searching for a mate or traveling to a nesting site. Hibernate in the mud at the bottom of permanent water bodies from late October until the end of April (MNR, 2014). ESA Protection: Species and general habitat protection.
Cobra Clubtail	<i>Gomphurus vastus</i>	S2			Unknown	Cobra Clubtails inhabit large, sandy bottomed rivers and large, wind-swept lakes ESA Protection: NA.
Restricted Species	Restricted Species		END	END	Unknown	NA

3.3 BREEDING BIRD ATLAS

Table 3 lists possible SAR birds based on the square (17LG48) encompassing the property in the 2005 Breeding Bird Atlas.

TABLE 3: BREEDING BIRD ATLAS SPECIES AT RISK (2005)

Common Name	Scientific Name	S - Rank	SARO Status	COSEWIC Status	Breeding Status	Possible Habitat on Property?	Key Habitats Used by Species
Bald Eagle	<i>Haliaeetus leucocephalus</i>	S2N, S4B	SC	NAR	Possible	Yes	Bald Eagles nest in a variety of habitats and forest types, almost always near a major lake or river where they do most of their hunting. While fish are their main source of food, Bald Eagles can easily catch prey up to the size of ducks, and frequently feed on dead animals, including White-tailed Deer. They usually nest in large trees such as pine and poplar. During the winter, Bald Eagles sometimes congregate near open water such as the St. Lawrence River, or in places with a high deer population where carcasses might be found (MNRF, 2014). ESA Protection: NA.
Chimney Swift	<i>Chaetura pelagica</i>	S4B, S4N	THR	THR	Confirmed	Yes	Refer to Table 2 .
Red-headed Woodpecker	<i>Melanerpes erythrocephalus</i>	S4B	END	END	Confirmed	No	Prefers open woodland and woodland edges. Requires dead trees for nesting and will often be found in parks, golf courses and cemeteries (MNRF, 2014). ESA Protection: Species and general habitat protection
Eastern Wood-pewee	<i>Contopus virens</i>	S4B	SC	SC	Probable	No	Deciduous and mixed forests with little understory vegetation; often found in clearings or on edges of deciduous and mixed forests (MNRF, 2015). ESA Protection: N/A.

TABLE 3: BREEDING BIRD ATLAS SPECIES AT RISK (2005)

Common Name	Scientific Name	S - Rank	SARO Status	COSEWIC Status	Breeding Status	Possible Habitat on Property?	Key Habitats Used by Species
Barn Swallow	<i>Hirundo rustica</i>	S4B	THR	THR	Confirmed	Yes	Refer to Table 2.
Bank Swallow	<i>Riparia riparia</i>	S4B	THR	THR	Confirmed	No	Bank Swallows nest in burrows in natural and human-made settings where there are vertical faces in silt and sand deposits. Many nests are on banks of rivers and lakes, but they are also found in active sand and gravel pits or former ones where the banks remain suitable. The birds breed in colonies ranging from several to a few thousand pairs (MRNF, 2014). ESA Protection: Species and general habitat protection.
Wood Thrush	<i>Hylocichla mustelina</i>	S4B	SC	THR	Confirmed	No	See Table 1.
Bobolink	<i>Dolichonyx oryzivorus</i>	S4B	THR	THR	Confirmed	No	Historically found in tallgrass prairies or open meadows but will now use hayfields for habitat (MNRF, 2014). ESA Protection: Species and general habitat protection.
Eastern Meadowlark	<i>Sturnella magna</i>	S4B	THR	THR	Confirmed	No	Tall grasslands such as pastures and hayfields. Utilize small trees, shrubs, or fence posts for elevated song perches (MNRF, 2014). ESA Protection: Species and general habitat protection.

3.4 E-BIRD

Ebird was used to review the list of observed species at the closest birding hotspot at the Subject Property, known as Sandpoint Beach. The list contained a total of 123 species including a variety of ducks, hawks, owls, woodpeckers, nuthatches, warblers, sparrows, terns, swallows and common species tolerant of anthropogenic disturbances. SAR identified at the Sandpoint Beach Hotspot are shown in **Table 4**.

TABLE 4: E-BIRD SPECIES AT RISK

Common Name	Scientific Name	S - Rank	SARO Status	COSEWIC Status	Observation Date	Possible Habitat on Property?	Key Habitats Used by Species
Bald Eagle	<i>Haliaeetus leucocephalus</i>	S2N, S4B	SC	NAR	Jan 2022	Yes	Refer to Table 3
Chimney Swift	<i>Chaetura pelagica</i>	S4B, S4N	THR	THR	Sept. 2021	Yes	Refer to Table 2
Barn Swallow	<i>Hirundo rustica</i>	S4B	THR	THR	Aug. 2021	Yes	Refer to Table 2
Peregrine Falcon	<i>Falco peregrinus</i>	S4	SC	NAR	Aug. 2018	No	Peregrine Falcons usually nest on tall, steep cliff ledges close to large bodies of water. Although most people associate Peregrine Falcons with rugged wilderness, some of these birds have adapted well to city life. Urban peregrines raise their young on ledges of tall buildings, even in busy downtown areas. Cities offer peregrines a good year-round supply of pigeons and starlings to feed on (MNRF 2014). ESA Protection: NA.
American White Pelican	<i>Pelecanus erythrorhynchos</i>	S3B, S4M	THR	NAR	June 2017	No	American White Pelicans nest in groups on remote islands that are barren or sparsely treed located in lakes, reservoirs, or on large rivers. Remote islands offer eggs and chicks some protection from predators. Pelicans nest in slight depressions in the ground with sticks and vegetation piled up around them. Their diet is mainly fish

TABLE 4: E-BIRD SPECIES AT RISK

Common Name	Scientific Name	S - Rank	SARO Status	COSEWIC Status	Observation Date	Possible Habitat on Property?	Key Habitats Used by Species
							(MNRF 2014). ESA Protection: Species and general habitat protection.
Common Nighthawk	<i>Chordeiles minor</i>	S4B	SC	SC	May 2017	No	Open areas with little to no ground vegetation, such as logged or burned-over areas, forest clearings, rock barrens, peat bogs, lakeshores, and mine tailings. Also nests in cultivated fields, orchards, urban parks, mine tailings and along gravel roads and railways (MNRF, 2014). ESA Protection: N/A.

3.5 I – NATURALIST

A total of 146 species have been identified on i–Naturalist within 1 km of the proposed development. Three SAR species or species of special conservation concern have been observed and are shown in **Table 5**.

TABLE 5: I - NATURALIST SPECIES AT RISK

Common Name	Scientific Name	S - Rank	SARO Status	COSEWIC Status	Observation Date	Possible Habitat on Property?	Key Habitats Used by Species
Bald Eagle	<i>Haliaeetus leucocephalus</i>	S2N, S4B	SC	NAR	Jan 2022	Yes	Refer to Table 2

TABLE 5: I - NATURALIST SPECIES AT RISK

Common Name	Scientific Name	S - Rank	SARO Status	COSEWIC Status	Observation Date	Possible Habitat on Property?	Key Habitats Used by Species
Spiny Softshell Turtle	<i>Apalone spinifera</i>	S2	END	END	July 2020 (Research Grade)	Yes	Refer to Table 2
Monarch	<i>Danaus plexippus</i>	S2N, S4B	SC	END	September 2019 (Research Grade)	No	The caterpillar life cycle requires milkweed plants found in meadows and open habitats. Adult butterflies use a variety of habitats where wildflowers are present (MNRF, 2014). ESA Protection: N/A.

3.6 ONTARIO REPTILE AND AMPHIBIAN ATLAS

The proposed development encompasses square 17LG48 on the Ontario reptile and amphibian atlas (ORAA). A total of ten common and seven SAR herpetofauna have been observed between the years of 1976 and 2019. The following SAR reptiles and amphibians have been recorded in square 17LG38 (**Table 6**).

TABLE 6: ORAA SPECIES AT RISK

Common Name	Scientific Name	S - Rank	SARO Status	COSEWIC Status	Observation Date	Possible Habitat on Property?	Key Habitats Used by Species
Blanding's Turtle	<i>Emydoidea blandingii</i>	S3	THR	END	2017	Incidental	Refer to Table 2
Midland Painted Turtle	<i>Chrysemys picta marginata</i>	S4		SC	2018	Incidental	Refer to Table 2

TABLE 6: ORAA SPECIES AT RISK

Common Name	Scientific Name	S - Rank	SARO Status	COSEWIC Status	Observation Date	Possible Habitat on Property?	Key Habitats Used by Species
Northern Map Turtle	<i>Graptemys geographica</i>	S3	SC	SC	2019	Incidental	Refer to Table 2
Snapping Turtle	<i>Chelydra serpentina</i>	S4	SC	SC	2018	Incidental	Refer to Table 2
Butler's Gartersnake	<i>Thamnophis butleri</i>	S2	END	END	2019	No	Refer to Table 2
Eastern Foxsnake	<i>Pantherophis gloydi pop. 2</i>	S2	END	END	2018	Incidental	Eastern Foxsnakes in the Carolinian population are usually found in old fields, marshes, along hedgerows, drainage canals and shorelines. Females lay their eggs in rotting logs, manure or compost piles, which naturally incubate the eggs until they hatch. During the winter, Eastern Foxsnakes hibernate in groups in deep cracks in the bedrock and in some man-made structures (MNRF, 2014). ESA Protection: Species and general habitat protection.
Eastern Ribbonsnake	<i>Plestiodon fasciatus pop. 1</i>	S4	SC	SC	1994	No	Usually found close to water. Prefers marsh habitat with frogs or small fish. During winter, snakes will congregate in rock crevices or underground burrows for hibernation. ESA Protection: N/A.

3.7 ATLAS OF MAMMALS OF ONTARIO

Table 7 outlines potential SAR mammals found within the vicinity of the Subject Property. A total of seven trees were found to have suitable maternity bat roosting features during the tree survey.

TABLE 7: ATLAS OF MAMMALS OF ONTARIO

Common Name	Scientific Name	S - Rank	SARO Status	COSEWIC Status	Observation Date	Possible Habitat on Property?	Key Habitats Used by Species
Little Brown Myotis	<i>Myotis lucifugus</i>	S3	END	END	NA	Yes	Forests and regularly aging human structures as maternity roost sites. Overwintering sites are characteristically mines or caves, but can often include buildings (COSEWIC,2013). ESA Protection: Species and general habitat protection.

3.8 ONTARIO BUTTERFLY ATLAS

The proposed development encompasses square 17LG48 on the Ontario Butterfly Atlas (ORAA). A total of 28 common butterflies and one SAR butterfly have been observed between the years of 1987 and 2021. The following SAR butterflies have been recorded in square 17LG48 on the ORAA (Table 8)

TABLE 8: ONTARIO BUTTERFLY ATLAS

Common Name	Scientific Name	S - Rank	SARO Status	COSEWIC Status	Observation Date	Possible Habitat on Property?	Key Habitats Used by Species
Monarch	<i>Danaus plexippus</i>	S2N, S4B	SC	END	2021	No	Refer to Table 4.

3.9 CONSERVATION AUTHORITIES

As the proposed project is within the Regulated Area and 1:100-year Flood Line of Essex Region Conservation Authority (ERCA). As such, a permit under Ontario Regulation 158/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses will be required for development. Additional information regarding ERCA permits can be found in **Section 6.5**.

3.10 LOCAL NATURALIST GROUPS

No local naturalist groups were contacted with regards to the proposed project.

3.11 LOCAL INDIGENOUS COMMUNITIES

Indigenous First Nations within the vicinity of the project area were contacted to provide comments relating to the proposed project. The following First Nation Communities were identified by the Crown's preliminary assessment that the proponent is required to consult with:

- | | |
|--------------------------------|---|
| 1. Aamjiwnaang First Nation | 4. Chippewas of Kettle and Stony Point |
| 2. Bkejwanong (Walpole Island) | 5. Chippewas of the Thames First Nation |
| 3. Caldwell First Nation | 6. Oneida Nation of the Thames |

Caldwell First Nation (CFN) responded online with the with the below recommendation:

“Based on the results of the proponent’s responses, we recommend that CFN negotiate with the proponent for the funding to retain a traditional ecological knowledge expert and an expert in a relevant field of western science to determine whether the project impacts construction, operation and / or implementation overlap with the habitat or flight paths of the following species, which are important to CFV’s traditional harvesting:

- | | | |
|----------------------------|------------------------------|-----------------------|
| • <i>White-tailed Deer</i> | • <i>Geese</i> | • <i>Smelt</i> |
| • <i>Wild Turkey</i> | • <i>Cotton Tail Rabbits</i> | • <i>Sweetgrass</i> |
| • <i>Perch</i> | • <i>Jack Rabbits</i> | • <i>Tobacco</i> |
| • <i>Pickereel</i> | • <i>Birch</i> | • <i>Sage</i> |
| • <i>Blue Gill</i> | • <i>Muskrat</i> | • <i>Cedar</i> |
| • <i>Dogfish</i> | • <i>Frogs</i> | • <i>Black Willow</i> |
| • <i>Mudpuppies</i> | • <i>Turtles</i> | • <i>Red Willow”</i> |
| • <i>Rainbow Trout</i> | • <i>Beavers</i> | |
| • <i>Ducks</i> | • <i>Min</i> | |

The Subject Property does not contain individuals, the habitat of, or support the range of Jack Rabbits, Birch, Sweetgrass, Tobacco, Sage, Cedar, Black Willow or Red Willow. The proposed development will respect all in water timing windows for the fish found within the Detroit River to ensure that the species,

habitat, and reproductive viability will not be impacted. In addition, the proposed development will maintain the only natural area found within the Subject Property located along the western property border. This area can be used as a wildlife corridor and an area of rest and refuse for the remaining aforementioned species.

4.0 METHODOLOGY

4.1 FLORISTIC QUALITY ASSESSMENT

According to Swink and Wilhelm (1994) Floristic Quality Assessment (FQA) is a method to assess the floristic integrity of vegetation communities. FQA is used to determine the significance and amount of restoration required for individual vegetation communities. This assessment provides a dependable and repeatable method for evaluating the relative significance of vegetation communities in terms of their native floristic composition. This assessment is not intended for use as a stand-alone method, but instead can be applied to complement and support other methods of evaluating the natural quality of a site.

4.1.1 Floristic Quality Index

FQA is applied by calculating a mean Coefficient of Conservatism (CC) value and a Floristic Quality Index (FQI) value from a comprehensive list of plant species obtained from a particular site (Swink and Wilhelm 1994; Wilhelm and Masters 1995). FQI determines the quality of a vegetation community based on its plant species composition and relative abundance.

Coefficients of conservatism range from 0 - 10 and embody an estimated probability that a plant is likely to occur in a landscape relatively unaltered from what is believed to be pre-European settlement condition. Therefore, a coefficient of zero is given to plants that have demonstrated little fidelity to any remnant natural community, while a coefficient of ten is applied to those plants that are almost always restricted to a pre-settlement remnant.

FQI is calculated by summing the CC of an inventory of plants and dividing by the total number of plant taxa (n), yielding the mean coefficient of conservatism (Mean CC = Sum of CC /n). The Mean CC is then multiplied by the square root of the total number of plants (n) to yield the FQI (FQI = Mean CC \sqrt{n}). The square root of n is used as a multiplier to transform the Mean CC and allow for better comparison of the FQI between large sites with a high number of species and small sites with fewer species. Other methods used to determine the significance of each vegetation community include relative abundance, size and level of anthropogenic disturbance.

Based upon the above criteria, vegetation communities were classified as follows:

- Rare and Extremely Significant if community FQI value was greater than 50;
- High Significance if community FQI value was between 37 and 49;
- Moderate to High Significance if community FQI value was between 25 and 36;

- Moderate Significance if community FQI value was between 13 and 24;
- Low Significance if community FQI value was between 12 and 6; or
- Very Low Significance if community value is less than 5.

4.1.2 Wetness Index

The Floristic Quality Assessment System for Southern Ontario (1995) identifies several components to assess the floristic integrity of vegetation communities. One of the components is the Wetland Index (W). The wetness index allows a mean wetness value to be calculated which is used for evaluating the predominance of upland or wetland species for a natural area or vegetation community.

The National Wetland Indicator Categories define the estimated probability for which a species occurs in wetlands (Reed 1988, Wilhelm 1989, 1992). Positive signs (+) indicating a dry tendency and negative signs (-) indicating a wet tendency are attached to the three "facultative" categories to express the tendencies for those species (Reed 1988). Coefficients of wetness (CW) values have been assigned by Wilhelm (1989, 1992) to the eleven wetland indicator categories. Plants are designated as Obligate Wetland, Facultative Wetland, Facultative, Facultative Upland, and Obligate Upland.

CW of taxa recorded from a site inventory (n) can be averaged and the mean regarded as a wetness index ($W = \sum CW / n$). If the wetness index is zero or below, then the site has a predominance of wetland species (Wilhelm 1989).

Wetland Category		Definition	Wetness Index	
OBL	Obligate Wetland	Occurs almost always in wetlands under natural conditions (estimated >99% probability)	OBL	-5
FACW	Facultative Wetland	Usually occurs in wetlands, but occasionally found in non-wetlands (estimated 67 -99% probability)	FACW+	-4
			FACW	-3
			FACW-	-2
FAC	Facultative	Equally likely to occur in wetlands or non-wetlands (estimated 34-66% probability)	FAC+	-1
			FAC	0
			FAC-	1
FACU	Facultative Upland	Occasionally occurs in wetlands, but usually occurs in non-wetlands (estimated 1-33% probability)	FACU+	2
			FACU	3
			FACU-	4
UPL	Upland	Occurs almost never in wetlands under natural conditions (estimated <1% probability)	UPL	5

4.2 TREE INVENTORY

A tree inventory of the Subject Property and parcel of land along the south side of Riverside Drive was provided by the City of Windsor.

4.3 WILDLIFE AND WILDLIFE HABITAT

Wildlife surveys and habitat quality assessments were completed throughout the Subject Property. These surveys were chosen based on consultation with regulatory agencies, a thorough background review of available data and a visual assessment of potential ecological communities from photo interpretation.

4.3.1 Incidental Wildlife Surveys

A wildlife assessment within the Subject Property was completed through incidental observations while on site. Any incidental observations of wildlife were noted, as well as other wildlife evidence such as direct observation, vocalizations, dens, tracks, browse and scat. Random searches of natural objects that provide cover (large branches, logs, rocks) were conducted to search for reptiles and amphibians. Aquatic features were scanned using binoculars to identify any basking turtle species. Special focus was placed upon searching for Species at Risk individuals (SAR), habitat and habitat features such as vernal pools, dens, burrows (small and large), snake thermoregulation areas, tree cavities and basking sites.

4.3.2 Species At Risk Survey (SAR) Methods

Field surveys were carried out to determine the potential population and distribution of SAR individuals and to delineate the habitat and habitat features within the Subject Property. The survey was carried out to provide detailed and reliable information on SAR presence or absence, suitable habitat, habitat features, location, distance from the proposed development, population size, management concerns and to ensure that the proposed development does not contravene the Endangered Species Act, 2007.

The search efforts were focused on inspecting sites and features with a high probability of supporting SAR. When documenting each SAR specimen/population, habitat or habitat feature the following data was recorded on paper and on a Global Positioning System (GPS):

1. Species (Scientific name)
2. Habitat or habitat feature
3. Location (Universal Transverse Mercator (UTM) co-ordinates)
4. Relative abundance

Points were used to delineate the location. UTM coordinates were recorded on hand-held GPS units, downloaded to a computer and mapped on an ortho-rectified digital air photo using a Geographic Information System (GIS).

5.0 EXISTING CONDITIONS

5.1 FIELD SURVEY DATES AND WEATHER CONDITIONS

Jennifer Neill conducted flora and ELC surveys and Nicole Wajmer conducted incidental wildlife surveys and SAR surveys of the Subject Property on June 7, 2022. The temperature was 15°C with 75% cloud cover with no rain and a gentle to moderate breeze.

5.2 NATURAL HERITAGE FEATURES

According to the Ministry of Natural Resources and Forestry Make-A-Map: Natural Heritage Areas online tool the Subject Property does not contain any natural heritage features (**Figure 3**). A woodland feature is located approximately 65m to the south of the Subject Property.

5.3 PHYSIOGRAPHY AND SOILS

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) on-line interactive 'Ag Maps' application states that Subject Property is located within a "Built-up Area" and does not provide soil or drainage data.

5.4 HYDROLOGY

The Subject Property abuts the Detroit River along the northern property border. It is within the Essex Region Conservation Authority (ERCA) Regulated Area and within the 1:100-year flood line. More information on ERCA policies can be seen in **Section 6.5**.

5.5 TOPOGRAPHY

The topography associated with the legal parcel is Tableland. According to Lee et al. (1998): Tableland is a "*site on a more or less level plain, not associated with an active shoreline or river valley.*"

Natural Heritage Features

Map created: 2/18/2022



Notes:

Enter map notes

Legend

-  Assessment Parcel
- ANSI**
-  Earth Science Provincially Significant/sciences de la terre d'importance provinciale
-  Earth Science Regionally Significant/sciences de la terre d'importance régionale
-  Life Science Provincially Significant/sciences de la vie d'importance provinciale
-  Life Science Regionally Significant/sciences de la vie d'importance régionale
-  Evaluated Wetland
-  Provincially Significant/considérée d'importance provinciale
-  Non-Provincially Significant/non considérée d'importance provinciale
-  Unevaluated Wetland
-  Woodland
-  Conservation Reserve
-  Provincial Park
-  Natural Heritage System

0.3 0 0.16 0.3 Kilometres

Absence of a feature in the map does not mean they do not exist in this area.

This map should not be relied on as a precise indicator of routes or locations, nor as a guide to navigation. The Ontario Ministry of Natural Resources and Forestry (OMNRF) shall not be liable in any way for the use of, or reliance upon, this map or any information on this map.

© Copyright for Ontario Parcel data is held by Queen's Printer for Ontario and its licensors and may not be reproduced without permission. THIS IS NOT A PLAN OF SURVEY.



Imagery Copyright Notices: DRAPE © Aéro-Photo (1961) Inc., 2008 - 2009
GTA 2005 / SWOOP 2006 / Simcoe-Muskoka-Dufferin © FirstBase Solutions, 2005 / 2006 / 2008
© Queen's Printer for Ontario, 2022










ERCA Regulated Area



Essex Region
Conservation
Authority

Public Interactive Mapping

Legend

-  Parcel Fabric - City
-  Parcel Fabric - County
-  Provincially Significant Wetland (PSW)
-  Area of Natural & Scientific Interest (ANSI)
-  Environmentally Significant Area (ESA)
-  Significant Valley Land (SVL)
-  1:100 yr Flood Line
-  Limit of Regulated Area



Location



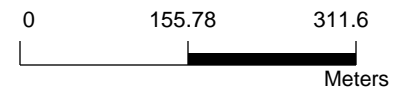
ERCA Geomatics THIS MAP HAS BEEN PRODUCED BY THE GENERAL PUBLIC AND NOT BY QUALIFIED ERCA STAFF.

All data copyright 2022. Data provided by ERCA, Ontario Ministry of Natural Resources and Forestry, Queen's Printer for Ontario, County of Essex. Assessment parcel provided by Teranet Enterprises Inc. Data provided to public with permission.

Data herein is provided on an 'as is' basis. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable, and are for visual reference only. It is the responsibility of the end user to determine if this material is suitable for their use. Map not to be used for navigation or plan of survey.

Aerial photography copyright the City of Windsor/County of Essex/Ontario Ministry of Natural Resources and Forestry, Queen's Printer for Ontario/ERCA.

Notes



1: 7,009



2/22/2022

5.6 FLORA AND VEGETATION COMMUNITIES

5.6.1 Ecological Land Classification Vegetation Communities

The Subject Property contains two anthropogenic areas and one natural vegetation community (**Figure 5**). These areas are described briefly below.

The Beach and Anthropogenic Area occupies the western half of the Subject Property. It contains a coarse sand beach, manicured lawn patches, scattered planted trees, recreational areas, and washroom facilities. Several areas of the beach have small pockets of European Reed (*Phragmites australis ssp. Australis*) establishing as well as Eastern Cottonwood (*Populus deltoides*) and Corkscrew Willow (*Salix matsudana*) saplings. **Photo 1** shows an example of this anthropogenic area.

The Mown Lawn with Scattered Trees occupies the eastern half of the Subject Property. It contains mown lawn, planted trees and a walking path with park benches and picnic tables. **Photo 2** shows an example of this anthropogenic area.

The Mineral Treed Shoreline Ecosite (SHTM1) is located on the northwestern tip of the Subject Property. A total of 30 species were observed in this community, 17 (56%) native species exist, while 13 (43%) are classified as non-native. The mean Coefficient of Wetness (CW) for this community is 0.77. This number indicates that there is a slight predominance of upland species present. The mean Coefficient of Conservatism (CC) for this community is 1.23. This number indicates the floristic quality is not sufficient to identify a community of remnant natural quality. The FQI for this community is 6.76 indicating low significance from a natural quality perspective. This community will be retained to support wildlife usage. Disturbance history includes dominance of non-native species, canopy gaps, and light dumping. As such, restoration opportunities exist. **Photo 3** shows an example of site conditions as they were during field investigations.

All vegetation communities within the Subject Property are considered widespread and common in Ontario and are secure globally. **Table 9** describes the structure and dominance within each vegetation community.



Photo 1: Beach and anthropogenic area, looking east.



Photo 2: Mown lawn and scattered trees, looking south.



Photo 3: Mineral Treed Shoreline Ecosite (SHTM1), looking north.

TABLE 9: SUMMARY OF ECOLOGICAL LAND CLASSIFICATION

Abbreviation	Vegetation Type	Species Association	Comments
TERRESTRIAL SYSTEM			
SHTM1	Mineral Treed Shoreline Ecosite	<p>Canopy: The canopy is dominated by Weeping Willow (<i>Salix alba X Salix babylonica</i>) with occasional Eastern Cottonwood (<i>Populus deltoides</i>).</p> <p>Subcanopy: No subcanopy was observed.</p> <p>Understory: The understory is dominated by Staghorn Sumac (<i>Rhus typhina</i>) with abundant White Mulberry (<i>Morus alba</i>), Manitoba Maple (<i>Acer negundo</i>), Corkscrew Willow (<i>Salix matsudana</i>), Weeping Willow and Cottonwood.</p> <p>Groundcover: The groundcover is dominated by Riverbank Grape (<i>Vitis riparia</i>) and Canada goldenrod (<i>Solidago canadensis</i>). Abundant species include Common Burdock (<i>Arctium minus</i>), Thicket Creeper (<i>Parthenocissus vitacea</i>), European Reed (<i>Phragmites australis ssp. Australis</i>), Orchard Grass (<i>Dactylis glomerata</i>), Smooth Brome (<i>Bromus inermis</i>), Common</p>	<ul style="list-style-type: none"> • Shoreline sites are associated with and adjacent to permanent or ephemeral water. • Subject to active shoreline processes. • Above high-water mark; extremes in disturbance (energy), moisture and temperature. • Tend to be narrow and linear following the active margins along water bodies.



TABLE 9: SUMMARY OF ECOLOGICAL LAND CLASSIFICATION

Abbreviation	Vegetation Type	Species Association	Comments
		Bedstraw (<i>Galium aparine</i>) and Common Evening-primrose (<i>Oenothera biennis</i>).	<ul style="list-style-type: none"> Patchy to semi-open treed community; understory plant cover patchy to continuous.

5.6.2 Flora

A total of 40 vascular plant taxa were recorded within the Subject Property (Table 10). Of the 40 species identified to a species level, 20 species (50%) are considered native to Ontario while 20 species (50%) are classified as non-native. No SAR plants were encountered during field investigations.

TABLE 10: OBSERVED VASCULAR PLANT LIST

Scientific Name	Common Name	Status		
		SARA (SCH. 1) STATUS ¹	SARO STATUS ²	SRANK ³
<i>Acer negundo</i>	Manitoba Maple			S5
<i>Acer saccharinum</i>	Silver Maple			S5
<i>Agrimonia gryposepala</i>	Hooked Agrimony			S5
<i>Agrostis gigantea</i>	Redtop			SE5
<i>Arctium minus</i>	Common Burdock			SE5
<i>Asclepias syriaca</i>	Common Milkweed			S5
<i>Bromus inermis</i>	Smooth Brome			SE5
<i>Bromus japonicus</i>	Japanese Brome			SE4
<i>Calystegia sepium</i>	Hedge False Bindweed			S5
<i>Carex stipata</i>	Awl-fruited Sedge			S5
<i>Cirsium vulgare</i>	Bull Thistle			SE5
<i>Convolvulus arvensis</i>	Field Bindweed			SE5
<i>Dactylis glomerata</i>	Orchard Grass			SE5
<i>Daucus carota</i>	Wild Carrot			SE5
<i>Erigeron annuus</i>	Annual Fleabane			S5
<i>Erigeron canadensis</i>	Canada Horseweed			S5
<i>Galium aparine</i>	Common Bedstraw			S5



TABLE 10: OBSERVED VASCULAR PLANT LIST

Scientific Name	Common Name	Status		
		SARA (SCH. 1) STATUS ¹	SARO STATUS ²	SRANK ³
<i>Galium mollugo</i>	Smooth Bedstraw			SE5
<i>Geum urbanum</i>	Wood Avens			SE3
<i>Hemerocallis fulva</i>	Orange Daylily			SE5
<i>Impatiens capensis</i>	Spotted Jewelweed			S5
<i>Morus alba</i>	White Mulberry			SE5
<i>Nepeta cataria</i>	Catnip			SE5
<i>Oenothera biennis</i>	Common Evening-primrose			S5
<i>Parthenocissus vitacea</i>	Thicket Creeper			S5
<i>Phragmites australis ssp. australis</i>	European Reed			SE5
<i>Plantago lanceolata</i>	English Plantain			SE5
<i>Plantago major</i>	Common Plantain			SE5
<i>Populus deltoides</i>	Eastern Cottonwood			S5
<i>Potentilla anserina ssp. anserina</i>	Common Silverweed			S5
<i>Rhus typhina</i>	Staghorn Sumac			S5
<i>Salix eriocephala</i>	Cottony Willow			S5
<i>Salix matsudana</i>	Corkscrew Willow			SE1
<i>Salix x sepulcralis</i>	(<i>Salix alba</i> X <i>Salix babylonica</i>)			SNA
<i>Solidago canadensis</i>	Canada Goldenrod			S5
<i>Trifolium repens</i>	White Clover			SE5
<i>Typha latifolia</i>	Broad-leaved Cattail			S5
<i>Verbascum thapsus</i>	Common Mullein			SE5
<i>Vitis riparia</i>	Riverbank Grape			S5
<i>Xanthium strumarium</i>	Rough Cocklebur			S5

¹ Species at Risk Act (SARA) Schedule 1 Status: END (Endangered); THR (Threatened); SC (Special Concern); NAR (Not at Risk)

² Species at Risk in Ontario (SARO) Status: END (Endangered); THR (Threatened); SC (Special Concern); NAR (Not at Risk)

³ S-Rank (Provincial): S1 (Critically Imperiled), S2 (Imperiled), S3 (Vulnerable), S4 (Apparently Secure), S5 (Secure), S#B (Breeding), SNA (Species Not Suitable Target for Conservation Activities)

5.6.3 Tree Inventory

A tree inventory was provided by the City of Windsor, which identified the tree species on the Subject Property and south of Riverside Drive. **Table 11** below presents the tree species and their status.

A total of 21 tree species were observed on the Subject Property. Of the 21 species, eight (38%) native species exist, while 13 (61%) are classified as non-native. The mean Coefficient of Wetness (CW) for the species recorded is 1.56. This number indicates that there is a predominance of upland species present. The mean Coefficient of Conservatism (CC) for this community is 2.83. This number indicates the floristic quality is not sufficient to identify a community of remnant natural quality. The Floristic Quality Index (FQI) for this community is 12.02 indicating low significance from a natural quality perspective.

One provincially significant tree species Ohio Buckeye (*Aesculus glabra*) was noted during the tree inventory. Honey Locust was also identified on the tree inventory, however IES field investigations determined they are thornless cultivars and not the provincially significant native Honey Locust (*Gleditsia triacanthos*). Further discussion of the provincially significant species can be found in **Section 6.4.2**. Several of the tree species identified in the tree inventory do not have provincial rankings or CW values as they are cultivars and/or were missing species information (i.e., scientific names).

TABLE 11: TREE INVENTORY SPECIES OBSERVED BY BEZAIRE LANDSCAPE ARCHITECTS

Scientific Name	Common Name	Status			
		CW ¹	SARA (SCH. 1) STATUS ²	SARO STATUS ³	SRANK ⁴
<i>Acer platanoides</i>	Norway Maple	5			SE5
<i>Acer rubrum</i>	Red Maple	0			S5
<i>Acer saccharinum</i>	Silver Maple	-3			S5
<i>Acer x freemanii</i>	(<i>Acer rubrum</i> X <i>Acer saccharinum</i>)	0			SNA
<i>Aesculus glabra</i>	Ohio Buckeye	0			S1
<i>Aesculus hippocastanum</i>	Horse Chestnut	5			SE2
<i>Ailanthus altissima</i>	Tree-of-heaven	5			SE5
<i>Corylus colurna</i>	Turkish Hazelnut	N/A			N/A
N/A	Flowering Cherry	N/A			N/A
N/A	Honey Locust (cultivar)	0			N/A
<i>Malus baccata</i>	Siberian Crabapple	5			SE1
<i>Morus alba</i>	White Mulberry	0			SE5
<i>Picea pungens</i>	Blue Spruce	3			SE1
<i>Platanus occidentalis</i>	Sycamore	-3			S4
<i>Populus deltoides</i>	Eastern Cottonwood	0			S5
<i>Pyrus calleryana</i>	Bradford Pear	N/A			N/A
<i>Quercus robur</i>	English Oak	5			SE1
<i>Quercus rubra</i>	Northern Red Oak	3			S5

TABLE 11: TREE INVENTORY SPECIES OBSERVED BY BEZAIRE LANDSCAPE ARCHITECTS

Scientific Name	Common Name	Status			
		CW ¹	SARA (SCH. 1) STATUS ²	SARO STATUS ³	SRANK ⁴
<i>Salix matsudana</i>	Corkscrew Willow	0			SE1
<i>Syringa reticulata</i>	Japanese Tree Lilac	0			SE1
<i>Ulmus pumila</i>	Siberian Elm	3			SE3

¹ Coefficient of Wetness (CW)

²Species at Risk Act (SARA) Schedule 1 Status: END (Endangered); THR (Threatened); SC (Special Concern); NAR (Not at Risk)

³Species at Risk in Ontario (SARO) Status: END (Endangered); THR (Threatened); SC (Special Concern); NAR (Not at Risk)

⁴S-Rank (Provincial): S1 (Critically Imperiled), S2 (Imperiled), S3 (Vulnerable), S4 (Apparently Secure), S5 (Secure), SNA (Species Not Suitable Target for Conservation Activities).

5.7 FAUNA AND WILDLIFE HABITAT

A total of 15 wildlife species were identified within the Subject Property or in the adjacent lands field investigations (**Table 12**). These species were identified either through auditory and visual observations or through evidence of occurrence. Of the 15 species identified, there were 13 bird species and two mammal species.

5.7.1 Birds

A total of 13 bird species were visually observed or identified through breeding calls during field investigations (**Table 12**). Of the 13 species of birds that were observed on or adjacent to the Subject Property, eight species are protected under the *Migratory Birds Convention Act* (MBCA), which protects and conserves migratory birds and their nests during the breeding bird season.

Several Chimney Swift, listed as Threatened under the *Endangered Species Act*, were observed flying to the west of the Subject Property. It is likely that these species were nesting in the large building that is part of the Southwestern Sales Corporation LTD. The Subject Property does not contain any suitable breeding habitat (chimneys or other suitable manmade structures) for Chimney Swift.

Additionally, all structures found within the Subject Property were examined for the presence of Barn Swallow nests due to the multiple records of them within the vicinity of the Subject Property. No Barn Swallow individuals or nests were detected during field investigations.

5.7.2 Herpetofauna

5.7.2.1 Amphibians

The Ontario Reptile and Amphibian Atlas (ORAA) provides records of the following amphibian species within the 10 Km X 10 Km survey square that encompasses the proposed Subject Property (square 17LG48):

- American Bullfrog (*Lithobates catesbeianus*)
- Green Frog (*Lithobates Clamitans*)
- Northern Leopard Frog (*Lithobates Papiens*)
- Western Chorus Frog (*Pseudacris maculata*)
- American Toad (*Anaxyrus Americanus*)
- Mudpuppy (*Necturus maculosus*)

The Subject Property does not contain suitable breeding habitat for the frogs listed by the ORAA. Mudpuppies inhabit lakes, rivers, streams and other large bodies of water.

5.7.2.2 Reptiles

The Ontario Reptile and Amphibian Atlas (ORAA) provides records of the following amphibian species within the 10 Km X 10 Km survey square that encompasses the proposed Subject Property (square 17LG48):

- Blanding's Turtle (*Emydoidea blandingii*)
- Midland Painted Turtle (*Chrysemys picta marginate*)
- Northern Map Turtle (*Graptemys geographica*)
- Red-eared Slider (*Trachemys scripta*)
- Snapping Turtle (*Chelydra serpentina*)
- Butler's Gartersnake (*Thamnophis butleri*)
- Eastern Gartersnake (*Thamnophis sirtalis sirtalis*)
- Dekay's Brownsnake (*Storeria dekayi*)
- Eastern Foxsnake (*Pantherophis vulpinus*)
- Eastern Ribbonsnake (*Thamnophis sauritus*)
- Northern Ring-necked Snake (*Diadophis punctatus*)

The western edge of the Subject Property contains a natural corridor containing trees and shrubs that could act as a rest and refuge area for reptiles traveling from Peche Island while looking for mates or egg laying sites. This area contained logs and other cover objects that could be used by snakes. This area will not be impacted by the proposed development and will be retained as a wildlife refuge area.

5.7.3 Mammals

A total of two mammal species were detected during field investigations (**Table 12**). Eastern Gray Squirrels are tolerant of anthropogenically disturbed habitats and are considered Secure (S5) in the province of Ontario while Virginia Opossum is considered Apparently Secure (S4).

TABLE 12: OBSERVED WILDLIFE SPECIES

Scientific Name	Common Name	Status	Protection				Location
		S-RANK ¹	COSEWIC STATUS ²	SARA SCHEDULE ³ STATUS	SARO STATUS ⁴	MBCA ⁵	Outside of Subject Property
BIRDS							
<i>Phalacrocorax auritus</i>	Double-crested Cormorant	S5B	NAR		NAR		Yes
<i>Sturnus vulgaris</i>	European Starling	SNA					
<i>Branta canadensis</i>	Canada Goose	S5				^	
<i>Anas platyrhynchos</i>	Mallard	S5				^	
<i>Pandion haliaetus</i>	Osprey	S5B					Yes
<i>Larus delawarensis</i>	Ring-billed Gull	S5B, S4N				^	
<i>Chaetura pelagica</i>	Chimney Swift	S4B, S4N	THR	THR	THR	^	Yes
<i>Tachycineta bicolor</i>	Tree Swallow	S4B				^	Yes
<i>Turdus migratorius</i>	American Robin	S5B				^	
<i>Setophaga petechia</i>	Yellow Warbler	S5B				^	
<i>Quiscalus quiscula</i>	Common Grackle	S5B					
<i>Agelaius phoeniceus</i>	Red-winged Blackbird	S4					
<i>Passer domesticus</i>	House Sparrow	SNA				^	
MAMMALS							
<i>Didelphis virginiana</i>	Virginia Opossum	S4					
<i>Sciurus carolinensis</i>	Eastern Gray Squirrel	S5					

¹ S-Rank (Provincial): S1 (Critically Imperiled), S2 (Imperiled), S3 (Vulnerable), S4 (Apparently Secure), S5 (Secure), S#B (Breeding), SNA (Species Not Suitable Target for Conservation Activities)

² Committee on the Status of Endangered Wildlife in Canada (COSEWIC): EXP (Extirpated), END (Endangered); THR (Threatened); SC (Special Concern); NAR (Not at Risk); NA (Not Active); DD (Data Deficient)

³ Species at Risk Act (SARA) Schedule 1 Status: END (Endangered); THR (Threatened); SC (Special Concern); NAR (Not at Risk)

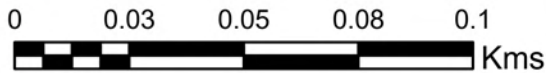
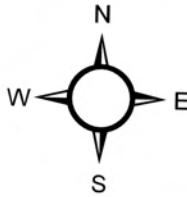
⁴ Species at Risk in Ontario (SARO) Status: END (Endangered); THR (Threatened); SC (Special Concern); NAR (Not at Risk)

⁵ Migratory Birds Convention Act



Existing Conditions

Sand Point Beach, Windsor



Legend

- Legal Parcel
- Chimney Swift
- ELC**
- Beach and Antropogenic Area
- Mown Lawn and Scattered Trees
- SHTM1: Mineral Treed Shoreline Ecosite

Figure No.: 5
 Project No.: IES22-64
 Scale: 1:650
 Date: November 25, 2022
 Creator: Nicole Wajmer



6.0 SUMMARY OF APPLICABLE ENVIRONMENTAL POLICIES

6.1 SPECIES AT RISK ACT (2002)

The federal *Species at Risk Act* (SARA, 2002) is designed to prevent wildlife species from becoming extinct or extirpated; help in the recovery of Extirpated, Endangered or Threatened species; and to ensure that species of Special Concern do not become Endangered or Threatened. Section 32(1) of SARA states:

“No person shall kill, harm, harass, capture or take an individual of a wildlife species that is listed as an extirpated species, an endangered species or a threatened species.”

On private lands prohibitions of SARA only apply to listed aquatic species and listed migratory birds that are also listed in the Migratory Birds Convention Act (1994). For non-aquatic species found on private land, SARA sets out a variety of ways critical habitat is to be protected. In most situations, provincial laws will provide protection for critical habitat.

6.2 FISHERIES ACT (1985)

The federal *Fisheries Act* (1985) provides a framework for the proper management and control of fisheries and the conservation and protection of fish and fish habitat, including by preventing pollution. Section 35 of the *Fisheries Act* outlines the regulations for the completion of in-water projects. Section 35.1 (2) and Section 35.1 (3) state:

“The Minister shall designate any work, undertaking or activity that is part of a designated project and that the Minister considers likely to result in the death of fish or the harmful alteration, disruption or destruction of fish habitat” and “The Minister may issue a permit to carry on any work, undertaking or activity designated under subsection (2) and attach any conditions to it.”

6.3 ENDANGERED SPECIES ACT (2007)

The provincial *Endangered Species Act*, (ESA, 2007) came into effect on June 30, 2008 and replaced the former 1971 Act. Under the ESA, species in Ontario are identified as Extirpated, Endangered, Threatened, or of Special Concern and each species is afforded different levels of protection. The ESA protects species listed as Threatened or Endangered by the Committee on the Status of Species at Risk in Ontario (COSSARO).

Section 9 of the ESA generally prohibits the killing or harming of a Threatened or Endangered species, as well as the destruction of its habitat. Section 10 of the ESA prohibits the damage or destruction of the habitat of all Endangered and Threatened species. A permit from the Ministry of the Environmental Conservation and Parks (MECP) is required under Section 17(2) (c) of the ESA for any works proposed within habitat of a Threatened or Endangered species.

6.4 PROVINCIAL POLICY STATEMENT (2020)

The Provincial Policy Statement (PPS, 2020) is issued under the authority of section 3 of the Planning Act and came into effect on May 1, 2020. In respect of the exercise of any authority that affects a planning matter, section 3 of the Planning Act requires that decisions affecting planning matters “*shall be consistent with*” policy statements issued under the Act. The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The Provincial Policy Statement supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

Section 2.1 in the PPS (2020) deals with natural heritage resources. These policies are further expanded and described in the Natural Heritage Reference Manual (Sections 5-11) (Ontario Ministry of Natural Resources, 2010).

Section 2.1.1 (Natural Heritage) of the PPS states that natural features and areas be protected for the long term. To achieve this goal Sections 2.1.4, 2.1.5, 2.1.6 and 2.1.7 indicate where development and site alteration shall not be permitted. Specifically, these include Significant Wetlands/Coastal Wetlands, Significant Woodlands, Significant Valleylands, Significant Wildlife Habitat, Significant Areas of Natural and Scientific Interest (ANSI), Fish Habitat, Habitats of Endangered and Threatened Species; except in accordance with provincial and federal requirements. Section 2.1.8 goes on to state: “*Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.*”

6.4.1 Fish Habitat

Supporting healthy fish communities positively contributes to the social and economic interests of the province and local communities. Fish Habitat, as per PPS policy 2.1.5, is defined by the Fisheries Act (2013) and means “spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes”. These habitats are afforded protection, via the policies in sections 2.1.5 and 2.1.6 of the PPS, from development and site alteration except in accordance with other applicable legislations. Adjacent lands are protected from development and site alteration unless they are evaluated to avoid disruption to ecological functions.

6.4.2 Significant Wildlife Habitat

Wildlife habitat is defined by the PPS as areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter, and space needed to sustain their populations. Significant Wildlife Habitat is identified and evaluated by four categories. These include ‘*habitats of seasonal concentrations of animals*’, ‘*rare vegetation communities or specialized habitat for wildlife*’, ‘*habitat of species of conservation concern*’ and ‘*animal movement corridors*.’

Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species. They also include areas with species that are ranked S1, S2 or S3 and are considered provincially rare, special concern species identified under the ESA on the SARO List, and species identified as nationally endangered or threatened by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC), which are not protected in regulation under Ontario's ESA. The PPS does not permit development or site alteration in "Significant Wildlife Habitat; unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions."

One Ohio Buckeye (*Aesculus glabra*) was observed on the mown lawn with scattered trees. While the Ohio Buckeye is ranked S1, it is not naturally occurring and is part of a park landscape plan. As such, the mown lawn with scattered trees should not be considered significant wildlife habitat.

Additionally, one provincially significant grass species, Early-branching Panicgrass (*Dichanthelium praecocius*) was recorded within 1km of the Subject Property (Table 3) during the SAR background review. No individuals were observed during IES field investigations.

6.4.3 Significant Habitat of Endangered and Threatened Species

An Endangered or Threatened species is defined by the PPS as a species that is listed or categorized as an "Endangered or Threatened species" on the Ontario Ministry of Natural Resources' Official Species at Risk List, as updated and amended from time to time. The PPS does not permit development and site alteration in "significant habitat of Endangered species and Threatened species."

The shoreline surrounding the Subject Property has been defined by DFO as Critical Habitat for Northern Madtom. Northern Madtom is federally and provincially listed as Endangered under the *Species at Risk Act* and *Endangered Species Act*, respectively. A Request for Review (RFR) Form should be submitted to DFO to determine if the impacts of the proposed project will require authorization under the *Fisheries Act* and/or the *Species at Risk Act*.

6.5 CONSERVATION AUTHORITIES ACT (1990)

The Conservation Authorities Act provides the framework to prevent, eliminate and minimize risk to life and property from flood and erosion hazards and encourage the conservation and restoration of natural resources. It empowers Conservation Authorities (CA) to regulate development activities in or adjacent to watercourses and wetlands, which may interfere with their functions.

6.5.1 Ontario Regulation 158/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses

Section 2(1)(d) and (e) of o. Reg. 160/06 states that:

“subject to section 3, no person shall undertake development or permit another person to undertake development in or on the areas within the jurisdiction of the authority that are:

(a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River system or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the authority’s boundary to the furthest landward extent of the aggregate of the following distances:

- (i) the 100 year flood level, plus an allowance for wave uprush and other water related hazards,*
- (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,*
- (iii) where a dynamic beach is associated with the waterfront lands, an allowance of 30 metres inland to accommodate dynamic beach movement, and*
- (iv) an allowance of 15 metres inland;*

(b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:

- (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,*
- (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100 year period, plus 15 metres, to a similar point on the opposite side,*
- (iii) where the river or stream valley is not apparent, the valley extends the greater of,*
 - (a) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and*
 - (b) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;*

(c) hazardous lands;

(d) wetlands; or

(e) other areas,

- (i) where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size, and areas within 30 metres of wetlands less than 2 hectares in size, or
- (ii) in river or stream valleys that are not apparent and in shoreline flood hazard lands where development could be impacted by flood levels aggravated by vehicle-generated waves, ice-jamming or other factors, in which cases the horizontal extent of the regulated area is increased by adding an allowance of 0.3 metres to the applicable flood event standard. O. Reg. 158/06, s. 2 (1); o. Reg. 55/13, s. 1 (1, 2).”

The proposed project is within ERCA’s regulated area and a permit under Ontario Regulation 158/06 will likely be required for development.

6.6 MIGRATORY BIRDS CONVENTION ACT (1994)

According to the Minister of Justice (2017) the Migratory Birds Convention Act (MBCA, 1994) is intended to “implement a convention for the protection and conservation of migratory birds in Canada and the United States” ... “The purpose of this act is to implement the convention by protecting and conserving migratory birds — as populations and individual birds — and their nests” a “migratory bird means a migratory bird referred to in the convention, and includes the sperm, eggs, embryos, tissue cultures and parts of the bird.” According to the regulations in subsection 12 (1)(h): 12(1) “the governor in council may make any regulations that the governor in council considers necessary to carry out the purposes and provisions of this act and the convention, including regulations” ... “(h) for prohibiting the killing, capturing, injuring, taking, or disturbing of migratory birds or the damaging, destroying, removing or disturbing of nests” (Minister of Justice 1994, 2017). Environment and Climate Change Canada administers the requirements under the MBCA.

7.0 MITIGATION TO REDUCE IMPACTS TO SPECIES AT RISK AND THEIR HABITAT

7.1 POTENTIAL SAR HABITAT ON AND ADJACENT TO SUBJECT PROPERTY

The SAR that were identified as having potential habitat on the Subject Property during the background review of available sources are discussed in **Table 13**. Results of IES’s field investigations have been used to justify the suggested mitigation measures (**Section 7.2 – 7.5**).

TABLE 13: DISCUSSION OF POTENTIAL SAR OR SAR HABITAT

Common Name	Scientific Name	Discussion of Potential Habitat for SAR or Species of Conservation Concern
Potential SAR utilizing Subject Property		
Northern Madtom	<i>Noturus stigmosus</i>	The Department of Fisheries and Oceans (DFO) Aquatic Species at Risk Mapping has classified the aquatic habitat found on the Detroit River along the Subject Property as critical habitat for Northern Madtom. If work below the high-water mark is anticipated, a Request for Review (RFR) should be submitted to DFO to determine if a permit under the <i>Fisheries Act</i> or <i>Species at Risk Act</i> are required. Mitigation measures for Northern Madtom can be seen in Section 7.2 .
Chimney Swift	<i>Chaetura pelagica</i>	Field investigations confirmed that the Subject Property does not contain any suitable nesting habitat for Chimney Swift in terms of mad-made structures or chimneys. No Chimney Swift were observed utilizing the Subject Property during field investigations. Several Chimney Swift were observed flying over and into the large building that is part of the Southwestern Sales Corporation LTD, found immediately to the west of Sandpoint Beach. It is likely that Chimney Swift are utilizing this adjacent property for nesting purposes. As such, Chimney swift may incidentally fly over or forage for insects above Sandpoint Beach.
Barn Swallow	<i>Hirundo rustica</i>	Field investigations confirmed that the Subject Property does not contain suitable breeding habitat for Barn Swallow. No Barn Swallow individuals were observed during field investigations. Additionally, all structures were visually inspected for Barn Swallow nests, but none were found. Buildings found on Sandpoint Beach were made from brick and located in anthropogenically disturbed area.
Spiny Softshell	<i>Apalone spinifera</i>	A Research Grade record of Spiny Softshell Turtle has been recorded on i-Naturalist in the Detroit River in front of the Subject Property. This species prefers gravelly or sandy areas for nesting. While the existing beach is highly trafficked by humans and anthropogenically disturbed, potential nesting habitat may exist on the property. See Section 7.3 for mitigation measures for Spiny Softshell.

TABLE 13: DISCUSSION OF POTENTIAL SAR OR SAR HABITAT

Common Name	Scientific Name	Discussion of Potential Habitat for SAR or Species of Conservation Concern
Bald Eagle	<i>Haliaeetus leucocephalus</i>	<p>Bald Eagles have been observed from the Subject Property on e-Bird, i-Naturalist and have been noted as a “Possible” breeder within the square that encompasses the Subject Property in the Breeding Bird Atlas. The Tree Inventory has confirmed that several White Pines, the preferred species of tree to nest in for this species, are present on the south side of Riverside Drive East. These trees will not be impacted by the proposed development.</p> <p>No Bald Eagles or Bald Eagle nests were observed in Sandpoint Beach during field investigations. As Bald Eagles maintain large territories, it is possible that a Bald Eagle could incidentally be observed flying past Sandpoint Beach while hunting over the Detroit River. IES recommends that all tree and shrub removals be taken outside of the breeding bird window to protect birds utilizing the Subject Property during their breeding season (Section 7.4).</p>
Little Brown Myotis	<i>Myotis lucifugus</i>	<p>While the Subject Property does not contain any suitable woodland, forest or swamp communities that are preferred for maternity roosting by SAR bats, the Tree Inventory confirmed that several trees contain maternity roost habitat features such as cracks, cavities, and dead crowns. Many of these features are found in maples, which a preferred maternity roost tree species for Little Brown Myotis. Mitigation measures for SAR Bats can be seen in Section 7.5.</p>
Potential SAR Utilizing Adjacent Habitats		
SAR Turtles		<p>It is possible that SAR Turtles may incidentally enter the project area due to the proximity of natural areas including Peche Island, Little River Drain or Old River Drain while searching for mates or nesting habitat. While the existing beach is heavily trafficked by humans and other anthropogenic disturbances, turtles may incidentally be present within the vicinity of the project area and potential impacts to these species should be mitigated for during the construction phase. See Section 7.3 for mitigation measures for this SAR Turtles.</p>
SAR Snakes		<p>It is possible that SAR snakes including Eastern Foxsnake may incidentally enter the project area due to the proximity natural areas including agricultural drains or the woodland feature located approximately 65m to the south of Subject Property and potential impacts to these species should be mitigated for during the construction phase. Section 7.3 for mitigation measures for this Snakes Turtles.</p>

TABLE 13: DISCUSSION OF POTENTIAL SAR OR SAR HABITAT

Common Name	Scientific Name	Discussion of Potential Habitat for SAR or Species of Conservation Concern
SAR Fish and Mussels		Several species of SAR fish and mussels were recorded during the background screening. An Aquatic Habitat Assessment should be completed to determine if habitat exists for aquatic SAR if work below the high-water mark is anticipated. Additionally, a RFR Form should be sent to DFO for review.

7.2 NORTHERN MADTOM MITIGATION

7.2.1 Protection of Fish

To mitigate impacts to fish and fish habitat it is recommended that no works shall occur within the restricted activity window for spring spawning fish (March 15 to July 15) to protect the local fish community during their spawning and other critical life history stages. In addition, a fish salvage program could be developed to remove and relocate any fish within the project area prior to any in water activity. All in-water works, and activities shall be conducted during dry and calm weather conditions to minimize the risk of sediment transport that may impact fish or fish habitat.

7.2.2 Protection of Fish Habitat from Sedimentation

An erosion and sediment control plan should be developed to avoid the introduction of sediment into the Detroit River during any phase of the proposed development. Effective erosion and sedimental control measures should be implemented prior to the beginning of works and activities to stabilize all erodible and exposed areas. All materials used for sedimentation control should be in clean and working condition and biodegradable, if possible. Work should be scheduled to avoid wet, windy and rainy periods and heed weather advisories. The sediment and erosion control measures and structures should be regularly inspected throughout all phases of development to ensure that they are maintaining their integrity. Erosion and sedimentation measures should be kept in place until all of the disturbed ground has been permanently stabilized. All excavated material from the watercourse placed above the high-water mark or top of bank should be stabilized and then disposed of to ensure re-entry into the Detroit River.

7.2.3 Contaminant and Spill Management

Plan activities such that materials such as paint, primers, blasting abrasives, rust solvents, degreasers, grout, poured concrete or other chemicals do not leach into the ground or enter the watercourse. A "Spill Response Plan" should be developed and implemented immediately in the event of a sediment release or spill of a deleterious substance. An emergency spill kit should be kept onsite as well as the appropriate

contingency materials to absorb or contain any petroleum products, major/minor spills, and landscaping chemicals and fertilizers that may be accidentally discharged, should be always on the site. Any spills (e.g. sewage, oil, fuel or other deleterious material) should be immediately reported, whether near or directly into a waterbody.

7.2.4 Operation of Machinery

Ensure that machinery arrives on site in a clean condition and is maintained free of fluid leaks and invasive species. Wash, refuel and service machinery and store fuel and other materials for the machinery in such a way as to prevent any deleterious substances from leaching into the ground or entering the watercourse. All construction materials should be removed from site upon project completion. Clean up-measures should be suitably applied so as not to result in further alteration of the bed and/or banks of the watercourse.

7.3 MITIGATION FOR SAR REPTILES

- 1) All on-site personnel must be made aware of the potential presence of SAR snakes and SAR turtles, including Eastern Foxsnake, Spiny Softshell, Blanding's Turtle, Northern Map Turtle, Snapping Turtle and Midland Painted Turtle.
- 2) Temporary reptile exclusion fencing can used to exclude reptiles from the worksite. It is recommended that netting type erosion control measures not be used for this project. An alternative product such as Curlex Netfree® blanket or the use of riprap over geotextile fabric should be used for erosion control to prevent entanglement of SAR snakes.
- 3) Snake exclusion fencing should be installed following the recommendations of the Species at Risk Branch Best Technical Note: Reptile and Amphibian Exclusion Fencing (2013) document.
- 4) Construction machinery and equipment that is left idle for over 1 hour or is parked overnight on the property between April 1st to November 30th must be surveyed for the presence of SAR snakes before (re)ignition. This visual examination should include all lower components of the machinery, including operational extensions and running gear.
- 5) Any SAR individual that is present on the property should be reported to the Ministry of Environment, Conservation and Parks (MECP) within 48 hours of the observation or the next working day, whichever comes first.
- 6) If a SAR reptile is incidentally encountered, the snake must be allowed to disperse from the project site under its own ability, and project machinery and equipment must maintain a minimum operating distance of 30 meters from the individual. MECP must be contacted if this cannot be done.
- 7) If an injured or deceased SAR is found, the specimen must be placed in a non-airtight container maintained at an appropriate temperature and MECP staff must be contacted immediately.

7.4 MITIGATION TO PROTECT BREEDING BIRDS

No tree or shrub clearing should be allowed during the breeding bird window (April 1st – August 30th) to avoid destruction of active bird nests protected by the *Migratory Birds Convention Act* (1994) or species listed as Special Concern under the *Endangered Species Act* (2007). Alternatively, a nest search can be conducted by a qualified ornithologist in the area designated for clearing. Any active nests found cannot be disturbed by work activity until the young have fledged. If no active nests are observed, vegetation clearing must take place with three days of the nest search, otherwise the nest search must be repeated.

7.5 MITIGATION MEASURES FOR SAR BATS

SAR Bat species – Eastern Small-footed Myotis, Little Brown Myotis, Northern Myotis, and Tri-colored Bat roost in a variety of habitats including in or under rocks, in rock outcrops, in buildings, under bridges, in caves, mines, or hollow trees, or under loose bark. The Subject Property contains limited habitat for SAR bats as it does not contain any woodlands, forests, or swamps. In addition, the property does not contain suitable structures to support a SAR bat maternity roost.

While unlikely, potential maternity roosting sites may occur in individual standing trees within the mown lawn/scattered trees on the Subject Property. Potential impacts to SAR bat species are not anticipated if the following mitigation measure is adhered to:

- Clearing of trees within the Project Location should occur outside of the active period for bats (i.e. April 1 – September 30).

8.0 CONCLUSION

Based on Species at Risk information gathering efforts and review of aerial photography by Insight Environmental Solutions Inc., it is argued that the project is not likely to contravene the ESA 2007. The proposed development will have no impact on any Endangered or Threatened species or their habitat if the mitigation measures stated in this report are implemented during construction activities.

Insight Environmental Solutions Inc. trusts that the material presented in this report will satisfy the requirements to move forward with the proposed activities. The data and conclusions contained in this letter are based upon work performed by qualified professionals in accordance with accepted scientific methods and protocols. The information should be interpreted and implemented only in relation to the specific project as identified. This report was prepared on behalf of Landmark Engineers and the undersigned accepts no responsibility for future use by other parties.

Yours sincerely,



Nicole Wajmer
Insight Environmental Solutions Inc.
Principal Wildlife Biologist
<https://www.insightenvironmental.ca/>
nicole.wajmer@insightenvironmental.ca
519-829-9463



Jennifer Neill
Insight Environmental Solutions Inc.
Principal Ecologist
ISA Certified Arborist – ON-2752A
<https://www.insightenvironmental.ca/>
jennifer.neill@insightenvironmental.ca
647-962-9225

9.0 REFERENCES

- California Academy of Science and National Geographic. 2021. *iNaturalist*. From: <https://www.inaturalist.org/>
- Cornell Lab of Ornithology. 2021. *Ebird*. From: <https://ebird.org/home>
- Dobbyn, John. 1994. *Atlas of the Mammals of Ontario*.
- Essex Region Conservation Authority. 2021. *Public Interactive Mapping*. From: http://gisweb.countyofessex.ca/htmlerca2112/Index.html?configBase=http://gisweb.countyofessex.ca/Geocortex/Essentials/ERCA/REST/sites/ERCA_Public/viewers/htmlpublic/virtualdirectory/Resources/Config/Default
- Hoffman, D.W, Matthews, B.C., Ontario Agricultural Collage, Wicklund, R. E., and Canada Department of Agriculture. 1964. *Soil Associations of Southern Ontario*. Guelph, ON.
- Ontario. 2007. *Endangered Species Act, 2007*. S.O. 2007, c. 6 – e-Laws.
- Ontario. 2011. *Natural Heritage Information Centre*. From: <https://www.ontario.ca/page/natural-heritage-information-centre>
- Ontario Ministry of Natural Resources and Forestry. 2021. *Make-a-Map: Natural Heritage Areas*. From: <http://www.gisoeapp.lrc.gov.on.ca/web/MNR/NHLUPS/NaturalHeritage/Viewer/Viewer.html/>
- Ontario Ministry of Agriculture, Food and Rural Affairs. 2021. *AgMaps*. From: <https://www.gisapplication.lrc.gov.on.ca/AIA/Index.html?viewer=AIA.AIA&locale=en-US>
- Ontario Nature. 2020. *Ontario Reptile and Amphibian Atlas: Reptiles and Amphibians of Ontario*. From: http://www.ontarionature.org/protect/species/herpetofaunal_atlas
- Ontario Ministry of Natural Resources. 2013. *Species at Risk Branch Best Technical Note: Reptile and Amphibian Exclusion Fencing*.
- Toronto Entomologists' Association. 2021. *Ontario Butterfly Atlas*. From: <https://www.ontarioinsects.org/atlas/>

APPENDICES

APPENDIX A: NAME AND QUALIFICATIONS OF RETAINED CONSULTANT

Wildlife Biologist – Nicole Wajmer, Hon. B.Sc., M.Sc.

Nicole is a wildlife biologist, GIS technician and managing partner of Insight Environmental Solutions Inc. She completed the Wildlife Biology undergraduate and Integrative Biology graduate program at the University of Guelph. Nicole has a wide range of aquatic and terrestrial experiences from her time working in various sectors of biology including industry, government, and academia. She has strong interests in conservation biology and has been involved in recovery programs for the Endangered Northern Spotted Owl and Eastern Loggerhead Shrike. She has successfully completed certifications for First Aid and CPR, ACUC Dive Master, Ontario Benthos Biomonitoring, Backpack 2 Electrofishing, Ontario Stream Assessment Protocol, Ontario Fish Identification, the Department of Fisheries and Oceans Freshwater Mussel Identification Course, and the Ontario Reptile and Amphibian Survey Course. Nicole has contributed to a wide range of environmental and restoration projects throughout Ontario including Species at Risk (SAR) Assessments, Environmental Impact Studies (EIS), Natural Heritage Evaluations (NHE), as well as Land Management and Restoration Plans.

Ecologist – Jennifer Neill, BFA, Dip. Env. Technician

Jennifer is a senior ecologist and managing partner of Insight Environmental Solutions Inc. She holds an honors graduate from the Environmental Technician - Sampling and Monitoring program at Seneca College, a Bachelor of Fine Arts from the Ontario College of Art and Design (OCAD U). Jennifer has managed numerous large and small-scale environmental projects throughout Ontario. Her contributions include, detailed terrestrial and aquatic botanical inventories (native, cultivated, and exotic species), ecological land classification, invasive species management plans, incidental wildlife surveys, benthic macro-invertebrate identification, Ontario Species at Risk (SAR) individual identification, SAR habitat evaluation, Tree Inventory and Preservation Plans, Arborist Reports and Ecological Restoration Plans. Jen is a certified Arborist under the International Society of Arboriculture (ISA) and is certified under the Ontario Stream Assessment Protocol, Ontario Fish Identification, the Ontario Benthos Biomonitoring Network, RX100 Low Complexity Prescribed Burn Worker, Firesmart 101, the Ontario Wetland Evaluation System and Ecological Land Classification. Jennifer has a strong interest in Botany and the native flora of Ontario and holds a position on the Board of Directors for Tallgrass Ontario (TgO).

APPENDIX B: CURENT SITE CONDITIONS



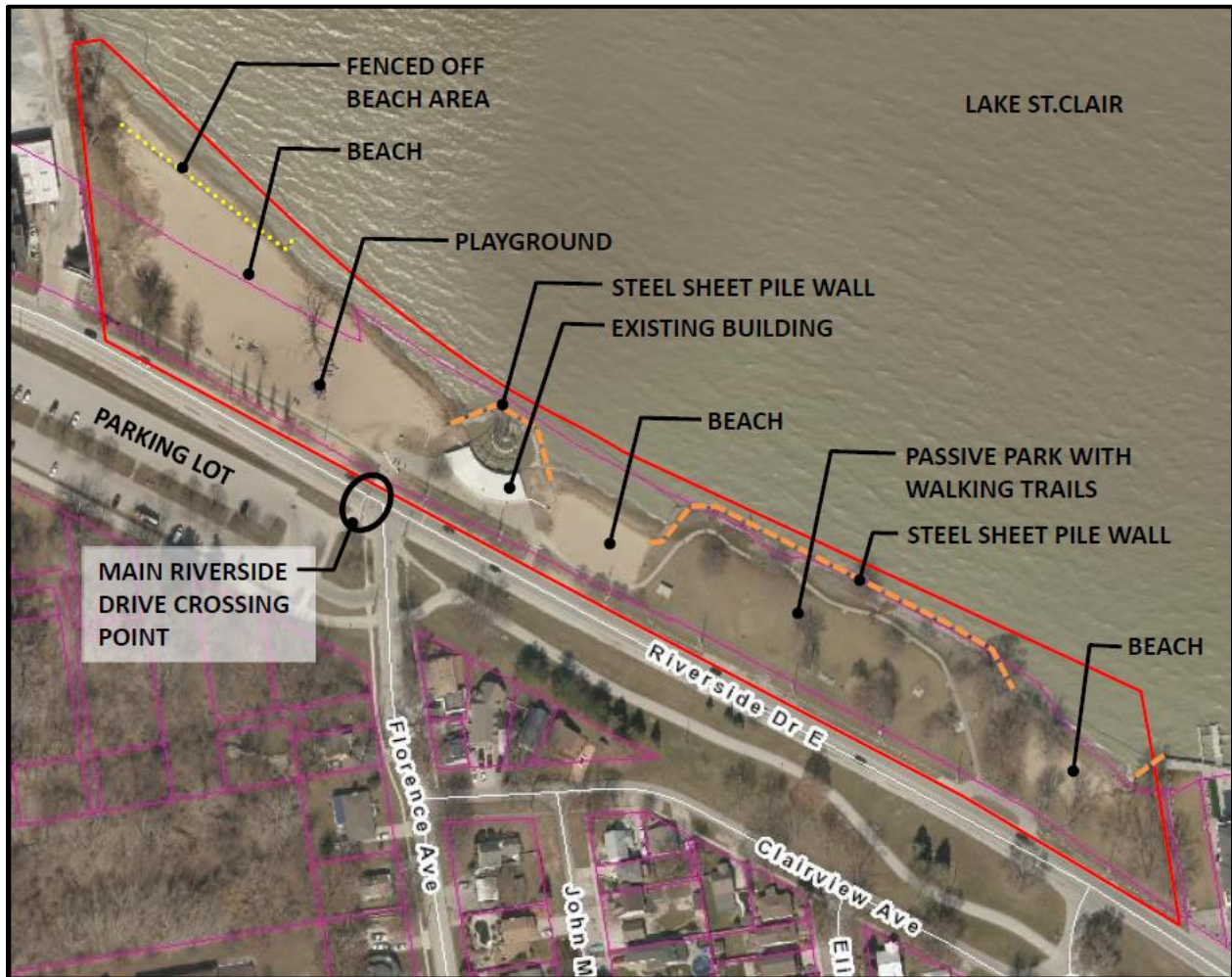


Image 1: 2021 Air photo of the Subject Property.



Image 2: Series of pictures of Subject Property in its current form.



Image 3: Series of pictures of Subject Property in its current form.