

# St. Catharines Heritage Advisory Committee

## Minutes

**Thursday, January 14, 2021**

**Electronic Participation at 2:30 pm**

### **Members:**

Ms. Gail Benjafield  
Ms. Lorraine Giroux  
Mr. Robert Speck  
Mr. Brian Narhi  
Mr. Peter Wing  
Mr. Justin Nicholls

### **Regrets:**

Mr. Mark Hoerd  
Mr. Andrew Humeniuk  
Mr. Marty Mako

### **Staff Liaison:**

Michael Seaman, Heritage Planner, Planning and Building Services  
Margaret Josipovic, Project Expeditor  
Judy Pihach, Manager Planning Services  
Tami Kitay, Director of Planning and Building Services  
Wilrik Banda, Planning Technician, Planning and Building Services

### **Council:**

Councillor Ward 6, Carlos Garcia  
Councillor Ward 2, Greg Miller  
Councillor Ward 2, Lori Littleton

### **Public:**

Don Sawyer, Friends of Mountain Locks Park  
Dr. Kimberly Monk, Department of History, Brock University  
Colleen Beard, Librarian Emeritus, Brock University

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#### **1. Call meeting to order (Chair)**

Chair Brian Narhi called the meeting to order at 2:32 p.m.

#### **2. Recognition of Traditional Territories**

3. **Additions/Deletions to the Agenda**

Peter Wing made a request to receive the delegates presentations regarding Mountain Locks Park.

Chair Narhi noted that the delegation from Stephen Remus will be deferred to a future meeting of the committee.

Gail Benjafield noted that she would like to include ongoing communication problems under new business with the intention of having this item discussed more fully at the February 11, 2021 meeting.

4. **Motion to approve the agenda**

Moved by: Robert Speck

“That the SCHAC ratify and adopt the agenda for this SCHAC meeting held on Thursday, January 14, 2021, as amended, copies having been previously distributed.”

**CARRIED**

5. **Motion to adopt the minutes of the previous meeting**

Moved by: Gail Benjafield

“That the SCHAC approve the minutes of the SCHAC meeting held on Thursday, November 12, 2020.”

**CARRIED**

6. **Presentations (invited guests)**

- Colleen Beard, Librarian Emeritus, Brock University, Regarding Item 7.1
- Dr. Kimberly Monk, Department of History, Brock University, Regarding Item 7.1
- Don Sawyer, Friends of Mountain Locks Park, Regarding Item 7.1

## 7. Business

### 7.1 Mountain Locks Park

Community presentations regarding the proposed expansion of the existing parking lot at Glendale Place Plaza into Mountain Locks Park.

- Colleen Beard, Librarian Emeritus, Brock University
- Dr. Kimberly Monk, Department of History, Brock University
- Don Sawyer, Friends of Mountain Locks Park

#### **Chair Narhi made a statement with respect to the Mountain Locks Park item on the agenda.**

Chair Narhi noted that this was an issue that was brought before the Heritage Advisory Committee at its July 23, 2020 meeting. Mr. Narhi noted that it's a rare occurrence for the SCHAC to receive a request from an outside individual or group to reconsider a recommendation that it had made to Council as part of its advisory function.

Chair Narhi noted his concern with the tone of e-mails and posts on social media both public and private directed toward the SCHAC and City staff. Mr. Narhi noted his particular concern with opinions expressed that the ability of members of the public to express opinions on this matter had been deliberately curtailed, and noted that this was a false assumption. Public input is important, and that the intention of staff was to ensure that any delegations made on this subject were in accordance with the City's procedural by-law. It was further noted that the July 23, 2020 meeting was the first virtual heritage committee meeting held since the Covid 19 lockdown, the previous March and that the committee and staff were using best efforts and practice to ensure that the meeting was fully open and transparent in accordance with its procedural by-law. The abrupt transition to virtual meetings, unavoidably carried with it a learning process and if there was any perception of diminished opportunity for public access resulting from these early virtual meetings, then apologized. Mr. Narhi noted that he is extremely proud of the Heritage Committee who are a hardworking group of community volunteers dedicated to the preservation of the City's built heritage and heritage resources.

#### **Colleen Beard, Librarian Emeritus, Brock University, Maps, Data and GIS Library gave a presentation regarding Item 7.1.**

Ms. Beard wanted to clarify at the outset that Dr. Monk and herself had been corresponding with the committee and heritage staff on this matter since February 2020 and was grateful that staff had kept them informed about meetings being held on this matter. Ms. Beard and Dr. Monk provided correspondence to the committee about this matter, which was considered at the July 23, 2020 meeting, when the SCHAC made its recommendation to support the project subject to archaeological monitoring taking place.

Ms. Beard felt that there were limited consideration about potential impacts from the parking lot expansion on Lock 15. Ms. Beard shared a diagram of the

property and proposed parking lot expansion with the committee, and indicated that the map was prepared based on GIS software and the Welland Canals Mapping Project to ensure accuracy. Mr. Beard noted that the expansion of the parking lot towards the historical lock 15 structure moves the parking lot closer to the lock by 16 meters.

Ms. Beard noted that while the proposed parking lot will avoid the lock chamber as proposed, that there are more historical elements beyond the lock chamber that need to be considered such as the wing wall which flares out beyond the gates of the lock. Ms. Beard felt that this was a location where there would be a conflict with heritage objectives, and felt that the construction northern spaces (approximately 5) along the row of 16 could negatively impact the wing wall.

Ms. Beard questioned the data used to determine that the Mountain Locks Park is underutilized and how that determination was made. Ms. Beard noted that she visits the park often and there are always people using the facility. It was noted that the City of St. Catharines has an incredible collection of second canal heritage remnants that should be better promoted.

Ms. Beard felt that the City should take a pause and further investigate the potential conflict between the proposed parking spots and the greater lock 15 remnants such as the wing wall.

Following the presentation Ms. Beard answered questions.

Councillor Garcia asked what kind of investigation is suggested?

Ms. Beard indicated that an archaeological assessment should be done before the project goes further and indicated that an engineering assessment could also be done to determine the integrity of the lock structure.

Member Giroux asked whether the archeological study should be undertaken in addition to the archaeological monitoring that was previously suggested by the committee.

Ms. Beard indicated that an archaeological assessment should be undertaken prior to finalizing the plans for the subject lands.

Councillor Garcia noted that he had concerns with a previous instance of archaeological monitoring being required in the vicinity of a residential condominium built adjacent to Lock 1 of the first Welland Canal.

Chair Narhi asked Ms. Beard for clarification on the scale and extent of the wing wall which she described in her presentation. Ms. Beard noted that the wing wall is a substantial stone structure, and that an archaeological assessment would confirm this. Dr. Monk noted that an architectural historian with expertise in canal and lock construction may also be able to provide input into the scale of this feature. Member Wing noted that there is a good illustration of 2<sup>nd</sup> Canal wing wall construction at Kiwanis Park on Ontario Street.

**Dr. Kimberly Monk, Department of History, Brock University, gave a presentation Regarding Item 7.1**

Dr. Monk answered questions related to Ms. Beard's presentation and provided her own expert opinion about the project and archaeological resources. Ms. Monk is a licensed archaeologist, an expert on marine archaeology and a professor in the history program at Brock University.

Dr. Monk indicated that in her opinion an archaeological assessment should have been undertaken as part of the studies required for evaluation of this project. Dr. Monk indicated that she had been in contact with the provincial ministry staff with respect to this project and that they concurred. It was indicated that archaeological monitoring cannot be done in the absence of a stage 1 and stage 2 archaeological assessment.

Dr. Monk noted that the Heritage Advisory Committee's mandate is limited to Part IV and V of the Ontario Heritage Act and Part VI (Archaeology) and that there is no capacity on the committee to evaluate archaeological assessments. Part VI of the Act falls under the mandate of the Region of Niagara on behalf of the Province.

Dr. Monk explained the various steps in the archaeological assessment process such as Stage 1, Stage 2, Stage 3 and Stage 4, and noted that in her opinion the historic Welland Canals should be a national and world historic site and felt that this should be explored further.

Dr. Monk indicated that she would forward her notes from dealing with the Ministry regarding the Welland Canals.

**Judy Pihach, Manager of Planning with the City of St. Catharines provided background information on the project and next steps regarding item 7.1**

Judy Pihach, Manager of Planning for the City of St. Catharines requested that she be allowed to provide SCHAC with background information on the project and outline the next steps in the application process in order to provide some clarity for the committee and the members of the public. Chair Narhi concurred.

Ms. Pihach indicated that this proposal is treated very similar to the process that would be happening for any type of development in the City.

What happened to date is that a proposal went to Council from the owners of the Keg in conjunction with discussions with the City's Economic Development Department and the City's Parks and Recreation Department about the potential of expanding the Keg's parking lot into this area. With that proposal was the concept plan that was previously circulated to SCHAC in July.

The proposal went to the SCHAC in July and it forwarded its recommendation to Council for its information.

What happens next is that the proposal comes to the Planning Department which circulates it to various internal city departments, to outside agencies such as the Niagara Region, the Niagara Region Conservation Authority and any other agency that the city planning department determines to have a valid interest in the proposal. Through that review process, items such as the proposed layout for the expansion, the separation distance from the new curb line to the lock and the wing wall would be considered. This would have an impact on how this proposed parking area would be designed, or how it should be redesigned in terms of protecting all the public interests, agency interests and the interests of the various departments. That process has not happened. We are at the very beginning of the review of this project. No decisions have been made to proceed with this project, and staff have not yet had the opportunity to vet the proposal as part of its typical review in accordance with the Official Plan. In the future there would be a staff report that would include all the recommendations from staff that included consideration of the comments received from the public and agencies. Should Council decide to proceed with the project in the future there would then be a legal agreement, with financial securities, put in place to ensure that concerns and objectives are addressed. There is still opportunity for city staff to shape the design of the project and for Council to provide input on the design and consider whether the project should go ahead at all.

Ms. Pihach recommended that the SCHAC welcome the comments from the community that were considered today and receive them, and they will form part of the minutes that will be reviewed by City staff as they review the project and by Council.

In response to a question about when an archaeological study would be requested it was noted that the need for an archaeological study and its scope would be determined through the application review process. Archaeology is part of the mandate of the Region and they will make their recommendation on the need for and scope of the archaeological study as part of the pre-consultation process, which outlines studies required to be submitted as part of a complete application. The City's Official Plan defines proximity to the former Welland Canals as one of the criteria that would trigger the need for an archaeological assessment to be completed and submitted as part of the complete application.

In response to a question about the status of the project and future opportunities for public input Ms. Pihach noted that the process at this point is that Council has made a decision to negotiate with the adjacent property owner to expand the parking lot. This is a decision of Council. If that decision of Council is to be reconsidered to the extent that the City not negotiate with the party, that has to be a reconsideration of a Council decision. That is not up for the heritage advisory committee to decide. It would be Council. The heritage advisory committee, which is an advisory committee to Council, could only provide input as to whether the decision to negotiate should be reconsidered if requested to do so by Council.

Ms. Pihach suggested that the best approach would be to allow the professional review of the project to proceed, which would include consideration of input from the heritage committee, the public, agencies and professional studies. It was

noted that the concerns brought forth regarding the heritage of the site are understood and will be considered.

In response to a question about opportunities for future community input, Ms. Pihach noted that under the Planning Act, there is no requirement for a public meeting specified for this site plan approval process and agreement. Given that this project involves public lands Council could direct staff to hold a formal public consultation to receive input from the public, however, this direction would need to come from Council. She advised that members of the public could reach out to their council representatives to request that this happen. This would be a Council decision.

Member Wing asked the question as to whether the number of parking spaces could be reduced to lessen the potential impact of this project on the historical canal remnants. Ms. Pihach indicated that this would be considered in the professional staff review of the project. She noted that just because something is proposed in a particular configuration does not mean that it would be approved in that configuration following a planning process review.

Member Giroux asked for clarity about what constituted a development agreement. Ms. Pihach noted that all development in the City needs to have a development agreement. These are legal agreements, registered on title, often with a requirement for securities to be posted as a guarantee of compliance by the developer to outline and confirm that the municipality's interests are protected. It gives the municipality the authority to ensure that what is approved is built on site.

Mr. Sawyer asked whether the fact that this proposed commercial parking lot expansion is to take place on municipal parkland would require greater public input. Ms. Pihach noted that Council made a decision to direct staff to negotiate with the owners of the adjacent property concerning a proposal to expand the commercial parking lot. She indicated that the public can be assured that in going through its due diligence and professional review of the project that staff will be working to ensure that the heritage elements of the site are preserved and protected.

Ms. Pihach noted that parking is permitted in public parks and that the intent is that this parking is not exclusive to the adjacent commercial use, but that it be available to members of the public who wish to access the park. The proposal as it stands is for a lease arrangement. The lands would remain in the City's ownership. She also noted that the proposal is from the owner of the plaza not any one specific business.

### **Don Sawyer, Friends of Mountain Locks Park, gave a presentation regarding Item 7.1**

Mr. Sawyer thanked Ms. Pihach for her explanation of the process and indicated that he more clearly understood how heritage and archaeology would be considered in the review of this proposal. Mr. Sawyer noted that previous concerns were expressed with a genuine interest in the preservation of local

heritage and the preservation of this parkland. Assumptions were made without a full knowledge of the municipal review process, which impacted communications with the staff and heritage committee. Now that the process is understood Mr. Sawyer indicated that if he contributed to any tension, he expressed his sincere apology. Mr. Sawyer indicated that the expertise in the community which has come forward over this matter is an example of the importance of meaningful community engagement.

Mr. Sawyer began his presentation by reading a statement from page 63 of the Garden City Plan which opposes private encroachment into public parkland and on the importance of civic environmental responsibility and commitment to fighting climate change. A statement from 18-year-old local resident Charlotte Chan who opposed the project and was concerned with the message it conveyed about the City's commitment to the environment and sustainability. Photographs of the Mountain Locks Park site were presented of Lock 15 and the surrounding context. Photos were also presented of areas of lock structures where vandalism, graffiti and overgrown vegetation have encroached. The four Welland Canals are among Canada's greatest civil engineering achievements and deserve greater respect and attention. Photographs of the Rideau Canal were presented, which is a draw for tourism in eastern Ontario. Mr. Sawyer believed that the old Welland Canal's could be a similar local tourism draw.

Dr. Monk indicated that researchers have a resource that is a biography of these canals from 1854 to 1881 that identifies every ship and every cargo that went through the locks that gives the economic value to the City of St. Catharines. She offered to work with SCHAC should it wish to pursue further interpretation and rehabilitation of the historic canals in the future. Mr. Sawyer indicated that he too would like to help the community to realize this.

Councillor Garcia asked a question about whether the archaeologist monitoring the site could stop the work should anything of significance be found. Dr. Monk indicated that the proper process was to undertake a stage one and stage two archaeological studies before archaeological monitoring.

**Chair Brian Narhi gave a presentation of historical photographs of the lock structures of the second Welland Canal regarding item 7.1**

Chair Brian Narhi gave a presentation of historical photographs of the second Welland Canal. The imagery included a diagram from the National Archives of Canada of a typical Lock Plan on the second canal, photographs of Lock 1 in Port Dalhousie past and present, and historic photos of Merriton and Port Colborne.

Dr. Monk thanked the committee and staff for allowing the delegations to speak and for explaining the process and for forwarding the minutes of this meeting to Council for their consideration.

Member Giroux thanked the delegations for their presentations.



Don Sawyer thanked the members of council present at the meeting for their interest in the presentations.

Moved by: Lorraine Giroux

“That the SCHAC receive the presentations from Colleen Beard, Dr. Kimberly Monk and Don Sawyer regarding Mountain Locks Park for information purposes.

And that the staff liaison be requested to forward the presentations to City Staff”

**CARRIED**

## **7.2 321 St Paul Street, Pony Mini-Mart (Broadway Grocery)**

The delegation from Stephen Remus was deferred to a future meeting of the committee.

It was noted that the issue to be discussed was how best to assist and communicate with local business owners in general about how to access local funding opportunities and recruit necessary professionals to assist with restoration projects.

It was noted that understanding funding and restoration tasks is not always easy and that perhaps a process could be established to help business owners navigate the various processes to help ensure that our most significant commercial heritage buildings are maintained and restored.

## **8. Updates from Sub-Committees**

### **9.1 Designations, Plaquing and Ceremonies**

None

### **9.2 Public Outreach and Education (POE)**

None

### **9.3 Research and Inventory (R & I)**

Chair Narhi indicated that he had begun to work on three properties for the heritage register.

## 9. New Business

### Ongoing Communications Problems Gail Benjafield, Committee Member

Member Benjafield indicated that she wanted to put up a heads up for the next meeting. Member Benjafield stated that she and others are members of the Public Outreach and Education Sub-Committee and are very involved with research and communications. She noted that since prior to Covid 19 they have experienced many communications issues. She expressed an opinion that there has been a lot of miscommunication between staff and their sub-committee and her hope was that the committee could have an open discussion about some of these issues because they need to be cleared up. She indicated that in her opinion in 2020 there were many questions that we were hoping to hear back from staff and no feedback was provided.

The Heritage Planner noted that he is fairly new at the City and if there were items beyond his tenure that the committee had not heard back from, he asked committee members to please let him know and he would look into that.

Member Giroux indicated that she had noted in November that while Ms. Richer was in the position Heritage Planner, the Welland Canal – St. Catharines Museum was going to publish some of the committee's articles in their publications that they send out online. Member Giroux indicated that she was interested in pursuing this further.

Brian Narhi indicated that the only thing he was aware of that was outstanding was the research report on the Merritton High School, however, the Covid 19, lockdown had caused certain research sources to be inaccessible so depending on the opening up of research sources, the report would be ready for the March 2021 meeting of the committee.

Member Benjafield asked why not all members Council's Sustainability Culture Committee are not attending the SCHAC meetings. The Heritage Planner responded that Members of Council are not members of SCHAC and that they are able to attend when there are issues of interest. Members of Council participate through the Cultural Sustainability Committee and also receive the minutes of the SCHAC.

Member Giroux asked if the minutes for the SCHAC could be received earlier so that they could read and understood. The Heritage Planner noted that the minutes are posted as draft online prior to the agenda for the following meeting being posted.

Councillor Littleton thanked the SCHAC for all they do for the City and noted that Council very much appreciates all the work done by the committee.

Moved by: Gail Benjafield

"That ongoing communications problems be included for discussion on the February 11, 2021 agenda of the SCHAC.

**CARRIED**

**10. Information/Correspondence**

- e-mail from Kim Diaz Perez regarding proposal to build a parking lot adjacent to Lock 15 of the Second Welland Canal
- e-mail from Isabel Bachman regarding Opposition to Parking Extension into Mountain Locks Park
- e-mail from Steve Hartwell, regarding Heritage Committee Meeting, Thursday, January 14, 2021

**11. Date of next meeting**

Thursday, February 11, 2021

**12. Motion to Adjourn**

Moved by Robert Speck

"That the SCHAC meeting be adjourned at 4:25 pm."

**CARRIED**