

Provincial Advice Record – Information to Inform the Summary of Issues

Project: Alexandra Bridge Replacement Project

Proponent: Public Services and Procurement Canada and National Capital Commission

CIAR No.: 83444

Response invited by: April 24, 2022

All comments should be submitted via the **Submit a Comment** feature available on the Project's Canadian Impact Assessment Registry page (Reference 83444 at <http://iaac-aeic.gc.ca/050/evaluations/proj/83444?culture=en-CA>). Letters and forms can be uploaded using this feature.

If you have any difficulties submitting this way, please contact the Agency at Alexandra@iaac-aeic.gc.ca.

1. Confirm whether your ministry or agency would like to participate in the federal impact assessment process for this Project. Yes No

If yes, please provide contact details for the person(s) who will be working with the Agency.

Ministry/Agency: Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI)	
<i>Primary Contact Details:</i>	
Contact Name: Jack Mallon	Telephone: 437-522-6582
Address: 400 University Ave, 5 th Floor - Toronto, ON	Fax:
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Contact Name: Karla Barboza	Telephone: 416-660-1027
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2. Identify your ministry's contact information for the public. This could be a generic email box or specific to your ministry's role on the project (e.g. permits, authorizations, guidance or funding within your ministry's mandate.)

heritage@ontario.ca

3. Will your ministry undertake any technical analysis (e.g. effects assessment) related to this Project? Would you be willing to cooperate with the Agency on this analysis?

The Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) will review any technical cultural heritage studies related to this Project to ensure compliance with the *Ontario Heritage Act*.

MHSTCI is interested in cooperating with the Agency on this analysis.

MHSTCI has an interest in undertakings such as this under its mandate to develop policies and programs for the conservation of Ontario's cultural heritage, and to stimulate growth and investment in tourism, sport and recreational activities and facilities in Ontario.

As a government review agency, MHSTCI reviews various applications and associated technical heritage studies, including those under an environmental assessment process, to ensure compliance with the *Ontario Heritage Act* and fulfilment of due diligence related to heritage more generally.

To meet its obligations related to the conservation of cultural heritage resources, including their identification, protection and wise management, the proponent retains qualified persons to prepare technical cultural heritage studies (e.g., archaeological assessments, cultural heritage evaluations, heritage impact assessments).

Under its mandate to conserve Ontario's cultural heritage, MHSTCI applies the following processes and approvals to address potential adverse effects on cultural heritage resources, including archaeological resources, built heritage resources and cultural heritage landscapes.

Ontario Heritage Act, Part VI

Under the *Ontario Heritage Act* (OHA), MHSTCI regulates archaeology and licenses archaeologists. The ministry reviews archaeological reports as a condition of licensing in accordance with Part VI of the OHA. This review is to ensure that the archaeologist has met the terms and conditions of their license, that the archaeological sites have been identified and documented according to the standards set by MHSTCI and that the archaeological fieldwork and report recommendations ensure the conservation of archaeological resources.

Once they have reviewed an archaeological report, MHSTCI staff provide the archaeologist with a letter. If the report complies with the *Standards and Guidelines for Consultant Archaeologists* (MHSTCI, 2011), the letter informs the archaeologist that the report has been entered into the Ontario Public Register of Archaeological Reports. The letter is copied to the proponent (e.g., ministry or prescribed public body) and the approval authority (e.g., Ministry of the Environment, Conservation and Parks, Impact Assessment Agency of Canada). Approval authorities often rely on the letter to address legislative requirements, and more broadly, to address concerns for due diligence.

4. (a) Based on the Initial Project Description, will your ministry be issuing any permits, authorizations or otherwise be involved in the Project in a regulatory manner? Yes No

(b) If yes:

- Name the permit, authorization or other function that your ministry would provide;
- Provide a short description, including regulatory or legislative authority, of each permit, authorization or other function (please provide links or attach relevant documents to this form);
- Indicate the project component or activity to which the permit or authorization applies;
- Indicate, for each permit, authorization or other function, whether your ministry would undertake Indigenous consultation, and if yes, provide a summary overview of the approach, including provision of any participant funding; and

- Indicate, for each permit, authorization or other function, whether your ministry would undertake public engagement, and if yes, provide a summary overview of the approach, including provision of any participant funding.

See answer to Question 3. MHSTCI will review all technical cultural heritage studies, including any marine and terrestrial archaeological assessments conducted in Ontario for this project. Technical cultural heritage studies apply to the whole project study area. MHSTCI does not undertake Indigenous or public consultation for projects undertaken by external parties and does not provide participant funding.

5. (a) Indicate whether the description of potential effects presented in the Initial Project Description sufficiently characterizes potential project effects as they relate to your ministry's mandate.

Sections 15.4 (Design and Heritage of Structure) and 15.5 (Archaeological Potential) of the draft IPD attempts to describe the existing conditions of the cultural heritage environment. Section 19.2 (Sites of Historical and Archaeological Significance) attempts to describe potential effects on Physical and Cultural Heritage or any Structure, Site or Things that is of Historical, Archaeological, Paleontological or Architectural Significance.

MHSTCI finds the description of potential effects is not properly described. Project Activities and Components may impact on cultural heritage resources. The Detailed Project Description should:

- better describe the cultural heritage environment
- confirm if there any known or potential built heritage resources and/or cultural heritage landscapes in the study area
- confirm whether further studies need to be completed to identify, evaluate and assess potential project impacts and the timing of any required study
- provide the conclusions and recommendations of archaeological assessment(s) undertaken to date
- include whether the project could impact on marine (or underwater) archaeological resources.

Further technical cultural heritage studies shall be completed to identify, evaluate and assess impacts on the bridge structure and setting. Further technical cultural heritage studies, including archaeological assessment(s), will be required to inform the conclusion around potential effects and recommendations for proposed mitigation measures. MHSTCI recommends the following to be completed a part of the environmental assessment:

- (1) Terminology and framework should be aligned with the federal EA process and associated guidance (such as the *Technical Guidance for Assessing Physical and Cultural Heritage or any Structure, Site or Thing, Standards and Guidelines for the Conservation of Historic Places in Canada*). Technical studies may have different names within different jurisdictions and therefore we recommend that the scope and timelines of technical studies be clearly articulated.
- (2) Section 15.4 – should read as “Physical and Cultural Heritage or any Structure, Site or Things that is of Historical, Archaeological, Paleontological or Architectural Significance”.
- (3) Section 15.4.1 should be “Built Heritage Resources and Cultural Heritage Landscapes”. This section should confirm if there are any known (i.e., previously recognized) or potential built heritage resources and/or cultural heritage landscapes with the potential impacted study area, The IPD does not sufficiently characterize the potential impact on known or potential built heritage resources or cultural heritage landscapes. This section should also indicate that further studies would be necessary. We recommend the following be undertaken:
 - Cultural Heritage Evaluation Report - a report prepared by a qualified person that includes research, site visits and public engagement. The report should also include enough information about the property to sufficiently understand and substantiate its cultural heritage value or interest. We note that bridge hasn't been formally recognized by a federal or provincial agency. A Statement of Cultural Heritage Value

(or Statement of Significance) shall be prepared which will describe why the Alexandra Bridge is of cultural heritage value and key attributes or elements that must be retained to conserve its cultural heritage value.

- Heritage Impact Assessment – a study to determine the impacts of a proposed activity on the bridge structure. It will recommend options and mitigation measures, in order to reduce negative impacts, and conserve its cultural heritage value or interest. Removal or demolition of the bridge should be considered a last resort after all other alternatives have been considered, subject to heritage impact assessment and public engagement.
- Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment - This report will:
 - i. Describe the existing baseline cultural heritage conditions within the study area by identifying all known or potential built heritage resources and cultural heritage landscapes, including a historical summary of the study area. MHSTCI has developed screening criteria that may assist with this exercise: [Criteria for Evaluating for Potential Built Heritage Resources and Cultural Heritage Landscapes](#)
 - ii. Identify preliminary potential project-specific impacts on the known and potential built heritage resources and cultural heritage landscapes that have been identified. The report should include a description of the anticipated impact to each known or potential built heritage resource or cultural heritage landscape that has been identified.
 - iii. Recommend measures to avoid or mitigate potential negative impacts to known or potential built heritage resources and cultural heritage landscapes. The proposed mitigation measures are to inform the next steps of project planning and design.

(4) Section 15.4.2 should be “Archaeological Resources”.

(terrestrial or land-based archaeology) The IPD indicates that the area has archaeological potential, however it is no clear that archaeological assessments have been undertaken. Page 206 indicates that (both terrestrial and underwater) archaeological assessment will be undertaken. MHSTCI recommends that archaeological assessment be undertaken by archaeologist licensed under the *Ontario Heritage Act* and as early as possible during the environmental assessment process. The IPD indicates that on federal lands, NCC will rely on Parks Canada’s federal archaeological process. MHSTCI recommends that the scope of studies be clearly described and, if possible, aligned with provincial processes.

(5) The last paragraph on page 203 incorrectly describes the archaeological process framework in Ontario.

(b) Provide input on whether these effects may be adverse and whether your regulatory instruments (ex. permit, authorization, or other function) could be used to address these effects.¹

The project may result in significant adverse effects on known or potential cultural heritage resources. See response above 5(a) – MHSTCI recommends that all technical cultural heritage studies be completed by qualified persons as early as possible during the environmental assessment process. The findings and recommendations of these studies shall be addressed and should inform the process.

¹ Information on effects and direct and incidental effects as well as effects within federal jurisdiction are defined in section 2 of IAA. A link to IAA text can be found here: <https://www.canada.ca/en/impact-assessment-agency/corporate/acts-regulations/legislation-regulations.html>

(c) Identify any additional potential effects of the Project that are not described in the Initial Project Description. Where potential effects have been overlooked or are missing or could be better described and presented by the Proponent, provide a concise synopsis for the Summary of Issues. (Where possible, use plain language in your summary.)

See response above – question 5(a). The IDP does not characterize impacts to the Rideau Canal UNESCO World Heritage Site, Ottawa River Canadian Heritage River, or properties designated under Parts IV and V of the *Ontario Heritage Act*.

6. Provide any additional comments your ministry would like to share with the Agency regarding the Project.

An environmental assessment is intended to identify, predict and evaluate the potential environmental effects of a proposed project. This environmental assessment process should assess all alternatives to address the problem – which is the structural safety of Alexandra Bridge. MHSTCI understand that a Lifecycle Cost Analysis concluded that the replacement of the bridge would be more economical than continuing to maintain the existing bridge. Economics should not be the only factor. MHSTCI recommends that this environmental assessment explore various project alternatives, such as rehabilitation, retention of existing bridge with sympathetically designed new structure in proximity, or adaptation for a new use, and not only replacement.

MHSTCI also recommends the respective roles of provincial and federal agencies be clearly articulated when reviewing the cultural heritage aspect of this project. Additionally, the role of the Royal Architectural Institute of Canada and peer review panel should be clearly articulated, as they have no legislated role in the EA process.

MHSTCI recommends that a commitment be included that any technical cultural heritage studies, including archaeological assessment(s), be shared with Indigenous communities and other interested parties, as appropriate.

Jack Mallon

Name of Responder



Signature

Heritage Planner

Title of Responder

April 24, 2022

Date