

Thank you for hearing me today regarding the consent planning application for consent being considered, B13-22, concerning the severance of lands adjacent to the former Mount Zion Methodist Church cemetery, or Watson's Cemetery in the Township of Southgate.

My name is Aly Boltman, and I am a citizen of Owen Sound, representing only myself. I am a writer and researcher with an interest in cemeteries and local history. I led the volunteer steering committee for a three-year community initiative resulting in the creation of five-time award winning Greenwood Cemetery's Potter's Field Memorial Monument, now in place to mark the final resting place for approximately 1200 indigent people buried between 1858-1989 without headstones or known plot locations. A high proportion of those buried in Potter's Field hailed from Grey County's Black community; escaped slaves who fled here along the Underground Railroad, and their descendants.

Last Saturday I received an email from a board member of the Owen Sound Emancipation Festival re: a query on their website from a genealogist in Elora named Diane Watt, who had a concern about an early Grey County Black settler, a school teacher named William Jones who had purportedly been buried outside of the fence line of Watson's Cemetery in 1878. It is possible that Mr. Jones was buried there because he was of a different religious denomination than the Methodists, or perhaps his religious practices were unknown. What is most likely, however, is that Mr. Jones was buried outside the cemetery because of the colour of his skin.

Other known burials on the site include James Nickle (1814-1856) and his daughter Elizabeth who died at 16 in 1864. James' wife Elizabeth died in 1875 and may also be buried there – or other parishioners who would likely have been laid to rest in their own church grounds. There are hundreds of relatives of James and Elizabeth descending from their 12 children who lived into adulthood who are still in Grey County.

The information about these burials comes from genealogical websites and a local history book entitled *While We Still Remember - A History of Egremont Township 1840 – 1983* by Campbell Cork who resides in Wellington County. When Ms. Watt began to research Watson's Cemetery, she discovered it was adjacent to lands up for severance and development. It was she who raised the first alarm about this application.

Watson's Cemetery is a mere mention in the approximately 20+ page planning report by the Loft Planning firm. The application outlined that The Trustees of the Old Order Mennonite Council sought land on which to build a meeting house. A letter in the application package from a nearby neighbor was the only reference to the Old Order's plan to increase the capacity and size of the cemetery and use it again as a burial ground.

Since Saturday I have connected with experienced colleagues regarding the laws tied to registered cemeteries in Ontario, in an attempt to determine what was appropriate and required to alter or increase the capacity of an existing cemetery. I have also tried to determine who owns Watson's Cemetery and who is responsible for its care, or as it currently sits, its neglect.

I am not here because I am opposed to expanding the cemetery or its proposed change of use from inactive to active. Nor am I opposed to the plan to build a meeting house. I am here because I have concerns with how the intended use was not clearly discernible in the consent application for rezoning. I am here because it appears the boundaries of existing interments in Watson's Cemetery are unknown, and because there's reason to believe burials may have occurred beyond the fence line of the cemetery.

I am here, also, because this cemetery has not been maintained. Without a full and comprehensive archeological assessment of the site and an exhaustive search and examination of historical records, I am certain that human remains will be disturbed in the proposed development. Many requirements demanded of the Bereavement Authority of Ontario and the Funerals, Burials and Cremation Services Act that have not been followed over many years and requirements of the act have not been considered in this proposal.

While trying to determine ownership of the cemetery without the benefit of an updated land record, I discovered a staff letter submitted to Southgate's council In January of 2021, stating that unmaintained Watson's Cemetery was owned by the Township which recommended its disposal as surplus land for sale to the Trustees of the Old Order Mennonite Council (see Staff Report CL2021-002). Here are two sections:

"In the disposal of the lands there should be a development agreement that is registered on title that would require the purchaser to do the archeological review with ground penetrating radar and to require the owners to grant perpetual access via an easement to any existing grave sites. Site Plan Control would also be required if and when they build a church on the subject lands."

Were these conditions incorporated in the recent sale of the cemetery?

It further said "The Consent and Zoning processes are public processes, and it may be prudent to conduct those applications prior to the disposition of the lands. This would involve the owners of the adjacent farmland consenting for them to make the applications on their behalf and Council dealing with those issues first. This would ensure that they will be receiving a parcel that they can build a church on and not simply receiving a cemetery parcel that is no longer usable."

At some later date, the Township determined it was not the registered owner of Watson's Cemetery. However, the Bereavement Authority of Ontario's website still states it as the licensed operator.

Sometime in 2021 or 2022, the cemetery was purchased by the Trustees of Old Order Mennonite Council from the Trustees of the Mount Zion Congregation of the United Church of Canada. No change of licensed operator status has occurred, which is a requirement of The BAO at time of sale, and the conditions The Township had recommended prior to the sale of the cemetery were not enforceable. A private sale also meant Southgate was unable to follow its own staff's suggestion to go through the consent and zoning process before disposition of lands.

There is much grey area with this proposal, leaving many questions of public interest.

1. Who is confirmed by current land record to be the owner of this property?
2. Who has officially been licensed as the registered operator of this cemetery with the Bereavement Authority of Ontario as outlined in the Funerals, Burials and Cremation Services Act?
3. Has the size, boundary and capacity of this cemetery ever been established, and if so, how?
4. Has the current registered operator of the cemetery been providing maintenance on the site as well as providing for safe access for descendants of the individuals buried in the cemetery, in compliance with the Funerals, Burials and Cremation Services Act?
5. Has the applicant or the municipality contacted the Bereavement Association of Ontario to request an inspection of the site as part of this application process?

As it stands, I urge your Committee of Adjustment to decline this consent application until such time as the applicant, the municipality and the BAO can determine:

1. Ownership and registered operator status of the cemetery,
2. The size, boundary and capacity of the cemetery,
3. Outstanding maintenance and access issues,
4. Archaeological assessment and location of unmarked burials on the site.

Additionally, as per correspondence received by various parties including the Township of Southgate from the Bereavement Authority of Ontario on January 23rd, 2023, other conditions must also be met including:

- There must be an archaeological assessment (Stage 1 research) conducted of the Watson's Cemetery to confirm the history of the site and the possible number of burials.
- If the wire fenced boundaries are to be considered the boundaries within which the burials extend, then it is recommended that the municipality require a Stage 2-3 archaeological investigation of an

area at least 10 m or 30 ft. around the wire fence to ensure that any burials outside the wire fence are confirmed or identified. Should a burial exist outside the wire fence, the boundaries of the Watson cemetery must be extended to include that burial.

The need for a stage 2-3 archeological investigation 30 ft. around the wire fence is well demonstrated by Professor Naomi Norquay, the President of the Old Durham Road Black Pioneer Cemetery Committee in the neighbouring municipality of Grey Highlands. The following paragraph in her submitted letter describes the committee's experience trying to determine the boundaries of the Old Durham Road Black Pioneer Cemetery:

"At the Old Durham Road Black Pioneer Cemetery, ground penetrating radar located upwards of 80 grave shafts which were laid out in anything but "neat, predictable rows". Several grave shafts were also found outside the boundaries of the cemetery, along the ditches and road allowances...To dig the footings for the new monument...we took great pains to avoid grave shafts... Under the watch and guidance of a certified archaeologist, we succeeded, with acceptable, but slim margins."

PHD scholar William Felepchuk has also written in a letter that has been receive by this committee, but it's contents were not read this morning, so I'd like to read you a portion of it:

"Grey County has a long history of erasure and destruction of places of burial, and these destructions have disproportionately affected the Indigenous and Black communities. Black communities in particular have had their historic cemeteries destroyed, bulldozed, turned into pine plantations and potato fields, and a variety of other dehumanizing fates. Every cemetery is sacred and ought to be protected. However, if the Mount Zion cemetery does in fact include the burial places of early Black inhabitants, it further magnifies its historic importance and significance."

Before I close, I'd like to say that I empathize with the Old Order Mennonite Conference in this situation. I do not wish to hold them back from achieving their goals. I also hold no malice towards the Township of Southgate. My purpose here is just to speak for those who can't, mainly those known, those assumed to be interred and those yet to be discovered in Watson's Cemetery. Laws and protections have been put in place to protect their integrity and dignity. Those laws must be upheld.

To reiterate: As ownership and boundaries of Watson's Cemetery are unclear, and as no monuments remain to help point to the location of existing grave shafts, approval of this application as it currently stands would not be in the public interest. It might even set a precedent in your Township and beyond, implying that burial sites and human remains are not worthy of respect or due process in the path of development.

I ask for a hold on this application, to provide time to address and publicly answer outstanding questions, and to ensure that any future severance approvals include all of the provisions required by Bereavement Authority of Ontario and the Funerals, Burials and Cremation Services Act. Finally, I ask that as a condition of severance, the Township and the Old Order Mennonite Council place a permanent plaque on or at the site of Watson's Cemetery after the full archeological assessment, outlining known burials, assumed burials, and a brief description of the history of the Mount Zion Methodist Church, in commemoration of its vital place in the history of Grey County.

I hope you will give this matter your deepest consideration.

Thank you.

Aly Boltman



Additional notes, made Jan. 26/2023

After this deputation was read on January 25th, 2023, Ms. Loft was asked to come to the podium to address a few issues and answer some questions. When she was finished, I asked to make a few follow up statements:

1. I reiterated the comments of one of the speakers at the public meeting, a farmer whose name I do not know, who stated that the cemetery was in a state of benign neglect and had been since he'd owned and operated his farm, 45 years. I confirmed that the cemetery was neglected, with mature trees having grown on site, bore holes (likely from the stage 1 archeological assessment) which are open and uncovered and look like a grave collapse, uncut grass in summer season, etc.
2. I explained that I had received correspondence from Michael D'Mello from the Bereavement Authority of Ontario (Deputy Registrar) who had CC'd me on correspondence sent to AMICK Consulting (the archeological firm who undertook the stage 1 assessment) informing him and the Township of Southgate that in light of the new information about a burial outside the fence line of the cemetery in 1878, a stage 2-3 assessment would be required. I reiterated that a full archeological assessment is what's required to satisfy concerns about the locations of unknown or assumed human remains, that would be critical to allow the new owners to expand the capacity of the cemetery.
3. I requested that Loft Planning adapt their initial submission to include a reference to a cemetery being planned for a portion of the severed lands.
4. I confirmed that The Township of Southgate needs to work with the BAO to update the registration to reflect the new licensed operator of Watson's Cemetery and follow any requirements of the BAO regarding paperwork, inspections, legislation, etc.