



PLANNING FOR ARCHAEOLOGY

Oak Ridges Moraine Planning Area Oak Ridges Moraine Trail

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LIST OF ACRONYMS

AA	Archaeological Assessment
CA	Contracting Authority
CAC	Contracting Authority Contact
FBCSA	Funeral, Burial and Cremation Services Act, S.O. 2002, c. 33
GP	Greenbelt Plan
GF	Greenbelt Foundation
MCM	Ministry of Citizenship and Multiculturalism.
MPBSD	Ministry of Public and Business Service Delivery
MTCS	Ministry of Tourism, Culture and Sport
NEC	Niagara Escarpment Commission
NEP	Niagara Escarpment Plan
OASD	Ontario Archaeological Sites Database
OHA	Ontario Heritage Act, R.S.O. 1990, c.O18
ORMCP	Oak Ridges Moraine Conservation Plan
ORMF	Oak Ridges Moraine Foundation
ORMLT	Oak Ridges Moraine Land Trust
ORMPA	Oak Ridges Moraine Planning Area
ORMT	Oak Ridges Moraine Trail
ORTA	Oak Ridges Trail Association
PPS	Provincial Planning Statement, 2024
S & Gs	Standards and Guidelines for Consultant Archaeologists 2011, MTCS now MCM



DEFINITIONS

Archaeological Assessment – As per the S & Gs, “For a defined project area or property, a survey undertaken by a licenced archaeological within those areas determined to have archaeological potential in order to identify archaeological sites, followed by evaluation of their cultural heritage value or interest, a determination of their characteristics. Based on this information, recommendations are made regarding the need for mitigation of impacts and the appropriate means for mitigating those impacts.”

Archaeological Resource – As per the S & Gs, “In the context of the Standards and Guidelines, objects, materials and physical features identified by licenced archaeologists during a Stage 2 archaeological assessment as possibly possessing cultural heritage value or interest. Analysis using the criteria set out in the Standards and Guidelines determines whether those objects, materials and physical features meet the definition of an archaeological site under the Ontario Heritage Act and whether Stage 3 archaeological assessment is required. In various planning and development contexts, the term may refer to any or all of archaeological potential, artifacts and archaeological sites.”

Archaeological Site – As defined in Ontario regulation as “any property that contains an artifact or any other physical evidence of past human use or activity that is of cultural heritage value or interest.”

Artifact – As defined in Ontario regulation as “any object, material or substance that is made, modified, used, deposited or affected by human action and is of cultural heritage value or interest.”

Contractor – The person or entity authorized by the Contracting Authority to conduct maintenance for the Oak Ridges Moraine Trail, plan and implement trail rerouting, trail expansion or otherwise alter the trail in a manner that involves any ground disturbance.

Contracting Authority – The entity which has authorized works on the Oak Ridges Moraine Trail, whether the Greenbelt Foundation, the Oak Ridges Trail Association, the landowner or whatever governing authority for the Oak Ridges Moraine Trail may exist at the time.

Contracting Authority Contact – The person designed by the Contracting Authority to implement the protocols outlined in this Document.

Cultural Heritage Value or Interest – As per the S & Gs “For the purposes of the Ontario Heritage Act and its regulations, archaeological resources that possess cultural heritage value or interest are protected as archaeological sites under Section 48 of the act. Where analysis of documented artifacts and physical features at a given location meets the criteria stated in the S & Gs, that location is protected as an archaeological site and further archaeological assessment may be required.

Indigenous Communities and Nations – Collectively, the original peoples of North America, America and their descendants, including First Nations (Indians), Métis and Inuit.

Indigenous Communities and Nations Engagement – A process of meaningfully engaging with Indigenous Communities and Nations whose rights and interests may be affected, with the objective of providing relevant information to community leaders and members, meaningfully considering their input, and coordinating on matters of interest to avoid, reduce or mitigate potential adverse impacts.

Indigenous Monitors – An individual(s) appointed by an Indigenous Community and Nation to monitor and/or perform fieldwork on behalf of such Indigenous Communities and Nations or their assigned consultant.



PLANNING FOR ARCHAEOLOGY
Oak Ridges Moraine Planning Area and the Oak Ridges Moraine Trail

Licensed Archaeologist – An individual holding a Professional Class Consulting Licence issued by the MCM.

I INTRODUCTION

I.1 Context

The Oak Ridges Moraine is a defining ecological and cultural landscape within Ontario's Greenbelt, protecting critical headwaters, groundwater recharge areas, agricultural lands, and natural heritage systems. The *Oak Ridges Moraine Conservation Plan, 2017* (ORMCP) provides land use and resource management planning direction to provincial ministers, ministries, and agencies, municipalities, landowners and other stakeholders on how to protect lands within the area defined as the Oak Ridges Moraine Planning Area (ORMPA). It recognizes the Oak Ridges Moraine's important natural, cultural heritage and agricultural resources, and supports recreation and tourism uses, as appropriate. The ORMCP supports the identification, conservation, use and wise management of cultural heritage resources, including archaeological resources, to support the social, economic and cultural well-being of all communities, including First Nations and Métis communities.

This **PLANNING FOR ARCHAEOLOGY** document (henceforth the Document) was commissioned by the Oak Ridges Moraine Land Trust (ORMLT) and developed by TMHC Inc. to address concerns that previously documented and as of yet undocumented archaeological resources as well as Indigenous or other Ancestor remains to be present on the Oak Ridges Moraine in areas of the ORMPA where the ORMLT or its affiliated organizations operate. It emphasizes the need for archaeological assessments as an integral component of both trail planning and land securement.

Trail planning, construction, maintenance and use have been identified by the ORMLT as the activities most likely to result in impacts to archaeological resources as well as Indigenous or other Ancestor remains. The Oak Ridges Moraine is spanned by the Oak Ridges Moraine Trail (ORMT) which constitutes 268 km of off-road and roadside trail meant primarily for pedestrian traffic. While much of the ORMT currently follows existing roadways with paved shoulders, the eventual goal is for the ORMT to provide a continuous off-road trail across the moraine. When completed, the ORMT will be one of Canada's most iconic trails. It will connect to two of Canada's other iconic trails – The Bruce Trail and The Trans Canada Trail.

There are four organizations with specific mandates that relate to the ORMT:

1. Oak Ridges Moraine Land Trust (ORMLT);
2. The Greenbelt Foundation (GF);
3. The Oak Ridges Moraine Foundation (ORMF); and,
 - a. The ORMF was incorporated into the GF in 2020 but retains its formal mandate to protect and promote the Oak Ridge Moraine
4. Oak Ridges Trail Association (ORTA).

In 2025, the GF published the Oak Ridges Moraine Trail Strategy (ORMTS) which outlined a series of seven strategic objectives to guide the future of the ORMT:

1. Strengthen alignment, leadership, and collaboration of partners along the Oak Ridges Moraine.
2. Create opportunities for meaningful relationship building with First Nations and other Indigenous Peoples, in the spirit of truth and reconciliation.
3. Invest in the ORMT to create connections through green space that provide a consistent, accessible experience to safely connect users to the moraine's natural and cultural assets.



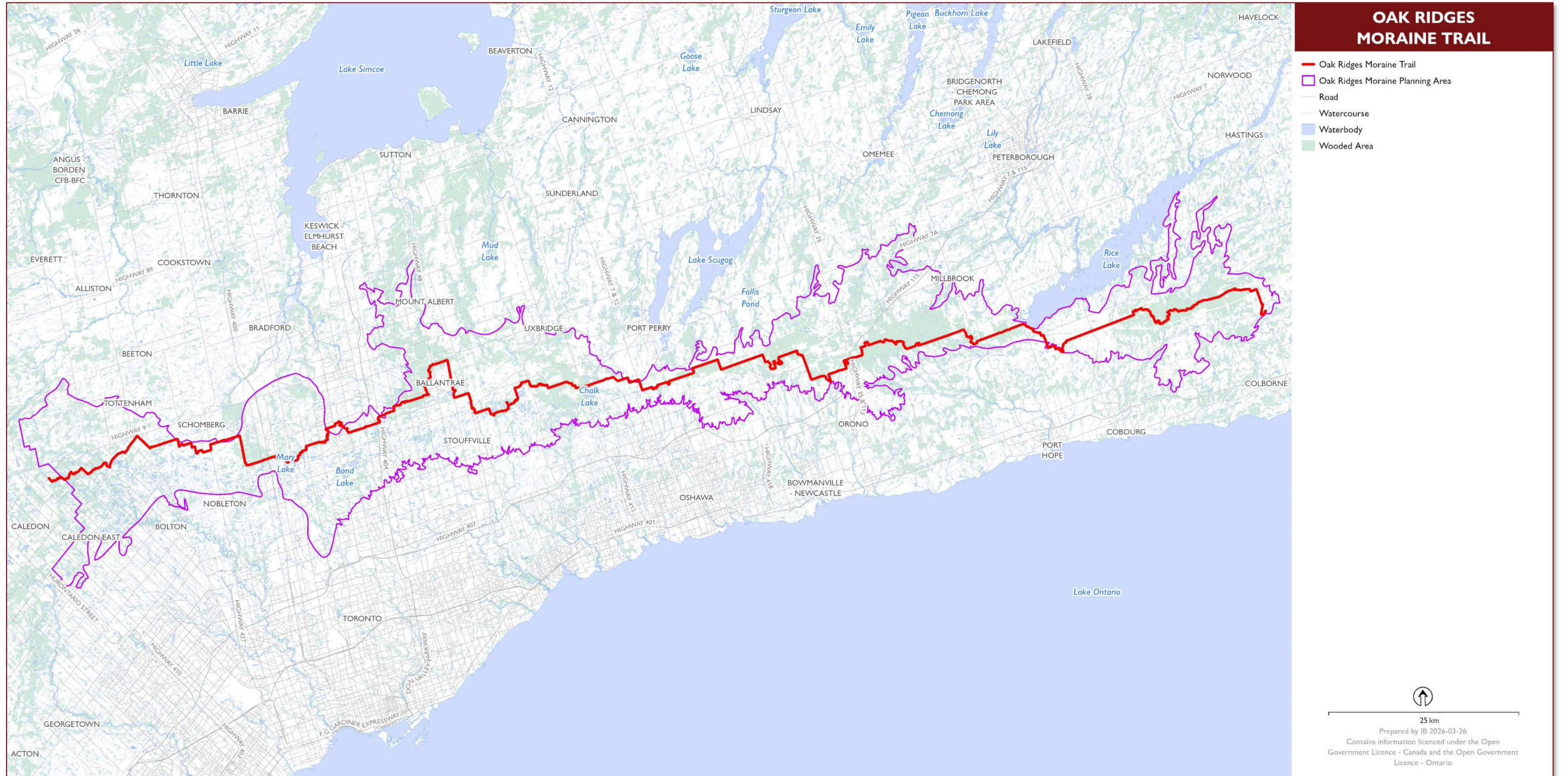
4. Secure and maintain access to the ORMT through partnerships with the Province of Ontario, conservation authorities, municipalities, First Nations Rights holders, landowners, and other agencies/ trail organizations.
5. Foster sustainable tourism and economic development in the communities along the ORMT and expand awareness of the ORMT through enhanced wayfinding, branding, partnerships, and promotions.
6. Protect the natural heritage system through teaching, outreach and the development of programs that build personal connections to the Oak Ridges Moraine.
7. Connect the ORMT to other trails networks across the length of the Oak Ridges Moraine.

The procedures and principles outlined in this Document align with the strategic objectives of the ORMTS. It describes the protocols and processes to follow to when trail maintenance and construction activities are contemplated or undertaken by the GF, ORMLT or the ORTA or when archaeological resources and/or Indigenous Ancestors are inadvertently discovered or impacted by members of the public making use the ORMT.

It also emphasizes the value of archaeological assessments as a means to reduce the likelihood that archaeological resources as well as Indigenous or other Ancestor remains will be disturbed or otherwise subject to deleterious activities during the ORMLT's land securement and stewardship within the ORMPA.

The ORMPA lands are acknowledged by the GF, ORTA and the ORMLT to be located within the treaty territories of the Mississaugas of the Credit as well as the treaty territories of the Chippewas of Georgina Island, Rama, and Beausoleil, and of the Mississaugas of Alderville, Curve Lake, Hiawatha, and Scugog Island – the First Nations of the Williams Treaties.

The ORMPA lands are also situated within the traditional territory of the Haudenosaunee and Wendat and now home to many Indigenous Peoples.



Map I: Oak Ridges Moraine Planning Area and Oak Ridges Moraine Trail



1.2 Purpose of the Planning for Archaeology Document

The purpose of the Document is to address construction and trail planning issues related to archaeological resources by:

- a) Outlining the protocols and processes to utilize in the event that previously undocumented archaeological resources or human remains are identified during trail construction or maintenance by a Contractor authorized by the Contracting Authority;
- b) Outlining the protocols and processes to utilize in the event that a member of the public reports the identification of, or impacts to, an archaeological resource or human remains to the Contracting Authority;
- c) Outlining the processes to complete an archaeological assessment should additional lands be acquired by the ORMLT or be required for rerouting or expansion of the ORMT.

The Document shall be considered a living document; to be updated to periodically to reflect developments in the governance of the ORMT, the archaeology of the lands connected to the ORMPPA and the evolving cultural, legal and regulatory environment.

This Document does not take the place of a Stage I Archaeological Assessment of the ORMPPA or the ORMT.

1.3 Legislative and Regulatory Requirements

The Document was developed to meet applicable law and regulatory requirements including:

- Ontario Heritage Act, R.S.O. 1990
- Standards & Guidelines for Consultant Archaeologists, 2011
- Provincial Planning Statement 2024
- Oak Ridges Moraine Conservation Plan, 2017
- Niagara Escarpment Plan, 2017
- Greenbelt Plan, 2017
- Funeral, Burial and Cremations Services Act, 2002

Official Plans developed by municipalities within the ORMPPA may outline the local policies and procedures in place to align with the goals of the Provincial Planning Statement, 2024 as they relate to matters of cultural heritage.

2 ARCHAEOLOGICAL ASSESSMENTS

2.1 Legislative Context

2.1.1 Ontario Heritage Act (R.S.O. 1990)

The [Ontario Heritage Act](#) (R.S.O. 1990) (OHA) provides legislative oversight for the conservation, protection, and preservation of heritage resources in the Province of Ontario, including archaeological resources. The OHA assigns responsibility for doing so to a provincial ministry, now the Ministry of Citizenship and Multiculturalism (MCM). The MCM regulates how archaeological sites are dealt with by:

- establishing a system to license individuals permitted to identify and investigate archaeological sites;
- creating technical standards and guidelines for archaeological fieldwork and reporting;
- maintaining a list of registered archaeological sites; and
- overseeing transfers of archaeological collections.

The OHA does not speak to the need for undertaking archaeological assessments prior to land development. Instead, it regulates how such work must be undertaken and how archaeological sites are dealt with when the need for an archaeological assessment is prompted by other pieces of legislation.

2.1.1.1 Standards and Guidelines for Consultant Archaeologists, 2011

Under the *Ontario Heritage Act*, R.S.O. 1990 c. O.18, anyone wishing to carry out archaeological fieldwork in Ontario must meet the following criteria:

- have a licence from the MCM
- file a report with the MCM containing details of the fieldwork that has been done for each project and any other information that the ministry requires

All archaeological assessments must be conducted in accordance with the technical standards, as defined in the [Standards and Guidelines for Consultant Archaeologists, 2011](#), set out by the Ministry of Citizenship and Multiculturalism (MCM).

In November of 2024, MCM launched the Heritage Framework Transformation. This transformation aims to future-proof Ontario's heritage framework by streamlining processes, updating policies and legislation, and modernizing standards and guidelines. These improvements are aimed at helping regulatory systems keep pace with growing demands, support efficient economic and infrastructure development and strengthen collaboration in identifying and conserving cultural heritage resources.

The MCM is proposing targeted changes to the *Standards and Guidelines for Consultant Archaeologists, 2011* that would support streamlining assessments and make administrative updates to the document.

Any archaeological assessment work commissioned by the Contracting Authority will need to comply with the iteration of the *Standards and Guidelines for Consultant Archaeologists* that is current at the time of the assessment.



2.1.2 Provincial Planning Statement, 2024

Heritage concerns are recognized as a matter of provincial interest in Section 4.6 of the [Provincial Planning Statement \(PPS\) 2024](#) which states:

Planning authorities shall not permit *development* and *site alteration* on lands containing *archaeological resources* or *areas of archaeological potential* unless the *significant archaeological resources* have been *conserved*.

In the PPS, the term conserved means:

the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches should be included in these plans and assessments.

2.1.3 Oak Ridges Moraine Conservation Plan, 2017

The [Oak Ridges Moraine Conservation Plan \(ORMCP\)](#) provides land use and resource management planning direction to provincial ministers, ministries, and agencies, municipalities, landowners and other stakeholders on how to protect the Oak Ridges Moraine. It recognizes the Oak Ridges Moraine's important natural, cultural heritage and agricultural resources, and supports recreation and tourism uses, as appropriate.

The ORMCP supports the identification, conservation, use and wise management of cultural heritage resources, including archaeological resources, to support the social, economic and cultural well-being of all communities, including First Nations and Métis communities.

All municipal by-laws and official plans must conform to the ORMCP and, when there is a conflict between it and an official plan or zoning by-law, the ORMCP prevails.

2.1.4 Niagara Escarpment Plan, 2017

The [Niagara Escarpment Plan \(NEP\)](#) provides for the maintenance of the Niagara Escarpment, and land in its vicinity, as a continuous natural environment. The NEP also seeks to ensure that any development that occurs within the area is compatible with the protected natural environment. It establishes land use control for this important geological and hydrological feature. Development within the NEP area is governed by the Niagara Escarpment Commission (NEC).

The *Niagara Escarpment Planning and Development Act (RSO 1990)*, C. N.2, S. 5 empowers the Niagara Escarpment Commission (NEC) to make regulations for the NEP planning area and establish development permit requirements and exemptions. The NEP requires that:

1. Development shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources are conserved.
2. Where proposed development is likely to impact cultural heritage resources or areas of archaeological potential, the proponent shall undertake a heritage impact assessment and/or archaeological



assessment. The proponent must demonstrate that heritage attributes will be conserved through implementation of proposed mitigative measures and/or alternative development approaches.

All municipal by-laws and official plans must conform to the NEP and, when there is a conflict between it and an official plan or zoning by-law, the NEP prevails.

2.1.5 Greenbelt Plan, 2017

The [Greenbelt Plan](#) was established under the Greenbelt Act, 2005. The act requires that the Greenbelt Plan be reviewed every 10 years, in conjunction with the NEP and the ORMCP. The focus of the plan is the protection of environmentally sensitive land within the Greenbelt Area from urban development.

The Greenbelt Plan established the “Protected Countryside” land designation and identified where urbanization should not occur in order to protect farmland and the ecological features within the Greenbelt Area. It established that within the Protected Countryside, cultural heritage resources shall be conserved in order to foster a sense of place and benefit communities.

All municipal by-laws and official plans must conform to the Greenbelt Plan and, when there is a conflict between it and an official plan or zoning by-law, the Greenbelt Plan prevails.

2.1.6 Funeral, Burial and Cremations Services Act, 2002

The [Funeral, Burial and Cremation Services Act](#) (S.O. 2002, c.33) (*FBCSA*) regulates the creation and operation of cemeteries in the Province of Ontario. The Act also governs unmarked graves and establishes a process for addressing and investigating human remains discoveries. Under direction from the MPBSDP Registrar, *FBCSA*, a landowner is required to obtain the services of a licensed consultant archaeologist to conduct an initial site assessment for the purpose of collecting basic information to assist in the issuing of a site declaration under the *FBCSA* and for restoring the burial site as best as possible. At the discretion of the MPBSDP Registrar, *FBCSA*, a formal burial investigation of the site may be ordered.

Under the *FBCSA*, an investigation is required to make a determination as to:

- the probable cultural origin or religious affiliation of the persons whose remains are interred and the basis upon which it is made;
- the boundaries of the burial site;
- the style and manner in which the human remains are interred;
- whether any artifacts or grave goods are associated with the burial; and
- whether the burial site was set aside with the apparent intention of interring human remains in accordance with cultural affinities and the basis upon which the opinion is made.

Using the information collected during the Burial Site Investigation (BSI), the MPBSDP Registrar, *FBCSA* may determine the cultural origin of the remains, identify a representative of the deceased, and establish the nature of the burial site through the issuance of a Declaration (*FBCSA* 2002 Section 97). The Declaration assigns the find to one of three categories which define a regulatory pathway for negotiation and long-term disposition:

- Indigenous peoples burial ground



- land set aside with the apparent intention of interring in it, in accordance with cultural affinities, human remains and containing remains identified as those of persons who were one of the Indigenous peoples of Canada;
- Burial ground
 - land set aside with the apparent intention of interring in it, in accordance with cultural affinities, human remains and containing remains identified as those of persons who were not one of the Indigenous peoples of Canada; or
- Irregular burial site
 - a burial site that was not set aside with the apparent intention of interring human remains in it.

2.2 Overview of Archaeological Assessment Requirements

As outlined in the *Standards and Guidelines for Consultant Archaeologists, 2011*, there are four Stages of archaeological assessment, for which a brief overview is provided below.

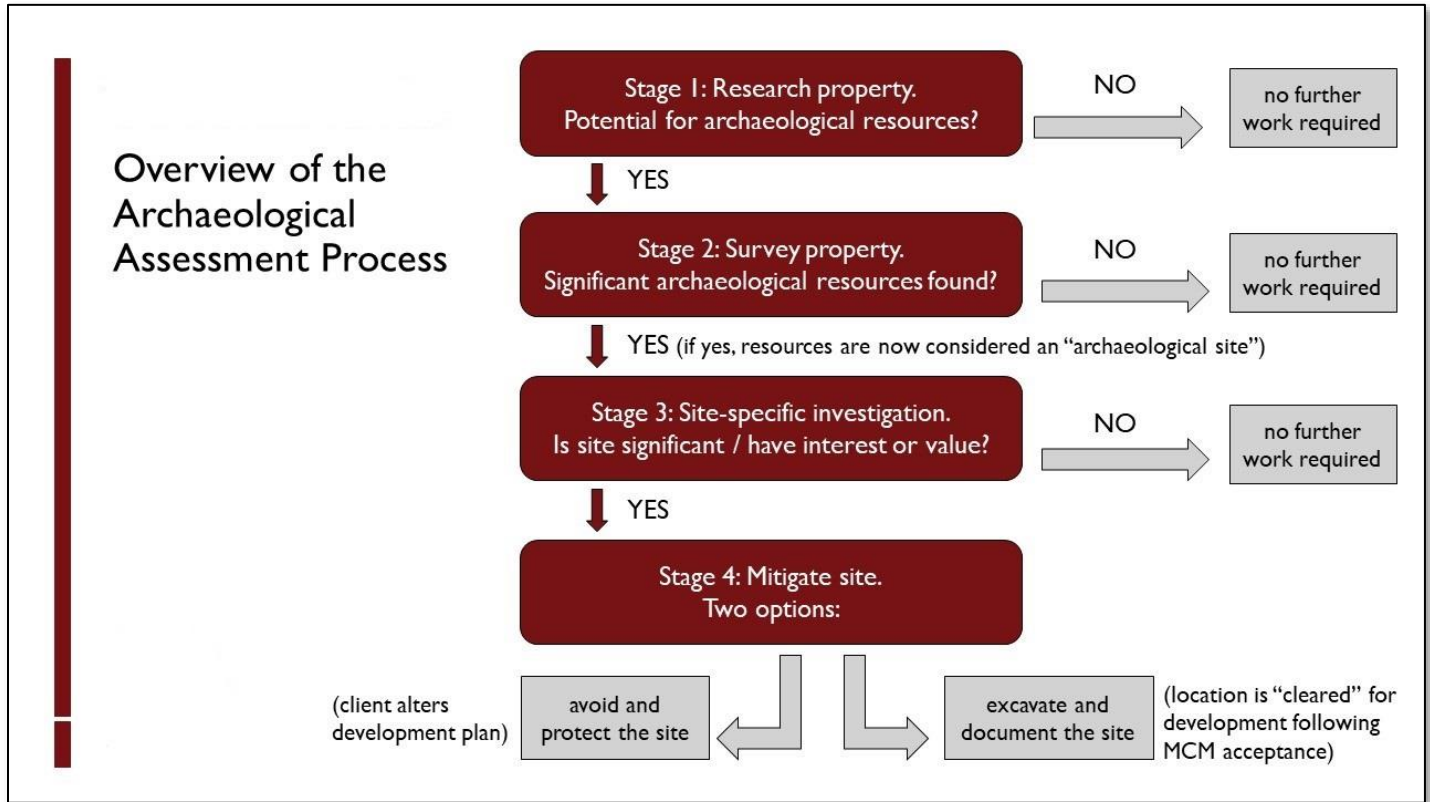


Figure 1: Overview of the Archaeological Assessment Process

2.2.1 Stage 1: Background Study

This Stage of the archaeological assessment process is to define the archaeological potential of a property. This is completed by reviewing nearby registered archaeological sites and previously-completed assessments, land use history, and landscape features (both natural and modern) to confirm and define the potential for archaeological remains to be present.

As outlined in the *Standards and Guidelines for Consultant Archaeologists, 2011*, a Stage 1 archaeological assessment analyses the archaeological potential of a property based on its recorded historical uses and its potential for nineteenth century and earlier occupations of Indigenous and non-Indigenous origin. The objectives of a Stage 1 background study are:

1. to provide information about the property's geography, history, previous archaeological fieldwork and current land condition;
2. to evaluate in detail the property's archaeological potential which will support recommendations for Stage 2 property assessment for all or parts of the property if warranted; and
3. to recommend appropriate strategies for Stage 2 property assessment.

If a property is determined to have archaeological potential, Stage 2 archaeological assessment is required.



2.2.2 Stage 2: Field Assessment

This Stage of the archaeological assessment process is to determine if archaeological sites exist on the property. This is completed by undertaking a surface and subsurface inspection of the property for archaeological resources.

As outlined in the *Standards and Guidelines for Consultant Archaeologists, 2011*, a Stage 2 archaeological assessment provides an overview of archaeological resources on the property and determines whether any of the resources might be artifacts and archaeological sites with cultural heritage value or interest. The objectives of a Stage 2 field assessment are:

1. to document all archaeological resources on the property;
2. to determine whether the property contains archaeological resources requiring further assessment; and
3. to recommend appropriate Stage 3 assessment strategies for archaeological sites identified.

If archaeological sites are identified that have further cultural heritage value or interest, Stage 3 archaeological assessment is required.

2.2.3 Stage 3: Evaluation

This Stage of the archaeological assessment process is to evaluate the information from an identified site and decide on mitigation. This is completed by undertaking a systematic surface collection and sample excavation to define the age, cultural affiliation, and extent of the archaeological site.

As outlined in the *Standards and Guidelines for Consultant Archaeologists, 2011*, a Stage 3 archaeological assessment assesses the cultural heritage value or interest of each archaeological site identified in Stage 2 to determine whether it has been sufficiently documented or if further measures are required to protect or document the site fully. The objectives of a Stage 3 evaluation are:

1. to determine the extent of the archaeological site and the characteristics of the artifacts;
2. to collect a representative sample of artifacts;
3. to assess the cultural heritage value or interest of the archaeological site; and
4. to determine the need for mitigation of the development impacts and recommend appropriate strategies for mitigation and further conservation.

If the archaeological site is identified to have further cultural heritage value or interest, Stage 4 archaeological assessment is required.



2.2.4 Stage 4: Mitigation

This Stage of the archaeological assessment process is to preserve the archaeological site. This is completed by undertaking the extensive excavation and documentation of the archaeological site or implementing an avoidance and protection strategy for the archaeological site.

As outlined in the *Standards and Guidelines for Consultant Archaeologists, 2011*, a Stage 4 archaeological assessment includes implementing long-term protection strategies for archaeological sites to be impacted by the project or, if protection is not a viable option, the consultant archaeologist conducts an excavation to document the site and remove the artifacts before construction begins. For the latter, the objectives of a Stage 4 excavation are:

1. to document the archaeological context, cultural features, and artifacts for all parts of the archaeological site;
2. to document the removal of the archaeological site; and
3. to preserve the information about the archaeological site for future study.

After the archaeological site has been successfully mitigated from development impacts through either excavation or avoidance and protection, the archaeological assessment process is complete.



2.3 Summary of Registered Archaeological Sites within 70 m of the ORMT

Ontario's Past Portal (PastPort) is the Ontario government's secure online archaeology and heritage portal. Licensed archaeologists use PastPort to report their archaeological work to the MCM, including information about the archaeological sites they discover.

PastPortal houses:

- Ontario Archaeological Sites Database
- Ontario Public Register of Archaeological Reports

Because they are sensitive and easily damaged, the locations of archaeological sites are not available to the general public. This information can be accessed by licensed archaeologists through PastPortal or by organizations or individuals through a data sharing agreement with the MCM.

Table 2 presents a summary of all registered archaeological sites retaining further cultural heritage value or interest (CHVI) recorded within the Ontario Archaeological Sites Database (OASD) as being located within 70 m of the ORMT. A 70 m buffer has been identified in order to meet current protection and monitoring buffers of sites within the S & Gs. This archaeological site data was drawn from the OASD. Further research may be necessary to confirm the specific locations of these sites and their relationship to the ORMT.

A future goal once a data sharing agreement is in place is to gain site location data for the ORMPPA so it is understood where known archaeological sites are located and ensure that sites that still have cultural heritage value and interest (i.e. have not been fully excavated) are either avoided and protected by proposed works or that additional archaeological assessment is completed.

2.4 Entering into a Data Sharing Agreement with the MCM

The ORMLT or its affiliated organizations may wish to enter into a data sharing agreement with the MCM to allow for access to, and use of, the site data in the OASD that pertains to the ORMPPA. A data sharing agreement will cover such matters as the use of, and access to the site data, and the confidentiality and security issues pertaining to the release of the information.

Access to and use of the site data will allow for informed decision making when trail maintenance and construction activities are contemplated or undertaken by the GF, ORMLT or the ORTA. It will also help inform land securement and stewardship practices within the ORMPPA.

It is important to note that the MCM will provide the site data "as is" and will make no warranty, either express or implied, including but not limited to, the accuracy and completeness of the data, warranties of merchantability and fitness for a particular purpose.

Though each data sharing agreement with the MCM is unique it is anticipated that the MCM will insist that the ORMLT or any other organizations party of the agreement (the Recipient) be bound by the following terms:

1. The Recipient shall only use the site data for a necessary purpose.
2. The Recipient shall not in any manner or in any way make any site data available.
3. The Recipient shall give notice to the MCM in writing immediately upon becoming aware that any data has been released, or becomes available in any way, to any person, group or organization, in any format.



4. If the Recipient notices corrections that need to be made to the Data, the Recipient will submit corrections through Ontario's Past Portal ("Pastport") database in the case that the Recipient is a licensee or by e-mail to archaeology@ontario.ca.
5. If any products are being generated from the site data, the Recipient will ensure that no site data is reproduced or disclosed in such a way that would put an archaeological site at risk. This includes and is not limited to disclosing an archaeological site location in the public domain.

2.4.1 Steps to Enter into a Data Sharing Agreement

This must be directly negotiated between the ORMLT and the MCM and often involves a formal contract as an outcome. This process can take a while to negotiate and resolve. A sample agreement has been included as Appendix A to help arrange your internal requirements.

Table 1: Registered Archaeological Sites Possessing Further CHVI within 70 m of the ORMT

Borden #	Site Name	PIF Licensee/Researcher	Affinity	Site Type	Site Age
AlGv-349	-	PIF R182-006-2009 Licensee: Marganit Kenedy	Indigenous	Scatter	Unknown
AlGv-240	Janus	PIF P019-066-2006 Licensee: Catherine Crinnon	Indigenous	Scatter	Unknown
BaGq-8	Taylor	Licence 78-D-0231 Researcher: Arthur Roberts	Indigenous	Findspot	Archaic Period
BaGp-5	Ransberry	Licence 78-D-0231 Researcher: Arthur Roberts	Indigenous	Findspot	Unknown
BaGp-62	CLAR03	PIF P1074-0166-2024 Licensee: Caitlyn Howard	Indigenous	Scatter	Late Woodland Period
BaGp-61	CLAR02	PIF P1074-0166-2024 Licensee: Caitlyn Howard	Indigenous	Scatter	Late Woodland Period
BaGn-103	-	Licence 78-D-0231 Researcher: Arthur Roberts	Indigenous	Scatter	Unknown
BaGn-72	Buttar	Licence 1985-71-001-1985 Researcher: Lawrence Jackson	Indigenous	Scatter	Paleo and Archaic Periods
BaGn-76	Inner City Angels	Licence 1985-71-001-1985 1986-47-001-1986 Researcher: Lawrence Jackson	Indigenous	Scatter	Late Paleo, Late Archaic, Early Woodland Periods



2.5 Next Steps Should the ORMT Be Rerouted or Expanded Through New Construction or Should Additional Lands be Secured

If additional lands are to be secured by the ORMLT within the ORMPPA or if the ORMT is to be rerouted or expanded it is best practice that an archaeological assessment be conducted by a professionally licensed archaeologist. This assessment should be completed prior to any construction impacts. This will include completing all required Archaeological Assessments (i.e. Stage 1, Stage 2, Stage 3 and Stage 4, as required) as early as possible, prior to the completion of design, and in advance of any ground disturbance.

The licenced archaeologist shall submit an Archaeological Report to the MCM as per their licencing agreement. Archaeological clearance from the MCM is required prior to the Contractor commencing work.

The sections of the ORMT within the 70 m buffers surrounding the archaeological sites described in Section 2.3 are areas of ongoing archaeological concern. A licensed archaeologist should be contacted prior to ground disturbing activities in these areas.

All work shall be performed in accordance with applicable law, including but not limited to the OHA, the MCM's *Standards and Guidelines for Consultant Archaeologists (2011)*, and *Engaging Aboriginal Communities in Archaeology: A Draft Bulletin for Consultant Archaeologists in Ontario (2011)*.

2.6 Process for Engaging Indigenous Monitors and Engagement with Indigenous Communities and Nations

This Document has been developed to support efforts to further relationships with Indigenous Communities and Nations within the ORMPPA. The archaeological assessment process provides an opportunity to build relations with Indigenous Communities and Nations by honouring and amplifying histories and cultures and supporting deep connections and responsibilities to care for the land.

Early engagement in the archaeological assessment process (i.e. at Stage 1 and 2) is critical to facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal or treaty rights. It is important to ensure Indigenous Communities and Nations interests are considered when identifying, protecting and managing archaeological resources.

It should be noted that the MCM provides notification to local Indigenous Communities and Nations of archaeological work being undertaken in their area of interest.

The Contracting Authority is responsible for all Indigenous Community and Nations Engagement during the archaeological assessment process.

The Contracting Authority will either liaise directly with the applicable Indigenous Communities and Nations or delegate that responsibility to the consultant archaeologist retained to complete an archaeological assessment.

A list of Indigenous Communities and Nations most likely to expect active engagement in any archaeological assessments completed within the ORMPPA, up to and including the in-field participation of their representatives during the archaeological assessment and review of the archaeological report, as well as key contacts for those communities is provided in Appendix B. This contact list is current as of March 2026.



3 PROTOCOL FOR THE DISCOVERY OF HUMAN REMAINS

Human remains finds are very sensitive situations to manage. It is important that these finds are treated respectfully, that there is effective and immediate communication between all parties, and that the reporting and investigation requirements are followed. The following presents the procedural advice and guidance in addition to the protocol for the discovery of human remains. Flow charts depicting an overview of the process are presented in Sections 3.1.5 and 3.2.4 but these are not meant to replace the information in Sections 3.1.1 to 3.3.4. and 3.2.1 to 3.2.3.

3.1 Protocol for Contracting Authority Initiated Works on the ORMT

3.1.1 *Designation of Contracting Authority Contact and Contractor Team Lead*

The Contracting Authority and the Contractor must each designate an individual responsible for the execution of the actions outlined in the protocol. These persons must be provided with the relevant contact information of each other to facilitate communications in the event the protocol must be implemented.

3.1.2 *Communication to Construction Crews*

Prior to initiation of ground-disturbing activities, all personnel working on site should be informed by the Contractor Team Lead of the potential for human remains to be discovered. The details of this protocol should be reviewed with all personnel to ensure that the proper procedures are followed.

3.1.3 *Guidance on Treatment of Human Remains*

Should human remains be encountered during construction, certain precautions should be taken to ensure they are protected and respected while moving the investigation process.

1. **Notifications:** Should the remains be confirmed as human by a licenced archaeologist, or if the Contracting Authority's archaeologist is uncertain and requires confirmation from the coroner, the Contracting Authority Contact shall notify the Coroner as soon as practical.
2. **Controlling Communications:** Given the sensitivity of burial sites, the need to protect their location, and ensure efficient and appropriate communication, it is best practice to visit the local Police station to report the find rather than call to provide notification. In all cases, clear instructions should be given to the Police to avoid the use of public broadcast devices (e.g., scanners) when communicating the find to avoid visits by members of the press who may monitor communications by Police dispatch. The Police may be accompanied by the Coroner or may notify the Coroner by telephone.
3. **Photography Policy:** Photographs of human remains should not be taken except at the direction of the licenced archaeologist or coroner to assist in confirming the remains are human. Photographs of the human remains must not be circulated elsewhere.

3.1.4 *Protocol*

In the event that human remains are discovered during construction activities initiated by the Contracting Authority, the following measures shall be taken:



1. The Contractor Team Lead will suspend all construction activities immediately in the vicinity of the potential find and notify the Contracting Authority Contact.
2. The Contracting Authority will ensure that the Contractor closes the relevant section of the trail to the public.
3. The Contractor Team Lead will secure the find using boundary markers and temporary fencing.
4. The Contracting Authority Contact will log the event including the following details:
 - a. Date and time
 - b. Description of activity that resulted in the find
 - c. Description of the find
1. If it is uncertain that the find represents human remains, Contracting Authority shall contact a licenced archaeologist to assist in that determination.
 - a. At the direction of the licenced archaeologist, photos may be taken of the find for circulation to the licenced archaeologist (See Section 3.2). No other photos should be taken of the find, and the photos should not be circulated elsewhere.
 - b. If the licenced archaeologist can determine with confidence the find is not human, then the Contracting Authority Contact shall update the log to that effect. The Contracting Authority Contact will in turn notify the Contractor Team Lead. At this point the investigation may cease and work may recommence. In order to maintain communications and prevent misunderstandings, the Contracting Authority should consider informing Indigenous Communities and Nations of this original find and the determination that it is not human.
 - c. If the licenced archaeologist confirms the remains are human, or is uncertain, the archaeologist will notify the Contracting Authority Contact. Then the remainder of this protocol shall be followed.
2. The Contracting Authority Contact shall confirm in writing to the Contractor the stop work order and direct the construction supervisor to secure the find. The site shall be secured by the Contractor or its designate until the authorities arrive to ensure the find is protected. Protective measures should be continued following the Police investigation and until all regulatory requirements have been met. The archaeologist may contact Contractor Team Lead concurrently with the Contracting Authority Contact to request assistance in providing resources to facilitate the protective measures.
 - a. Ideally, confirmed or suspected human remains should NOT be removed from the site.
 - b. The site should be secured using boundary markers and temporary fencing or barriers.
 - c. Privacy screens can be utilized to ensure visibility of the find is restricted, which may be particularly important if the remains are located in high-traffic areas.
 - d. At no point in time should members of the public, press, or construction crew be permitted access to the find. The Contractor may be permitted to access the site once it is released by the police and coroner.
3. The Contracting Authority Contact will immediately notify the following:
 - The local police department



- A licenced archaeologist, if not previously notified

As per Section 3.2, it is best practice to visit the local Police station to report the find rather than call to provide notification. In all cases, clear instructions should be given to the Police to avoid the use of public broadcast devices (e.g., scanners) when communicating the find to avoid visits by members of the press who may monitor communications by Police dispatch.

The Police may be accompanied by the Coroner or may notify the Coroner by telephone.

4. The Police and Coroner shall be permitted to carry out an investigation of the find. If the Police investigation determines that the human remains are of strictly historical interest, and not a crime scene, the find falls under the jurisdiction of the Ministry of Public and Business Service Delivery (MPBSD), Registrar of Burial Sites. Upon release of the find by the Police and their determination that it is not of forensic concern, the Contracting Authority shall notify its licenced archaeologist.
5. The Coroner will notify the Registrar of Burial Sites of the find and provide information from the police and coroner's investigation. The current Registrar is:
 - Registrar of Burial Sites, MPBSD: 416-212-7499
6. The Registrar will provide instructions for next steps and requirements for protecting and securing the site until all necessary regulatory steps can be taken. The Registrar will provide written notification to the landowner regarding their legal obligations under the *Funeral, Burial and Cremation Services Act*. Often, the Registrar will order the landowner to conduct an investigation under Section 96 of the Act (see Appendix C).

For the purposes of an investigation of a burial discovery, the "landowner" is considered to be the individual or body/organization who owns the land within which the discovery was made. The Registrar may require the landowner to enter into an agreement with the representative of the deceased that establishes the ultimate care and disposition of the remains.

For discoveries within the bounds of the municipally owned rights-of way (ROWs), the landowner to be contacted would be the relevant municipality.

Should the remains be identified as ancestral to Indigenous Communities and Nations, the Contracting Authority shall contact the Indigenous Communities and Nations as directed by the Registrar of Burials, if not previously notified.

7. The Ministry of Citizenship and Multiculturalism (MCM) should also be notified.

Archaeology Programs Unit, MCM: 647-964-8951

8. The Contractor's work at the find site can only resume once all regulatory requirements have been met and the Registrar has given consent.

3.1.5 Flow Chart Illustrating the Protocol for the Discovery of Human Remains during Contracting Authority Initiated Works on the ORMT

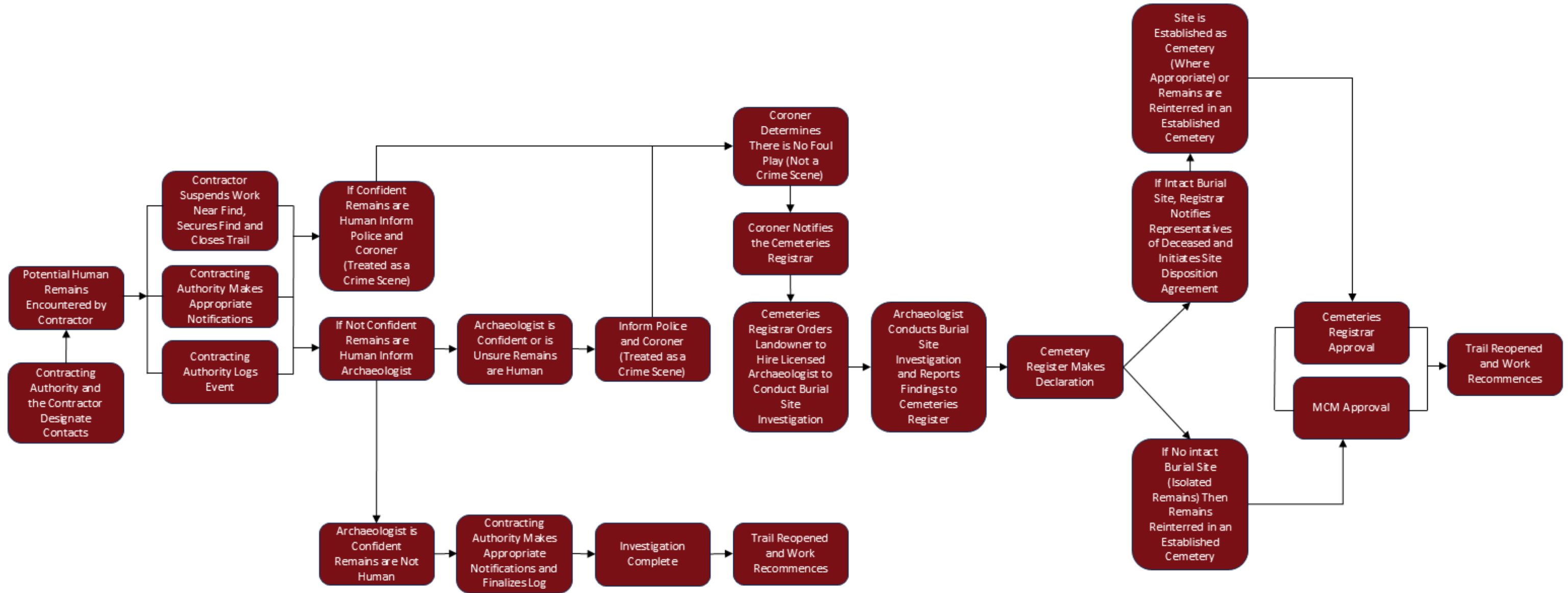


Figure 2: Overview of the Protocol for the Discovery of Human Remains during Contracting Authority Initiated Works on the ORMT



3.2 Protocol for Inadvertent Discovery of Human Remains by Member of the Public on the ORMT

3.2.1 Designation of Contracting Authority Contact

The Contracting Authority must designate an individual responsible for the execution of the actions outlined in the protocol.

3.2.2 Guidance on Treatment of Human Remains

Should human remains be encountered member of the public and reported to the Contracting Authority, certain precautions should be taken to ensure they are protected and respected while moving the investigation process.

1. Notifications: Should the remains be confirmed as human by a licenced archaeologist, or if the Contracting Authority's archaeologist is uncertain and requires confirmation from the coroner, the Contracting Authority Contact shall notify the Coroner as soon as practical.
2. Controlling Communications: Given the sensitivity of burial sites, the need to protect their location, and ensure efficient and appropriate communication, it is best practice to visit the local Police station to report the find rather than call to provide notification. In all cases, clear instructions should be given to the Police to avoid the use of public broadcast devices (e.g., scanners) when communicating the find to avoid visits by members of the press who may monitor communications by Police dispatch. The Police may be accompanied by the Coroner or may notify the Coroner by telephone.
3. Photography Policy: Photographs of human remains should not be taken except at the direction of the licenced archaeologist or coroner to assist in confirming the remains are human. Photographs of the human remains must not be circulated elsewhere.

3.2.3 Protocol

In the event that human remains are discovered member of the public and reported to the Contracting Authority, the following measures shall be taken:

1. The Contracting Authority will ensure that the area of the find is secure using boundary markers and temporary fencing.
2. The Contracting Authority will ensure that the relevant section of the trail is closed to the public.
3. The Contracting Authority Contact will log the event including the following details:
 - a. Date and time
 - b. Description of activity that resulted in the find
 - c. Description of the find
4. If it is uncertain that the find represents human remains, Contracting Authority shall contact a licenced archaeologist to assist in that determination.



- a. At the direction of the licenced archaeologist, photos may be taken of the find for circulation to the licenced archaeologist (See Section 3.2.1). No other photos should be taken of the find, and the photos should not be circulated elsewhere.
 - b. If the licenced archaeologist can determine with confidence the find is not human, then the Contracting Authority Contact shall update the log to that effect. At this point the investigation may cease. In order to maintain communications and prevent misunderstandings, the Contracting Authority should consider informing Indigenous Communities and Nations of this original find and the determination that it is not human.
 - c. If the licenced archaeologist confirms the remains are human, or is uncertain, the archaeologist will notify the Contracting Authority Contact. Then the remainder of this protocol shall be followed.
5. The site shall be secured by the Contracting Authority or its designate until the authorities arrive to ensure the find is protected. Protective measures should be continued following the Police investigation and until all regulatory requirements have been met. The archaeologist may the Contracting Authority Contact to request assistance in providing resources to facilitate the protective measures.
- a. Ideally, confirmed or suspected human remains should NOT be removed from the site.
 - b. The site should be secured using boundary markers and temporary fencing or barriers.
 - c. Privacy screens can be utilized to ensure visibility of the find is restricted, which may be particularly important if the remains are located in high-traffic areas.
 - d. At no point in time should members of the public, press, or construction crew be permitted access to the find. Access to the site is permitted once it is released by the police and coroner.
6. The Contracting Authority Contact will immediately notify the following:
- The local police department
 - A licenced archaeologist, if not previously notified

As per Section 3.2.1, it is best practice to visit the local Police station to report the find rather than call to provide notification. In all cases, clear instructions should be given to the Police to avoid the use of public broadcast devices (e.g., scanners) when communicating the find to avoid visits by members of the press who may monitor communications by Police dispatch.

The Police may be accompanied by the Coroner or may notify the Coroner by telephone.

7. The Police and Coroner shall be permitted to carry out an investigation of the find. If the Police investigation determines that the human remains are of strictly historical interest, and not a crime scene, the find falls under the jurisdiction of the Ministry of Public and Business Service Delivery (MPBSD), Registrar of Burial Sites. Upon release of the find by the Police and their determination that it is not of forensic concern, the Contracting Authority shall notify its licenced archaeologist.
8. The Coroner will notify the Registrar of Burial Sites of the find and provide information from the police and coroner's investigation. The current Registrar is:
 - Registrar of Burial Sites, MPBSD: 416-212-7499



9. The Registrar will provide instructions for next steps and requirements for protecting and securing the site until all necessary regulatory steps can be taken. The Registrar will provide written notification to the landowner regarding their legal obligations under the *Funeral, Burial and Cremation Services Act*. Often, the Registrar will order the landowner to conduct an investigation under Section 96 of the Act (see Appendix C).

For the purposes of an investigation of a burial discovery, the “landowner” is considered to be the individual or body/organization who owns the land within which the discovery was made. The Registrar may require the landowner to enter into an agreement with the representative of the deceased that establishes the ultimate care and disposition of the remains.

For discoveries within the bounds of the municipally owned rights-of way (ROWs), the landowner to be contacted would be the relevant municipality.

Should the remains be identified as ancestral to Indigenous Communities and Nations, the Contracting Authority shall contact the Indigenous Communities and Nations as directed by the Registrar of Burials, if not previously notified.

10. The Ministry of Citizenship and Multiculturalism (MCM) should also be notified.

Archaeology Programs Unit, MCM: 647-964-8951

The Contracting Authority shall restrict access to the find site through the closing of the trail section until all regulatory requirements have been met and the Registrar has given consent.

3.2.4 Flow Chart Illustrating the Protocol for the Inadvertent Discovery of Human Remains by Member of the Public on the ORMT

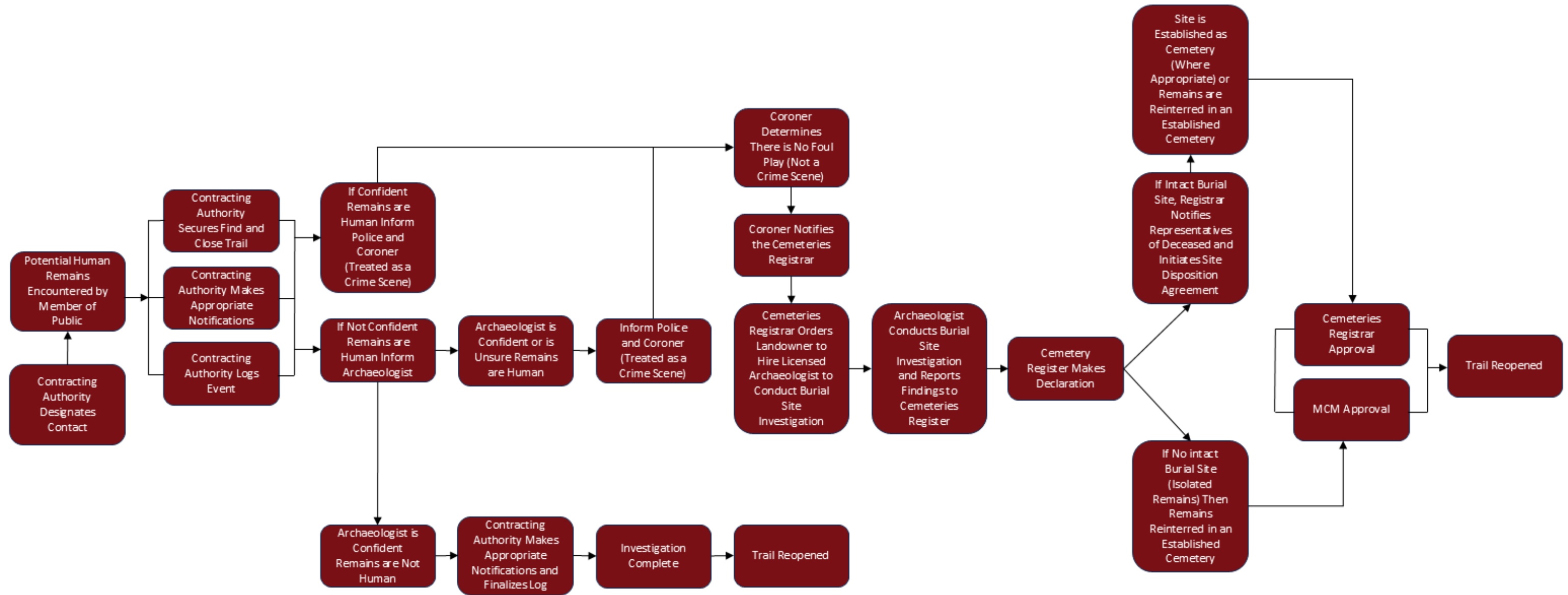


Figure 3: Overview of the Protocol for the Discovery of Human Remains by Member of the Public on the ORMT



4 PROTOCOL FOR THE DISCOVERY OF UNDOCUMENTED ARCHAEOLOGICAL RESOURCES

The following provides procedural advice and guidance in addition to the protocol for the discovery of undocumented archaeological resources. The protocol provides information regarding who to notify of the discovery, isolating and protecting the resource to the extent feasible, and documenting discoveries to meet MCM requirements. Flow charts depicting an overview of the process are presented in Section 4.1.4 and 4.2.3, but these are not meant to replace the information in Sections 4.1.1 to 4.1.3 and 4.2.1 and 4.2.2.

4.1 Protocol for Contracting Authority Initiated Works on the ORMT

4.1.1 *Designation of Contracting Authority Contact and Contractor Team Lead*

The Contracting Authority and the Contractor must each designate an individual responsible for the execution of the actions outlined in the protocol. These persons must be provided with the relevant contact information of each other to facilitate communications in the event the protocol must be implemented.

4.1.2 *On-Site Communication by Contractor*

Prior to initiation of ground-disturbing activities, the Contracting Authority instruct the Contractor that all personnel working on site must be informed by the Contractor Team Lead of the potential for archaeological resources to be discovered. Examples of archaeological resources include:

- Indigenous artifacts such as lithic (stone) tools and debris, pottery, and items made from bone and copper;
- Items manufactured in the 18th and 19th centuries such as ceramic dishware, glass bottles, nails, and items made from metal and bone
- Structural remnants such as brick or stone walls and foundations, wells

The details of this protocol should be reviewed with all personnel to ensure that the proper procedures are followed.

4.1.3 *Protocol*

In the event that suspected archaeological resources are discovered during construction activities initiated by the Contracting Authority, the following protocol will be followed:

1. The Contractor Team Lead must suspend all construction activities immediately in the vicinity of the potential find and notify Contracting Authority Contact.
2. The Contractor Team Lead will oversee securing the area of the find using boundary markers and temporary fencing.
3. The Contracting Authority will log the potential archaeological resource including the following details:
 - a. Date and time
 - b. Description of activity that resulted in the potential archaeological resource



c. Description of the potential archaeological resource

4. The Contracting Authority will contact a licenced archaeologist to visit the site to determine if the suspected find is in fact archaeological and, if it is, whether it warrants further investigation.
5. If the archaeologist determines that the potential archaeological resource is not archaeological or that the find does not warrant further investigation, the archaeologist will notify the Contracting Authority Contact who will update the log, and the investigation is considered complete. The Contracting Authority will then notify the Contractor Team Lead that work may recommence.
6. If the archaeologist determines that further investigation is warranted, the archaeologist will notify the Contracting Authority Contact. The Contracting Authority will then notify the Contractor Team Lead with any information on additional protective measures required.
7. In consultation with the Contracting Authority, and the MCM, the licensed archaeologist shall develop an appropriate mitigation plan in keeping with the Province of Ontario's 2011 *Standards and Guidelines for Consultant Archaeologists*. Depending on the location, nature, spatial extent of the find and intended construction, possible mitigative measures could include:
 - Avoidance of the archaeological resource or feature by relocating the area of construction impact;
 - Mapping, drawing and photo-documentation of the archaeological resource; and
 - Full excavation.
8. The licenced archaeologist will be permitted sufficient time to ensure the mitigation of the resource meets applicable standards, those being the MCM S & Gs and Ontario Health and Safety Act requirements, and shall mobilize sufficient staff and resources to ensure the mitigation occurs in a timely fashion, to minimize delay in construction activities.
9. Once the mitigation strategies are complete or implemented, the licensed archaeologist will notify the Contracting Authority Contact. Once the MCM notifies the archaeologist that provincial concerns have been addressed, the Contracting Authority shall notify the Contractor Team Lead before the work can resume in the area of the find.
10. The Contracting Authority is responsible for keeping a log of all pertinent correspondence between all parties related to the discovery.

4.1.4 Flow Chart Illustrating the Protocol for the Discovery of Undocumented Archaeological Resources during Contracting Authority Initiated Works on the ORMT

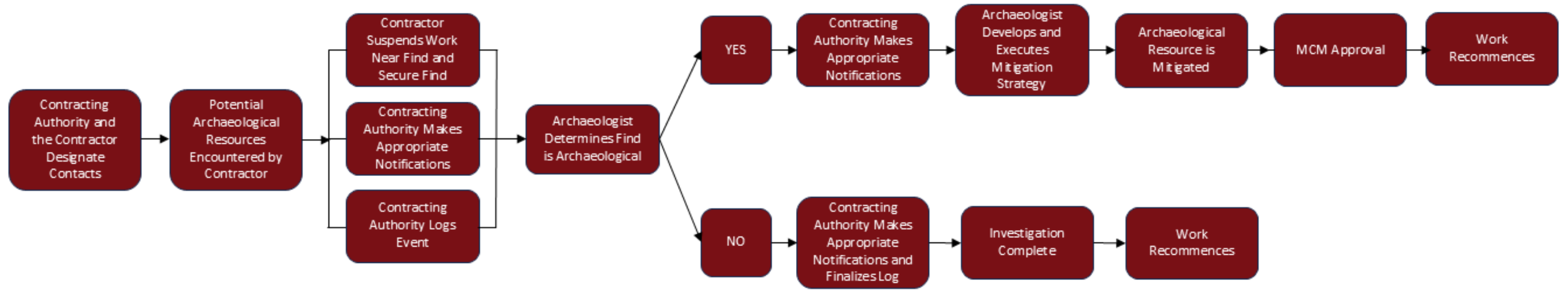


Figure 4: Overview of the Protocol for the Discovery of Undocumented Archaeological Resources during Contracting Authority Initiated Works on the ORMT



4.2 Protocol for Inadvertent Discovery of Archaeological Resources by Member of the Public on the ORMT

4.2.1 Designation of Contracting Authority Contact

The Contracting Authority must designate an individual responsible for the execution of the actions outlined in the protocol.

4.2.2 Protocol

In the event that suspected archaeological resources are discovered by a member of the public and reported to the Contracting Authority, the following protocol will be followed:

1. The Contracting Authority will ensure that the area of the find is secured using boundary markers and temporary fencing.
2. The Contracting Authority will log the potential archaeological resource including the following details:
 - a. Date and time
 - b. Description of activity that resulted in the potential archaeological resource
 - c. Description of the potential archaeological resource
3. The Contracting Authority will contact a licenced archaeologist to visit the site to determine if the suspected find is in fact archaeological and, if it is, whether it warrants further investigation.
4. If the archaeologist determines that the potential archaeological resource is not archaeological or that the find does not warrant further investigation, the archaeologist will notify the Contracting Authority Contact who will update the log, and the investigation is considered complete.
5. If the archaeologist determines that further investigation is warranted, the archaeologist will notify the Contracting Authority Contact. The Contracting Authority will then ensure the implementation of any additional protective measures required.
6. In consultation with the Contracting Authority, and the MCM, the licensed archaeologist shall develop an appropriate mitigation plan in keeping with the Province of Ontario's 2011 *Standards and Guidelines for Consultant Archaeologists*. Depending on the location, nature, spatial extent of the find and intended construction, possible mitigative measures could include:
 - Avoidance of the archaeological resource or feature by relocating the area of construction impact;
 - Mapping, drawing and photo-documentation of the archaeological resource; and
 - Full excavation.
7. The licenced archaeologist will be permitted sufficient time to ensure the mitigation of the resource meets applicable standards, those being the MCM S & Gs and Ontario Health and Safety Act requirements, and shall mobilize sufficient staff and resources to ensure the mitigation occurs in a timely fashion, to minimize delay in construction activities.



8. Once the mitigation strategies are complete or implemented, the licensed archaeologist will notify the Contracting Authority Contact. Once the MCM notifies the archaeologist that provincial concerns have been addressed the Contracting Authority Contact shall be notified by the licenced archaeologist

The Contracting Authority is responsible for keeping a log of all pertinent correspondence between all parties related to the discovery.

4.2.3 Flow Chart Illustrating the Protocol for the Inadvertent Discovery of Archaeological Resources by Member of the Public on the ORMT

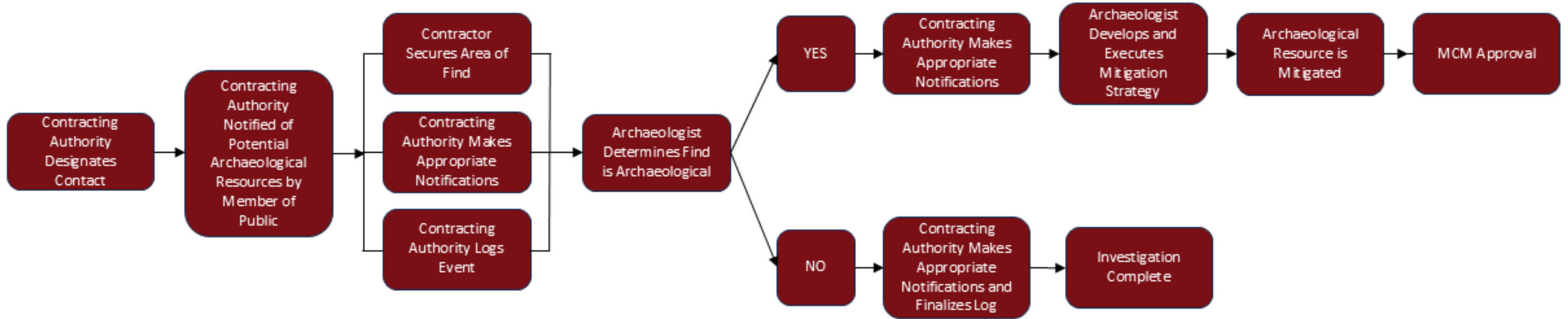


Figure 5: Overview of the Protocol for the Inadvertent Discovery of Archaeological Resources by Member of the Public on the ORMT



5 COMPLIANCE PROTOCOL

5.1 Process for Compliance

The Contracting Authority is responsible for commissioning archaeological assessments where required. The Contractor is responsible for ensuring compliance with this Document.

5.2 Advice on Compliance with the Ontario Heritage Act

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*.

Should previously undocumented archaeological resources be discovered, they may be a new archaeological site and therefore subject to Section 48 (1) of the *Ontario Heritage Act*. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed consultant archaeologist to carry out archaeological fieldwork, in compliance with Section 48 (1) of the *Ontario Heritage Act*.

The *Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33* (when proclaimed in force) requires that any person discovering human remains must notify the police or coroner and the Registrar of Cemeteries at the Ministry of Public and Business Service Delivery and Procurement.

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.



6 APPENDIX A: SAMPLE DATA SHARING AGREEMENT WITH THE MINISTRY OF CITIZENSHIP AND MULTICULTURALISM

THIS AGREEMENT made as of the __24__ day of __May__ 2024.

BETWEEN

HIS MAJESTY THE KING IN RIGHT
OF ONTARIO as represented by

Ministry of Citizenship and Multiculturalism
400 University Avenue, 5th Floor
Toronto, Ontario
M7A 2R9

(the "Ministry")

TMHC Inc.
1108 Dundas Street, Unit 105
London, Ontario
N5W 3A7

(the "Recipient")

WHEREAS the Ministry under the authority of the *Ontario Heritage Act* licences archaeologists and requires licensees to submit reports containing full details of work done under a licence including the location of Archaeological Sites in the province and related Data;

AND WHEREAS, the Recipient has requested Data for the purpose of completing an archaeological management plan for Grey County;

AND WHEREAS the Ministry is willing to provide Data to the Recipient for the same purpose;



NOW THEREFORE, the parties agree as follows:

1.0 Definitions

In this Agreement:

“Archaeological Site” means any property that contains an artifact or any other physical evidence of past human use or activity that is of cultural heritage value or interest.

“Data” means archaeological information held or collected by the Ministry including but not limited to Archaeological Sites, Site Leads and Non-Diagnostic find spots within Grey County, as illustrated in Schedule A - “Grey County”.

“Non-Diagnostic Find Spot” (NDFS) means one or more undiagnostic artifacts that do not meet the criteria for receiving a Borden number, which is a number assigned by the Ministry for an Archaeological Site.

“Project” means the creation of an archaeological management plan for Grey County.

“Site Lead” means property where there is some indication a site may be present (oral account, historical reference etc.) but where a licenced archaeologist has not yet undertaken archaeological fieldwork on the property to confirm the presence of an artifact or any other physical evidence of past human use or activity that is of cultural heritage value or interest.”

2.0 Terms of Agreement

2.1 The Recipient shall only use the Data for a necessary purpose.

2.2 The Recipient shall not in any manner or in any way make any Data available to any person, group or organization.

2.3 The Recipient shall give notice to the Ministry in writing immediately upon becoming aware that any Data has been released, or becomes available in any way, to any person, group or organization, in any format.

2.4 If the Recipient notices corrections that need to be made to the Data, the Recipient will submit corrections through Ontario’s Past Portal (“Pastport”) database in the case that the Recipient is a licensee or by e-mail to archaeology@ontario.ca.

2.5 If any products are being generated from the Data, the Recipient will ensure that no Data is reproduced or disclosed in such a way that would put an Archaeological Site at risk. This includes and is not limited to disclosing an Archaeological Site’s location in the public domain.



2.6 The Ministry shall retain any intellectual property rights to any Data sets it provides to the Recipient.

3.0 Confidentiality and Security of Data

3.1 The Recipient shall not sell the Data. The Recipient shall not make the Data available to any person or body except as contemplated by 2.3. The security of the Data held by the Recipient is the sole responsibility of the Recipient which is not transferable.

3.2 The Recipient shall keep the Data in a physically secure location which is accessible only to the Recipient. If stored on an electronic system, the Recipient will ensure measures have been put in place to prevent unauthorized access to the Data (e.g. password protection, encryption etc.).

4.0 Liability

4.1 The Ministry provides the Data "as is" and makes no warranty, either express or implied, including but not limited to, the accuracy and completeness of the Data, warranties of merchantability and fitness for a particular purpose. The Ministry shall not be liable for any direct, indirect, special or consequential, or any other damages or loss arising from or in connection with the use of the Data.

5.0 Freedom of Information and Protection of Privacy Act

5.1 The Recipient acknowledges that the Ministry is bound by the *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c.F. 31, as amended from time to time, and that any information provided to the Ministry in connection with this Agreement is subject to disclosure in accordance with the requirements of that Act. This acknowledgement shall not be construed as a waiver of any right to object to the release of this Agreement or of any information or documents exchanged pursuant to this Agreement.

6.0 Termination

6.1 The Agreement shall remain in effect until terminated at Project completion.

7.0 Notice

7.1 Under this Agreement the parties will provide notice to one another in writing using the following contact information:



For the Ministry:

Manager of the Archaeology Program Unit
Citizenship, Inclusion and Heritage Division
Ministry of Citizenship and Multiculturalism
Email: archaeology@ontario.ca

For the Recipient:

Holly Martelle
Principal
TMHC Inc.
Email: hmartelle@tmhc.ca

7.2 Notice will be deemed to have been given:

- a) in the case that the Ministry uses postage-prepaid mail, five (5) business days after the notice is mailed; or
- b) in the case of email, the same day the email was sent, unless the email was sent after 4 pm. If the email was sent between 4 pm and midnight, notice will be deemed to have been given the following business day.

7.3 The Recipient and Ministry shall notify one another in the event the contact information in 7.1 changes.

8.0 Survival

8.1 Sections 1, 2, 3, 4, 5, 6 and 8 shall survive termination of this Agreement.

9.0 Schedules and Entire Agreement

9.1 The following schedules are attached to and form part of the Agreement:

Schedule A – “Grey County”

9.2 The Agreement, including the schedule(s) attached hereto constitutes the entire agreement between the Ministry and the Recipient with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements.



10.0 Amendments

10.1 Except as otherwise provided for, the Agreement may only be amended by a written agreement duly executed by the Ministry and the Recipient.

Ministry of Citizenship and Multiculturalism

Michelle Gittens Digital Signature of Michelle Gittens
Date: 20240524 13:27:49Z

Name: Michelle Gittens
Title: Assistant Deputy Minister
Citizenship, Inclusion and Heritage Division

Date: _____

I have authority to bind the Ministry.

TMHC Inc.

May 27, 2024

Name: Holly Martelle
Title: Principal

Date: _____

I have authority to bind the Recipient.



Schedule A – “Grey County”





7 APPENDIX B: CONTACT LIST FOR INDIGENOUS COMMUNITIES THAT MAY HAVE AN INTEREST IN ORMT LANDS

The following is a list of Indigenous Communities and Nations most likely to expect active engagement in any archaeological assessments completed for the ORMT, up to and including the in-field participation of their representatives during the archaeological assessment and review of the archaeological report, as well as key contacts for those communities.

This contact list is current as of March 2026. A contacts may change, this list should be revisited periodically to ensure that the appropriate persons are identified.

It should be noted that the MCM provides notification to local Indigenous communities of archaeological work being undertaken in their area of interest.

Indigenous Community or Nation	Contact	Job Title or Position	Contact Information
Alderville First Nation	Dr. Julie Kapyrka	Consultation Coordinator	jkapyrka@alderville.ca
	Jordon MacArthur	Archaeology Program Administrator	jmacarthur@alderville.ca
Beausoleil (Chimnissing) First Nation		Consultation Liaison	bfnconsultation@chimnissing.ca
	Dana Monague	Lands Officer	danamonague@chimnissing.ca
Chippewas of Georgina Island First Nation	JL Porte	Community Consultation Worker	jl.porte@georginaisland.com
	Dillon Bickell	Community Consultation Worker	dbickell@ramafirstnation.ca consultation@ramafirstnation.ca
	Ben Cousineau		benc@ramafirstnation.ca
Curve Lake First Nation	Derek Paauw	Archaeology Program Admin	apadmin@curvelake.ca
	Paige Williams	Administration	paigew@curvelake.ca
Haudenosaunee Confederacy Chiefs Council (HCCC)	Todd Williams	Haudenosaunee Development Institute (HDI)	archaeology@hdi.land toddwilliams@hdi.land
	Raechelle Williams	Haudenosaunee Development Institute (HDI)	raechellewilliams@hdi.land
Hiawatha First Nation	Tom Cowie	Lands/Resource Consultation	tcowie@hiawathafn.ca
	Sean Davison	Lands/Resource Consultation	sdavison@hiawathafn.ca



Indigenous Community or Nation	Contact	Job Title or Position	Contact Information
	Mandy McGonigle	Archaeology Liaison	mmcgonigle@hiawathafn.ca
Mississaugas of the Credit First Nation	Adam LaForme	Manager of Archaeology	adam.laforme@mncfn.ca
	Megan DeVries	Manager of Consultations	megan.devries@mncfn.ca
Mississaugas of Scugog Island First Nation		General Email	consultation@scugogfirstnation.com
	Rob Lukacs	Consultation Advisor	rlukacs@scugogfirstnation.ca
	Samantha Shrubsole	Consultation Advisor	sshrubsole@scogogfirstnation.ca
Six Nations of the Grand River	Tanya Hill-Montour	Archaeology Supervisor	tanyahill-montour@sixnations.ca
Wendat Nation		General Contact	consultations@wendake.ca

The above represents the present community standings to the best of our knowledge and experience and is not meant to be an exhaustive list. TMHC makes no other representations, guarantees, or warranties whatsoever, whether express or implied, with respect to the information contained within Appendix B.



8 APPENDIX C: HUMAN REMAINS INVESTIGATIONS

Upon being notified of a human remains discovery and reviewing reports by the Police and/or Coroner, the Registrar may issue an order to undertake further investigation of the discovery site in order to collect information for the purposes of issuing a burial site declaration. The investigation must be carried out by a licensed archaeologist, following the general terms of the 2011 *Standards and Guidelines for Consultant Archaeologists*, and should be designed to collect sufficient information to provide to the Registrar in writing:

- A determination of the probable cultural origin or religious affiliation of the persons whose remains are interred and the basis upon which it is made;
- A description of the boundaries of the burial site;
- Details of the style and manner in which the human remains are interred;
- A description of any artifacts that, in the opinion of the investigating archaeologist, form part of the burial site;
- An opinion as to whether the burial site was set aside with the apparent intention of interring human remains in accordance with cultural affinities and the basis upon which the opinion is made; and
- Information relevant to the preparation of a site disposition agreement.

Within five days after the beginning of the investigation, the investigating archaeologist must advise the Registrar of the possible cultural origins of the human remains. Upon being advised of the possible cultural origins of the human remains, the Registrar shall advise those persons who the Registrar has reasons to believe may be representatives of the person whose remains are interred of the existence of the burial site and the possible cultural origins of the human remains.

For Indigenous burial sites, Indigenous representatives may wish to have direct involvement in the development of the work plan for the FBCSA investigation and provide input regarding procedures used to recover, handle, document, and analyze the remains and any other material that is identified.

Upon completion of a burial investigation by a licensed archaeologist, a report of findings will be prepared and submitted to the Registrar for consideration during the preparation of a declaration.

The Registrar's declaration will assign the human remains find to one of the following categories (FBCSA 2002 Section 97):

- *Aboriginal peoples burial ground* –land set aside with the apparent intention of interring in it, in accordance with cultural affinities, human remains and containing remains identified as those of persons who were one of the aboriginal peoples of Canada;
- *Burial ground* –land set aside with the apparent intention of interring in it, in accordance with cultural affinities, human remains and containing remains identified as those of persons who were not one of the aboriginal peoples of Canada; or
- *Irregular burial site* – a burial site that was not set aside with the apparent intention of interring human remains in it.

Upon making a declaration, the Registrar will order the legal landowner to enter into a burial site disposition agreement with representatives of the deceased. The Registrar will make a determination as to who should



act as representatives of the deceased (appropriate First Nation or First Nations, family members, Church) and will also provide them with official notification.

A burial site disposition agreement must contain:

- A legal description of the location of the burial site in which the human remains are interred and, if applicable, a statement that the remains will be left where they are interred and the site established as a cemetery;
- The style and manner in which the human remains are to be disinterred and reinterred, if applicable;
- The time within which the disinterment and reinterment are to take place, if applicable;
- The provisions being made for the future maintenance of the cemetery in which the human remains are to be located;
- The allocation of the costs of carrying out the agreement; and
- All other matters that the parties to the agreement agree upon.



9 APPENDIX D: ANTICIPATED ARCHAEOLOGICAL RESOURCES

It is possible that archaeological resources may be inadvertently discovered during trail construction or maintenance or by member of the public making use of the ORMT. These resources would require an initial stop work and evaluation by a licensed archaeologist.

9.1 Indigenous Artifacts

Finds representing Indigenous artifacts could include:

- Stone tools (e.g., projectile points, scrapers, drills);
 - Deliberated shaped chert objects use for specific uses/functions. They often have sharp edges
- Manufacturing discards (e.g., chert flakes);
 - The waste material generated during the manufacture of lithic tools. They are generally small, have sharp edges and have semi circular marks on one side.
- Ground Stone
 - Tools made from hard grained rock such as granite, basalt, schist, slate.
- Pottery and ceramic pipe sherds;
 - Clay artifacts that were shaped into pots, bowl or pipes then fired to make them waterproof and more durable. They are often decorated with lines.
- Bone and antler tools; and
 - Tools made from bone. They often made from antler or leg bones.
- Animal bone;
 - Fragments of animal bone, horn and tooth that are generally food remains. They are often very fragmentary and can be white-grey in colour due to burning.



Image 1: Indigenous Stone Tools – Projectile Points

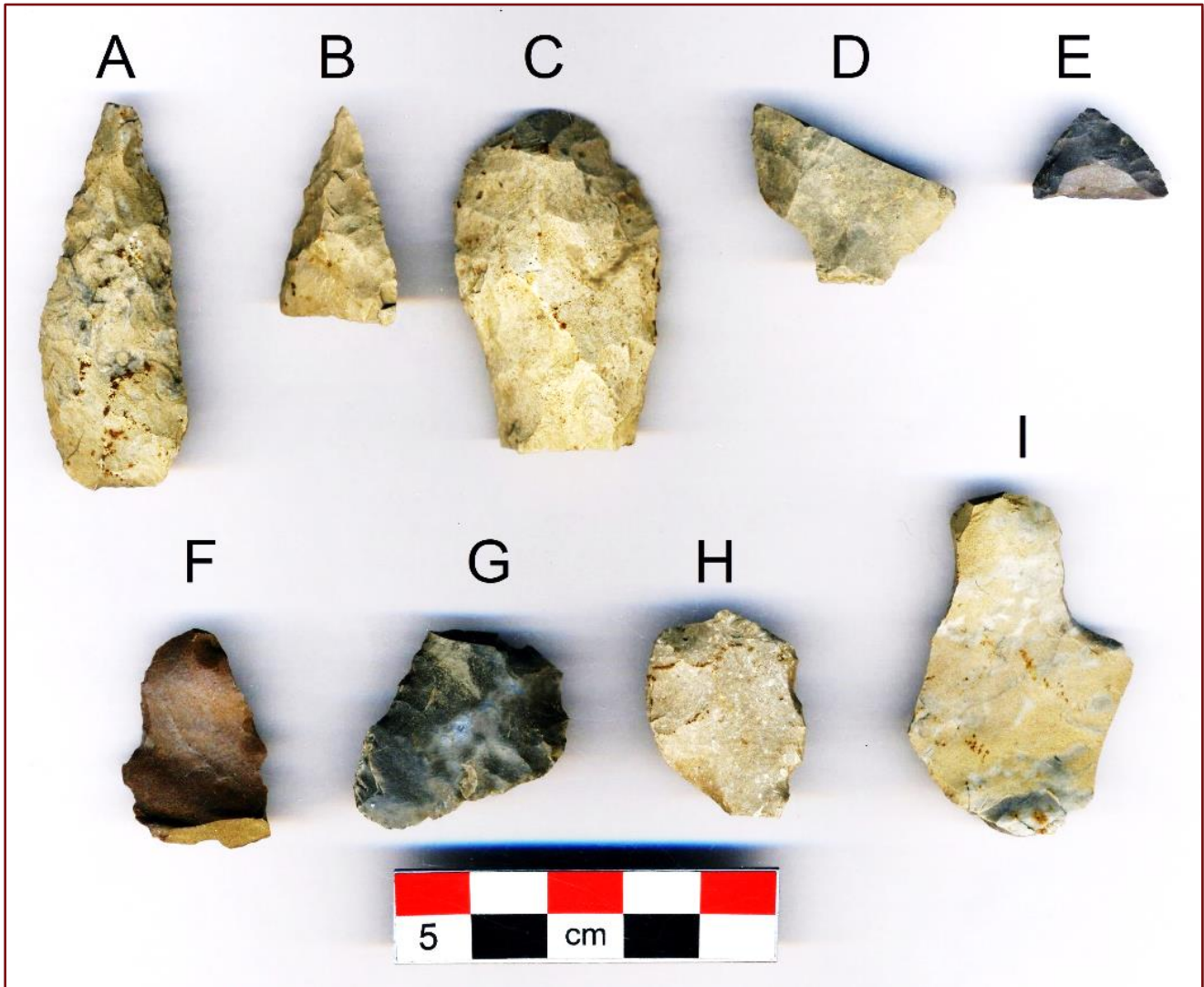


Image 2: Indigenous Stone Tools – Drills, Scraper, Biface



Image 3: Indigenous Chert Flakes



Image 4: Ground Stone Axe

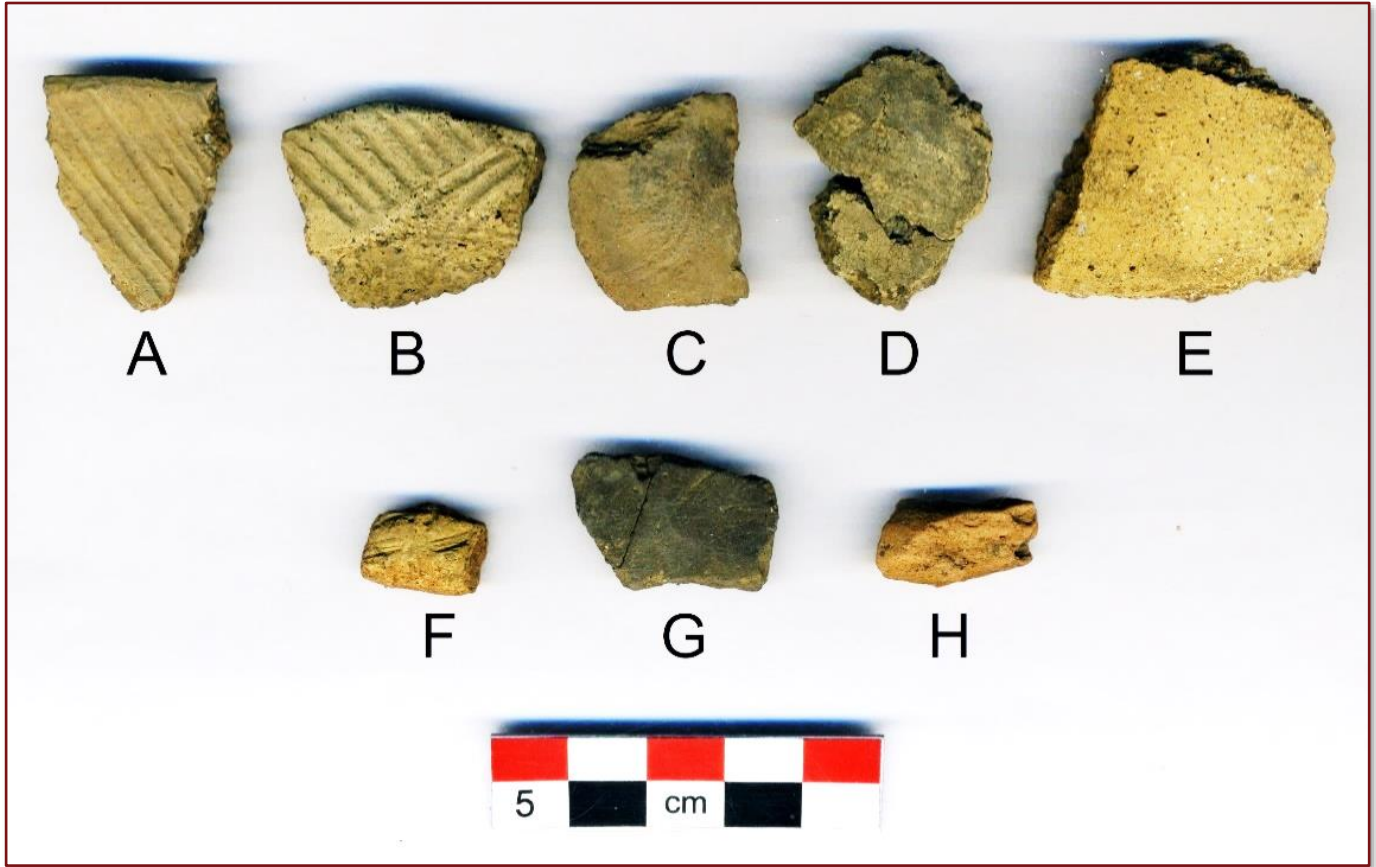


Image 5: Sherds of Indigenous Pottery



Image 6: Animal Bones



Image 7: Indigenous Bone and Antler Tools

9.2 19th-Century Artifacts

Finds representing 19th-century artifacts could include:

- Ceramic dishes (plates, bowls, jars, jugs)
 - Ceramics look like modern day plates, bowls and mugs. They are often white with colourful decoration on them. They can also be thicker and red, yellow or grey in colour and used for food storage.
- Glass (bottles, windows, lamps)
 - Glass was primarily used for bottles and jars for storing liquid i.e. alcohol, drinks, medicine, food.
- Personal Items (pipes, toys, buttons, etc.)
 - Artifacts that were used for daily life, hygiene, to reflect social status.
- Metal Items (nails, hardware etc.)
 - Metal objects such as nails, horseshoes, hardware, tools and horse tack.



Image 8: 19th-Century Ceramics



Image 9: 19th-Century Ceramics



Image 10: Glass Bottles



Image 11: Glass Artifacts



Image 12: Personal Artifacts



Image 13: Metal Artifacts

9.3 Cultural Features

9.3.1 Indigenous

Various types of cultural features are associated with Indigenous archaeological sites, including:

- Pit features;
- Sweat lodges;
- Hearths (i.e., fire-reddened soil) and ash deposits;
- Post moulds in rows and clusters representing house structures, palisades and other above ground installations; and
- Ancestor burials (not pictured).



Image 14: Cluster of Pit Features and Post Moulds from an Indigenous Late Woodland Period Site



Image 15: Indigenous Sweat Lodge from a Late Woodland Period Site



Image 16: Ash Pit and Hearth (Fired Soil) from a Late Woodland Period Site



Image 17: Post Moulds and Cultural Features Within an Indigenous House Structure



Image 18: Sample Ash Pit



Image 19: Sample Storage/Refuse Pit



Image 21: 19th-Century Brick Foundation



Image 22: 19th-Century Cistern (wood rotted away)



Image 23: 19th-Century Well



Image 24: 19th-Century Cellar