



2011 08 15

## REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

### PLANNING DIVISION

**TO:** Mayor Debbie Amaroso  
and Members of City Council

**SUBJECT:** Archaeological Site Potential Assessment

#### **Introduction**

As part of the 2010 Capital Works Budget, City Council approved funding for an archaeological site potential assessment of the community.

This study is a requirement of the Provincial Policy Statement which sets out land use planning requirements for municipalities in the Province of Ontario. Archaeological resources are scarce, fragile and nonrenewable and must be managed in a prudent manner if their significance is to remain meaningful for future generations.

The Provincial Policy Statement requires that:

*“Significant built heritage resources and significant cultural heritage landscapes shall be conserved.*

*Development and site alterations shall only be permitted on lands containing archaeological resources or areas of archaeological potential if the significant archaeological resources have been conserved by removal and documentation, or preservation on site. Where significant archaeological resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site may be permitted.*

*Development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.”*

To satisfy this requirement, a Steering Committee with representation from the Historic Sites Board, the Municipal Heritage Committee and City staff was formed.

With the Committee's assistance, a Request for Proposals was issued and in January 2010 City Council authorized Archeological Services Inc. of Toronto to undertake a study identifying areas of potential archeological significance and to provide advice on follow-up implementation measures. This firm is the largest archaeological consulting company in Canada and has extensive experience with studies of this type.

This work has been completed and reviewed by the committee. The consultant has provided two reports. The first is a planning study which sets out the approach used to determine areas of archaeological potential; summarizes existing legislation and recommends an approach to implementation. The second report describes both the pre-contact (prior to 1600 AD) and post contact history of the community, and the detailed research involved with creating the archeological site potential model.

At this time, the steering committee is recommending that a public open house be held prior to finalizing recommendations for City Council.

## **Process**

A three-part study process was followed.

The first phase included the compilation of known archeological sites within the city and an overview of the settlement history related to potential archaeological resources. At present, there are 36 registered archeological sites within the city limits, which date from 10,000 years ago through to the 19th and early 20th centuries.

The second phase involved the development of the archaeological site potential model, based on known site locations, past and present land uses, and environmental, cultural and historical data.

The third phase included a review of relevant legislation and a recommended land use management strategy for dealing with both known and potential archaeological areas within the city.

## **Major Findings**

The overall purpose of the study was to identify those areas of archaeological potential within the city. New development approvals within these areas will require an archaeological assessment as a condition of approval.

Using the Ministry of Tourism and Culture’s guideline, new development in more than 90 percent of the community would be subject to an archaeological assessment. Based on the work done by Archaeological Services Inc., this total has been reduced to approximately 51 percent.

Of those areas identified as having archaeological potential, 60.2 percent are in the Rural Area, 14.5 percent are zoned Environmental Management (creeks, wetlands) and have very little development potential and another 8.6 percent are existing parks. A portion of the airport and various residential, commercial and industrial properties comprise the remaining 16.7%.

### **Recommended Approach to Archaeological Assessment**

It should be noted that all areas within the community are already approved for development subject to the regulations contained in the City’s Zoning By-law. It is only when an Official Plan or Zoning By-law amendment, a new subdivision or a severance is proposed that an archaeological assessment may be required. Archaeological assessments should also be conducted when a work proposed by the municipality that is subject to the Environmental Assessment process falls within an area of archaeological potential.

It is important that no grading or other in-ground work be done on a property that has been identified as having archaeological potential prior to an assessment being completed.

Archaeological assessments (similar to environmental assessments) are done in four stages as described below. Each stage is only conducted if the preceding phase determines the need for additional study.

- Stage 1 consists of background research on the land use history of the property
- Stage 2 consists of a field survey of the property
- Stage 3 consists of a more detailed site investigation and usually includes test pits
- Stage 4 consists of extensive excavation and preservation of artifacts where required

Recommended archaeological assessment requirements for the various types of development approvals are set out in the following chart.

Development Approval	Archaeological Assessment Requirement
Official Plan Amendment Zoning By-law Amendment Severance – Urban Area Within 250 m of a known archaeological site	Stage 1 or 2 archaeological assessment if any portion of the affected lands is within an Archaeological Potential Area excluding those lands zoned Environmental Management.
Subdivision Approval	Stage 1 or 2 archaeological assessment if any portion of the affected lands is within an Archaeological Potential Area. This is a requirement of Ontario Regulation 544/02, Schedule 1.
Severance – Rural Area	Stage 1 or 2 archaeological assessment if any portion of the proposed development area is within an Archaeological Potential Area. The Committee of Adjustment may restrict development within certain areas as a condition of approval in lieu of an archaeological assessment where appropriate.
Municipal Projects requiring an Environmental Assessment or other projects involving previously undisturbed land.	Stage 1 or 2 archaeological assessment if any portion of the affected lands is within an Archaeological Potential Area.

Further, the following requirements will apply should human bones or artifacts be discovered during any construction project.

Type of Artifact	Required Actions
Human Remains	All work must immediately cease and the site must be secured. The Sault Ste. Marie Police, the Registrar of Cemeteries Regulation Section of the Ontario Ministry of Consumer Business Services (416-326-8494), the Cultural Program Branch of the Ministry of Tourism and Culture (416-314-7123) and the City's Engineering & Planning Department must be contacted immediately for further direction.

Deeply Buried or previously undiscovered artifacts	All work must immediately cease and the site must be secured. The Cultural Program Branch of the Ministry of Tourism and Culture (416-314-7123) and the City's Engineering & Planning Department must be contacted immediately for further direction.
--	---

The consultant has also recommended changes to the City's Official Plan. The Steering Committee has reviewed these recommendations and supports their adoption as part of the comprehensive Official Plan review currently being completed.

**Next Steps**

The Steering Committee recommends that a public open house be held on Wednesday October 5<sup>th</sup>. In addition to comments from the general public and the development industry, comments will also be requested from the City's Municipal Heritage Committee, Historic Sites Board, Planning Advisory Committee, Batchewana First Nation and Garden River First Nation.

**Planning Director's Recommendation**

That City Council accept this report as information and authorize a public open house to be held on Wednesday, October 5, 2011 to obtain comment on the proposed archaeological site potential assessment requirements.

DBM/pms