

Ministry of Citizenship and Multiculturalism (MCM)

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Ministère des Affaires civiques et du Multiculturalisme (MCM)

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Jun 4, 2025

Christopher Michael Brown (P361)
ASI Archaeological and Cultural Heritage Services
528 Bathurst Toronto ON M5S 2P9

RE: Review and Entry into the Ontario Public Register of Archaeological Reports: Archaeological Assessment Report Entitled, "Stage 1 Archaeological Assessment of Strada Aggregates Existing Melancthon Pit, Part of the West Half of Lot 11 and the West Halves of Lots 12, 13 and 14, Concession 3 Old Survey, Melancthon Township, Dufferin County", Dated Mar 14, 2025, Filed with MCM on Apr 4, 2025, MCM Project Information Form Number P361-0121-2022, MCM File Number 0005829

Dear Christopher Michael Brown (P361):

This office has reviewed the above-mentioned report, which has been submitted to this ministry as a condition of licensing in accordance with Part VI of the *Ontario Heritage Act*, R.S.O. 1990, c 0.18.¹ This review has been carried out in order to determine whether the licensed professional consultant archaeologist has met the terms and conditions of their licence, that the licensee assessed the property and documented archaeological resources using a process that accords with the 2011 *Standards and Guidelines for Consultant Archaeologists* set by the ministry, and that the archaeological fieldwork and report recommendations are consistent with the conservation, protection and preservation of the cultural heritage of Ontario.

The report documents the assessment of the project area as depicted in Figure 8 of the above titled report and recommends the following:

In light of these results, the following recommendations are made:

- 1) The Euro-Canadian Theodore Lusty Homestead (BaHb-1) site has been documented within the subject property by Leslie Currie and Associates in 2003. In 2004, the site was subjected to Stage 3 excavations and a complete Stage 4 recording and excavation. The site is considered to have been completely excavated and does not represent any further archaeological concern.
- 2) The Euro-Canadian BaHb-14 site has been documented within the subject property by archaeological Services Inc. in 2009. The site was found not to meet the provincial criteria for cultural heritage value or interest and no further work was recommended. The site does not represent any further archaeological concern.
- 3) The Euro-Canadian Stone (BaHb-15) site has been documented within the subject property by

Archaeological Services Inc. in 2009. The 2010 Stage 3 excavations at the site indicated that it does not meet the provincial criteria for cultural heritage value or interest and no further work was recommended. The site does not represent any further archaeological concern.

4) The Euro-Canadian James Hamilton (BaHb-18) site has been documented within the subject property by Archaeological Services Inc. in 2016. The site was found not to meet the provincial criteria for cultural heritage value or interest and no further work was recommended. The site does not represent any further archaeological concern.

5) The Euro-Canadian Madill (BaHb-17) site has been documented within the subject property by Archaeological Services Inc. in 2016. The 2017 Stage 3 excavations at the site determined that it meets the provincial criteria for cultural heritage value or interest.

a) The Madill (BaHb-17) site is recommended for avoidance and protection using the following measures:

i) The protected area of the archaeological site (including a 10-metre protective buffer) is shown on the Aggregate Resources Act site plan accompanying the licence application. The protected site area corresponds to that shown on Supplementary Documentation Figures 3 and 4 of this report. No extraction, alterations or soil disturbance shall be permitted to be carried out within the limits of the protected area of the archaeological site.

ii) The existing post and wire fence within the site area should be moved to incorporate the Stage 3 site limits and a 10-metre protective buffer, and its installation verified by a licensed archaeologist.

iii) If the Aggregate Resources Act licence application is approved, the height of the existing berm which partly overlays the Madill (BaHb-17) site 10-metre protective buffer (see Supplementary Documentation Figure 4) will need to be increased by one metre. To achieve this, some disturbance of the berm itself may be necessary in order to place fill atop it. The following procedure should be followed:

a. The berm height increase must be achieved on the interior (pit side) of the berm, away from the archaeological site. Material must be brought to the downward (pit side) of the sloped berm to achieve the required height. It must be ensured that no material is allowed to roll into the site area itself. The existing post and wire fence shall be reestablished along the limit of the 10-metre site protective buffer.

b. Any potential earthworks associated with adding to this berm taking place within the Madill site (BaHb-17) 10-metre protective buffer must be monitored by a licensed archaeologist, in order to ensure that there are no impacts to the site area, following the procedures outlined in Section 4.1.5 of the Ministry of Citizenship and Multiculturalism's 2011 Standards and Guidelines of Consultant Archaeologists.

iv) A condition is placed on the Aggregate Resources Act licence stating: that archaeological site BaHb-17 is present as shown on the Aggregate Resources Act site plan; that archaeological site BaHb-17 is of further cultural heritage value or interest; that no extraction, alterations or soil disturbance may be carried out within the limits of the protected area of the archaeological site; that post and wire fencing will be erected along the limits of the archaeological site under the direction of a licensed consultant archaeologist; and, that if the archaeological site is still present when the Aggregate Resources Act licence is surrendered, a restrictive covenant shall be placed on title to continue the protection of the archaeological site.

v) Any extraction, alterations or soil disturbances within the limits of the protected area of the archaeological site shall only be carried out subsequent to archaeological work by a licensed consultant archaeologist and a report on that work being entered into the Ontario Public Register of Archaeological Reports.

vi) A letter is provided by the Aggregate Resources Act licensee stating that they are aware of the presence of the archaeological site within the limits of the Aggregate Resources Act licence and that they are aware of the restrictions on alteration of an archaeological site of further cultural heritage value or interest as per

the condition on their Aggregate Resources Act licence and as per Section 48 of the Ontario Heritage Act.

b) Should any potential impacts to the Madill (BaHb-17) site area or its 10- metre protective buffer be planned, these impacts must be mitigated through the complete Stage 4 recording and excavation of the site, in accordance with the Ministry of Citizenship and Multiculturalism's 2011 Standards and Guidelines of Consultant Archaeologists.

i) As outlined in the recommendations provided in the report on the Stage 3 Archaeological Assessment of the Madill (BaHb-17) site (Archaeological Services Inc. 2018b), the Stage 4 mitigation of impacts to the site should commence with the hand-excavation of additional one- metre square units around high-yielding deposits, initially placed around Stage 3 units 490N-200E, 495N-200E, 500N-200E, 500N-205E and 505N-200E. These excavations should continue until yields drop to 150 artifacts per square (see Supplementary Documentation Figure 2).

ii) Following the block excavation, mitigation should continue with the mechanical removal of the plough zone via Gradall or backhoe equipped with a smooth bucket across the site area as defined by the Stage 3 assessment (see Supplementary Documentation Figure 2). This stripped area must include a buffer of at least 10 metres of subsoil free of subsurface features. The exposed subsoil must then be cleaned by shovel or trowel and the surface examined for cultural features. Any cultural features must then be fully hand excavated and documented.

6) A review of past archaeological work undertaken within the subject property has determined that approximately 7% of its area has not been evaluated by previous Stage 2 Archaeological Assessment (Figure 8; Supplementary Documentation Figure 1). These areas consist of two woodlots located in the northeast and southeast, both situated outside the current and proposed limits of extraction. These woodlot areas retain potential for archaeological resources and have an Environmental Conservation designation overlay under the Township of Melancthon Official Plan (Corporation of the Township of Melancthon, 2014). Excerpts from the Official Plan can be found in the Supplementary Documentation accompanying this report, along with correspondence with Ministry of Natural Resources and Forestry staff confirming that these woodlot areas lie outside the limits of extraction and cannot be disturbed or altered. In accordance with Section 7.8, Standard e. of the Ministry of Citizenship and Multiculturalism's 2011 Standards and Guidelines of Consultant Archaeologists, the area of each woodlot is recommended for exemption from Stage 2 Archaeological Assessment on the basis of the application of the following measures:

a) The exempted areas are shown on the Aggregate Resources Act site plan accompanying the licence application. The exempted areas correspond to those shown on Figure 8 and Supplementary Documentation Figure 1 of this report.

b) A condition is placed on the Aggregate Resources Act licence stating: that areas exempted from Stage 2 Archaeological Assessment are present as shown on the Aggregate Resources Act site plan; that no extraction, alterations or soil disturbance may be carried out within the limits of these areas; that post and wire fencing will be erected along the limits of these areas under the direction of the licensed consultant archaeologist.

c) That any extraction, alterations or soil disturbances within the limits of these woodlots may only be carried out subsequent to archaeological work by a licensed consultant archaeologist and a report on that work being entered into the Ontario Public Register of Archaeological Reports.

d) A letter is provided by the Aggregate Resources Act licensee stating that they are aware of the exempted areas and confirming that instructions will be given to staff regarding the avoidance of these areas (see Supplementary Documentation).

e) Should the limit of extraction (as indicated on Figure 8) change for any reason, then further Stage 2 Archaeological Assessment must be conducted on the remaining 7% of the subject property prior to any land-disturbing activities, in accordance with the Ministry of Citizenship and Multiculturalism's 2011

Standards and Guidelines for Consultant
Archaeologists.

7) It is recommended that the balance of the subject property (representing approximately 92%), situated beyond the area of the Madill site (BaHb-17) and its protective 10-metre buffer (representing approximately 1% of the subject property), and excluding the unassessed woodlot areas in the northeast and southeast (representing 7%, as discussed above) be cleared of archaeological concern. The location and extent of these unassessed woodlot areas are illustrated in Figure 8, while a map of the property with the detailed location of the Madill site and its 10-metre buffer zone can be seen in supplementary documentation submitted alongside this report (Supplementary Documentation Figure 3).

Following the implementation of Recommendations 1 to 6 as outlined above, it is requested that the Ministry of Citizenship and Multiculturalism provide a letter confirming that there are no further concerns with regard to alterations for the balance of the property, following Sections 7.8.5 and 7.9.5 of the Standards.

NOTWITHSTANDING the results and recommendations presented in this study, Archaeological Services Inc. notes that no archaeological assessment, no matter how thorough or carefully completed, can necessarily predict, account for, or identify every form of isolated or deeply buried archaeological deposit. In the event that archaeological remains are found during subsequent construction activities, the consultant archaeologist, approval authority, and the Archaeological Program Unit of the Ministry of Citizenship and Multiculturalism must be immediately notified.

The above recommendations are subject to Ministry approval, and it is an offence to alter any archaeological site without Ministry of Citizenship and Multiculturalism concurrence. No grading or other activities that may result in the destruction or disturbance of any archaeological sites are permitted until notice of Ministry of Citizenship and Multiculturalism approval has been received.

The documentation and materials related to this project will be curated by Archaeological Services Inc. until such a time that arrangements for their ultimate transfer to His Majesty the King in right of Ontario, or other public institution, can be made to the satisfaction of the project owner(s), the Ontario Ministry of Citizenship and Multiculturalism, and any other legitimate interest groups.

Based on the information contained in the report, the ministry is satisfied that the fieldwork and reporting for the archaeological assessment are consistent with the ministry's 2011 *Standards and Guidelines for Consultant Archaeologists* and the terms and conditions for archaeological licences. This report has been entered into the Ontario Public Register of Archaeological Reports. Please note that the ministry makes no representation or warranty as to the completeness, accuracy or quality of reports in the register.

Should you require any further information regarding this matter, please feel free to contact me.

Sincerely,

Kassandra Aldridge
Archaeology Review Officer

cc. Archaeology Licensing Officer
Grant C. Horan, Strata Aggregates
Planning Melancthon, Melancthon Township
Seana Richardson, Ministry of Natural Resources and Forestry
Silva Yousif, County of Dufferin

¹ *In no way will the ministry be liable for any harm, damages, costs, expenses, losses, claims or actions that may result: (a) if the Report(s) or its recommendations are discovered to be inaccurate, incomplete, misleading or fraudulent; or (b) from the issuance of this letter. Further measures may need to be taken in the event that additional artifacts or archaeological sites are identified or the Report(s) is otherwise found to be inaccurate, incomplete, misleading or fraudulent.*