



# ARCHAEOLOGICAL IMPACT ASSESSMENT

**TERMS OF REFERENCE**

JUNE 2023

## **ABOUT THE FOLLOWING TERMS OF REFERENCE**

These Terms of Reference were developed as a joint effort with participation by representatives from all York Region municipalities and the Region. The Terms of Reference are in widespread use across the Region, with local requirements added as prescribed by each municipality.

The requirement for this study will be decided during the Pre-Application Consultation process.

If determined that this study is applicable, the study terms may vary depending on the nature of the proposal. Discussion and confirmation as to whether all criteria outlined within these Terms of Reference are appropriate for your development project, will also take place with you and in consultation with any relevant external agencies during Phase 1.

In addition to these Terms of Reference, municipal departments and/or external agencies may require analysis of specific technical components that should be addressed in the study. Confirmation of additional technical requirements, and a checklist identifying detailed standards to be met, in turn may be provided. The extent of the checklist items will vary on the nature of the application and will be confirmed during the Pre-Application Consultation process.

## **PURPOSE**

An Archaeological Assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. Archaeological resources or sites include the physical remains and contextual setting of any structure, event, place, feature, or object which, because of the passage of time, is on or below the surface of the land or water and is important to understanding the history of a people or place.

## **REQUIRED BY LEGISLATION**

Ontario Planning Act  
Ontario Heritage Act

## **WHO PREPARES THIS?**

An Archaeological Assessment must be completed by a licensed archaeologist in accordance with the Ontario Heritage Act.

## **WHY DO WE NEED THIS?**

An Archaeological Assessment is required to on lands that hold archaeological potential to ascertain the presence or absence of archaeological resources. If these resources are present, and a proposed development is likely to impact the resources the archaeological assessment will evaluate the significance of these resources and outline measures to mitigate the impact of development on these resources.

The archaeological assessment will inform the review of an application by City Planning staff during Mandatory Consultation Phase 1 of the Collaborative Application Process.

## **STRUCTURE AND FORMAT**

### **WHAT SHOULD BE INCLUDED?**

#### **Submission Requirements**

An Archaeological Assessment divided into stages 1- 4, as per Ministry of Heritage, Sport, Tourism and Culture Industries 2011 Standards and Guidelines for Consultant Archaeologists for land-based archaeology

The study should at a minimum contain

#### **Introduction**

- Address of the property
- General site location of the subject property
- Project Name (if applicable)
- Applicant and owner's contact information
- Author name, title, qualifications, company name and appropriate stamp
- Brief description of the proposed development
- Overview of the study area
- Purpose of the study
- Location and context map

#### **Proposal Description and Context**

- A description of the proposal, development stats (such as number of units, site area) type of development proposed, height, parking areas, access points, location of amenity areas, proposed phasing
- A description of the existing on-site conditions as well as surrounding areas, roads, natural areas, buildings, parking areas
- Concept Plan for the development including building location, parking, access, amenity areas, grading and natural features and any natural hazards

#### **Investigation/Evaluation**

The Provincial Ministry of Heritage, Sport, Tourism and Cultural Industries has the primary responsibility pursuant to the Planning Act and the Ontario Heritage Act for matters relating to cultural heritage, including archaeological resources. Should it be determined that there is potential for impacts resulting from the approval of the development application, the applicant must notify the Ministry and carry out an archaeological assessment to the satisfaction of their satisfaction. No grading or other soil disturbances shall take place prior to the Ministry confirming that all archaeological resource concerns have met Provincial licensing and resource conservation requirements, including confirmation that the applicant has satisfied the Ministry's Indigenous Peoples Engagement protocol pursuant to their Technical Bulletin; "Engaging Aboriginal Communities in Archaeology"

#### **Recommendations**

- Summary and conclusions of the studies and how they support the development and any special considerations or conditions that should be imposed

- Any recommendations, or conditions that should form part of a decision on the matter

### **Drawings and Supporting Information**

- Context Plan
- Map of Study Area

### **WHAT ELSE SHOULD WE KNOW?**

N/A

### **CITY OF MARKHAM ADDITIONAL TERMS**

N/A

### **CITY OF MARKHAM STUDY SUBMISSION INSTRUCTIONS**

N/A

### **WHAT OTHER RESOURCES ARE THERE?**

A list of qualified consultants can be found on

[http://www.mtc.gov.on.ca/en/archaeology/archaeology\\_assessments.shtml](http://www.mtc.gov.on.ca/en/archaeology/archaeology_assessments.shtml)

Draft Technical Bulletin Engaging Aboriginal Communities

<http://www.mtc.gov.on.ca/en/publications/AbEngageBulletin.pdf>

Mississaugas of the Credit First Nation Arch. Standards

### **NOTES**

If the proposed development is revised, the study/report shall reflect the revisions by an updated report or letter from the author indicating the changes and whether or not the recommendations and conclusions are the same.

A peer review may be required. The cost of the peer review will be borne by the applicant.

If the submitted study is incomplete, is authored by an unqualified individual or does not contain adequate analysis, the applications will be considered incomplete and returned to the applicant.

Should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Heritage, Sport, Tourism and Cultural Industries, and City Cultural Heritage departments shall be notified immediately.

In the event that human remains are encountered during construction activities, the proponent must immediately cease all construction activities. The proponent shall contact the York Regional Police Department, the Regional Coroner and the Bereavement Authority of Ontario.