

April 2, 2026

Honourable Graham McGregor, Ministry of Citizenship and Multiculturalism
56 Wellesley St W, 14th floor
Toronto, ON
M7A 2E7

Dear Honourable Minister:

RE: Written Submission on Heritage Framework Transformation: ERO Posting 026-0216

Thank you for the opportunity to provide comments on changes proposed to the *2011 Standards and Guidelines for Consultant Archaeologists* (ERO Posting 026-0216) as it relates to Ontario's Archaeology Program. The Town of Grimsby appreciates the Province's commitment to refining the framework for the archaeology assessment process and seeking ways to provide streamlined efficiencies.

The Town also appreciates the outreach to the heritage planning and archaeology community on the changes since the Heritage Framework Transformation was first launched in November, 2024.

As you will know, the Town of Grimsby has assumed planning responsibilities from Niagara Region, including the responsibility for reviewing archaeological assessment requirements for all applications submitted under the *Planning Act*. These reviews are undertaken in accordance with the approved 2023 Archaeological Management Plan (AMP) prepared for the Niagara Region in consultation with licensed archaeologists. The AMP is implemented through one of the Town's Official Plans (formerly the Niagara Region's Official Plan) and was developed to ensure the conservation of archaeological resources and consistency with the Provincial Planning Statement (PPS).

The AMP identifies all areas of archaeological potential within the Niagara region, including the Town of Grimsby. The AMP also provides limited scoping criteria for fences, decks, sidewalks, projects employing drilling/tunnelling, pole barns/ greenhouses, septic beds, boundary adjustments with no new construction and structures less than 36 square metres with slab on grade construction (such as garages and sheds). The scoping criteria also provides additional implementation information as it relates to the PPS.

Since taking over the responsibility for archeological assessment review on March 31, 2025, the Town has completed over **135** reviews. The Town is providing the following comments based on those reviews.

For additional information, the [Archaeological Management Plan](#) has been linked.

Analysis/Comments

The following provides a summary of the proposed changes to the *2011 Standards and Guidelines for Consultant Archaeologists*. Staff comments have been added under each proposed change.

Proposed changes to the Standards and Guidelines for Consultant Archaeologists

The Niagara Region contains a significant amount of land with archaeological potential, a substantial portion of which is located within the Town of Grimsby. At present, all applications submitted under the *Planning Act* within areas of archaeological potential are subject to archaeological assessment requirements, unless the proposed works have been appropriately scoped through the Archaeological Management Plan (AMP). While scoping is provided within the AMP it is significantly limited, resulting in most applications proceeding to a stage 1-2 Archaeological Assessment. Currently, the Archaeological Management Plan (AMP) does not provide the Town with the authority to scope archaeological assessments to a specific area of proposed work; any exceptions are determined at the discretion of licensed archaeologists and the Ministry of Citizenship and Multiculturalism. Under existing processes, the Town can only direct property owners to consult with a licensed archaeologist to determine whether limited scoping may be considered.

The proposed changes to the *2011 Standards and Guidelines* to expand on scoping would provide flexibility for properties within the Town of Grimsby to change and evolve while balancing the need to preserve important archaeological resources.

The Town proposes that, while the concept of a defined project area is under consideration, a formal process be established to enable archaeological assessments to be scoped to a defined project area rather than the entirety of a parcel, and that this process be initiated as part of the municipal review when archaeological assessment requirements are being determined. This is particularly important given that a significant

number of affected properties within the Town are located in the Niagara Escarpment area, where parcels frequently encompass several acres.

In addition, further clarification and updated mapping standards would be beneficial to more clearly identify areas that do and do not require archaeological assessments. The Town also requests additional opportunities for education and collaboration between municipalities, MCM and the licensed consultant archaeologist (“LCA”) to better understand the formal process to apply for a limited assessment and to provide guidance on how a property owner can apply to have an area deemed as a “project area”. Standard scoping direction and criteria may also assist local municipalities in implementing these changes. If the Ministry is pursuing this, the Town would appreciate participating in the creation of such criteria.

Case Study – Escarpment property within the Town of Grimsby

Staff have provided the following case study to illustrate how larger escarpment area properties would benefit from a formal process that allows archaeological assessments to be scoped to a defined project area, rather than the entire parcel.

Property Size: 0.6 acres

Application: Minor variance to permit a reduction in interior side yard setbacks

Proposed Works: Construction of a detached garage

Archaeological Review: The subject property is located within an area of archaeological potential. As a result, a Stage 1–2 Archaeological Assessment was required.

Decision: The Minor Variance was approved, subject to conditions (as outlined within the AMP).

Condition: That the Applicant/Owner submit the completed Stage 1 Archaeological Assessment (and subsequent studies, if applicable) as well as a letter from the Ministry of Citizenship and Multiculturalism, confirming that all the submitted archaeological assessments (Stage 1, Stage 2 and others, if applicable) have been entered into the Ontario Public Register of Archaeological Reports as a condition of licensing in accordance with the Ontario Heritage Act are required. If the Ministry requires further archaeological work to be completed prior to acknowledging the report, the report(s)

must also be submitted to and acknowledged by the Ministry, to the satisfaction of the Town, prior to clearance of this condition.

No demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter from MCM through Town, confirming that all archaeological resource concerns have met licensing and resource conservation requirements.

Analysis: While the Town followed the requirements of the AMP and proper process, the requirement was considered quite onerous for the property owner given the scale of the project and the area being disturbed. Under the proposed limited assessment standards, this type of application would be well-suited to a scoped archaeological assessment approach, as the area of alteration or defined “project area” is limited to approximately 89.2 square metres within a 0.6-acre property.

Changes to the existing ‘Partial Clearance’ process

The existing ‘partial clearance’ process is intended to allow development on part of a property, while archaeological site(s) in other parts of the property continue to be assessed/mitigated. Currently the Standards and Guidelines include optional standards for LCAs to recommend partial clearance with protective buffers for archaeological sites at the end of Stage 2, following the identification of those sites. However, this option is not consistently used, risking impacts to the archaeological sites.

Based on the files reviewed starting in April 2025, the Town has not provided review on a partial clearance or have had an active file undergoing an assessment while adjacent works were underway.

The Town, however, has had several properties where site alteration works were conducted adjacent to or within a *protected heritage property*. Significant efforts are made during the completion of agreements and Temporary Protection Plans to ensure that the appropriate buffers are in place. The use of hoarding, notification signage, areas where no foot traffic is permitted and/or areas that required modified equipment has enabled change to occur while cultural heritage is appropriately protected. The Town has also worked with property owners to obtain signed standardized letters from landowners. Landowners acknowledge their agreement to implement protective measures and to continue to work with the Town to ensure the cultural heritage is

treated with the upmost care and that the integrity of the resource is not damaged or lost through the development process.

While the Town defers to the LCAs to determine the appropriate revisions to the *2011 Standards and Guidelines* for partial clearance, the Town is generally in support of this approach.

Administrative Updates, Regulatory Impact Assessment

As part of the proposed initial updates to the Standards and Guidelines, additional targeted administrative updates are proposed, such as updating terminology and removing unnecessary guidelines and obsolete standards. These changes are intended to streamline requirements, modernize the document and reflect evolved administrative practices.

The Town is generally in support of opportunities to streamline the development process while preserving the protection of cultural resources. As noted above, the Town requests more opportunities to meet with the MCM and LCAs to better understand their process so that the Town can support the preservation of cultural resources while streamlining development process.

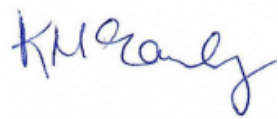
The Town defers to the LCAs to provide guidance on the updates to their *2011 Standards and Guidelines* and the general compliance.

Conclusion

In summary, the amendments proposed by MCM would provide additional opportunities for development to proceed, where appropriate, while preserving cultural resources. The Town requests opportunities for education and more information to support the processes for limited assessments, partial clearance and defining a project area to support property owners and existing development applications. Further, the Town supports efforts to streamline development while concurrently protecting cultural resources.

The Town respectfully requests that the Province consider the comments contained within this letter, and any opportunities to provide additional education and information for local municipalities to implement the changes.

Sincerely,

A handwritten signature in blue ink, appearing to read "KMcCauley". The signature is written in a cursive, flowing style.

Kirsten McCauley, MCIP, RPP
Director of Planning and Development