



Municipal Heritage Committee Report

Report Number: KLMHC2025-041
Meeting Date: June 5, 2025
Title: Archaeological Management Plan
Description: Review of the City's proposed Archaeological Management Plan
Author and Title: Emily Turner, Economic Development Officer – Heritage Planning

Recommendations:

That Report KLMHC2025-041, **Archaeological Management Plan**, be received;

That the Archaeological Management Plan be adopted; and

That this recommendation be forwarded to Council for approval.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

In February 2024, the City initiated the process of developing an Archaeological Management Plan (AMP) for Kawartha Lakes. An AMP is a planning tool that identified areas of archaeological potential using known archaeological site locations, changes in landforms and waterways over time and takes into consideration traditional land use patterns and areas of historic settlement. The AMP is being created to help address provincially-mandated requirements for the conservation of archaeological sites and resources in communities across the province. The AMP has two primary outcomes: a GIS-based archaeological potential model and strategic policy and planning direction for the use of the model and the protection of archaeological resources in the City.

To date, the Committee has received two presentations from TMHC, the consultants who are preparing the AMP on the project and its development. The first presentation, which was an introductory presentation to the project, took place on March 7, 2024 with a follow up presentation on December 9, 2024 that outlined the work to that date, including the draft policy recommendations, the development of the potential mapping and community and Indigenous consultation.

The potential mapping and policy directions report are now complete and are being brought forward for the Committee's final review prior to presentation to Council for adoption. The Committee will receive a presentation from TMHC outlining the mapping and key policy recommendations. This report has been prepared to accompany the presentation and provide background information regarding the Archaeological Management Plan, its development, and key outputs for the Committee's review.

Rationale:

The creation and adoption of an AMP is an important tool to help guide municipal management of archaeological resources. As noted above, municipalities are required to manage archaeological resources and AMPs are intended as tools to provide the policies, processes, strategies, and data for doing so in a transparent, consistent, and data-driven manner. AMPs benefit municipal decision-makers, but also benefit the public and development community by ensuring that municipal expectations are clear and there is robust data to help make decisions and mitigate risk as part of the development approvals process. AMPs also provide benefit in advancing reconciliation with Indigenous communities by providing strategies for consultation and partnership in archaeological resource management.

The Kawartha Lakes AMP has two primary outputs: the Archaeological Potential Map and the Policy Recommendations Report. These two elements together form the AMP and are complementary to each other. An explanation of each element and its development can be found below.

Archaeological Potential Map

The Archaeological Potential Map is a mapping and data management tool that is central to the AMP. The map, which is integrated with the City's existing ArcGIS platform, identifies areas of archaeological potential within the City where an archaeological assessment must be completed as part development and capital project planning. The Archaeological Potential Map is a predictive data model; it does not identify where archaeological sites definitively are located, but rather identifies areas where there is a high potential that these resources may be located and where an archaeological assessment is required before development occurs to support informed, data-driven decision-making. A static version of the Archaeological Potential Map is attached as Appendix A.

The mapping has been developed through the collation of provincially-identified data sets where there is a statistical relationship between certain types of natural and human features and the potential for archaeological resources to be present in an area. These data sets include:

- Known registered archaeological sites, unregistered sites, findspots and site leads
- Waterbodies, including lakes, rivers, creeks and wetlands
- Physiographic features including glacial lake beaches, shore buffs, eskers and terraces
- Transportation routes, including portages, trails, railways and roads
- Historic buildings
- Core historic settlement areas
- Cemeteries

Using these data sets, several map layers have been created that show archaeological potential: an archaeological sites layer; an Indigenous potential layer that identifies archaeological potential specifically related to Indigenous communities; and a historic potential layer which identifies potential related to non-Indigenous communities. In order to create these layers, the identified data sets were mapped and distance buffers, in alignment with provincially-accepted criteria, best practice and local conditions,

applied to them to identify areas that have archaeological potential. Additional layers have been created that identify areas where archaeological potential has been removed or which are not subject to City jurisdiction. This includes areas of significant ground disturbance such as new subdivisions or existing aggregate operations and the areas where the City has no jurisdiction, specifically the five provincial parks within the boundaries of the City. To create the final overall archaeological potential layer, the potential layers have been combined to create a single layer that identifies where archaeological potential exists in the City, where it has been removed or does not exist, and where an archaeological assessment is required as part of development approvals and capital planning.

Given the limited development that has occurred in Kawartha Lakes over the past several decades, the existing archaeological data in the municipality is more limited than in larger centres and municipalities that have seen more intensive development and construction activities. As part of the data collection, 187 registered archaeological sites were identified, alongside 201 unregistered sites, findspots and site leads, which is low for an area the geographic size of Kawartha Lakes. The majority of registered archeological sites (136 of 187) in Kawartha Lakes are Indigenous in origin as are the majority of unregistered sites, findspots and site leads (184 of 201).

The major determining factor for archaeological potential in Kawartha Lakes is proximity to water. Provincial criteria for determining archaeological potential identify proximity to waterbodies, including lakes, rivers, creeks, and wetlands, as an important determinant for archaeological potential because of the historic human use of waterways for travel and subsistence and a 300m buffer from water has typically been used as a determinant for whether an archaeological assessment is required for a project. Because a significant percentage of Kawartha Lakes' land mass is within 300m of a waterbody, the areas that have potential based on this criterion alone are significant and is reflected the large portion of the City which has been identified as having archaeological potential through the mapping.

Once the AMP is adopted, the Archaeological Potential Map will be available both internally and externally with different degrees of data available on each version. The public facing version of the map will identify whether a given property parcel has archaeological potential or not and will be able to be used by property owners and development proponents to identify if they may be required to undertake an archaeological assessment as part of a project they are considering. The intention of

releasing this data to the public is to ensure transparency in the City's data and decision-making and to give property owners the data they need to make informed decisions regarding building and planning matters related to their property.

The internal mapping will include distinct Indigenous and non-Indigenous potential layers, as well as the location of known archaeological sites within the City. This more detailed data will remain internal and confidential as, in Ontario, the locations and contents of archaeological sites are confidential, largely to prevent looting of sites. The maintenance of confidentiality for this data is particularly important for Indigenous archaeological sites which may include important cultural or ceremonial objects or ancestor remains.

The mapping that has been developed as part of the AMP is not static and one of the policy recommendations, as discussed in more depth in the Policy Recommendations Report, is the regular update of the map as archaeological assessments are undertaken in the City and more data is gathered to inform the model. This may include the addition of new archaeological sites to the potential layer if they are found as part of the development process, as well as the removal of archaeological potential from areas that are subject to an assessment and built out.

Policy Recommendations Report

The Policy Recommendations Report provides direction regarding how the archaeological potential mapping will be implemented and policies regarding archaeological management and collaboration with Indigenous communities. This recommendations report is attached as Appendix B and includes 21 policy recommendations, as well as new process and protocol guides related to archaeological review, standard conditions, unexpected discoveries and human remains and burial discovery. The proposed policies align with provincial legislation and policy which is explored further in the appended report.

The proposed policies in the recommendations report fall broadly into four main categories, alongside several standalone recommendations related to specific aspects of archaeological resource management and municipal operations. Below is a high-level summary of the recommendations. Detailed discussion of each of the 21 recommendations can be found in the attached report.

Policy and By-law Amendments: The policy report recommends updates to several planning and development related policies and by-laws including the Official Plan, Zoning By-laws, and the Site Plan Control By-law to ensure the City has enforceable land use planning policies in place related to archaeology. Any amendment to these policies and by-laws would require Council approval and be brought forward under the cover of a separate staff report at a future time. The recommendations related to OP policies will be incorporated via a City-initiated OPA, and those policies will then be carried over into the new Official Plan, the development of which will begin this year.

Process Reviews and Updates: The policy report recommends updates to a number of internal processes, particularly regarding development review, as well as the adoption of new protocols for accidental discoveries and human remains and burials. The intention of these updates is to streamline internal processes for efficient management of resources and archaeological review that aligns with provincial direction.

Working with Indigenous Communities: The AMP has been developed with significant input from Indigenous communities (see below) and the recommendations support continued collaboration, partnership, and consultation in the management of Indigenous archaeological resources in Kawartha Lakes. This includes entering into MOUs and data-sharing agreements, particularly related to GIS data, archaeological assessment reports, and review functions.

Data Management: The policy report recommends that the City regularly update the archaeological potential mapping to ensure accurate data both internally and externally, as well as a legal deposit requirement for archaeological assessment reports to ensure the City has thorough data for its decision-making. These recommendations support the broad goal of the AMP to develop good data management practices to support good decision-making and transparency.

Once the AMP is adopted, these policies and processes will be reviewed and implemented over time, beginning in Q4 2025. Some of the policy recommendations will require Committee review and Council approval for implementation and will be brought forward as they are developed for review and approval. Some of the recommendations, such as the amendments to the Official Plan, will require additional public and Indigenous consultation to implement.

Indigenous Consultation and Engagement

Indigenous consultation and engagement are a key part of the development of an AMP. The majority of known archaeological sites in Kawartha Lakes are Indigenous in origin and it is anticipated that the majority of sites found in future will also be Indigenous. The development of the AMP requires both Indigenous knowledge in the creation of the archaeological potential map and substantial engagement and discussion regarding the policy recommendations report to ensure that the recommendations support continued and meaningful Indigenous engagement in the archaeological process.

The seven Williams Treaties First Nations, who are the treaty holders for this region, were circulated at the initial outset of the project, as well as the Métis Nation of Ontario, the Huron-Wendat Nation, and Mohawks of the Bay of Quinte, who are not treaty holders but who have a historic interest in the area. The communities were invited to participate in the project at the level that they deemed appropriate for their interest, including receiving circulations, providing comment, and participating in regular meetings with the consultant team and staff.

The four Michi Saagiig communities – Alderville First Nation, Curve Lake First Nation, Hiawatha First Nation and Mississaugas of Scugog Island First Nation – participated in the most involved way throughout the development of the mapping and policy directions report, meeting at regular intervals with staff and the consultant team to review the outputs and provide data, feedback, and recommendations. The other communities were circulated on all material and provided feedback, but typically did not participate in the regular meetings.

The recommendations of the policy directions report specifically address the need for continued consultation and engagement with Indigenous communities once the Archaeological Management Plan is adopted. This includes regular City operations, such as the review of Planning Act applications, as well as specific action items, such as the creation of MOUs and data-sharing agreements with Indigenous communities.

Local Indigenous communities are highly supportive of the adoption of the AMP as a tool for archaeological resource management and as a concrete action in advancing reconciliation locally.

Public Consultation and Engagement

The project team has been undertaking public consultation and education throughout the project. A Jump In project page was created at the initial stages of the project and

updates were made to the City's website to let the community know that the project was initiated and to go to the Jump In page for additional information. This has included consultation with both local stakeholders, including Parks Canada, Ontario Parks and local conservation authorities, as well as with the community at large.

A key aspect of the project was in-person public consultation and sixteen in-person engagement sessions were undertaken from September to December 2024. Fourteen drop-in sessions were held in partnership with the Kawartha Lakes Public Library with a session at each local library branch to meet people in their own community. These sessions were used to let people know about the project, provide information about what an Archaeological Management Plan was and its impact, and answer questions. A public meeting and open house were held on November 28 in Lindsay with a presentation from the consultant team, displays and an opportunity for questions and feedback. A more focussed and technical meeting was held through the Peterborough Chapter of the Ontario Archaeological Society for feedback from the archaeological community. Additionally, outreach was undertaken to the various historical societies in Kawartha Lakes and area to alert their members, provide information and solicit feedback from local history experts. In general, there was broad support for the AMP, undertaking more archaeology in Kawartha Lakes, ensuring that artifacts stay in local communities, and fostering positive engagement with local Indigenous communities.

One of the major realizations from the public engagement sessions was the general lack of awareness about archaeology and how and why it is conducted in Ontario, largely because it is a municipal process that most people do not interact with on a regular basis, if at all. Staff are anticipating that one aspect of AMP implementation will be to build public awareness and education in this area to ensure that members of the public are informed about archaeology in the community and their obligations if they undertake activities, like submitting certain types of Planning Act applications, where an archaeological assessment will be required or if they accidentally encounter archaeological materials. Staff are tentatively planning that a public awareness campaign will be launched in Q4 2025 to introduce the AMP to the public and develop publications, resources, and in-person information sessions about archaeology for the public.

Bill 5 Impacts

The provincial government is currently in the process of amending Part VI of the Ontario Heritage Act through Bill 5, the Protect Ontario By Unleashing Our Economy Act

(2025), introduced in April 2025. The bill makes a range of amendments to the Act, some of which have the potential to impact municipal archaeological review. Specifically, the province has introduced a new section, Section 66.1, to the Act which allows the Lieutenant Governor in Council to exempt properties from any requirement to undertake an archaeological assessment if the exemption is determined to advance provincial priorities.

The ability of the province to exempt site from archaeological assessments undermines municipal decision-making and cultural heritage resource management, particularly with regard to consultation with Indigenous communities where archaeological assessment often acts as a trigger for fulfilling the municipality's obligations with regard to the duty to consult. An exemption for a property from archaeological assessment does not negate the municipality's responsibility to consult and engage with Indigenous communities which is required at a federal level under Section 35 of the Constitution Act (1982) to ensure that development, whether private or public, does not negatively impact Indigenous or treaty rights and that Indigenous interests are considered.

The adoption of the AMP will assist the City in addressing the challenges that Bill 5 presents with regard to the municipal decision-making process and consultation with Indigenous communities by providing a framework for consultation, data that can be used at a municipal level to engage with Indigenous communities, and direction for MOUs and data-sharing agreements that will help the City navigate the archaeological and consultation process. Its adoption also reiterates the City's commitment to reconciliation, consultation and cooperation in responding to the key issues that are presented by the legislative changes.

The proposed amendments also make changes to Section 66 of the Act and deposit of artifacts in public institutions and with Indigenous communities which may impact the City's collections management programming. The Ministry has indicated that additional regulations related to this section will be forthcoming but have currently not been released. Any changes that the regulations may cause to the City's collections management programming will be brought forward to the Committee and Council as required and do not currently impact the AMP or its recommendations.

Other Alternatives Considered:

There are no recommended alternatives. Although the Council is not required to adopt the plan, it is highly encouraged as a best practice in cultural heritage management and

through the policy direction contained in the PPS. Municipalities in Ontario are required to identify, protect and preserve archaeological sites through provincial policy and legislation whether an archaeological management plan has been adopted or not. Should Council choose not to adopt the plan, its obligations with regard to the conservation of archaeological resources will remain the same, but it will not have a consistent set of tools to do so. The adoption of an Archaeological Management Plan is intended to help streamline processes, provide transparent and verifiable data for good decision-making and risk-management, and build relationships with Indigenous communities who must be consulted as part of archaeological processes.

Financial/Operation Impacts:

There are no specific financial and operational impacts that directly affect the Municipal Heritage Committee or its operations. However, in general, there are financial impacts to the City as a result of the adoption of the Archaeological Management Plan. These financial impacts are specifically related to where archaeological assessments are required for capital project planning and the development of an archaeological repository. With regard to capital project planning, it is anticipated that there will be the need to undertake archaeological assessments on some projects where they may not have been completed in the past. Financial considerations will be considered on a project-by-project basis and implemented as part of capital budget planning.

With regard to the development of an archaeological repository, this will require space that the City currently does not have. However, as the development of the AMP has been happening concurrently with the planning phases for the City's new Cultural Centre, the potential for an archaeological repository has been identified as a component in the preliminary design and square footage calculations for the Cultural Centre build. Financial considerations with regard to this particular recommendation will be integrated with the budget for the Cultural Centre project, including capital costs and its operating model.

Consultations:

Senior Management Team
Clerk's Office
Manager, Corporate Records and Archives
Manager, Economic Development
Policy Planning Supervisor
(Acting) Development Supervisor

Capital and Special Projects Supervisor
Mapping and GIS Supervisor
Economic Development Officer – Arts and Culture
Economic Development Officer – Curatorial Services

Alderville First Nation
Beausoleil Island First Nation
Curve Lake First Nation
Hiawatha First Nation
Mississaugas of Georgina Island First Nation
Mississaugas of Scugog Island First Nation
Rama First Nation
Métis Nation of Ontario/Peterborough and District Métis Council
Ontario Parks/Ministry of Environment, Conservation and Parks
Ministry of Citizenship and Multiculturalism
Parks Canada/Ontario Waterways

Attachments:

Appendix A – Archaeological Potential Map (Static)



Adobe Acrobat
Document

Appendix B – Policy Recommendations Report



Adobe Acrobat
Document

Department Head email: lbarrie@kawarthalakes.ca

Department Head: Leah Barrie, Director of Development Services