



June 12, 2019

Via e-mail to todd.coles@vaughan.ca

Mayor and Council
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan ON L6A 1T1

Attention: Todd Coles

Dear Mr. Coles,

**Re: Notice to First Nations
11363 & 11063/11191 Highway 27
File No. OP.17.007 and OP.17.008
City of Vaughan**

As you are aware, Donnelly Law ("we" or the "Firm") and Mr. G. Borean of Parente, Borean LLP represent Humberplex Developments Inc. ("Humberplex"), the landowner immediately adjacent to the subject applications lands known as the Copper Creek applications (the "Subject Lands"). Hundreds of houses, roadways, commercial development and stormwater management facilities are all proposed as part of the development of the Subject Lands, which includes a portion of Ontario's Greenbelt.

We write to inform you that Humberplex formerly objects to the Notice provided to First Nations in the above-noted matter, is concerned that the site contains archaeological potential beyond what has been identified, and ask that you provide this letter to Mayor and Council, to supplement the record submitted on June 4, 2019 and previous correspondence.

Our search online of the City of Vaughan website reveals two archaeological assessments have been conducted, dated January 2001 (Stage 1-3), and April 26, 2017 (Stage 1-2), please find as Attachment 1 & 2. The 2017 report details a pre-contact find containing approximately 80 Surface Finds, which is not insignificant. No other information is provided.

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Communication
COUNCIL: <u>June 12/19</u>
<u>CW</u> Rpt. No. <u>20</u> Item <u>2+4</u>

Given our previous long association with the Huron-Wendat Nation and other First Nations, we have advised our client of the historically strong First Nations' presence along the Humber River Valley adjacent and connected to this particular area.

In addition, Vaughan has made efforts at establishing a constructive working relationship with the Huron-Wendat Nation for development in Block 47, and the creation of a protected space for Skandatut.

In a similar case involving another client, the City's response to a request to notify First Nations was to rely on *Planning Act* O.Reg 543/06 and 545/06 (the "Regulations") for giving notice to First Nations.

These Regulations only require Notice to be given to a Chief of a First Nation Council if that First Nation is located on a Reserve and any part of that Reserve is within one kilometre of the proposed development. In 2019, with the unreconciled issues of treatment of First Nations' rights, culture and history, and a large outstanding void to fill through Truth and Reconciliation, this is inexcusable.

As Council is no doubt aware, the nearest First Nation reserve to Vaughan is nearly 100km away, on Lake Scugog in Durham Region. The Huron-Wendat Nation, the friends of Vaughan Council and most closely culturally affiliated First Nation with Vaughan's past, are 1,000km distant from Vaughan.

In other words, Staff apparently feels it legally and morally acceptable for the Huron-Wendat or any other First Nation to never receive Notice of Council decisions. Based on the response to Mr. Rodaro's submissions, apparently Council unanimously feels the same way.

Under these Regulations, the Huron-Wendat Nation has never and will never receive notice that sites of cultural significance to the Huron-Wendat Nation may be impacted as long as Staff and Council abide by these unconstitutional relics. Paradoxically, mandatory Notice to First Nations under the Ontario *Environmental Assessment Act* has been established by the Courts. Something is obviously amiss.

The failure to notify and consult the Huron-Wendat Nation violates the Huron-Wendat Nation's constitutional right to be consulted and accommodated with respect to its cultural heritage interests.

These regulations put the rights of municipalities, ratepayers, school boards, conservation authorities, utilities, and in the case of O. Reg. 544/06, telecommunications infrastructure providers before the constitutionally entrenched rights of First Nations.

The notice requirements contained in these regulations are relics of the past and are considered "profoundly racist" as stated by Grand Chief Konrad Sioui of the Huron-Wendat Nation in a letter to the Honourable Dalton McGuinty on March 17, 2009, please see Attachment 3.

It is high time this very unfortunate and archaic anomaly be fixed, in the interests of Truth and Reconciliation.

The Canadian Constitution in s. 35 expanded the rights of First Nations creating a concept of First Nations rights that is far greater than matters affecting interests on or nearby Reserves. First Nations are entitled to be on the same footing and receive the same rights of natural justice as school boards and telecommunications companies.

Amendments must be made to the *Planning Act* and corresponding regulations that recognize the cultural and heritage rights of the Huron-Wendat Nation by ensuring that it is statutorily notified like any other interest and consulted before any ancestral remains are disturbed.

The Archaeological Services Inc. ("ASI") archaeological assessments clearly show some level of First Nations' occupation of the site. Were First Nations consulted before Staff made its recommendation, and the Committee of the Whole voted?

In order to determine if portions of the *Planning Act* are constitutionally valid, a party may "State a Case" in writing to the Local Planning Appeal Tribunal ("Tribunal") in order for the Tribunal to refer the question to the Divisional Court for its opinion on any question that, in the opinion of the Tribunal, is a question of law.

In addition, the City of Vaughan pledged to acknowledge Truth and Reconciliation with First Nations at the June 5, 2017 meeting of Council:

Since the release of the Truth and Reconciliation Commission report in 2015, many public institutions across Canada have made commitments to reconciliation based on a mutually respectful relationship with Aboriginal peoples. In the spirit of reconciliation, many municipal governments

across Canada have adopted territorial acknowledgments to precede Council meetings and other gatherings.¹

It does not appear from the Vaughan website this pledge was ever acted upon.

Please confirm that this letter will be brought to Council's attention prior to its anticipated vote on the above-noted Copper Creek application so that it can be added to the appeal record.

Please do not hesitate to contact me at 416-572-0464, or by e-mail to david@donnellylaw.ca, cc'ing alexandra@donnellylaw.ca and morgan@donnellylaw.ca, should you have any questions or comments concerning this correspondence.

Yours truly,



David R. Donnelly

cc. G. Borean

Attachments (3)

¹ http://www.vaughan.ca/council/minutes_agendas/Extracts/21cw0523_17ex_10.pdf

**A Stage 1 - 3 Archaeological Assessment
of Crooked Creek Golf Course, 11191 Highway
27, City of Vaughan, Regional Municipality of
York, Ontario**

Submitted to

Mr. Paul W. Rycroft, Land Development Consultant
c/o Crooked Creek Golf Club
3130 Dufferin Street, Toronto, Ontario M6A 2S6
Tel.: (416) 787-6633
Fax: (416) 787-3827

Prepared by

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Archaeological Consulting Licence # 2000-016
ASI File #:00PY-01, .00PY-02
MCzCR C.I.F. # 2000-016-088, #2000-016-116

January 2001

PROJECT PERSONNEL

<i>Project Director:</i>	Mr. Martin S. Cooper
<i>Project Archaeologist:</i>	Mr. T. Keith Powers
<i>Field Archaeologists:</i>	Ms. Sarah-Jane Brimley Ms. Kristine Crawford Mr. Casey O'Neil Mr. Rob Patterson Mr. Erik Burnie Mr. George Clark Ms. Tracy Killip Dr. Bruce Welsh
<i>Report Preparation:</i>	Mr. T. Keith Powers
<i>Graphics:</i>	Mr. T. Keith Powers
<i>Artifact Processing:</i>	Ms. Liz Truchanowicz
<i>Artifact Analysis:</i>	Mr. T. Keith Powers

**A Stage 1 - 3 Archaeological Assessment
of Crooked Creek Golf Course, 11191 Highway 27,
City of Vaughan, Regional Municipality of
York, Ontario**

1.0 INTRODUCTION

Archaeological Services Inc. was contracted by Paul W. Rycroft, *Land Development Consultants*, to conduct an archaeological assessment of the above property, located in the City of Vaughan, Regional Municipality of York. Bounded by Hwy. 27 to the west, Kirby Road to the north and the East Humber river to the east. The property encompasses an area of approximately 26 hectares (Figure 1).

The assessment was conducted under the project direction of Mr. Martin Cooper and field direction of Mr. T.Keith Powers on May 18th- 23rd, 24th, June 16th, 27th, 28th, July 19th, 31st, August 1st and 2nd, 2000. Weather conditions in May were overcast, while the June, July, and August visits took place under sunny conditions. Fieldwork was conducted in accordance with the *Ontario Heritage Act* (1990) under an archaeological consulting licence (2000-016) issued to *Archaeological Services Inc.*

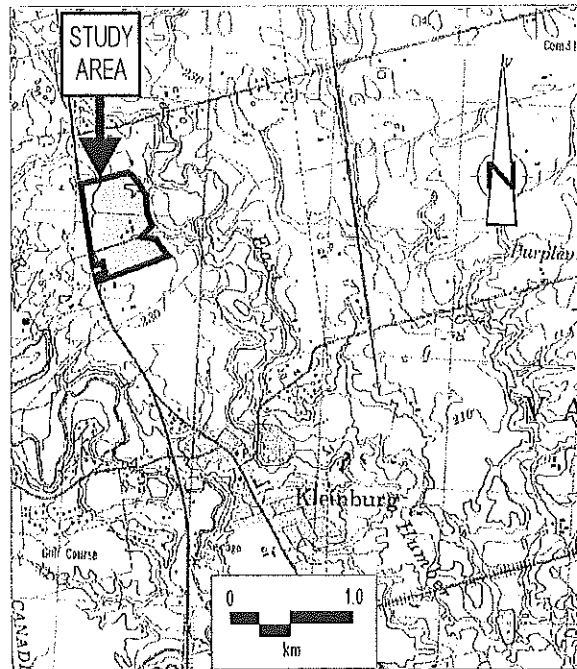


Figure 1 Location of the study area NTS Sheets
30 M/13 (edition 6, published 1985)

2.0 STAGE 1 BACKGROUND RESEARCH

2.1 Previous Archaeological Research

In order that an inventory of archaeological resources could be compiled for the study area, three sources of information were consulted: the site record forms for registered sites housed at the *Ministry of Citizenship, Culture and Recreation*; published and unpublished documentary sources; and the files of *Archaeological Services Inc.*

In Ontario, information concerning archaeological sites is stored in the Ontario Archaeological Sites Database (OASD), a database developed and maintained by the *Ministry of Citizenship, Culture and Recreation*. This database contains archaeological sites registered within the Borden system. The Borden system was first proposed by Dr. Charles E. Borden, and is based on a block of latitude and longitude. A Borden block is approximately 13 kilometres east-west by 18.5 kilometres north-south. Sites within each block are numbered sequentially as they are found. The study area is located within Borden Block AlGv.

A total of nineteen sites have been registered within two kilometres of the subject property. Particulars concerning these sites are summarized in Table 1.

TABLE 1: REGISTERED SITES WITHIN 2 KM OF THE SUBJECT PROPERTY

Borden No.	Site Name	Site Affiliation	Site Type	Researcher
AlGv-10	Seed	Woodland	Campsite	Unknown, 1972
AlGv-19	Train 1	Indeterminate Prehistoric	Findspot	M.P.P., 1987
AlGv-20	Train 2	Indeterminate Prehistoric	Findspot	M.P.P., 1987
AlGv-21	Train 3	Indeterminate Prehistoric	Findspot	M.P.P., 1987
AlGv-22	Train 4	Indeterminate Prehistoric	Campsite	M.P.P., 1987
AlGv-23	Train 5	Indeterminate Prehistoric	Findspot	M.P.P., 1987
AlGv-24	Train 6	Early & Late Archaic	Campsite	M.P.P., 1987
AlGv-25	Train 7	Indeterminate Prehistoric	Campsite	M.P.P., 1987
AlGv-26	Levine Hamilton	Euro-Canadian	Cabin (Short term)	M.P.P., 1987
AlGv-27	Train 8	Indeterminate Prehistoric	Findspot	M.P.P., 1987
AlGv-64	Adams I	Indeterminate Prehistoric	Findspot	M.P.P., 1987
AlGv-67	Kirby Sideroad	Indeterminate Prehistoric	Findspot	R.W.C. Bugar, 1987
AlGv-79	Sirtalis	Indeterminate Prehistoric	Temp. Campsite	R.W.C. Bugar, 1988
AlGv-80	Storena	Late Archaic (Charlotte Phase)	Extraction Station	R.W.C. Bugar, 1988
AlGv-81	Furrow	Indeterminate Prehistoric	Findspot	R.W.C. Bugar, 1988
AlGv-90	Kerrowood I	Indeterminate Prehistoric	Findspot	ASI, 1990
AlGv-91	Kerrowood II	Indeterminate Prehistoric	Findspot	ASI, 1990
AlGv-92	Kerrowood III	Indeterminate Prehistoric	Findspot	ASI, 1990
AlGv-93	Kerrowood IV	Indeterminate Prehistoric	Findspot	ASI, 1990

*M.P.P. – Mayer, Pihl, Poulton consultants

* A.S.I. – Archaeological Services Inc.

2.2 Physiography

The subject lands are situated within the Peel Plain physiographic region of southern Ontario (Chapman and Putnam 1984:175). This region of level to undulating clay soils slopes fairly uniformly toward Lake Ontario and extends through the central portions of York, Peel and Halton counties. The majority of the study area is rather undulating, with a tributary of the East Humber river flowing southward adjacent to the property. Soils consist primarily of clay and clay loam.

2.3 Summary Land Use History

The 1878 *Illustrated Historical Atlas of York County* was reviewed to determine the potential for finding structures or other historic remains within the study locale. The study area is located on part of Lot 28, and Lot 29 Concession 8, former township of Vaughan. Two structures are indicated on the property (figure 2). They consist of a farmstead fronting Highway 27, and another farmstead inset on Lot 29.

More detailed discussion of the land use history of the property is provided in Section 3.3, below.

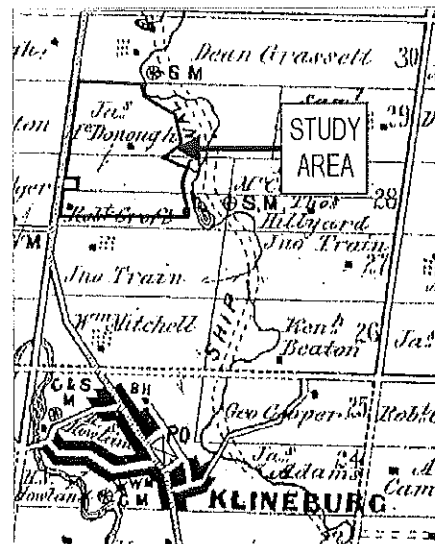


Figure 2 The subject property as depicted on the Vaughan Township map in the 1878 *Historical Atlas of York County*

2.4 Summary of Archaeological Potential

Potable water is arguably the single most important resource necessary for any extended human occupation or settlement. Since water sources have remained relatively stable in south central Ontario after the Pleistocene era, proximity to water can be regarded as a useful index for the evaluation of archaeological site potential. Indeed, distance from water has been one of the most commonly used variables for predictive modelling of precontact site location.

The Ministry of Citizenship, Culture and Recreation *Primer on Archaeology, Land Use Planning and Development in Ontario* (1997:12-13) stipulates that undisturbed lands within 300 metres of a primary water source, and undisturbed lands within 200 metres of a secondary water source, are considered to be of high archaeological potential.

It has already been noted in Section 2.1 above that a total of nineteen sites have been registered within a two kilometre radius of the property, eighteen of which predate Euro-Canadian settlement of the area. This factor, combined with the physiographic character of the property attests to the significant potential for precontact archaeological resources to be present on the property. Moreover, the fact that a structure is indicated on the property in the 1878 *Atlas* suggests that there is potential for the recovery of historic cultural material.

3.0 THE STAGE 2 FIELD ASSESSMENT

3.1 Introduction and Field Methods

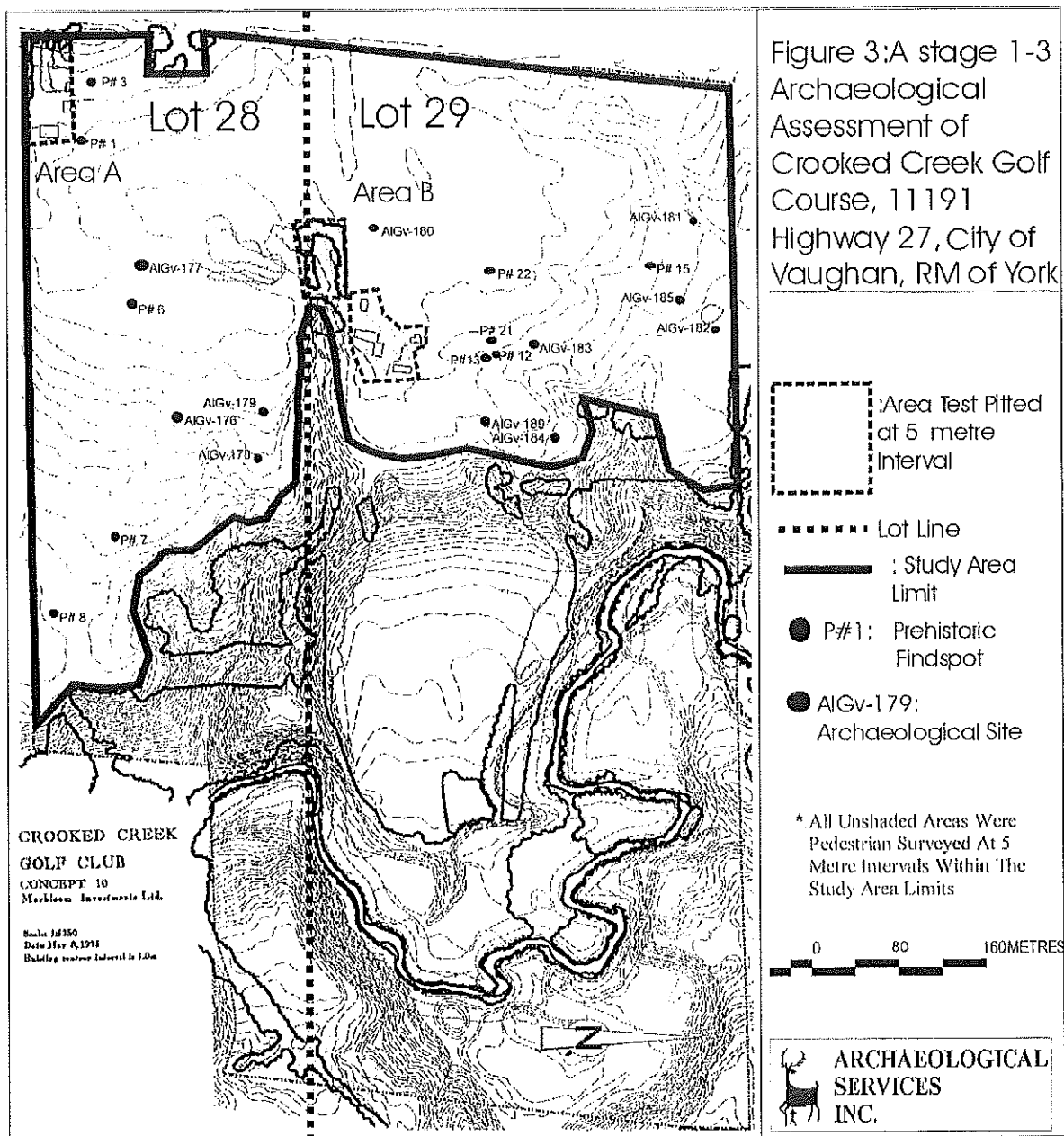
Archaeological fieldwork was undertaken to inventory, identify and describe any archaeological resources extant on the property prior to development (Figure 3). As the vast majority of the property consists of arable land, the majority of the assessment was completed by means of pedestrian survey at five metre intervals. As these lands had been ploughed for the purposes of the survey and allowed to weather, field conditions were excellent (Plate 1).

Two areas within the property were assessed by test pitting. The first area, **Area A** (Figure 3) located in the southwest section of the property was a landscaped yard with no remaining structure. The section of the property had several large trees lining a gravel drive. The area measured approximately 90 metres in length and 30 metres in width. A small area at the end of the drive measuring 20 metres by 20 metres



Plate 1: Field conditions in the ploughed lands east of Highway 27 in May, 2000

had been extensively disturbed by demolition of a structure, possibly the farmstead illustrated in the 1878 *Illustrated Historical Atlas of York County* (see Section 2.3). This entire area was test pitted at 5 metre intervals and no archaeological remains were found.



The second area, consisted of a residential parcel located in the centre east side of the property (**Area B, Figure 3**). Measuring approximately 120 metres by 60 metres, this area had been extensively disturbed by two residential structures, a barn, a shed and a swimming pool. Landscaping activities and drives were associated with all structures. This area was test pitted at 5 metre intervals. All test pits were shovel excavated to subsoil. All test fills were screened through 6mm mesh. No archaeological remains were found in this area.

3.2 Stage 2 Assessment Results: Precontact Archaeological Resources

During the course of the survey of the property, 11 findspots and 10 registered sites were located (Figure 3, Table 2). All Universal Transverse Mercator (UTM) points are recorded using the map datum NAD83.

A prehistoric “site” is distinguished from a prehistoric “findspot” on the basis of the number of artifacts recovered and whether or not these artifacts are culturally or chronologically distinct. Thus, a prehistoric “site”, as distinct from a prehistoric “findspot”, refers to a defined area containing at least four artifacts, or a single, formal tool, such as a projectile point, that is identifiable to a specific chronological or cultural period. All newly discovered archaeological sites are registered with the Archaeological Sites Database Coordinator at the *Ministry of Citizenship, Culture and recreation*.

The first site, registered as **AlGv-176**, is located on rolling terrain at the south half of the property at a UTM of 17 T 0609574 / 4856934 (Figure 3). The material encountered at the site consists of a bifacially worked tool manufactured from Onondaga chert (Plate 2, Table 2 AlGv-176 0.01) and a single piece of Onondaga chert shatter (AlGv-176:0.02). The items were found separated from one another by a distance of approximately 8 metres. Once encountered, the transect interval was reduced to one metre within a thirty metre radius of each find. Despite careful scrutiny, however, no additional remains were found.

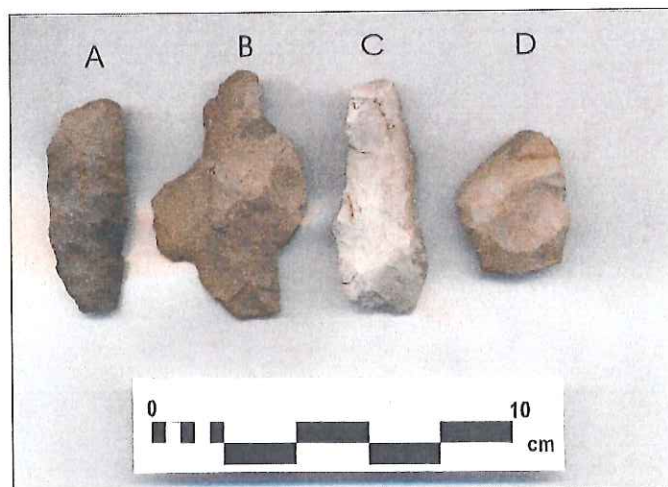


Plate 2: A– (AlGv-176) Bifacially worked tool, probable knife, manufactured from Onondaga chert; B– (AlGv-177) lower portion of a Genesee point, manufactured from Onondaga chert; C– (AlGv-177) biface fragment manufactured from Fossil Hill chert; D– (AlGv-178) retouched biface manufactured from Onondaga chert.

The second site, registered as **AlGv-177** was encountered on level terrain at a UTM of 17 T 0609409 / 4856855 (Figure 3). The material encountered at the site consists of a lower portion of a Genesee point manufactured from Onondaga chert (Plate 2, Table 2 AlGv-177: 0.01) and a biface fragment manufactured from Fossil Hill chert (Plate 2, Table 2 AlGv-177: 0.02). The items were found separated from one another by a distance of approximately 3 metres. Once encountered, the transect interval was reduced to one metre within a 30 metre radius of each find. Despite careful scrutiny, however, no additional remains were found.

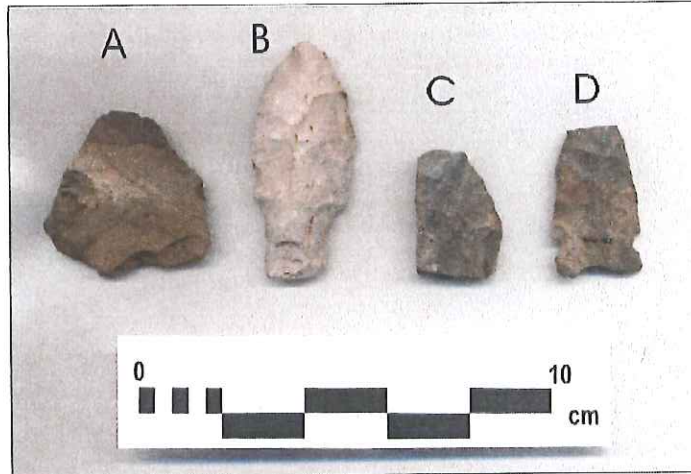


Plate 3: A- (AlGv-179) Biface, probable scraper; B- (AlGv-180) Adder Orchard projectile point; C- (AlGv-181) Biface, worked, probable scraper; D- (AlGv-182) Projectile point, base and tip gone.

Precontact site **AlGv-178**, was encountered on sloping terrain at a UTM of 17 T 0609639 / 4857044

(Figure 3). A total of nine artifacts (Table 2) were collected from the surface of the site. Once this material was encountered, the transect interval was reduced to one metre within a 100 metre radius of the approximate centre point of the site. Despite careful scrutiny, however, no additional remains were found. The material recovered includes one biface with retouch along one edge, which may have been used as a scraper (Plate 2, Table 2 AlGv-178:0.01), one flake unifacially retouched (AlGv-178:0.02), four flakes (AlGv-178:0.03-0.06), and three pieces of shatter (AlGv-178:0.07-0.09), all of Onondaga chert.

Precontact site **AlGv-179** was encountered on sloping terrain at a UTM of 17 T 0609546 / 4857013 (Figure 3). The material encountered at the site consists of a biface manufactured from Onondaga chert retouched along one edge and was likely used as a scraper (Plate 3, Table 2 AlGv-179:0.01). Once material was encountered, the transect interval was reduced to one metre within a 40 metre radius. Despite careful scrutiny, however, no additional remains were found.

Precontact site **AlGv-180** was encountered on level terrain at a UTM of 17 T 0609330 / 4857092 (Figure 3). The material encountered at the site consists of a Adder Orchard point manufactured from Lockport chert (Plate 3, Table 2 AlGv-180:0.01). Once material was encountered, the transect interval was reduced to one metre within a 40 metre radius. Despite careful scrutiny, however, no additional remains were found.

Precontact site **AlGv-181** was encountered on sloping terrain at a UTM of 17 T 0609213 / 4857472 (Figure 3). The material encountered at the site consists of a Biface manufactured from

Onondaga chert, bifacially retouched on one side, and was likely used as a scraper (Plate 3, Table 2 AlGv-181:0.01). Once material was encountered, the transect interval was reduced to one metre within a 40 metre radius. Despite careful scrutiny, however, no additional remains were found.

Precontact site **AlGv-182** was encountered on undulating terrain at a UTM of 17 T 0609338 / 4857490 (Figure 3). The site consists of an Onondaga chert point. The point lacks its tip and a portion of its base, (Plate 2). As the specimen is incomplete, it cannot be assigned to a particular time period (Plate 3, table 2 AlGv-182:0.01). Once material was encountered, the transect interval was reduced to one metre within a 40 metre radius. Despite careful scrutiny, however, no additional remains were found.

Precontact site **AlGv-183** was encountered on undulating terrain at a UTM of 17 T 0609347 / 4857349 (Figure 3). The material encountered at the site consists of a biface manufactured from Onondaga chert retouched along one edge and was likely used as a scraper (Plate 4, Table 2 AlGv-183:0.01). Once material was encountered, the transect interval was reduced to one metre within a 40 metre radius. Despite careful scrutiny, however, no additional remains were found.

Precontact site **AlGv-184** was encountered on level terrain to the west and south of a slope which drained into the East Humber River at a UTM of 17 T 0609489 / 4857368 (Figure 3). A total of seven artifacts (Table 2) were collected from the surface of the site. The material recovered, all of which was of Onondaga chert, includes two flake fragments (AlGv-184:0.01-0.02), one secondary reduction flake (AlGv-184:0.03), and four pieces of shatter. Once this material was encountered, the transect interval was reduced to one metre within a 80 metre radius of the approximate centre point of the site. Despite careful scrutiny, however, no additional remains were found.

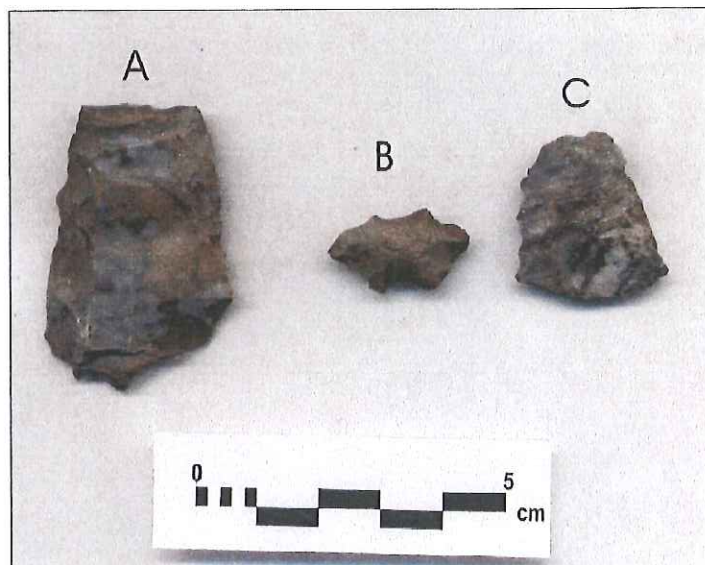


Plate 4: A-(AlGv-183) Biface, retouched along one side, probable scraper; B - (AlGv-188) Biface fragment, probable bifurcate base; C- (AlGv-185) Biface fragment.

Precontact site **AlGv-185** was encountered on billowing terrain at a UTM of 17 T 0609273 / 4857463 (Figure 3). The site consists of a single biface fragment manufactured from Onondaga chert (Plate 4, table 2 AlGv-185:0.01). Once the artifact was encountered, the transect interval

Precontact site **AlGv-185** was encountered on billowing terrain at a UTM of 17 T 0609273 / 4857463 (Figure 3). The site consists of a single biface fragment manufactured from Onondaga chert (Plate 4, table 2 AlGv-185:0.01). Once the artifact was encountered, the transect interval was reduced to one metre within a 30 metre radius. Despite careful scrutiny, no additional remains were found.

Precontact site **AlGv-188** was encountered on a knoll at a UTM of 17 T 0609290 / 4856717 (Figure 3). The site consists of the base of a bifurcate base projectile point manufactured from Onondaga chert (Plate 4, Table 2 AlGv-188:0.01), and a secondary reduction flake of Onondaga chert (Table 2, AlGv-188:0.02), bifurcate base points are diagnostic of the Early Archaic period. Once this material was encountered, the transect interval was reduced to one metre within a 40 metre radius. Despite careful scrutiny, only one additional artifact was found.

Finally, precontact site **AlGv-189** was encountered on level terrain at a UTM of 17 T 0609488 / 4857321 (Figure 3). A total of nine artifacts (Table 2) were collected from the surface of the site. Once this material was encountered, the transect interval was reduced to one metre within a 80 metre radius of the approximate centre point of the site. Despite careful scrutiny, no additional remains were found. The material recovered includes one primary thinning flake (AlGv-189:0.01), one secondary reduction flake (AlGv-189:0.02), one pressure flake (AlGv-189:0.03), one flake fragment (AlGv-189:0.04), and 5 pieces of chert shatter. All chert material consisted of Onondaga chert with the exception of 1 piece of Ancaster chert shatter.

TABLE 2: PRECONTACT SITE ARTIFACT CATALOGUE

Provenience	Cat. No.	Artifact Type	Dimensions	Description	UTM coordinates
P# 1					
Surface	0.01	Chert shatter	297 x 194 x 48	Onondaga chert; Shatter	17 T 0609348 / 4856732
Surface	0.02	Secondary reduction flake	196 x 117 x 32	Onondaga chert; secondary reduction flake	
AlGv-176					
Surface	0.01	Bifacially worked tool	607 x 226 x 91	Onondaga chert; probable knife	17 T 0609574 / 4856934
Surface	0.02	shatter	159 x 125 x 37	Onondaga; shatter count = 1	

TABLE 2: PRECONTACT SITE ARTIFACT CATALOGUE

Provenience	Cat. No.	Artifact Type	Dimensions	Description	UTM coordinates
AIGv-177					
Surface	0.01	Projectile point incomplete	704 x 460 x 117	Onondaga chert; probable incomplete Genesee point	17 T 0609409 / 4856855
Surface	0.02	crude biface	668 x 262 x 162	Collingwood chert; crude biface	
P# 6					
Surface	0.01	secondary reduction flake	319 x 158 x 60	Ancaster chert; flake	17 T 0609462 / 4856866
P# 7					
Surface	0.01	shatter		Onondaga chert	17 T 0609778 / 4856906
Surface	0.02	shatter		Onondaga chert	
P# 8					
Surface	0.01	flake fragment	87 x 74 x 12	Onondaga chert; thermally altered flake fragment	17 T 0609896 / 4856889
AIGv-178					
Surface	0.01	biface	414 x 317 x 114	Onondaga chert; retouched biface; probable scraper	17 T 0609639 / 4857044
Surface	0.02	flake	223 x 244 x 55	Onondaga chert; unifacially retouched	
Surface	0.03	flake	267 x 185 x 35	Onondaga chert; flake	
Surface	0.04	flake	229 x 186 x 39	Onondaga chert; flake	
Surface	0.05	flake	116 x 139 x 23	Onondaga chert; flake	
Surface	0.06	flake	108 x 115 x 24	Onondaga chert; flake	
Surface	0.07	shatter		Onondaga chert; shatter	
Surface	0.08	shatter		Onondaga chert; shatter	
Surface	0.09	shatter		Onondaga chert; shatter	
AIGv-179					
surface	0.01	biface	402 x 397 x 135	Onondaga chert; bifacial retouching; probable scraper	17 T 0609546 / 4857013

TABLE 2: PRECONTACT SITE ARTIFACT CATALOGUE

Provenience	Cat. No.	Artifact Type	Dimensions	Description	UTM coordinates
AIGv-180					
surface	0.01	Projectile point-complete	578 x 248 x 95	Lockport chert; Adder Orchard point	17 T 0609330 / 4857092
P# 12					
surface	0.01	flake	153 x 141 x 27	Onondaga chert; secondary reduction flake	17 T 0609427 / 4857289
surface	0.02	flake	83 x 82 x 14	Onondaga chert; pressure flake	
surface	0.03	shatter		Onondaga chert; shatter	
P# 13					
Surface	0.01	secondary flake	215 x 343 x 58	Onondaga chert; secondary flake	17 T 0609403 / 4857270
Surface	0.02	shatter		Onondaga chert; shatter	
AIGv-181					
Surface	0.01	biface	312 x 218 x 66	Onondaga chert; retouched; probable scraper	17 T 0609213 / 4857472
P# 15					
Surface	0.01	shatter		Onondaga chert; shatter	17 T 0609250 / 4857402
AIGv-182					
Surface	0.01	Projectile point - incomplete	361 x 221 x 54	Onondaga chert; point fragment; possible Meadowood point, base missing;	17 T 0609338 / 4857490
AIGv-183					
Surface	0.01	biface	461 x 318 x 75	Onondaga chert; biface retouched; probable scraper	17 T 0609347 / 4857349
AIGv-184					
Surface	0.01	flake fragment	189 x 215 x 49	Onondaga chert; flake fragment	17 T 0609489 / 4857368
Surface	0.02	flake fragment	85 x 145 x 20	Onondaga chert; flake fragment	

TABLE 2: PRECONTACT SITE ARTIFACT CATALOGUE

Provenience	Cat. No.	Artifact Type	Dimensions	Description	UTM coordinates
Surface	0.03	flake	214 x 145 x 45	Onondaga chert; secondary reduction flake	
Surface	0.04	shatter		Onondaga chert; shatter	
Surface	0.05	shatter		Onondaga chert; shatter	
Surface	0.06	shatter		Onondaga chert; shatter	
Surface	0.07	shatter		Onondaga chert; shatter	
AIGv-185					
Surface	0.01	Biface	268 x 250 x 54	Onondaga chert; biface fragment	17 T 0609273 / 4857463
AIGv-188					
Surface	0.01	projectile point fragment	233 x 133 x 51	Onondaga chert, probable reworked bifurcate base	17 T 0609348 / 4856732
surface	0.02	secondary reduction flake	210 x 129 x 42	Onondaga chert; secondary reduction flake	
AIGv-189					
Surface	0.01	flake	286 x 217 x 34	Onondaga chert; primary thinning flake	17 T 0609488 / 4857321
Surface	0.02	flake	126 x 97 x 33	Onondaga chert; secondary reduction flake	
Surface	0.03	flake	95 x 76 x 13	Onondaga chert; pressure flake	
Surface	0.04	flake fragment	141 x 114 x 31	Onondaga chert; flake Fragment	
Surface	0.05	shatter		Onondaga chert; shatter	
Surface	0.06	shatter		Onondaga chert; shatter	
Surface	0.07	shatter		Onondaga chert; shatter	
Surface	0.08	shatter		Onondaga chert; shatter	
Surface	0.09	shatter		Ancaster chert; shatter	
P# 21					
Surface	0.01	flake	239 x 305 x 35	Onondaga chert; secondary thinning flake	17 T 0609398 / 4857292
P# 22					
Surface	0.01	shatter		Onondaga chert; shatter	17 T 0609301 / 4857248

3.0 STAGE 3 ASSESSMENT OF THE NADA SITE (AIGv-178), THE TOKO SITE (AIGv-185), AND THE LATER SITE (AIGv-189)

While the majority of sites and findspots were isolated and required no stage 3 investigation, three sites (AIGv-178, AIGv-184, and AIGv-189) demonstrated considerable potential to provide insight into the precontact occupation of the study area. Accordingly, sites AIGv-178, AIGv-184, and AIGv-189 were subject to Stage 3 investigation to identify more precisely their character and extent.

The Stage 3 investigations consisted of a series of one metre square test units excavated within the site area to determine the nature and extent of cultural deposits. The test units were excavated to sterile subsoil, and soil fills screened through 6 mm wire mesh to facilitate artifact recovery. The subsoil was trowelled and all profiles examined for undisturbed cultural deposits.

3.1 Stage 3 Field Work at the Nada Site (AIGv-178)

The Stage 3 investigation of the Nada site took place over a two day period in June. Both days, June 16th and 27th were warm and sunny with an average temperature of 24° C. The stage 3 assessment began with the re-examination of the site area at one metre intervals. Surface visibility on this occasion was approximately 70%, and was therefore deemed to be adequate for the purpose of the assessment. This re-examination resulted in the recovery of no additional artifactual material. A controlled surface collection was then completed during which the location of each artifact discovered during the Stage 2 investigation was recorded with the aid of a transit and tape measure relative to a UTM datum of (17 T 0609639 / 4857035) that was fixed on the site at (500-200) established to the south of the core of the scatter (Figure 4). A UTM datum was chosen due to the lack of fixed markers in the landscape.

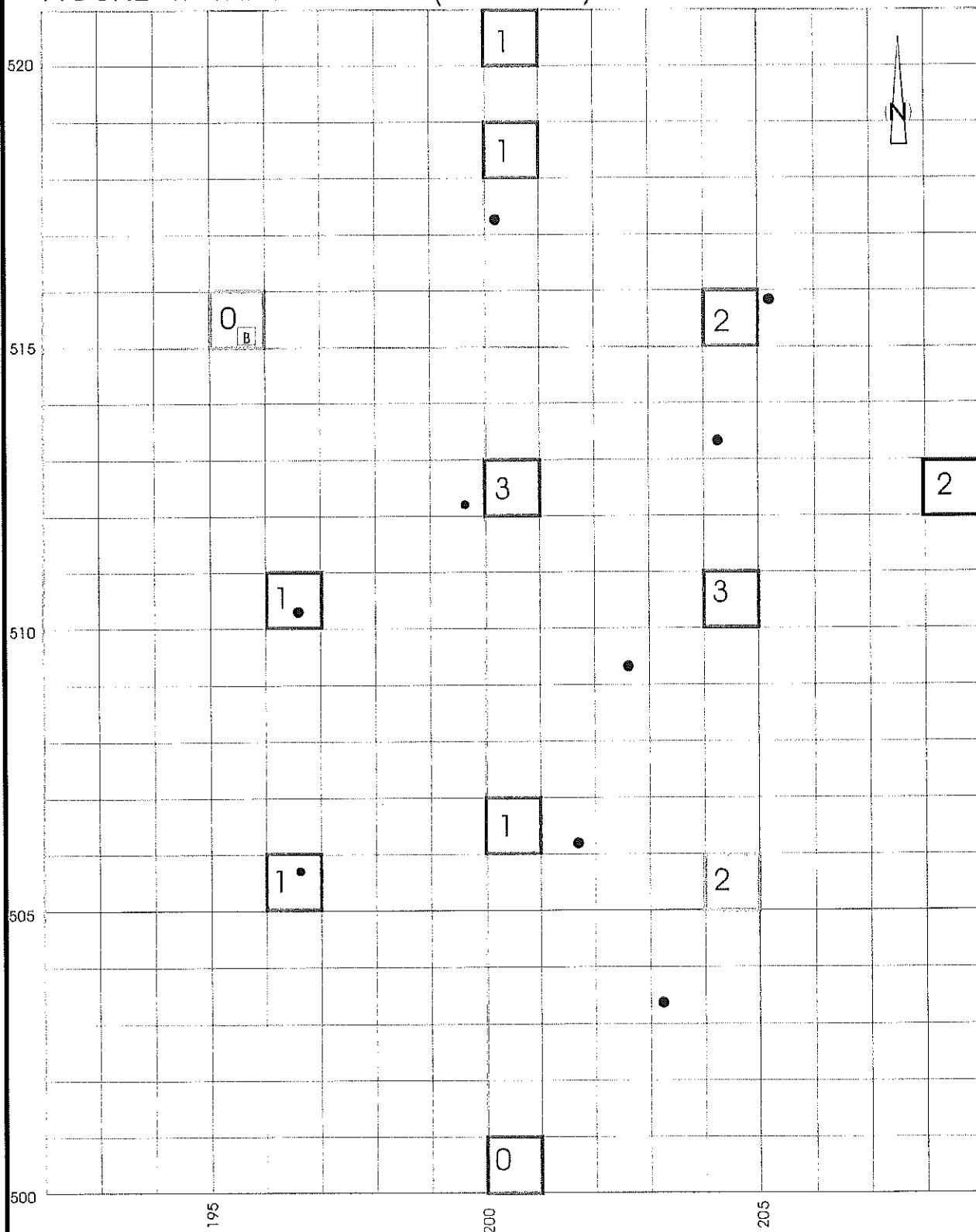
The chert flakes making up the surface scatter, as defined during the controlled surface collection, were distributed over an area of approximately 150 square metres. The distribution of all of the surface material encountered during the Stage 2 assessment of the site, together with the placement and yields of the one metre test units that were subsequently excavated, is presented in Figure 4.

Following the completion of the controlled surface collection, a series of twelve one-metre square test units (tied into the five metre grid) was excavated to determine the nature and extent of cultural deposits in the plough zone. The test units were excavated to sterile subsoil and the soil fills were screened through six millimetre wire mesh to facilitate artifact recovery. The subsoil was trowelled, and all profiles were examined for undisturbed cultural deposits. The plough zone within these units had an average depth of 31 cm, with a range of 28 cm to 33 cm.

Despite careful scrutiny, no evidence of intact cultural deposits or subsurface features was noted in any of the test units. A total of 15 artifacts was recovered from the test units. Plough zone artifact yields ranged from one item (units 505-195, 506-200, 510-196, 518-200, and 520-200) to a high of 3 items (units 510-204, 515-204 and 512-200), with an average of 1.5 artifacts per unit (Figure 4).

**Only artifact yielding units calculated for unit average.*

FIGURE 4: THE NADA SITE (AIGv-178)



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3

Test Unit & Artifact Yield

B

Blade



Surface Find

0 5m

SCALE

DATE: 19/01/01

Drawn By: T.K.P.
Client Code: 00PY-02

3.2 The Nada Site (AIGv-178) Artifact Assemblage

TABLE 3: NADA SITE (AIGv-178) ARTIFACT CATALOGUE

Provenience	Cat. No.	n	Dimensions	Artifact Type/Description*
505-195	0.001	1	92 x 106 x 14	secondary retouch flake (Collingwood chert)
506-200	0.001	1	65 x 99 x 14	secondary retouch flake
510-196	0.001	1	75 x 65 x 13	secondary retouch flake fragment
512-200	0.001	1	79 x 134 x 14	secondary reduction flake
	0.002	1	71 x 87 x 13	secondary retouch flake fragment
	0.003	1	171 x 103 x 33	secondary knapping flake
512-208	0.001	1	168 x 171 x 32	primary thinning flake
515-204	0.001	1	100 x 96 x 18	secondary reduction flake (Collingwood chert)
	0.002	1	143 x 76 x 23	secondary reduction flake
	0.003	1	221 x 220 x 47	primary reduction flake
510-204	0.001	1	176 x 231 x 82	biface fragment,
	0.002	1	125 x 166 x 26	secondary knapping flake
	0.003	1	115 x 162 x 23	secondary retouch flake fragment
518-200	0.001	1	84 x 100 x 18	secondary retouch flake fragment
520-200	0.001	1	142 x 91 x 12	secondary retouch flake
15				

* Unless otherwise noted, all material is Onondaga Formation chert

3.3 Stage 3 Field Work at the Toko Site (AIGv-184)

The Stage 3 investigation of the Toko site took place over a three day period in July. All three days, July 6th, 19th, and the 24th were warm and sunny with an average temperature of approximately 22° C. The stage 3 assessment began with the re-examination of the site area at one metre intervals. Surface visibility on this occasion was approximately 60%, and was therefore deemed to be adequate for the purpose of the assessment. This re-examination resulted in the recovery of no further artifact material. A controlled surface collection was then completed during which the location of each artifact discovered during the Stage 2 investigation was recorded with the aid of a transit and tape measure relative to a UTM datum of (17 T 0609500 / 4857357) that was fixed on the site at (500-200) established to the south of the core of the scatter (Figure 5). A UTM datum was chosen due to the lack of fixed markers in the landscape.

The chert flakes making up the surface scatter, as defined during the Stage 2 collection, were distributed over an area of approximately 100 square metres. The distribution of all of the surface material encountered during the Stage 2 assessment of the site, together with the placement and yields of the one metre test units that were subsequently excavated, is presented in Figure 5.

Following the completion of the controlled surface collection, a series of eleven one-metre square test units (tied into the five metre grid) was excavated to determine the nature and extent of cultural deposits in the plough zone at the site. The plough zone within these units had an average depth of 28 cm, with a range of 25 cm to 31 cm. Despite careful scrutiny, no evidence of intact cultural deposits or subsurface features was noted in any of the test units. A total of 16 artifacts was recovered from the test units. Plough zone artifact yields ranged from one item (units 500-205, and 507-196) to a high of 4 items (units 501-199), with an average of 2.28 artifacts per unit (figure 5).

**Only artifact yielding units calculated in unit average.*

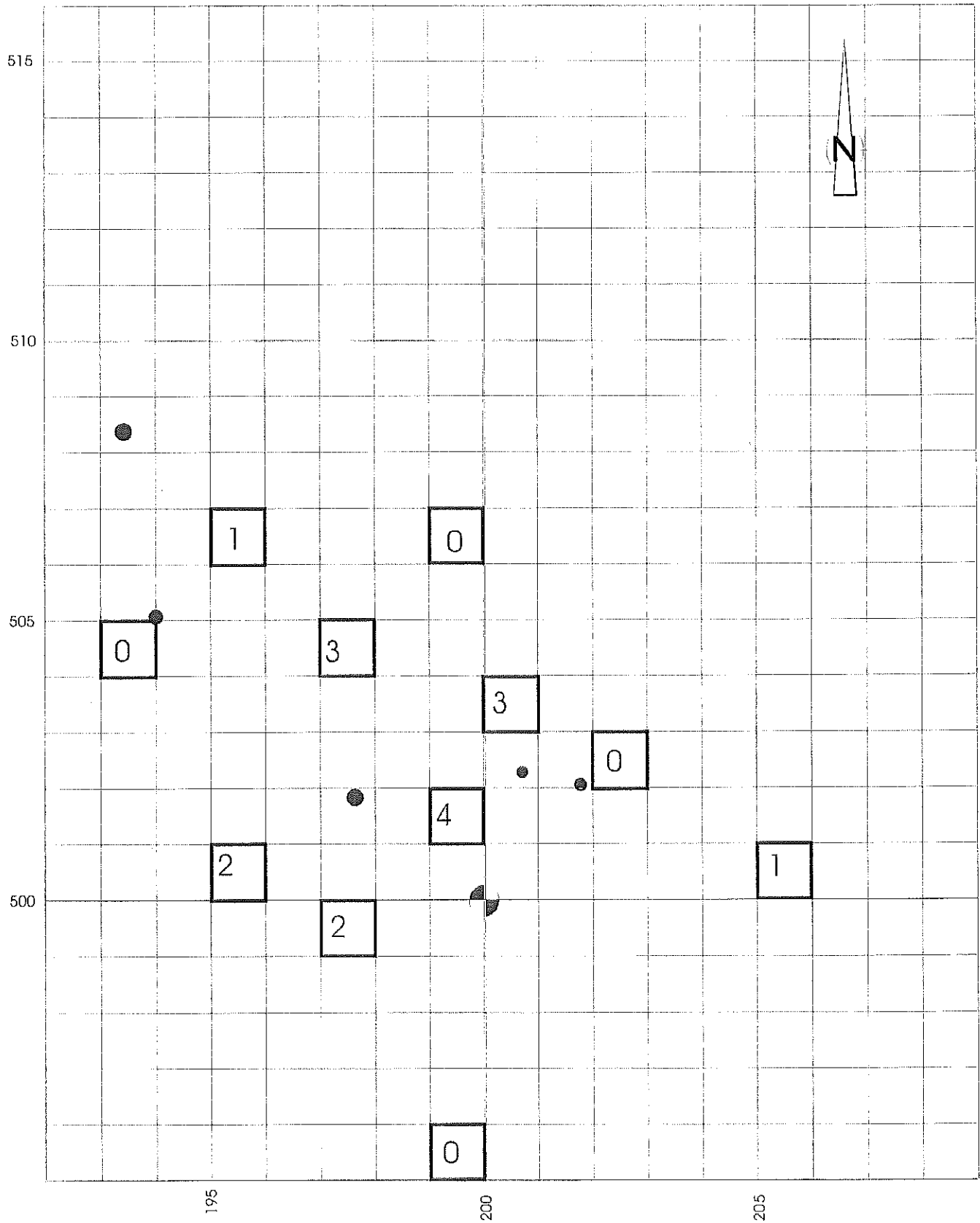
3.4 The Toko Site (AIGv-184) Artifact Assemblage

TABLE 4: TOKO SITE (AIGv-184) ARTIFACT CATALOGUE

Provenience	Cat. No.	n	Dimensions	Artifact Type/Description*
499-197	0.001	1	91 x 103 x 19	secondary retouch flake (Collingwood chert)
	0.002	1		shatter
500-195	0.001	1	110 x 116 x 30	secondary knapping flake fragment
	0.002	1	265 x 273 x 86	primary reduction flake (Collingwood Chert)
500-205	0.001	1	91 x 80 x 15	secondary retouch flake
501-199	0.001	1	128 x 158 x 31	secondary knapping flake
	0.002	1	98 x 70 x 13	secondary reduction flake
	0.003	1	97 x 68 x 13	secondary reduction flake (Collingwood chert)
	0.004	1		shatter (Ancaster chert)
503-200	0.001	1	190 x 152 x 56	primary reduction flake
	0.002	1	108 x 74 x 26	secondary retouch flake
	0.003	1	113 x 106 x 16	secondary retouch flake fragment
504-197	0.001	1	101 x 89 x 16	secondary retouch flake fragment
	0.002	1	75 x 76 x 15	secondary retouch flake fragment
	0.003	1		shatter
507-196	0.001	1	131 x 54 x 19	flake fragment
		16		

* Unless otherwise noted, all material is Onondaga Formation chert

FIGURE 5: THE TOKO SITE (AIGv-184)



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Test Unit & Artifact Yield

Datum

Surface Find

0 5m
SCALE

DATE: 19/01/01

DRAWN BY T.K.P.

3.5 Stage 3 Field Work at the Later Site (AIGv-189)

The Stage 3 investigation of the Later site took place over a two day period in July. Both days, July 6th, and the 24th were warm and sunny with an average temperature of approximately 22° C. The stage 3 assessment began with the re-examination of the site area at one metre intervals. Surface visibility on this occasion was approximately 60%, and was therefore deemed to be adequate for the purpose of the assessment. This re-examination resulted in the recovery of no further artifact material. A controlled surface collection was then completed during which the location of each artifact discovered during the Stage 2 investigation was recorded with the aid of a transit and tape measure relative to a UTM datum of (17 T 0609491 / 4857318) that was fixed on the site at (500-200) established to the south of the core of the scatter (Figure 6). A UTM datum was chosen due to the lack of fixed markers in the landscape.

The chert flakes making up the surface scatter, as defined during the Stage 2 collection, was distributed over an area of approximately 250 square metres. The distribution of all of the surface material encountered during the Stage 2 assessment of the site, together with the placement and yields of the one metre test units that were subsequently excavated, is presented in Figure 6.

Following the completion of the controlled surface collection, a series of 13 one-metre square test units (tied into the five metre grid) was excavated to determine the nature and extent of cultural deposits in the plough zone at the site. The plough zone within these units had an average depth of 25 cm, with a range of 19 cm to 29 cm. Despite careful scrutiny, no evidence of intact cultural deposits or subsurface features was noted in any of the test units. A total of 13 artifacts were recovered from the test units. Plough zone artifact yields ranged from one item (units 498-200, 504-194, 504-200, 508-191, 511-188, 518-193, and 518-200) to a high of 2 items (units 504-190, 510-190, and 512-193), with an average of 1.3 artifacts per unit (figure 6).

**Only artifact yielding units calculated in unit average.*

3.6 The Later Site (AIGv-189) Artifact Assemblage

TABLE 5: LATER SITE (AIGv-189) ARTIFACT CATALOGUE

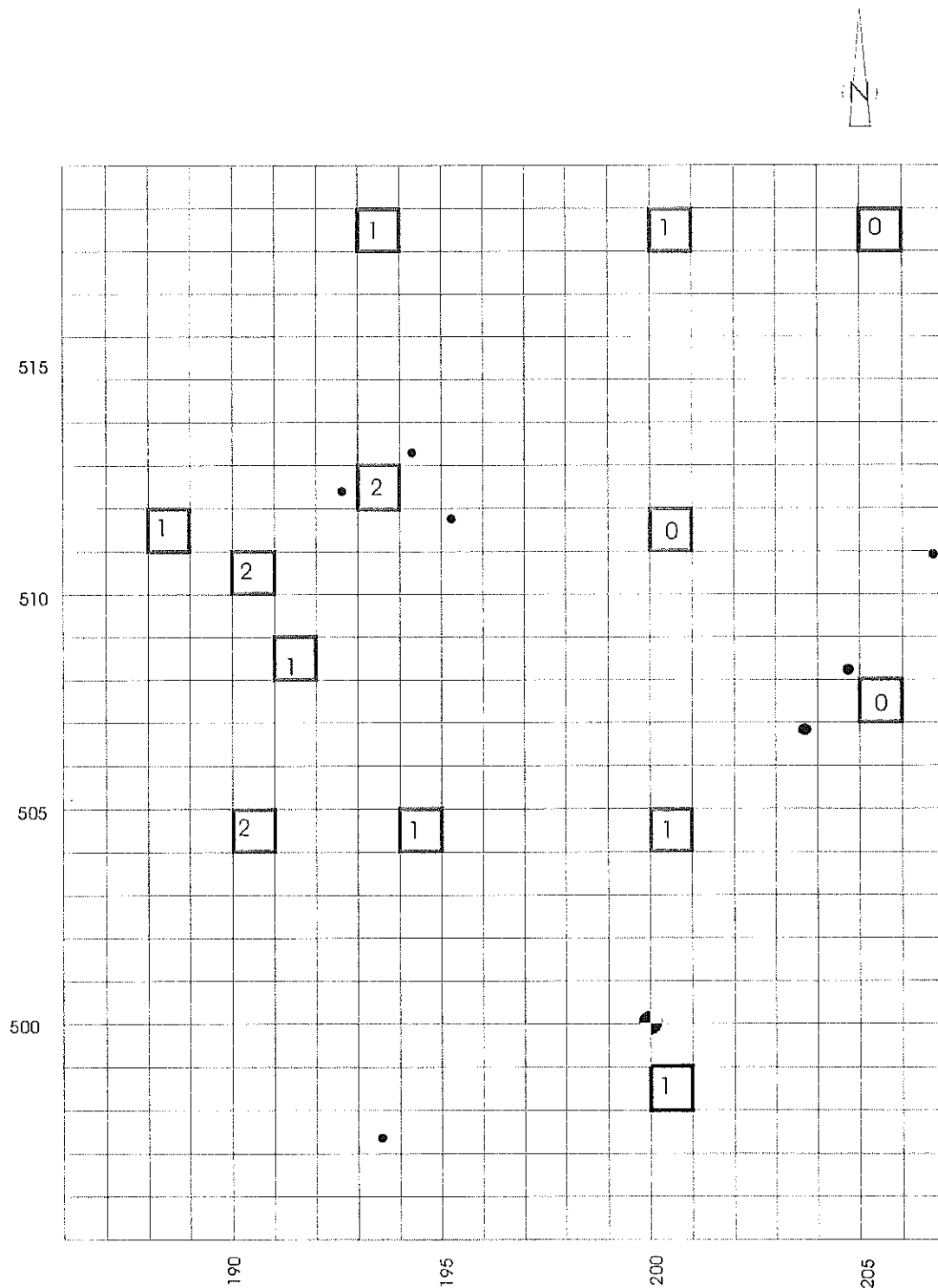
Provenience	Cat. No.	n	Dimensions	Artifact Type/Description*
499-200	0.001	1	151 x 257 x 37	primary thinning flake
504-190	0.001	1	102 x 97 x 21	secondary retouch flake fragment
	0.002	1	143 x 156 x 36	secondary knapping flake fragment
504-194	0.001	1		shatter
504-200	0.001	1	228 x 170 x 52	primary reduction flake
508-191	0.001	1	95 x 72 x 18	secondary retouch flake fragment

TABLE 5: LATER SITE (AIGv-189) ARTIFACT CATALOGUE

Provenience	Cat. No.	n	Dimensions	Artifact Type/Description*
510-190	0.001	1	78 x 65 x 15	secondary retouch flake fragment
	0.002	1	61 x 49 x 08	secondary retouch flake fragment
511-188	0.001	1	169 x 128 x 31	primary thinning flake
512-193	0.001	1	110 x 81 x 22	secondary knapping flake
	0.002	1	108 x 94 x 16	secondary retouch flake
518-200	0.001	1	85 x 94 x 12	secondary retouch flake
13				

* Unless otherwise noted, all material is Onondaga Formation chert

FIGURE 6: THE LATER SITE (AIGv-189)



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3 TEST UNIT & ARTIFACT YIELD

DATUM

SURFACE FIND

0 5m

SCALE

DATE: 19/01/01

Drawn By: I.K.P.
Client Code: 00py02

5.0 CONCLUSIONS AND RECOMMENDATIONS

The archaeological assessment of Crooked Creek Golf Course, 11191 Highway 27, City of Vaughan, Regional Municipality of York, resulted in the documentation of ten precontact archaeological sites and eleven findspots.

All but 3 sites (AlGv-178, AlGv-184, and AlGv-189) were isolated findspots and required no stage 3 investigation. These three sites (AlGv-178, AlGv-184, and AlGv-189) however, demonstrated considerable potential to provide insight into the precontact occupation of the study area. Accordingly, they were subject to Stage 3 investigation to identify more precisely their character and extent.

The results of the Stage 2 and 3 assessments of the Nada Site (AlGv-178), the Toko Site (AlGv-185), and the Later site (AlGv-178) suggest they represent a brief occupation, during which limited flint-knapping and/or resource processing activities took place. The Nada Site (AlGv-178), the Toko Site (AlGv-185), and the Later site (AlGv-178) together with the other findspots encountered in the immediate vicinity, suggests that the resources offered by the area attracted short term visits over an extended period of time throughout the Archaic period. The low density of artifacts within the plough zone at all three sites further suggests that the material traces of these activities are quite ephemeral, and that further investigations of the Nada Site (AlGv-178), the Toko Site (AlGv-185), and the Later site (AlGv-178) is unlikely to result in a meaningful contribution to our understanding of the precontact occupation of the area.

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

1. Due to the isolated nature of the findspots and sites; AlGv-176, AlGv-177, AlGv-179, AlGv-180, AlGv-181, AlGv-182, AlGv-183, these areas should be considered free from archaeological concern.
2. The Nada Site (AlGv-178), the Toko Site (AlGv-185), and the Later site (AlGv-189) may be considered clear of any further archaeological concern.
3. The balance of the subject property may be considered free of further archaeological concern.
4. The artifacts recovered during the course of the Stage 2 and 3 assessments of the Crooked Creek Golf Course, and all the supporting documentation, shall be curated by Archaeological Services Inc. until such a time that arrangements for their ultimate

transfer to Her Majesty the Queen in right of Ontario, or other public institution, can be made to the satisfaction of the landowner, the *Ministry of Citizenship, Culture and Recreation (MCzCR)*, and any other legitimate interest groups.

5. In the event that deeply buried archaeological remains are encountered on the property during construction activities, the office of the Regulatory and Operations Group, *Ministry of Citizenship, Culture and Recreation (MCzCR)*, should be notified immediately.
6. Furthermore, in the event that human remains are encountered during construction, both *Ministry of Citizenship, Culture and Recreation (MCzCR)* and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Commercial Relations should be notified immediately

5.0 REFERENCES CITED

Chapman, L.J., and D.F. Putnam

1984 *The Physiography of Southern Ontario*. Ontario Geological Survey, Special Volume 2.

Illustrated Historical Atlas of York County

1877 Toronto, Miles & Co. Reprinted by Mika Silk Screening, Belleville, Ontario, 1972.

Ministry of Citizenship, Culture and Recreation

1997 *Conserving A Future For Our Past: Archaeology, Land Use Planning & Development in Ontario*. Cultural Programs Branch, Archaeology & Heritage Planning Unit. Toronto.

**STAGE 1 AND 2 ARCHAEOLOGICAL ASSESSMENT OF
11363 HIGHWAY 27,
PART LOT 30, CONCESSION 8, GEOGRAPHIC TOWNSHIP OF VAUGHAN, YORK COUNTY,
CITY OF VAUGHAN, REGIONAL MUNICIPALITY OF YORK, ONTARIO**

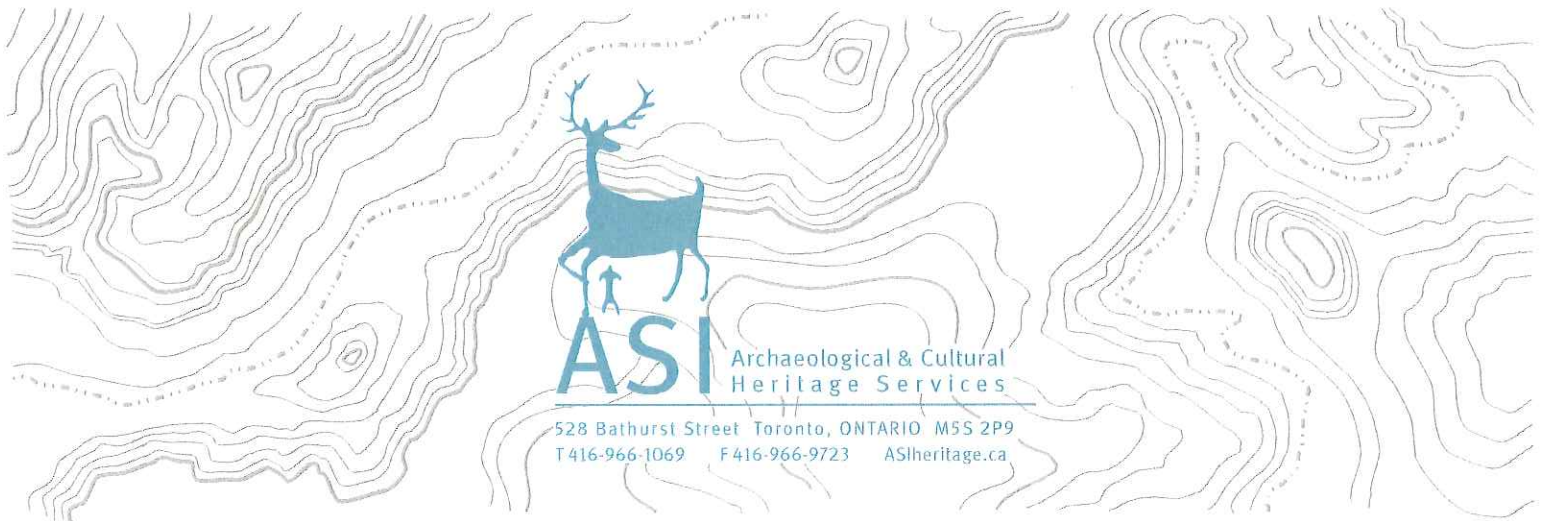
SUPPLEMENTARY DOCUMENTATION

Prepared for:

**Kirby 27 Developments Limited
c/o Malone Given Parsons Ltd.
140 Renfrew Drive, Suite 201
Markham, ON L3R 6B3
T 905-513-0170**

Archaeological Licence P046 (Clish)
Ministry of Tourism, Culture and Sport PIF P046-0183-2016
ASI File: 16TS-062

26 April, 2017



1.0 DETAILED SITE LOCATION INFORMATION

Project: Stage 1 and 2 archaeological assessment of 11363 Highway 27, part Lot 30, Concession 8, Geographic Township of Vaughan, York County, now in the City of Vaughan, Regional Municipality of York, Ontario

ASI File: 16TS-062 **MTCS PIF:** P046-0183-2016

GPS Model & Type: Garmin Oregon 450

UTM Grid Zone: 17T **Datum:** NAD 83 **Method of Correction:** —

Site/Findspot	UTM Co-ordinates	Error (+ / -)	Co-ordinate Type	Elevation (asl)	Conditions
P1	609295 4857768	5 m	Findspot	225 m	Optimal
AlGv-406	609493 4857640	5 m	Centre	222 m	Optimal
	609494 4857669		North Limit	221 m	Optimal
	609497 4857615		South Limit	222 m	Optimal
	609468 4857639		West Limit	225 m	Optimal
	609518 4857654		East Limit	218 m	Optimal
Fixed Landmark	608969 4857825	5 m	Intersection of Highway 27 and Kirby Road	226 m	Optimal

2.0 DETAILED SITE LOCATION MAPPING

See the following pages for detailed site location mapping.





Figure 1: Stage 2 Archaeological Assessment Results - Findspot and Site Location

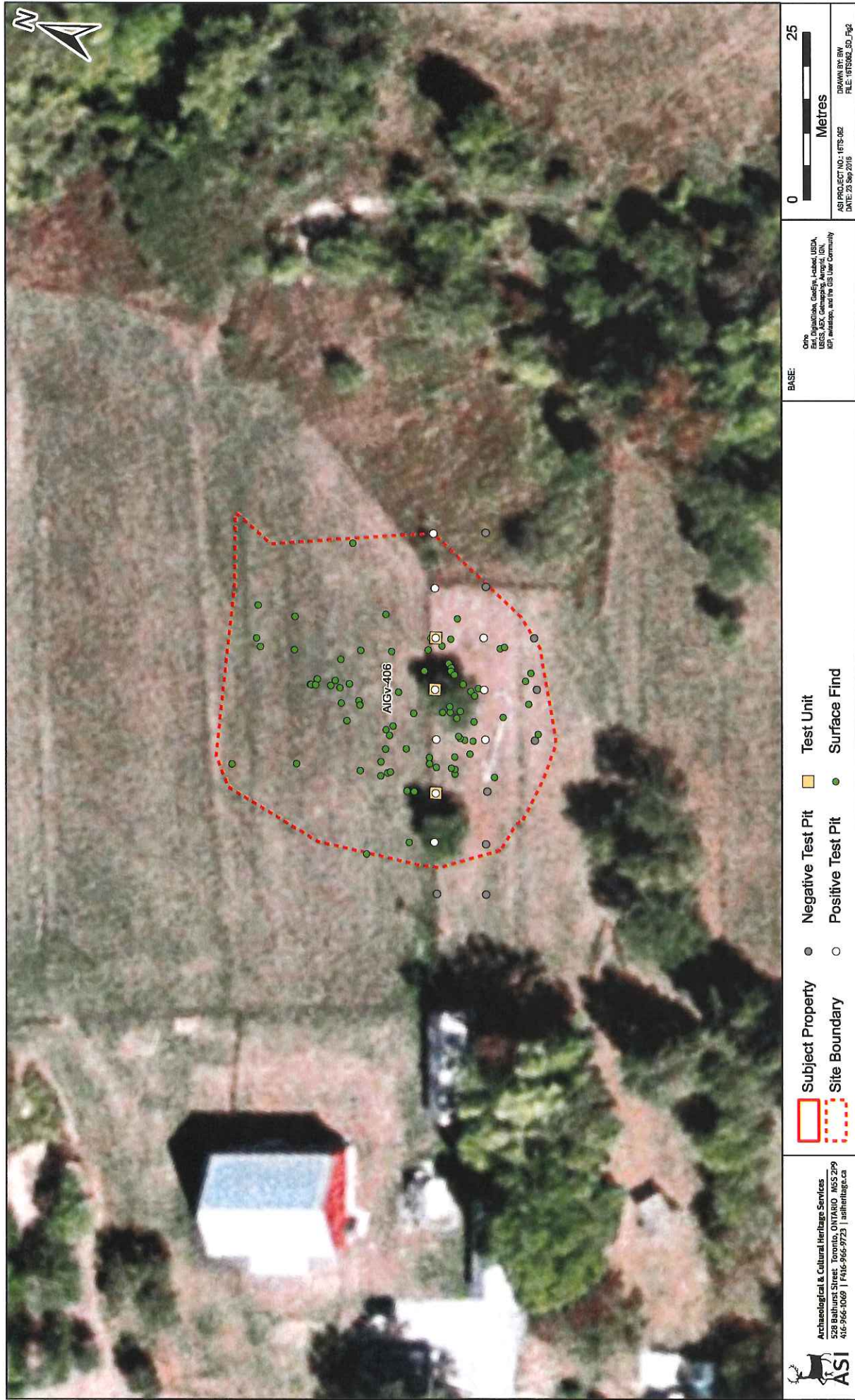


Figure 2: Stage 2 Archaeological Assessment Results - ALGV-406



Konrad Sioui

Grand Chef de la Nation huronne-wendat
Grand Chief Huron Wendat Nation

March 17, 2009

The Honourable Dalton McGuinty
Premier of Ontario
Legislative Building, Queen's Park
Toronto ON M7A 1A1

*Copies: Simon P.
Heather B.
Luc Lano*

Dear Premier,

Re: **Huron-Wendat Nation**
Protection of our Nation's Aboriginal Rights and Interests in Ontario

I am the newly elected Grand-Chief of the Huron-Wendat Nation in Wendake, Quebec. The Huron-Wendat Nation and our ancestors occupied south-central Ontario for thousands of years. The Huron-Wendat people never surrendered our ancestral territory in Ontario, our Treaty rights were confirmed by the Supreme Court of Canada and our Section 35 Constitutional rights are not extinguished.

I write to your government to express our critical concern that sacred and important cultural heritage sites in our traditional homeland of Ontario are under direct threat from development. We have received scores of Notices for environmental assessment undertakings, calling us to consultations over projects that affect our rights and interests in Ontario, but there are no resources or funding to facilitate meaningful participation.

While we appreciate being circulated in these cases, a right we won through the courts, we are utterly without capacity to deal with the volume of requests, even though some of these are projects initiated by your government. You have failed to provide us with a response to our previous minimal funding request, which appears to be your obligation given the recommendations of Justice Sidney Linden's report of the Ipperwash Commission of Inquiry.

This unfairness must end immediately either by stopping all of these projects until a proper consultation protocol has been concluded between our two Nations or by providing interim funding to allow us to respond to these requests in a meaningful way while the protocol is being developed.

12

March 17, 2009

Our long occupation in central Ontario is evidenced by the hundreds of village and ossuary sites, sacred places and significant landforms used by our ancestors. We commend your government for protecting and committing to rename four significant villages on the Seaton lands in Pickering, Ontario and we applaud the City of Toronto for protecting one of our ancestral village sites along the Rouge River through the purchase of lands from a development company as well as their efforts to commemorate another one of our villages called Alexandra in northeast Toronto.

Amidst these few successes, too many important sites are being lost. Our representatives appeared before Justice Linden at the Ipperwash Commission of Inquiry to present evidence of the extraordinary loss of our cultural heritage sites to development. Allow me to quote an extract from Justice Linden's Report:

"8,000 sites in York, Peel, Durham, and Halton alone have been cleared to make way for development. A quarter (2,000) of these sites were deemed to be significant."

The majority of the 2,000 significant sites obliterated by development were Huron- Wendat in affiliation. Development permitted by your government is scrubbing the history of our people from the land. This is a profound loss for our Nation and is utterly inconsistent with a generous society like Ontario that is so welcoming to new cultures.

Destruction of our sites continues on your government's watch despite our pleas to commence dialogue. We have not received assurance from your government, for example, that the nationally significant, late sixteenth century Huron town known as Skandatut will be protected. Skandatut sits on a bluff overlooking a major tributary of the Humber River, in Vaughan Ontario. As I write this letter, a developer holds a permit issued by your Minister of Culture to destroy this site. Skandatut was once home to thousands of people at a time when First Nations and early Europeans first made contact. It is at this site that we find the tangible evidence of Huron-Wendat leaders making the decision to confederate with other ancestral Wendat people representing a pivotal moment in our history and the history of Ontario and Canada. How is it then that we have not received assurance that Skandatut will be protected in perpetuity for ours and future generations?

Our people are also terribly disillusioned by the partial destruction of the Teston Road Ossuary when we have evidence that this was an avoidable event. While York Region acted promptly to restore the damage done to this site, we do not have assurances from your government that this will not happen again.

Furthermore, most Huron-Wendat towns in historic Wendake in Simcoe County have no protection whatsoever. Some of these sites are provincially or nationally significant. As recently as January 2009, we received news of a decision of the Ontario Municipal Board permitting construction of a development adjacent to the Atherley Narrows in Orillia, Ontario that contains First Nations human remains and clear evidence of settlement of ancestral Huron-Wendat. The Board's decision was rendered in spite of the fact the City of Orillia opposed the application and desired the protection of our resources. We note that this hearing was conducted without Notice to the Huron-Wendat Nation.

Ontario Regulation (O/Reg. 543/06), a regulation we challenged unsuccessfully in court, puts the rights of municipalities, ratepayers, school boards, conservation authorities, utilities and even Rogers Cable above those of First Nations. Under its terms, Notice to First Nations is only required when a project threatens a site within one kilometre of a Reserve, a provision that ensures that the Huron-Wendat Nation will never receive Notice of any development project that may impact our Constitutionally-guaranteed rights and interests. In our opinion this is unlawful but it is also immoral. Both my predecessor Grand-Chief Max Gros-Louis and Ontario Regional Chief Angus Toulous wrote to your Minister of Municipal Affairs in 2007 on an urgent basis to correct this problem, with no response.

O/Reg 543/06 is a relic of the past; it pre-dates the repatriation of the Canadian Constitution in 1982 and it is profoundly racist. The Canadian Constitution expanded the rights of First Nations creating a concept of First Nations rights that is far greater than matters affecting interests on or nearby Reserves. First Nations are entitled to be on the same footing and receive the same rights of natural justice as Rogers Cable and Canada Post when our sites and history are being threatened and destroyed. Do you not agree?

Premier, to turn a corner on this unfortunate treatment of our heritage, there are human skeletal remains of our ancestors that need repatriation as soon as possible. Indeed, the remains of over 2,000 of our ancestors have been stored in banker's boxes, without our consent, in a building at the University of Toronto. Despite its location in the heart of our traditional homeland, the University does not commemorate or interpret our occupation, no courses are taught about our history at this campus, and we are frustrated by a lack of funding for the repatriation effort, the result of which has been a terribly slow pace at liberating the souls that should never have been disturbed in the first place. The site from which one of the collections of human remains was removed in the 1960s is in your government's hands and is being administered by the Ontario Heritage Trust. The village of Skandatut is connected to this site, known as the Kleinberg Ossuary. This connection presents an unique opportunity to preserve and enhance a sacred landscape by restoring the link between the two sites in their natural setting.

The Honourable Dalton McGuinty

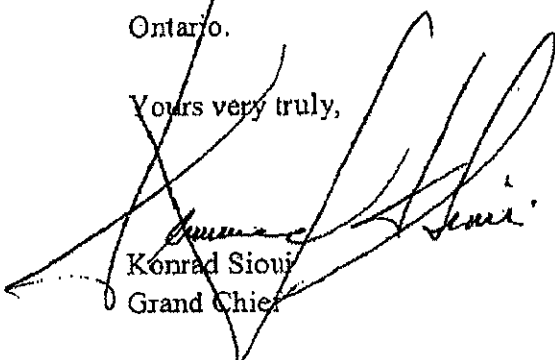
March 17, 2009

We respectfully request that your government now seize this matter and join us in an urgent effort to repatriate our ancestor's remains to the ground at Kleinberg. We urge you to instruct the Ontario Heritage Trust to secure the Skandatut site and work with us to properly re-inter the remains of which I speak and commemorate properly this sacred landscape. I note that the Ontario Heritage Trust allowed this burial site to be disturbed, against our wishes, as recently as 2007.

We have appointed people to work with your representatives. Council has great confidence in our Liaison Designates for Ontario, Madam Heather Bastien and Mr Luc Laine, and our legal counsels, Mr Simon Picard and Mr David Donnelly.

On behalf of my Council, I would like to meet with you as soon as possible to discuss righting the historical and ongoing assault on the history and rights of the Huron-Wendat Nation in Ontario.

Yours very truly,



Konrad Sioui
Grand Chief

Cc B Fisch, Chairman and Chief Executive Officer, Regional Municipality of York
R. Anderson, Regional Chair, Region of Durham
T. Guergis, County Warden, County of Simco
D. Miller, Mayor, City of Toronto
B. Duguid, Minister of Aboriginal Affairs
A. Carroll, Minister of Culture
J. Watson, Minister of Municipal Housing and Affairs
L. M. Alexander, Chairman, Ontario Heritage Trust
D. Petersen, The Chancellor, University of Toronto