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22521 ISLAND ROAD · PORT PERRY, ON · L9L 1B6 · TEL: 905-985-3337 · FAX: 905-985-8828 ·

[www.scugogfirstnation.com](http://www.scugogfirstnation.com)

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July 27, 2023

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

RE: ERO 019-6813 – MSIFN Comments on Provincial Policy Statement (2023)

Dear Premier Ford:

As Chief of the Mississaugas of Scugog Island First Nation (MSIFN), please accept the following comments as my community's strong objections to the proposed Provincial Policy Statement that removes consideration of cultural and archaeological resources from the definition of significant reasons to protect lands during the planning process.

While we understand that the Ontario Heritage Act (1990) mandates the conservation of resources that have been determined to have archaeological value, we are concerned that the outright deletion of cultural heritage from the definition of the term "significant" in the proposed Provincial Policy Statement marks the beginning of efforts to reduce or eliminate the protection of Indigenous cultural heritage evidence. Any such action would ignore the province's Duty to Consult and violates the spirit of the Truth and Reconciliation Committee (TRC) and its 94 Calls to Action.

Our history and culture have been transmitted orally since time immemorial. The erasure of our civilizations began as soon as the first European reached our shores. As our peoples were forced to assimilate and punished for speaking our own languages, much of our culture was in danger of fading away and being forgotten. Often our ancestors died from disease or neglect caused by assimilation before their stories could be passed down, and many of their graves and communities lie unknown and await rediscovery. Any cultural and archaeological evidence of our past should have increased protection and importance, not less.

As noted in the Truth and Reconciliation Commission's (TRC) final report, "for over a century, the central goals of Canada's Aboriginal policy were to eliminate Aboriginal governments; ignore Aboriginal rights; terminate the Treaties; and, through a process of assimilation, cause Aboriginal peoples to cease to exist as distinct legal, social, cultural,



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religious, and racial entities in Canada.” The TRC report goes on to state that cultural genocide is perpetuated in part by the disruption of families in order “to prevent the transmission of cultural values and identity from one generation to the next.” We were pleased to see the start of efforts to right these historic wrongs through the TRC and its 94 Calls to Action, but Ontario’s plan to ignore the importance of Indigenous cultural heritage feels like step backwards.

We at MSIFN have been making every effort to meet with representatives of the government, and had felt we were making progress in educating them on their Duty to Consult. We acknowledge that Section 4.6.5 of the proposed Provincial Policy Statement continues to require engagement with Indigenous communities, but we feel that this government must make a much greater effort to do so. The act of consultation implies a mutual respect and understanding between us. The act of deliberately ignoring the significance and intrinsic value of our cultural legacy does the opposite.

It is hard to believe that this government could place a higher value for a parking lot over Indigenous heritage, but the removal of cultural and archaeological considerations from the definition of the term “significant” sends a clear message on how little we are valued. I truly hope that was not the intent, and that the language from the 2020 version that includes cultural heritage and archeology resources in the definition of significant will be included in the new Provincial Policy Statement.

Ontario’s Indigenous communities have a deep understanding of the many harms caused by the lack of housing – we live with that reality every day. We agree that more housing is desperately needed. But we also believe that an MZO or regulation change should not trump our Treaty Rights. As well, we believe that there should be a moral duty to honour the past in addition to the constitutional requirement for consultation.

As Chief and on behalf of my people, I call upon Premier Ford to recognize the significance of cultural history and increase the protection of Indigenous heritage in Ontario’s land use planning policies. MSIFN urges the government to reverse this proposed change to the Provincial Policy Statement – and that should only be the start.

Sincerely,

Chief Kelly LaRocca, LL.B  
Mississaugas of Scugog Island First Nation