

## Stage 1 & 2 Archaeological Assessment Report

Part Lots 2 & 3, Concession 1  
Township of Wainfleet  
Regional Municipality of Niagara  
Historic Township of Wainfleet  
Historic County of Niagara South

August 11, 2023

Prepared for: The Proponent

Prepared by: Irvin Heritage Inc.

Archaeological Licensee: Thomas Irvin, P379

PIF#: P379-0596-2023

Related PIF#(s): NA

Version: Original

## EXECUTIVE SUMMARY

Irvin Heritage Inc. was contracted by the proponent to conduct a Stage 1 & 2 Archaeological Assessment in support of a development application for a Study Area which is approximately 0.51 Ha in size. The Stage 1 & 2 Archaeological Assessment report on herein was completed to facilitate a proposed residential development.

The Stage 1 Archaeological Assessment indicated that the Study Area retained archaeological potential. As such, a Stage 2 Archaeological Assessment consisting of a 5 m Test Pit Survey was conducted. The Stage 2 Archaeological Assessment Survey identified no archaeological resources within the Study Area.

Given the results and conclusions of the completed Stage 1 & 2 Archaeological Assessment, the following recommendations are made:

- It is the professional opinion of the archaeological licensee, Thomas Irvin (P379) that the Study Area has been sufficiently assessed and is free of further archaeological concern.
- Notwithstanding the above recommendations, the provided Advice On Compliance With Legislation shall take precedent over any recommendations of this report should deeply buried archaeological resources or human remains be found during any future earthworks within the Study Area.

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Stage 1 & 2 Archaeological Assessment

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**Archaeological Resources Reported On Herein (Bordenized & Non-Bordenized)**

Name	Borden	Affinity	Type	CHVI	Notes
-	-	-	-	-	-

## 1. ASSESSMENT CONTEXT

### 1.1. Development Context

Irvin Heritage Inc. was retained by the proponent to conduct a Stage 1 & 2 Archaeological Assessment of their property (the Study Area) located within Part Lots 2 & 3, Concession 1 Township of Wainfleet, Regional Municipality of Niagara, Historic Township of Wainfleet in the Historic County of Niagara South (Map 1).

The requirement for an Archaeological Assessment was triggered by the Approval Authority in response to a Development Application under the Planning Act for the construction of residential units. The assessment reported on herein was undertaken after direction by the Approval Authority and before formal application submission.

The Stage 1 & 2 Archaeological Assessment reported on was undertaken for the entirety of the 0.51 Ha Study Area. Permission, without limitation, was provided by the proponent to survey, assess, and document the archaeological potential and resources, if present, of the Study Area.

### 1.2. Environmental Setting

The Study Area is irregular in shape, approximately 0.51 Ha in size, and consists of undeveloped bands with tree cover (Maps 2 & 3).

The Study Area is situated within the Great Lakes St. Lawrence Watershed (OMNRF 2023). The southern limit of the Study Area is formed by Lake Erie.

The Study Area is situated within the Haldimand Clay Plain (23) physiographic region of Southern Ontario (Chapman & Putnam 1984).

## 2. HISTORICAL CONTEXT

### 2.1. Treaty History

The following Treaty No. 3 information is provided by the Mississaugas of the Credit First Nation:

*The arrival of Loyalists during and after the American Revolutionary War placed pressure on the British Crown to find lands on which to settle the newcomers. Among the Loyalists were approximately 2000 members of the Six Nations who had lost their homes fighting on behalf of the Crown. Seeking to reward his First Nation allies for their loyalty during the war, Governor Haldimand offered homes to the Six Nations refugees in the remaining British colonies. One group of the Six Nations Loyalists settled at the eastern end of Lake Ontario, while another group, under the leadership of Mohawk Chief Joseph Brant, selected the Grand River Valley as an area for settlement. Recognizing that under the terms of the Royal Proclamation of 1763 the land needed to be purchased from its owners before the resettlement of the Grand River Valley could begin, Col. John Butler was sent to negotiate with the Mississaugas at the western end of Lake Ontario. On May 22, 1784, for the sum of £1180 worth of trade goods, the Mississaugas of the Credit ceded to the Crown approximately 3 000 000 acres of land located between Lakes Huron, Ontario, and Erie. Of those lands, some 550 000 acres were granted to the Six Nations in the Haldimand Proclamation of October 25, 1784, with the remainder to be utilized for the settlement of other Loyalists. The land grant to the Six Nations was to extend six miles on both sides of the Grand River from its mouth to its source. When it was later discovered that the upper limits of the Between the Lakes Treaty were in error due to faulty geographical assumptions, actual boundaries were defined and a confirming document signed by the Mississaugas and the Crown in 1792. Major population centres found within the boundaries of the Between the Lakes Treaty include Hamilton, Cambridge, Waterloo, Guelph, Brantford, and St. Catharines. The present location of the Mississaugas of the New Credit First Nation Reserve is located on Between the Lakes Treaty lands. (MCFN 2023)*

The Study Area is located within the boundaries of the Between the Lakes Treaty No. 3. This treaty was signed on December 7, 1792 by Chiefs and Principle Women of the Mississauga Nation and John Graves Simcoe on behalf of the British Crown. The treaty includes over 3 million acres between Lake Ontario and Lake Erie. It extends along the northeastern shore of Lake Erie to outside of Port Bruce where it shares its western border with the McKee Purchase, London Township Purchase, and Huron Tract Purchase. It extends north to approximately Arthur and then southeast to Indian Point, Burlington. On the east its bordered by the Ajetance Purchase, the Head of the Lake Purchase, and the Brant Tract. The Between the Lakes Treaty is split into two sections with the Haldimand Tract running directly down the middle of the treaty lands just shy of 10km on either side the Grand River (MIA 2023).

The following indigenous history was written and provided by the Mississaugas of the Credit First Nation:

*Prior to European contact, the ancestors of the Mississaugas of the New Credit First Nation occupied the lands north of Lake Superior and the area around Georgian Bay. The Mississaugas lived lightly on the lands they occupied and purposefully moved about the landscape harvesting resources as they became available.*

#### *Mississauga Territory*

*The ancestors of the Mississaugas of the Credit migrated into Southern Ontario by means of military conquest. After the Iroquois had expelled the Huron from Southern Ontario in 1649-50, they continued their attacks northward into the territories occupied by the Mississaugas and their allies. By the end of the 17th century, the Mississaugas and their allies had succeeded in driving the Iroquois back into their homelands south of Lake Ontario. At the conclusion of the conflict, many Mississaugas settled at the eastern end of Lake Ontario; other Mississaugas settled at the western end of the lake with their primary location at the mouth of the Credit River. The Mississaugas of the Credit occupied, controlled and exercised stewardship over approximately 3.9 million acres of lands, waters, and resources in Southern Ontario. Their territory extended from the Rouge River Valley westward across to the headwaters of the Thames River, down to Long Point on Lake Erie and then followed the shoreline of Lake Erie, the Niagara River, and Lake Ontario until arriving back at the Rouge River Valley. From the time of the conquest of New France in 1760, the British Crown recognized the inherent rights of First Nations and their ownership of the lands they occupied. The Royal Proclamation of 1763 confirmed First Nations' sovereignty over their lands and prevented anyone, other than the Crown, from purchasing that land. The Crown, needing First Nations' land for military purposes or for settlement, would first have to purchase it from its Indigenous occupants.*

## 2.2. County History

The Regional Municipality of Niagara was formed in 1970 when the counties within the Niagara Peninsula, Lincoln and Welland, were amalgamated. Lincoln County ran along the south shore of Lake Ontario between Fifty Point and the Niagara River. The County of Welland accounted for the remainder of the lands within the Niagara Peninsula to the south of Lincoln County (Gayler & Jackson 2020).

The areas of Lincoln and Welland were first settled by United Empire Loyalists around the year 1784, though previous settlers were scattered sparsely through the lands. The area did not see administrative infrastructure until the creation of the district system in 1788 which placed it

within the Nassau District (Page 1876). In 1792, it became part of the Home District and Lincoln was formerly defined as a county, however, the townships included within its jurisdiction would fluctuate over the coming decades (Armstrong 1985)(MOGACS 2022). At this time, the administrative centre for all of Upper Canada was placed at Newark, otherwise known as Niagara or Niagara on the Lake as it was later named. Parliament was held at Newark for 4 years before moving to York, now Toronto, which was strategically safer being further from the border (Page 1876). Welland County was set apart from Lincoln County in 1842 (Page 1876). Pennsylvanian Dutch Mennonite settlers arrived in 1799 from the United States of America founding villages in Louth and Clinton Townships. These settlers along with immigrants from Western Europe cleared the land and shaped it into the fruitful agricultural landscape that drove its economy (Jones 1946) (Page 1877). Milling towns emerged around river ways and well travelled trails (Gayler & Jackson 2020). The Underground Railroad had an effect on the settlement of Lincoln and Welland Counties with many Black refugees of American Slavery moving into the area to build new lives (Henry 2020). In the early to mid 19th century Upper Canada saw an influx of Irish immigration due to the need for labour constructing the Welland and subsequent canals. Toward the end of the 1840s and early 1850s the Great Famine in Ireland caused the rate of Irish immigrants in Upper Canada to increase dramatically. This only exasperated the already high tensions surrounding the Irish in Lincoln and Welland Counties (McGowan 2005). The 1850s brought the constructions of rail lines and with them a boost to Lincoln and Welland's agricultural industries. With more access to trade, farms were able to diversify their produce, small communities grew to flourish along rail lines, and tourism along the lakeshores and towards Niagara Falls increased (Gayler & Jackson 2020).

Modernly, the heart of Niagara Region's economy has changed very little since its pioneer beginnings. Agriculture remains the driving force of the economy with fruit and vineyards being the main focus. Tourism has flourished both because of these industries feeding the wine, spirits, and hospitality industries but also the natural formations of the region bring sightseers to its wooded trails, Great Lakes, and Niagara Falls (Gayler & Jackson 2020).

### 2.3. Township History

Wainfleet Township is located on the north shore of Lake Erie at the southwest corner of Niagara Region. It is bordered by Chippawa River to the North, Haldimand County to the west and the Cities of Port Colborne and Welland to the east. The Township was formerly part of Welland County until 1970 when the Regional Municipality of Niagara was formed by amalgamating Lincoln and Welland Counties (Mika & Mika 1983). Wainfleet Township was

initially surveyed in 1788 as part of Lincoln County and named in honour of Wainfleet, England (Wainfleet 2023). Wainfleet Township, much like the rest of the Niagara Peninsula, had been traversed by French fur traders and Jesuits in the 1600s before formal settlement occurred in the late 1700s. These first settlers were united Empire Loyalists, British subjects and Pennsylvanian Dutch farmers still loyal to the British Crown following the Revolutionary War. Many of these settlers arrived prior to formal land surveys and road construction and thus, settled along the north shore of Lake Erie where they had fertile lands and access to travel via Lake Erie. The first known settler of Wainfleet Township was David Morgan who settled at Morgan's Point and subsisted off the corn and potatoes he farmed (Wainfleet 2023). Wainfleet Township was slow to settle due to its swampy nature and difficult to cultivate clay and limestone foundations. Consequently, Wainfleet Township only counted about 72 households or 460 people by 1817 (H.R. Page 1876)(Wainfleet 2023). The completion of both the Welland Canal and a feeder canal through the Township by 1832 made settlement inland more possible and profitable. Additional roads were cut through the difficult to traverse environment and European settlers flooded in almost tripling the 1817 population by 1850. Railways arrived during this period and with them an influx of Irish immigration which doubled this population to a total of 3000 by 1885 (Wainfleet 2023). Agriculture was the primary industry along with limestone quarrying and shipping via both train and ship (Wainfleet 2023). The township of Wainfleet saw a steady stagnation and decline into the 20th century with the opening of the western provinces, war, and ability to travel more freely via automobile the population decreased and the reliance on agriculture diminished (Wainfleet 2023). Modernly, the township has shifted to host a large commuter population and an economic sector devoted to the thriving cottage tourism industry. Agriculture still holds the most prominent place in Wainfleet's economy but the township has become multifaceted as it steadily grows through the 21st century (Wainfleet 2023).

#### 2.4. Local or Community History

The City of Port Colborne as its known today, began with a very small settlement at Gravelly Bay on the shore of Lake Erie (Mika & Mika 1983). In 1835, William H. Merritt, president of the canal company, laid out the heart of the community further north from the shore to facilitate trade on the Welland Canal and it grew quickly around the canal economy (Mika & Mika 1983). Port Colborne was incorporated as a Village in 1870 with a population of 1030 residents into the 1880s tourism by wealthy Americans led to the building of distinct picturesque cottage mansions on the lakefront (Mika & Milk 1983)(Gayler & Jackson 2020). Port Colborne became a Town in 1918 with a population of over 5000 (Mika & Mika 1983). Into the 20th century, flour

trade and refinery remained a massive part of Port Colborne's economy along with nickel and steel production, cement, and manufacturing. In 1964, Port Colborne was annexed from Humberstone Township and in 1970 Humberstone Township was absorbed into the City of Port Colborne within the Regional Municipality of Niagara (Mika & Mika 1983)(Gayler & Jackson 2020). Modernly, Port Colborne has a thriving tourism industry but still centres most of its economy around the canal, construction, manufacturing, and health care with over 60% of its population commuting to work outside of Port Colborne (Statistics Canada 2023).

## 2.5. Study Area History

A review of historical resources resulted in the following data relevant to the Study Area:

### **Map 4: Map of Lincoln & Welland Counties (Tremaine 1862)**

The land containing the Study Area is listed under the ownership of *E. Bush*. There are no structures recorded on or adjacent to the Study Area. A historic road is noted as present within the north limit of the Study Area.

### **Map 5: Map of Lincoln & Welland Counties (Page 1876)**

The land containing the Study Area is listed under the ownership of *E. Bush*. There are no structures recorded within the Study Area, however, a homestead is depicted directly east. A historic road is noted as present within the north limit of the Study Area.

The following should be noted in regard to the review of historic maps:

- Study Area placement within historic maps is only approximate
- Many historic maps were subscriber based, meaning only individuals who paid a fee would have their property details mapped

## 3. ARCHAEOLOGICAL CONTEXT

The Study Area is situated within an overall historic landscape that would have been appropriate for both resource procurement and habitation by both Indigenous and Euro-Canadian peoples.

### 3.1. Registered Archaeological Sites

A search of the Ontario Sites Database conducted on July 28, 2023, using a Study Area centroid of 17T E 639637 N 4748480 indicated that there are 2 registered archaeological sites

## Stage 1 & 2 Archaeological Assessment

within a 1 km radius of the Study Area. None of the registered archaeological sites are within the Study Area nor are any within a 50 m buffer which would suggest encroachment of archaeological resources into the Study Area.

TABLE 1: SITES WITHIN 1 KM

Borden #	Site Name	Time Period	Affinity	Site Type
AfGt-336	Westwood Historic	Post-Contact	Euro-Canadian	Residential
AfGt-346	Sugarloaf Cemetery	Post-Contact	Euro-Canadian	Cemetery

### 3.2. Related and/or Adjacent Archaeological Assessments

A review of Archaeological Assessment reports currently accepted into the provincial register of archaeological reports that have been completed within, directly adjacent too, or detail site excavations within a 50 m buffer of the Study Area resulted in the discovery of no such reports.

### 3.3. Cemeteries & Burials

As per a cursory search conducted on July 28, 2023, there are no known or registered cemeteries or burials within or directly adjacent to the Study Area.

### 3.4. Archaeological Management Plan

There is no active and/or approved Archaeological Management/Master Plan for the area in which the Study Area is located.

### 3.5. Heritage Conservation District

The Study Area is not situated within an existing or proposed Heritage Conservation District (OHT 2023).

### 3.6. Heritage Properties

The Study Area contains no registered or listed heritage properties.

### 3.7. Historic Plaques

There are no historic plaques within a 100 m radius of the Study Area (Ontario Heritage Trust 2023).

### 3.8. Study Area Archaeological Potential

## Stage 1 & 2 Archaeological Assessment

The Study Area retains the following criteria of indicating archaeological potential:

- Registered archaeological sites within 300 m of the Study Area
- Present or past water sources within 300 m of the Study Area,
- Proximity to early historic transportation routes
- Environmental conditions within the Study Area which are conducive to archaeological potential such as elevated topography, pockets of well drained sandy soils, and/or distinctive land formations.
- The Study Area is situated within an area suitable for resource procurement, transit and habitation by both pre-historic and pre-contact Indigenous Peoples.

### 4. STAGE 1 ANALYSIS & CONCLUSIONS

It is clear that the Study Area retains archaeological potential owing to the presence of one or more indicators of archaeological potential (see Section 3.8). Based on this analysis, it is concluded that a Stage 2 Archaeological Assessment is required of the Study Area.

### 5. STAGE 1 ARCHAEOLOGICAL ASSESSMENT RECOMMENDATIONS

- Lands which are not viable to plough must be subject to a test pit survey with the following conditions:
  - ▶ All test pits are to be excavated by hand at 5 m intervals along 5 m transects
  - ▶ Test pits must be excavated to within 1 m of all extant and/or ruined structures when present
  - ▶ All test pits must be 30 cm in diameter and be excavated into the first 5 cm of subsoil
  - ▶ All test pits must be examined for evidence of fill, stratigraphy or cultural features
  - ▶ All excavated soils must be screened through 6 mm wire mesh to facilitate artifact recovery
  - ▶ All artifacts recovered must be retained via their associated test pit
  - ▶ All test pits are to be backfilled unless instructed otherwise by the landowner

### 6. STAGE 2 FIELD METHODOLOGY

Prior to the initiation of fieldwork, the Field Director reviewed the existing Stage 1 archaeological analysis and recommendations; all field staff were then briefed on the archaeological potential of the Study Area. Fieldwork was conducted in July 2023. The weather consisted of light cloud cover or sunny conditions, but at all times the assessment was conducted under appropriate weather conditions.

The assessment began with a visual review of the Study Area conditions.

## Stage 1 & 2 Archaeological Assessment

TABLE 2: DATES & DIRECTORS OF ASSESSMENT

Date	Weather	Field Director(s)	Assistant Field Director(s)
Jul-28-2023	28°C, light cloud cover	D.Jimenez(R1371)	A.Milne

The Study Area was found to consist of a mixture of woodlot, open scrubland and beach. The entirety of the Study Area was subject to a 5 m Test Pit Survey with no archaeological resources being found (Images 1-4). The Test Pit Survey found examples of both disturbed and undisturbed soils, however, the disturbed soils were not concentrated in any specific area and as such did not alter the survey transects nor methodology. The topsoil consisted of a mixture of sand and gravel atop a light yellow subsoil.

The archaeological methodology employed during the Stage 2 Test Pit survey consisted of:

- All test pits were excavated by shovel at 5 m intervals on 5 m transects (unless noted above)
- Test pits were excavated to within 1 m of all structures, both extant and in ruin, when present
- All test pits were 30 cm in diameter and were excavated into the first 5 cm of subsoil
- All test pits must be examined for evidence of fill, stratigraphy or cultural features
- All excavated soils which were of an undisturbed context were screened through 6 mm wire mesh
- All test pits were backfilled

The archaeological survey of the property resulted in the discovery of no archaeological resources.

### 7. STAGE 2 RECORD OF FINDS

The completed archaeological assessment resulted in the creation of various documentary records (Table 3).

TABLE 4: INVENTORY OF STAGE 2 HOLDINGS

Record Type or Item	Details	# of Boxes
Field Notes: P379-0596-2023	Digital Files	-
Photos: P379-0596-2023	Digital Files	-

## 8. STAGE 2 ANALYSIS & CONCLUSIONS

The Study Area, measuring approximately 0.51 Ha in size was subject to a complete archaeological assessment. The Study Area was found to consist of an intermix of disturbed and undisturbed soils. No archaeological resources were noted during the survey.

TABLE 5: SUMMARY OF STAGE 2 ASSESSMENT METHODOLOGIES & FINDINGS

Assessment Method	Findings	Ha	% of Study Area
Archaeological Potential: 5m Test Pit Survey	No Resources	0.51	100.0%
<b>Total</b>		<b>0.51</b>	<b>100</b>

## 9. STAGE 2 RECOMMENDATIONS

Given the results and conclusions of the completed Stage 1 & 2 Archaeological Assessment, the following recommendations are made:

- It is the professional opinion of the archaeological licensee, Thomas Irvin (P379) that the Study Area has been sufficiently assessed and is free of further archaeological concern.
- Notwithstanding the above recommendations, the provided Advice On Compliance With Legislation shall take precedent over any recommendations of this report should deeply buried archaeological resources or human remains be found during any future earthworks within the Study Area.

## 10. ADVICE ON COMPLIANCE WITH LEGISLATION

The Standards and Guidelines for Consultant Archaeologists requires that the following standard statements be provided within all archaeological reports for the benefit of the proponent and approval authority in the land use planning and development process (MTC 2011:126):

This report is submitted to the Minister of Tourism, Culture and Sport as a condition of licensing in accordance with Part VI of the Ontario Heritage Act, R.S.O. 1990, c 0.18. The report is reviewed to ensure that it complies with the standards and guidelines that are issued by the Minister, and that the archaeological fieldwork and report recommendations ensure the conservation, protection and preservation of the cultural heritage of Ontario. When all matters relating to archaeological sites within the project area of a development proposal have been addressed to the satisfaction of the MTCS, a letter will be issued by the ministry stating that there are no further concerns with regard to alterations to archaeological sites by the proposed development.

It is an offence under Sections 48 and 69 of the Ontario Heritage Act for any party other than a licensed archaeologist to make any alteration to a known archaeological site or to remove any artifact or other physical evidence of past human use or activity from the site, until such time as a licensed archaeologist has completed archaeological fieldwork on the site, submitted a report to the Minister stating that the site has no further cultural heritage value or interest, and the report has been filed in the Ontario Public Register of Archaeology Reports referred to in Section 65.1 of the Ontario Heritage Act.

Should previously undocumented archaeological resources be discovered, they may be a new archaeological site and therefore subject to Section 48 (1) of the Ontario Heritage Act. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed consultant archaeologist to carry out archaeological fieldwork, in compliance with Section 48 (1) of the Ontario Heritage Act.

Archaeological sites recommended for further archaeological fieldwork or protection remain subject to Section 48 (1) of the Ontario Heritage Act and may not be altered, or have artifacts removed from them, except by a person holding an archaeological licence.

The Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33 requires that any person discovering human remains must notify the police or coroner and the Registrar of Cemeteries at the Ministry of Consumer Service.

11. IMAGES



Image 1: Field Archaeologist conducting 5 m Test Pit Survey.



Image 2: Field Archaeologist conducting 5 m Test Pit Survey.

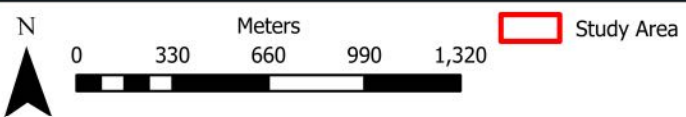
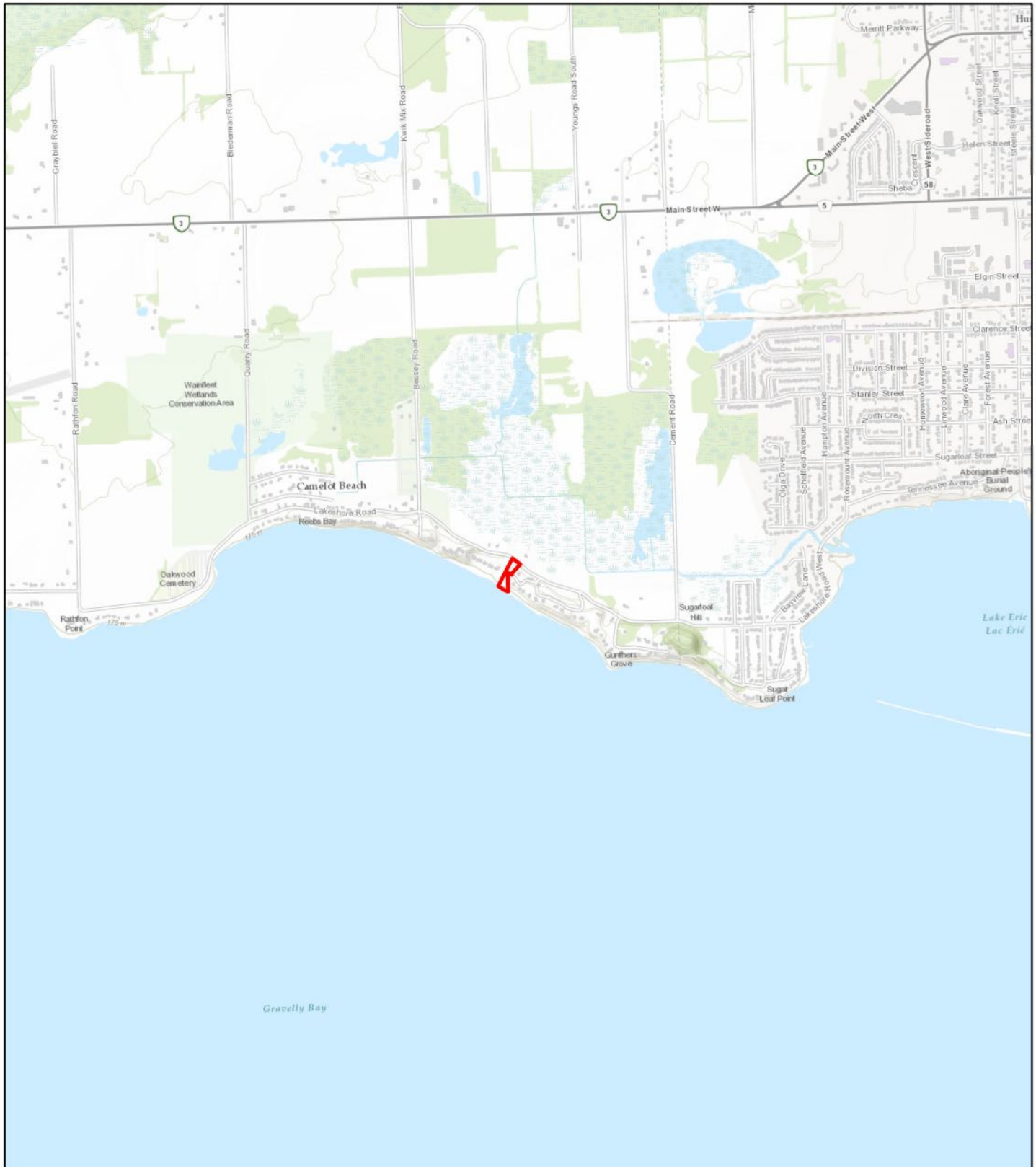


Image 3: Area subject to 5 m Test Pit Survey.



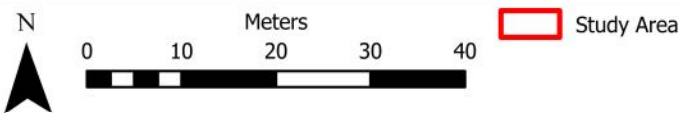
Image 4: Area subject to 5 m Test Pit Survey.

12. MAPS



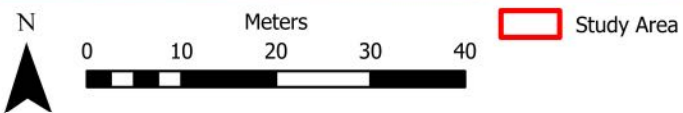
Source: City of Welland, Niagara Region, Regional Municipality of Niagara, Province of Ontario, Ontario MNR, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA, AAFC, NRCan

Map 1: Study Area Location



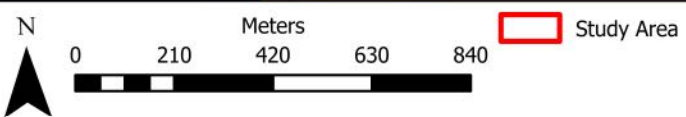
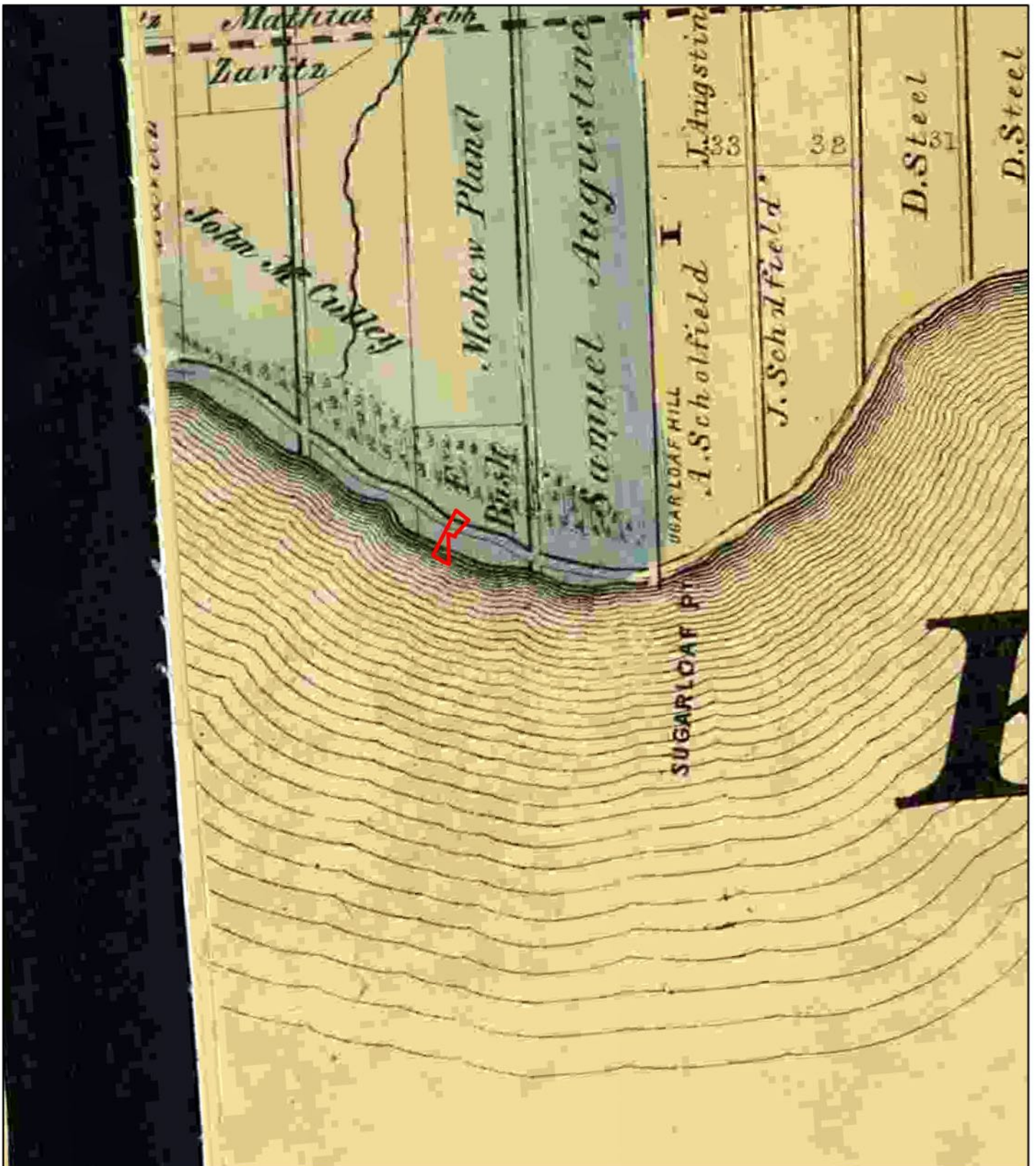
Source: City of Welland, Haldimand County, Niagara Region, Regional Municipality of Niagara, Ontario MNR, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, AAFC, NRCan

Map 2: Study Area Topographic Detail



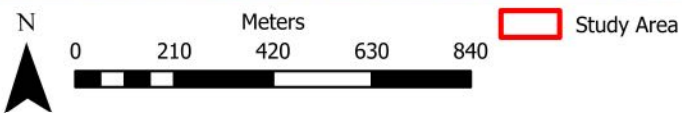
Source: Maxar, Microsoft

Map 3: Study Area Environmental Detail



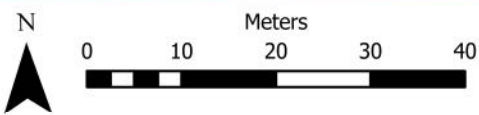
Source: 1862 Tremaine




Map 4: Study Area atop 1862 Map



Source: 1876 Page

Map 5: Study Area atop 1876 Map



-  Study Area
-  5m Test Pit Survey Conducted: No Archaeological Resources
-  Photo # & Direction

Source: Maxar, Microsoft

Map 6: Stage 2 Results of Assessment

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