

**Ministry of Citizenship and Multiculturalism (MCM)**

Archaeology Program Unit  
Heritage Branch  
Citizenship, Inclusion and Heritage Division  
5th Floor, 400 University Ave.  
Toronto ON M7A 2R9  
Tel.: (613) 790-0486  
Email: heather.tulloch@ontario.ca

**Ministère des Affaires civiles et du Multiculturalisme (MCM)**

Unité des programme d'archéologie  
Direction du patrimoine  
Division de la citoyenneté, de l'inclusion et du patrimoine  
5e étage, 400 ave. University  
Toronto ON M7A 2R9  
Tél. : (613) 790-0486  
Email: heather.tulloch@ontario.ca



Dec 28, 2023

John Triggs (P048)  
Triggs Consulting  
731 Celebr Celebration Fort Erie ON L2A 6V8

**RE: Review and Entry into the Ontario Public Register of Archaeological Reports: Archaeological Assessment Report Entitled, "STAGE 2 ARCHAEOLOGICAL ASSESSMENT OF 11210 LAKESHORE ROAD PART OF LOT 12, CONCESSION 1, GEOGRAPHIC TOWNSHIP OF WAINFLEET, WELLAND COUNTY, REGIONAL MUNICIPALITY OF NIAGARA, ONTARIO", Dated Dec 20, 2023, Filed with MCM Toronto Office on Dec 20, 2023, MCM Project Information Form Number P048-0130-2022, MCM File Number 0016130**

Dear Dr. Triggs:

This office has reviewed the above-mentioned report, which has been submitted to this ministry as a condition of licensing in accordance with Part VI of the *Ontario Heritage Act*, R.S.O. 1990, c 0.18.<sup>1</sup> This review has been carried out in order to determine whether the licensed professional consultant archaeologist has met the terms and conditions of their licence, that the licensee assessed the property and documented archaeological resources using a process that accords with the 2011 *Standards and Guidelines for Consultant Archaeologists* set by the ministry, and that the archaeological fieldwork and report recommendations are consistent with the conservation, protection and preservation of the cultural heritage of Ontario.

The report documents the assessment of the study area as depicted in Figures 10, 13, and 15 of the above titled report and recommends the following:

The pedestrian survey of the Study Area was carried out according to the Standards and Guidelines for Consultant Archaeologists, Section 2.1.1.

Standards:

6. Actively or recently cultivated land must be subject to pedestrian survey.
7. Land to be surveyed must be recently ploughed. Use of chisel ploughs is not acceptable. In heavy clay soils ensure furrows are disked after ploughing to break them up further.
8. Land to be surveyed must be weathered by one heavy rainfall or several light rains to improve visibility of archaeological resources.
9. Provide direction to the contractor undertaking the ploughing to plough deep enough to provide total topsoil exposure, but not deeper than previous ploughing.
10. At least 80% of the ploughed ground surface must be visible. If visibility is below 80% (e.g., due to crop stubble, weeds, young crop growth), ensure the land is re-ploughed and weathered before surveying.

Further, the Study Area shown on Figure 15 was assessed by pedestrian survey following the above sections in Standards and Guidelines, as well as standards under sub-sections under 2.1, namely 2.1.6, 2.1.7, 2.1.8, and 2.1.9, all of which concern field methodology. Due to the presence of artifacts, survey intervals were spaced 5 metres apart initially and then reduced to 1 m, or shoulder-to-shoulder coverage.

The assessment documented 194 pieces of debitage in a widely distributed pattern with no evident concentrations and no diagnostic artifacts.

According to the Standards and Guidelines for Consultant Archaeologists, Section 2.2, Determining the requirement for Stage 3 assessment, archaeological resources must have cultural heritage value or interest to meet the definition of artifact or archaeological site under the Ontario Heritage Act. Archaeological resources meeting the criteria below meet these definitions and require a Stage 3 assessment. If archaeological resources do not meet these criteria, they do not have cultural heritage value or interest and/or the cultural heritage value or interest has been sufficiently assessed and documented in Stage 2.

Standard 1, criteria used to determine if a Stage 3 assessment is required are:

- a. precontact diagnostic artifacts or a concentration of artifacts (or both)
  - i within a 10 m by 10 m pedestrian survey area
  - (3) in areas on or west of the Niagara escarpment, at least 10 non-diagnostic artifacts

Under the Ontario Heritage Act, Ontario Regulation 170/04 the definition of an “archaeological site” means any property that contains an artifact or any other physical evidence of past human use or activity that is of cultural heritage value or interest; the definition of an “artifact” means any object, material or substance that is made, modified, used, deposited or affected by human action and is of cultural heritage value or interest;

<https://www.canlii.org/en/on/laws/regu/o-reg-170-04/latest/o-reg-170-04.html>

Based on the above, it is recommended that the entire Study Area, as shown on Figure 13 be cleared of further archaeological concern. The findings do not meet the criteria for a Stage 3 assessment, and it is the opinion of the license holder that the Study Area has been sufficiently assessed for Cultural Heritage Value or Interest in the Stage 2 assessment.

A concentration of artifacts found on the western edge of the area assessed is attributed to the registered site AfGu-56, (Findspot 5) assessed by ARA in 1990 (see Figures 11, 12). This site is situated beyond the limits of the current Study Area. In this location a concentration of non-diagnostic artifacts and 2 preforms were mapped and are shown on Figure 13. Recommendations are that this area has CHVI and should be subject to a Stage 3 assessment according to the Standards and Guidelines (Section 3.2.2) if any future development will impact the area outlined on Figure 13.

Excepting a couple of pieces of undiagnostic debitage no further evidence was found of the other site registered by ARA in 1990 as Findspot 1 (AfGu-53) (see Figures 11, 12). Recommendations are that the area mapped as Findspot 1 does not have CHVI and should be cleared of any further archaeological concern. The area has been surveyed extensively on 1 metre transects during this assessment and no further evidence of the site registered as AfGu-53 was found.

#### Additional Comments

Should development occur outside the project area shown on Figure 13 these areas would require an additional Stage 2 Archaeological Assessment.

Based on the information contained in the report, the ministry is satisfied that the fieldwork and reporting for the archaeological assessment are consistent with the ministry's 2011 *Standards and Guidelines for Consultant Archaeologists* and the terms and conditions for archaeological licences. This report has been entered into the Ontario Public Register of Archaeological Reports. Please note that the ministry makes no

representation or warranty as to the completeness, accuracy or quality of reports in the register.

Should you require any further information regarding this matter, please feel free to contact me.

Sincerely,

Heather Tulloch  
Archaeology Review Officer

cc. Archaeology Licensing Officer  
Jason Krtek, MoveRight Real Estate  
Jason Krtek, MoveRight Real Estate

<sup>1</sup> *In no way will the ministry be liable for any harm, damages, costs, expenses, losses, claims or actions that may result: (a) if the Report(s) or its recommendations are discovered to be inaccurate, incomplete, misleading or fraudulent; or (b) from the issuance of this letter. Further measures may need to be taken in the event that additional artifacts or archaeological sites are identified or the Report(s) is otherwise found to be inaccurate, incomplete, misleading or fraudulent.*