

Ministry of Tourism, Culture and Sport

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Ministère du Tourisme, de la Culture et du Sport

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Jun 21, 2016

Shaun Austin (P141)
AMEC Earth & Environmental
1 - 505 Woodward Hamilton ON L8H 6N6

RE: Review and Entry into the Ontario Public Register of Archaeological Reports: Archaeological Assessment Report Entitled, "REVISED REPORT: STAGE 1 & 2 ARCHAEOLOGICAL ASSESSMENT THUNDERING WATERS SECONDARY PLAN, LOT 214 AND PART LOTS 195, 196, 197, 212, 213, 215 AND 216, TOWNSHIP OF STAMFORD, COUNTY OF WELLAND, NOW LOCATED IN THE CITY OF NIAGARA FALLS, ONTARIO ", Dated May 27, 2016, Filed with MTCS Toronto Office on Jun 8, 2016, MTCS Project Information Form Number P141-0239-2015, MTCS File Number 0005003

Dear Dr. Austin:

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 0.18.¹ 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 Figure 9a and Figure 13 of the above titled report and recommends the following:

In light of the Stage 1 and 2 assessment results, the following recommendations are made, subject to the advice on compliance with legislation contained in Section 5.0:

- 1) If Site AgGs-387 cannot be avoided and protected, Stage 3 assessment should be conducted in compliance with the MTCS Standards and Guidelines for Consultant Archaeologists (2011). As this is a small post-contact site where it is not yet evident that the level of cultural heritage value or interest will result in the recommendation to proceed to Stage 4 mitigation, the Stage 3 assessment should consist of 1x1 m units placed in a 5 m grid around the foundation ruins with an additional 20% of the grid total excavated in areas of interest within the site extent.
- 2) Until the Stage 3 assessment is carried out, any future development related activities on the property must respect a 20-m radius buffer of no disturbance around the positive Stage 2 test pits, test unit and foundation ruins as noted on Figure 13, Section 1, Supplementary Documentation. Prior to any development activities, the 20-m radius zone should be enclosed by fencing and no-go orders issued for

machinery and people inside the fencing. The installation of the protective fencing should be monitored by a licensed archeologist to ensure the protection of Site AgGs-387. A licensed archaeologist should also visit the site area at the outset of construction activities, during construction and after construction is completed in order to document the effectiveness of the avoidance and protection measures for Site AgGs-387.

In addition, a 50-m monitoring zone should be respected around the 20-m protective zone as noted on Figure 13, Section 1, Supplementary Documentation. Any future invasive activities with the 50-m zone must be monitored by a licensed archaeologist.

The proponent has provided a letter (Section 3, Supplementary Documentation) referencing the above Stage 3 recommendations and site protection strategies and committing to implement these measures during any future ground alterations. The proponent specifically commits in their letter to respect the requirements of the site protection and monitoring zones as shown on Figure 13, Section 1, Supplementary Documentation.

3) The remainder of the developable portion of the property does not require further archaeological assessment.

The above recommendations are subject to Ministry of Tourism, Culture and Sport approval, and it is an offence to alter any of the study area without Ministry of Tourism, Culture, and Sport concurrence.

No grading or other activity that may result in the destruction or disturbance to the study area is permitted until notice of Ministry of Tourism, Culture, and Sport approval has been received.

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,

John Dunlop
Archaeology Review Officer

cc. Archaeology Licensing Officer
Lorelei Jones, Macaulay Shiomi Howson Ltd.
Helen Chang, GR (CAN) Investments Co., Ltd.
Alex Herlovitch, City of Niagara Falls Planning Division

¹In 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.