



ARCHAEOLOGY | HERITAGE | OUTREACH | CONSERVATION

**Stage 1 Archaeological Assessment
6179 Lundy's Lane
Lots 9 and 10, Registered Plan 653
City of Niagara Falls
Regional Municipality of Niagara
Part of Lot 130
Geographic Township of Stamford
Former Welland County, Ontario**

Prepared for
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EXECUTIVE SUMMARY

Under a contract awarded in December 2022, Archaeological Research Associates Ltd. carried out a Stage 1 assessment of lands with the potential to be impacted by the construction of a mixed-use building at 6179 Lundy's Lane in the City of Niagara Falls, Regional Municipality of Niagara, Ontario. The project involves the construction of a 9-storey mixed-use building featuring retail establishments on the ground floor and 120 residential units above grade. Amenities of the building include an underground parking facility with 140 spaces, 15 spaces of at grade visitor parking, a driveway and a small park. The assessment was carried out in support of a Site Plan application and was triggered by the requirements set out in Section 2.6 of the Provincial Policy Statement, 2020 issued under Section 3 of the *Planning Act*. This report documents the background research and potential modelling involved in the investigation and presents conclusions and recommendations pertaining to archaeological concerns.

The Stage 1 assessment was conducted in January and February 2024 under Project Information Form #P1146-0025-2024. The investigation encompassed the entire study area. Legal permission to enter and conduct all necessary fieldwork activities within the assessed lands was granted by the property owner. At the time of assessment, the study area consisted of a two-storey hotel and asphalt parking lot, with areas of maintained lawns with scattered trees.

The Stage 1 assessment determined that the study area comprised a mixture of areas of archaeological potential and areas of no archaeological potential. It is recommended that all identified areas of archaeological potential that could be impacted by the project be subject to a Stage 2 property assessment in accordance with Section 2.1 of the 2011 *Standards and Guidelines for Consultant Archaeologists*. Given that the areas of archaeological potential consist of both upper layers and lower layers, it is recommended that both test pit survey and deeply buried survey methods be utilized to complete the assessment.

The identified areas of no archaeological potential do not require any additional assessment. Given that there are outstanding archaeological concerns within the study area, no ground alterations or development of any kind may occur until the required investigation is complete, a recommendation that the lands require no further archaeological assessment is made, and the associated report is entered into the Ontario Public Register of Archaeological Reports.

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ABBREVIATIONS

ARA – Archaeological Research Associates Ltd.
MCM – Ministry of Citizenship and Multiculturalism
PIF – Project Information Form
S&Gs – Standards and Guidelines for Consultant Archaeologists

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1.0 PROJECT CONTEXT

1.1 Development Context

Under a contract awarded in December 2022, Archaeological Research Associates Ltd. (ARA) carried out a Stage 1 assessment of lands with the potential to be impacted by the construction of a mixed-use building at 6179 Lundy's Lane in the City of Niagara Falls, Regional Municipality of Niagara, Ontario. The project involves the construction of a 9-storey mixed-use building featuring retail establishments on the ground floor and 120 residential units above grade. Amenities of the building include an underground parking facility with 140 spaces, 15 spaces of at grade visitor parking, a driveway and a small park. The assessment was carried out in support of a Site Plan application and was triggered by the requirements set out in Section 2.6 of the Provincial Policy Statement, 2020 issued under Section 3 of the *Planning Act*. This report documents the background research and potential modelling involved in the investigation and presents conclusions and recommendations pertaining to archaeological concerns.

The study area consists of a rectilinear parcel of land with an area of 0.32 ha (Map 1). This parcel is generally bounded by residential properties to the north, a commercial plaza to the west, Lundy's Lane to the south and Fralick's Tavern/Battleground Hotel Museum and Battlefield Park to the east. Fralick's Tavern/Battleground Hotel Museum and Battlefield Park have heritage recognition by various municipal, provincial, and national agencies (the City of Niagara Falls, the Ontario Heritage Trust, and Parks Canada). In legal terms, the study area falls on part of Lot 130 in the Geographic Township of Stamford, Former Welland County. In legal terms, the study area comprises Lots 9 and 10, Registered Plan 653, which falls on part of Lot 130 in the Geographic Township of Stamford, Former Welland County. The Crown obtained these lands as part of the Niagara Purchase (Treaty 381) in 1781. The Mississaugas of the Credit First Nation refer to this purchase as the Mississaugas Treaty at Niagara.

The Stage 1 assessment was conducted in January and February 2024 under Project Information Form (PIF) #P1146-0025-2024. The investigation encompassed the entire study area. Legal permission to enter and conduct all necessary fieldwork activities within the assessed lands was granted by the property owner. As set out in Section 1.0 of the 2011 *Standards and Guidelines for Consultant Archaeologists (S&Gs)*, the investigation was carried out to achieve the following objectives:

- Provide information about geography, history and current land conditions;
- Determine whether any previous archaeological fieldwork has been completed;
- Evaluate in detail the study area's archaeological potential; and
- Recommend appropriate strategies for Stage 2 assessment, if necessary.

The Ministry of Citizenship and Multiculturalism (MCM) is asked to review the results and recommendations presented herein and enter the report into the Ontario Public Register of Archaeological Reports. A Record of Indigenous Engagement is included in the project report package in accordance with the requirements set out in Section 7.6.2 of the 2011 *S&Gs*. The additional directions provided in the 2018 *Mississaugas of the Credit First Nation Standards and Guidelines for Archaeology* were considered throughout the investigation.

1.2 Historical Context

After a century of archaeological work in southern Ontario, scholarly understanding of the historical usage of the area has become very well-developed. With occupation beginning in the Palaeo period approximately 11,000 years ago, the greater vicinity of the study area comprises a complex chronology of Indigenous and Euro-Canadian histories. Section 1.2.1 summarizes the region's settlement history, whereas Section 1.2.2 documents past and present land uses. Multiple previous archaeological reports containing relevant background information were identified during the research component of the study. These reports are summarized in Section 1.3.3, and the references (including title, author and PIF number) appear in Section 7.0.

1.2.1 Settlement History

1.2.1.1 Pre-Contact

The Pre-Contact history of the region is lengthy and rich, and a variety of Indigenous groups inhabited the landscape. Archaeologists generally divide this vibrant history into three main periods: Palaeo, Archaic and Woodland. Each of these periods comprise a range of discrete sub-periods characterized by identifiable trends in material culture and settlement patterns, which are used to interpret past lifeways. The principal characteristics of these sub-periods are summarized in Table 1.

Table 1: Pre-Contact Settlement History
(Wright 1972; Ellis and Ferris 1990; Warrick 2000; Munson and Jamieson 2013)

Sub-Period	Timeframe	Characteristics
Early Palaeo	9000–8400 BC	Gainey, Barnes and Crowfield traditions; Small bands; Mobile hunters and gatherers; Utilization of seasonal resources and large territories; Fluted points
Late Palaeo	8400–7500 BC	Holcombe, Hi-Lo and Lanceolate biface traditions; Continuing mobility; Campsite/Way-Station sites; Smaller territories are utilized; Non-fluted points
Early Archaic	7500–6000 BC	Side-Notched, Corner-Notched (Nettling, Thebes) and Bifurcate traditions; Growing diversity of stone tool types; Heavy woodworking tools appear (e.g., ground stone axes and chisels)
Middle Archaic	6000–2500 BC	Stemmed (Kirk, Stanly/Neville), Brewerton Side- and Corner-Notched traditions; Reliance on local resources; Populations increasing; More ritual activities; Fully ground and polished tools; Net-sinkers common; Earliest copper tools
Late Archaic	2500–900 BC	Narrow Point (Lamoka), Broad Point (Genesee) and Small Point (Crawford Knoll) traditions; Less mobility; Use of fish-weirs; True cemeteries appear; Stone pipes emerge; Long-distance trade (marine shells and galena)
Early Woodland	900–400 BC	Meadowood tradition; Crude cord-roughened ceramics emerge; Meadowood cache blades and side-notched points; Bands of up to 35 people
Middle Woodland	400 BC–AD 600	Local Saugeen-like tradition; Others argue for Point Peninsula tradition; Ceramics continue but many are undecorated; Seasonal settlements and resource utilization; Each watershed may have had a unique tradition; Regional patterns poorly understood at this time
Middle/Late Woodland Transition	AD 600–900	Princess Point tradition; Cord roughening, impressed lines and punctate designs on pottery; Adoption of maize horticulture at the western end of Lake Ontario; Oval houses and 'incipient' longhouses; First palisades; Villages with 75 people

Sub-Period	Timeframe	Characteristics
Late Woodland	AD 900–1600	Area occupied by Algonquian-speaking Anishinaabeg and Iroquoian-speaking peoples such as the Pre-Contact Neutral; Early focus on the latter linguistic group identified Glen Meyer, Uren, Middleport and later traditions and tended to emphasize a linear 'Iroquoian' developmental sequence; There was likely a close interaction sphere between the two groups, which may have resulted in shared material culture traditions; Pre-Contact Neutral associated with large villages; Some up to 5 ha with 2,500 people; Extensive croplands; Also hamlets, cabins, camps and cemeteries; Fur trade begins ca. 1580; European trade goods appear

1.2.1.2 Post-Contact

The arrival of European explorers and traders at the beginning of the 17th century triggered widespread shifts in Indigenous lifeways and set the stage for the ensuing Euro-Canadian settlement process. Documentation for this period is abundant, ranging from the first sketches of Upper Canada and the written accounts of early explorers to detailed township maps and lengthy histories. The Post-Contact period can be effectively discussed in terms of major historical events, and the principal characteristics associated with these events are summarized in Table 2.

Table 2: Post-Contact Settlement History
(Smith 1846; Coyne 1895; Lajeunesse 1960; Ellis and Ferris 1990; Surtees 1994; Hammerburg 2008; AO 2024; NFI 2024)

Historical Event	Timeframe	Characteristics
Early Exploration	Early 17 th century	Brûlé explores southern Ontario in 1610/11; Champlain travels through in 1613 and 1615/1616, making contact with a number of Indigenous groups (including the Algonquin, Huron-Wendat and other First Nations); European trade goods become increasingly common and begin to put pressure on traditional industries
Increased Contact and Conflict	Mid- to late 17 th century	Conflicts between various First Nations during the Beaver Wars result in numerous population shifts; European explorers continue to document the area, and many Indigenous groups trade directly with the French and English; 'The Great Peace of Montreal' treaty established between roughly 39 different First Nations and New France in 1701
Fur Trade Development	Early to mid-18 th century	Growth and spread of the fur trade; Peace between the French and English with the Treaty of Utrecht in 1713; Ethnogenesis of the Métis; Hostilities between French and British lead to the Seven Years' War in 1754; French surrender in 1760
British Control	Mid- to late 18 th century	<i>Royal Proclamation</i> of 1763 recognizes the title of the First Nations to the land; Numerous treaties subsequently arranged by the Crown; First land cession under the new protocols is the Seneca surrender of the west side of the Niagara River in 1764; The Niagara Purchase (Treaty 381) in 1781 included this area and provided a 6.4 km wide strip of land along the Niagara River for settlement
Loyalist Influx	Late 18 th century	United Empire Loyalist influx during and after the American Revolutionary War (1775–1783); British develop interior communication routes and acquire additional lands; Between the Lakes Purchase completed with the Mississaugas in 1784 and confirmed in 1792 (Treaty 3); <i>Constitutional Act</i> of 1791 creates Upper and Lower Canada
County Development	Early to mid-19 th century	Became part of Lincoln County's 'Third Riding' in 1792; Became part of the Niagara District in 1798; Welland Canal was a major feature, conceived by W.H. Merritt and opened in 1829; Welland County formed from the southeastern part of Lincoln County in 1845; Independent after the abolition of the district system in 1849

Historical Event	Timeframe	Characteristics
Township Formation	Late 18 th to early 19 th century	Township was first allotted to approximately 12 families, and the earliest settlers included the Cooks and the Durhams from New Jersey in 1776; Philip George Bender and his family became the first settlers near Niagara Falls in 1782; Other members of Col. John Butler's Rangers and United Empire Loyalists arrived in 1784; The township was formerly called Mount Dorchester or Township No. 2, as it was the second township surveyed after Niagara; Philip Frey conducted the township survey in 1787, and Simcoe renamed it 'Stamford'
Township Development	Mid-19 th to early 20 th century	By the mid-19 th century, Stamford had a population of 2,636 comprising a mixture of Canadians, English, Irish, Scottish and Americans; Approximately 8,923 ha taken up in the township by 1846, 4,574 ha of which were under cultivation; Three grist mills in operation at that time; Traversed by the Great Western Railway (1853), the Erie & Ontario Railway (1854), the Great Western Railway's Canada Air Line (1873); the Canada Southern Railway's Montrose Branch (1883) and the St. Catharines & Niagara Central Railway (1887); Principal communities at Stamford, Clifton and Drummondville

1.2.2 Past and Present Land Use

1.2.2.1 Overview

During Pre-Contact and Early Contact times, the vicinity of the study area would have comprised a mixture of coniferous trees, deciduous trees and open areas. Indigenous communities actively utilized the land and its resources well into Post-Contact times, and they would have managed the landscape to varying degrees (e.g., establishing clearings for campsites, plant cultivation, etc.). During the late 18th and early 19th century, Euro-Canadian settlers arrived in the area and began to clear the forests for agricultural and settlement purposes. The study area was located within the historical limits of the Town of Niagara.

Examinations of early mapping and aerial imagery were carried out to provide a general framework for reconstructing the Euro-Canadian settlement history of the study area. Detailed documentary research of the land use and occupation history specific to the Battle of Lundy's Lane and the adjacent Battlefield Park was previously conducted, and the results are summarized below (ARA 2024). The land use at the time of assessment can be classified as a mixture of commercial and recreational.

1.2.2.2 Mapping and Imagery Analysis

In order to gain a general understanding of the study area's past land uses, three early plans, two historical settlement maps, three topographic maps and four aerial images were examined during the research component of the study. Specifically, the following resources were consulted:

- *Plan of Part of the Niagara Frontier* (1814) (BU 2024);
- *Plan of the Military Reserve at the Falls of Niagara* (1834) (BU 2024);
- *Sketch of the Niagara District* (1817) (BU 2024);
- *Tremaines' Map of the Counties of Lincoln and Welland, Canada West* (1862) (OHCMP 2019);
- *Illustrated Historical Atlas of the Counties of Lincoln & Welland, Ont.* (1876) (MU 2001);
- Topographic maps from 1906, 1915 and 1938 (OCUL 2024); and

- Aerial images from 1934, 1954, 1965 and 1968 (BU 2024).

The limits of the study area are shown on georeferenced versions of the consulted historical resources in Map 2–Map 10.

The *Plan of Part of the Niagara Frontier* (1814) indicates the study area consisted of cleared agricultural fields on the north side of the historic transportation corridor of Lundy's Lane. The mapping depicts the study area within the larger Battle of Lundy's Lane, and indicates that during the battle, British reinforcements were positioned in a line traversing the centre (Map 2).

The *Plan of the Military Reserve at the Falls of Niagara* (1834) continues to depict the study area as cleared land, with structures belonging to the early community of Drummondville to the southeast and numerous structures located to the south and east along Lundy's Lane and Drummond Road (Map 3). The *Sketch of Niagara District* (1840) shows the study area in relation to the "Battle Ground Inn" to the east which likely representing the structure associated with "Fralick's Tavern" though no structures are shown within the study area (Map 4).

Tremaines' Map of the Counties of Lincoln and Welland, Canada West (1862) provides a detailed view of the study area within the growing community of Drummondville. The study area is illustrated as an undeveloped portion of a property owned by John Latshaw (Map 5). The *Illustrated Historical Atlas of the Counties of Lincoln & Welland, Ont.* (1876) depicts the study area as traversing two subdivided lots, with Fralick's Tavern (labelled as "Pagoda - W.L. Fralick") located immediately to the east (Map 6).

The topographic map from 1906 shows a structure within the southern portion of the study area, adjacent to Lundy's Lane, with the northern half continuing to be illustrated as cleared with no structures depicted (Map 7). Topographic mapping from 1915 and 1938 shows the study area and the properties in its immediate vicinity as being largely unchanged from the 1906 mapping (Map 8–Map 9).

Aerial imagery from 1934 and 1954 shows that the study area contained two residential structures fronting Lundy's Lane, with the northern portion consisting of a predominately open area with scattered trees throughout (Map 10). The aerial images from 1965 and 1968 show that a hotel and parking lot had been constructed within the western portion of the study area, along with a residence in the southeast with the remainder in the northeast remaining undeveloped.

1.2.2.3 Additional Historical Documentation

Detailed documentary research pertaining the Battle of Lundy's Lane and Battlefield Park was previously completed as part of a *Heritage Impact Assessment* (ARA 2024; Parks Canada 2024). This research demonstrated that the site of the Battle of Lundy's Lane was recognized as a National Historic Site in 1937 and it was designated because it was the site of the bloodiest battle of the War of 1812 in which the American forces failed to defeat the British, which in turn ended the American offensive in Upper Canada (ARA 2024:16). A monument to the battle was erected in 1895 within what is now Battlefield Park, and three tablets were fixed to the monument in 1935 that list the names of the British Army and Canadian militia killed during the engagement. The following is a brief summary of the battle:

In the summer of 1814, American forces crossed the Niagara River at Fort Erie to invade Upper Canada. Advancing northward along the Niagara River, they had initial success, defeating a British force at the Battle of Chippawa. The British under Sir Gordon Drummond regrouped and on the evening of 25 July, on Lundy's Lane almost within sight of Niagara Falls, the British regulars and Canadian fencibles and militia were attacked by the American forces. Throughout the evening the two armies attacked each other and the battle surged back and forth, especially around the field guns in what is now the Drummond Hill Cemetery. Both sides suffered heavy casualties but by midnight the Americans retired leaving the exhausted British and Canadians holding the field. The Battle of Lundy's Lane was the bloodiest and bitterest contest of the War of 1812 and it broke the American thrust in 1814 to take Upper Canada (Parks Canada 2024)

The adjacent property at 6137/6151 Lundy's Lane became subject to a Heritage Trust Easement in 1996 as it contains the Battle Ground Hotel Museum which was constructed in 1836 (originally Fralick's Tavern) and has been restored in 2001 to its ca. 1850 appearance (ARA 2024:16). In 1996, Fralick's Inn was donated to the City of Niagara Falls and incorporated into the Battlefield Park grounds and is currently used as the Battle Ground Hotel Museum.

1.3 Archaeological Context

The Stage 1 assessment was conducted on January 29 and February 9, 2024 under PIF #P1146-0025-2024. ARA utilized an Apple iPhone 12 with a built-in GPS/GNSS receiver during the investigation (UTM17/NAD83). The limits of the study area were confirmed using project-specific GIS data translated into GPS points for reference in the field, in combination with aerial imagery showing physical features in relation to the subject lands.

The archaeological context of any given study area must be informed by 1) the condition of the property as found (Section 1.3.1), 2) a summary of registered or known archaeological sites located within a minimum 1 km radius (Section 1.3.2) and 3) descriptions of previous archaeological fieldwork carried out within the limits of, or immediately adjacent to the property (Section 1.3.3).

1.3.1 Condition of the Property

The study area lies within the deciduous forest, which is the southernmost forest region in Ontario and is dominated by agricultural and urban areas. This region is characterized by scattered woodlots in areas unsuitable for agriculture, and the forest generally has the greatest diversity of tree species while at the same time having the lowest proportion of cover. It has most of the trees and shrubs found in the Great Lakes–St. Lawrence forest and also contains black walnut, butternut, tulip, magnolia, black gum, many types of oaks, hickories, sassafras and red bud (MNR 2024).

In terms of local physiography, the subject lands fall within the Haldimand Clay Plain. This region occupies all of the Niagara Peninsula above the escarpment and covers an area of roughly 3,500 km². The plain itself consists of a series of parallel clay belts deposited during the time of proglacial Lake Warren. Although this area was once completely submerged, the till is not completely buried by stratified clay and it comes to the surface on low morainic ridges in the north

(Chapman and Putnam 1984:156–159). The soils within the study area were not classified during the Ontario Soil Survey due to past urban development (Kingston and Present 1989:Map 7).

The subject lands fall within the Chippawa Power Canal drainage basin, which is under the jurisdiction of the Niagara Peninsula Conservation Authority (NPCA 2024). Specifically, the study area is located 1.1 km southeast of the Welland Canal and 1.8 km northwest of the Niagara River. At the time of assessment, the study area consisted of the Highlander Inn, a two-storey hotel throughout the western portion of the study area, with an asphalt parking lot and maintained lawns comprising the eastern and northern portions of the property. Soil conditions were ideal for the activities conducted. No unusual physical features were encountered affected fieldwork strategy decisions or the identification of artifacts or cultural features (e.g., dense root mats, boulders, rubble, etc.).

1.3.2 Registered or Known Archaeological Sites

The Ontario Archaeological Sites Database and the Ontario Public Register of Archaeological Reports were consulted to determine whether any registered or known archaeological resources occur within a 1 km radius of the study area. The available search facility returned seven registered sites located within at least a 1 km radius (the facility returns sites in a rectangular area, rather than a radius, potentially resulting in results beyond the specified distance). No unregistered sites were identified within a 1 km radius of the study area. The sites are summarized in Table 3.

Table 3: Registered or Known Archaeological Sites

Borden No. / ID No.	Site Name / Identifier	Time Period	Affinity	Site Type	Distance from Study Area
AgGs-108	Lundy's Lane	Post-Contact	Euro-Canadian	Tavern/restaurant, battlesite	>50 m
AgGs-109	Drummond Hill Cemetery	Pre-Contact, Post-Contact	Indigenous, Euro-Canadian	battlesite, cemetery, findspot	50 m–300 m
AgGs-203	Roaring River	Archaic, Early, Archaic, Middle	Indigenous	Scatter	> 1 km
AgGs-377	Barker Lundy	Pre-Contact, Post-Contact	Indigenous, Euro-Canadian	Unknown	50 m–300 m
AgGs-405	Allendale Avenue	Pre-Contact	Indigenous	Scatter	300 m–1 km
AgGs-407	-	Archaic, Early, Woodland, Post-Contact	Indigenous, Euro-Canadian	Refuse, camp / campsite	300 m–1 km
AgGs-408	Buchner Place	Post-Contact	Euro-Canadian	Homestead	50 m–300 m

Lundy's Lane (AgGs-108) falls within 50 m of the study area. As a relevant archaeological resource that could impact fieldwork strategy decisions and recommendations, this site is fully discussed in Section 1.3.3. The Drummond Hill Cemetery (AgGs-109), Barker Lundy (AgGs-337) and Buchner Place (AgGs-408) sites are located within 300 m of the study area; however, and must be considered as relevant features of archaeological potential. The remaining sites represent more distant archaeological resources.

1.3.3 Previous Archaeological Work

A review of available archaeological management plans and/or other archaeological potential mapping was undertaken to inform the assessment process. Specifically, the Regional Municipality of Niagara's *Archaeological Management Plan* was examined for information that could influence the choice of fieldwork techniques or recommendations. The associated mapping indicates that the entire study area does not have archaeological potential (Map 11).

Reports documenting assessments conducted within the subject lands and assessments that resulted in the discovery of sites within adjacent lands were also sought during the research component of the study. In order to ensure that all relevant past work was identified, an investigation was launched to identify reports involving assessments within 50 m of the study area. The investigation determined that there are multiple available reports documenting previous archaeological fieldwork within the specified distance. The relevant results and recommendations are summarized below as required by Section 7.5.8 Standards 4–5 of the 2011 *S&Gs* (Map 12).

1.3.3.1 Lundy's Lane Management Plan (Stage 1–2)

In August 1997, the equivalent of Stage 1 and 2 assessments were carried out as a component of the Lundy's Lane Management Plan under Licence #97-17 (ASI 1998). One of the assessed areas abuts the eastern edge of the study area (behind Fralick's Tavern) within the Battlefield Park ground. The remaining are located within 300 m of the study area within a portion of the Drummond Hill Cemetery as well as within Battlefield Park. The investigation resulted in the discovery of four locations of archaeological materials, including what would become AgGs-108 and AgGs-109 (SD Map 1). The sites were found to have further cultural heritage value or interest and were recommended for avoidance and protections (ASI 1998:21).

Between December 2001 and July 2002, archaeological monitoring and a Stage 2 assessment were conducted for improvements to the Fralick Tavern property PIF 2001-025-032 (ASI 2002). The archaeological monitoring did not result in location of any archaeological materials; however, the Stage 2 assessment did result in the recovery of material associated with AgGs-108 and additional work was recommended (ASI 2006:5–6). Additional monitoring was conducted in December 2005 for a pathway east of Fralick's Tavern within Battlefield Park (No PIF) (ASI 2005). The assessed area also falls within 50 m of the study area. No archaeological were found and the assessed area was not recommended for further work (ASI 2005:13–14).

Archaeological monitoring and a Stage 2 assessment were conducted in September and November 2006 for the drilling of fence posts and the installation of a walkway within areas adjacent to Fralick's Tavern under PIF #P141-063-2006 (ASI 2009). The assessed area also abuts the eastern edge of the study area. The monitoring produced artifacts from the early 19th century and mid-to-late 19th century though none were found to be of further CHVI. The Stage 2 assessment of the proposed walkway produced artifacts from the mid-19th and 20th centuries, though it was determined that these had been redeposited from their original context and were found to be of no further CHVI. The assessed areas were not recommended for further work (ASI 2009: 15–16).

1.3.3.2 Battle-Ground Hotel Restoration (Stage 1–3)

Between October and December 2000, Stage 1–3 assessments and monitoring were conducted as part of the restoration of Battle-Ground Hotel (Fralick's Tavern) under PIF #P2000-088-002 (JKJHRC 2003). The assessed area abuts the eastern edge of the study area. The investigation resulted in the re-identification of the Lundy's Lane site (AgGg-108). A total of 4,208 artifacts and other remains were collected, including debris related to past renovations to the Battle-Ground Hotel and a wide variety of other finds from the mid- to late 19th century and early 20th century. However, two fragments of military accoutrements were recovered that were identified as being associated with the Battle of Lundy's Lane. The site was found to have further CHVI and it was recommended that the site be subject to additional archaeological monitoring if future in ground work was contemplated (JKJHRC 2003:44).

1.3.3.3 Drummond Road Phase 2 (Stage 1)

A Stage 1 assessment was completed in December 2009 for Phase 2 of the Drummond Road Detail Design between Lundy's Lane to McLeod Road under PIF #P057-591-2009 (ASI 2010). The assessed area abuts the southern edge of the study area and overlaps the southeast corner. The assessment determined that the Lundy's Lane right-of-way (ROW) had been extensively disturbed by previous construction activities and had no archaeological potential. It was recommended that the assessed area required no additional assessment and that a Stage 2 assessment would be required if project impacts were to extend beyond the limits of the ROW. Due proximity of the Drummond Hill Cemetery (AgGs-109) to the Lundy's Lane ROW it was recommended that a Stage 3 site-specific assessment should be conducted if impacts to the cemetery are required (ARA 2010:13–14).

1.3.3.4 Battlefield Park Landscaping (Stage 1–2)

In March and April 2016, a Stage 1 assessment and Stage 2 archaeological monitoring were conducted for alterations to the pathways within Lundy's Lane Battlefield Park under PIF #P046-0156-2016 (ASI 2016). The assessed area falls within 50 m of the eastern edge of the study area. The Stage 1 assessment determined that the assessed area had archaeological potential, though the Stage 2 monitoring did not result in the identification of any archaeological materials. The assessed area was determined to have no further potential and no additional assessment was recommended (ASI 2016:16). However, it was recommended that additional assessment would be required if development was contemplated in unassessed areas of the park.

1.3.3.5 Buchner Place (Stage 1–2)

A Stage 1 assessment and 2 archaeological monitoring were carried out in December 2017 as part of the Buchner Place geotechnical investigation south of Lundy's Lane and west of the Drummond Hill cemetery under PIF #P046-0275-2016 (ASI 2017). The assessed area falls within 50 m of the southern edge of the study area. The Stage 1 assessment determined that the assessed area had archaeological potential and the Stage 2 monitoring identified a potentially intact A-horizon layer below an asphalt parking lot. The areas of archaeological potential were recommended for Stage 2 assessment and that monitoring be conducted during proposed work to the parking lot.

Additionally, if impacts to the parking lot were to exceed the depth asphalt in the parking an additional Stage 2 assessment would be required (ASI 2017:20–21).

An additional Stage 2 assessment for the project was conducted in October 2017 and April 2018 under PIF #P449-0131-2017 (ASI 2019). The assessed area also falls within 50 m of the southern edge of the study area. The investigation resulted in the discover of one location of archaeological materials: the Buchner Place site (AgGs-408). The site was represented by mid-to-late 19th century archaeological materials, was found to have further CHVI and was recommended for Stage 3 site-specific assessment (ASI 2019:29–30). It was also recommended that unassessed portions of the parking lot be subject to monitoring if impacts become necessary. The Buchner Place site is located over 50 m away and has no potential to traverse the study area.

2.0 STAGE 1 BACKGROUND STUDY

2.1 Background

The Stage 1 assessment involved background research to document the geography, history, previous archaeological fieldwork and current land condition of the study area. This desktop examination included research from archival sources, archaeological publications and online databases. It also included the analysis of a variety of historical maps and aerial imagery. The results of the research conducted for the background study are summarized below.

With occupation beginning approximately 11,000 years ago, the greater vicinity of the study area comprises a complex chronology of Pre-Contact and Post-Contact histories (Section 1.2.1). Artifacts associated with Palaeo, Archaic, Woodland and Early Contact traditions are well-attested in the City of Niagara Falls, and Euro-Canadian archaeological sites dating to pre-1900 and post-1900 contexts are likewise common. The presence of seven previously identified sites in the surrounding area demonstrates the desirability of this locality for early settlement (Section 1.3.2). The investigation confirmed that none of these sites extend into the subject lands. Background research did not identify any areas of previous assessment within the study area (Section 1.3.3).

The natural environment of the study area would have been attractive to Indigenous and early Euro-Canadian populations as the original soils would have been ideal for agriculture, and the diverse local vegetation would have encouraged settlement throughout Ontario's lengthy history. Later Euro-Canadian and Afro-Canadian populations would have been particularly drawn to the amenities within the village of Drummondville, which had been established as a community in 1831.

In summary, the background study included an up-to-date listing of sites from the Ontario Archaeological Sites Database (within at least a 1 km radius), the consideration of previous local archaeological fieldwork (within at least a 50 m radius), the analysis of historical maps (at the most detailed scale available) and the study of aerial imagery. A review of an archaeological management plan was also carried out. ARA therefore confirms that the standards for background research set out in Section 1.1 of the 2011 *S&Gs* were met.

2.2 Field Methods (Property Inspection)

In order to gain first-hand knowledge of the geography, topography and current condition of the study area, a property inspection was conducted in January and February 2024. Environmental conditions were ideal during the inspection, permitting good visibility of land features and providing an increased chance of finding evidence of archaeological resources. Although there was light snow cover, there was no reduction in the ability to observe features of potential. A breakdown of the specific fieldwork activities, weather and lighting conditions appears in Table 4. ARA therefore confirms that fieldwork was carried out under weather and lighting conditions that met the requirements set out in Section 1.2 Standard 2 of the 2011 *S&Gs*.

Table 4: Fieldwork Activities and Environmental Conditions

Date	Activity	Field Director	Lighting Conditions	Cloud Cover	Precipitation	Temperature (°C)
29/01/2024	Property inspection	SB	Bright	Overcast	None	3
09/02/2024	Property inspection	SB	Bright	Overcast	None	9

The study area was subjected to random spot-checking in accordance with the requirements set out in Section 1.2 of the 2011 *S&Gs*. The inspection confirmed that all surficial features of archaeological potential were present where they were previously identified, and a slight rise was observed in the north that may represent the location of the original church. The inspection did not result in the identification of any other features of archaeological potential not visible on mapping (e.g., relic water channels, patches of well-drained soils, etc.).

The inspection determined that parts of the study area were deeply disturbed by past construction activities. No natural features (e.g., permanently wet areas, sloped lands, overgrown vegetation, heavier soils than expected, etc.) that would affect assessment strategies were identified. A wide variety of built heritage resources and cultural heritage landscapes were documented during the research component of ARA's concurrent heritage assessment (ARA 2024). No other significant built features (e.g., plaques, monuments, cemeteries, etc.) that would affect assessment strategies were identified within the study area.

2.3 Analysis and Conclusions

In addition to relevant historical sources and the results of past archaeological assessments, the archaeological potential of a property can be assessed using its soils, hydrology and landforms as considerations. Section 1.3.1 of the 2011 *S&Gs* recognizes the following features or characteristics as indicators of archaeological potential: previously identified sites, water sources (past and present), elevated topography, pockets of well-drained sandy soil, distinctive land formations, resource areas, areas of Euro-Canadian settlement, early transportation routes, listed or designated properties, historic landmarks or sites, and areas that local histories or informants have identified with possible sites, events, activities or occupations.

The Stage 1 assessment resulted in the identification of several features of archaeological potential in the vicinity of the study area (Map 13; SD Map 1). The closest and most relevant indicators of archaeological potential (i.e., those that would directly affect survey interval requirements) include four previously identified sites within 300 m (AgGs-108, AgGs-109, AgGs-377, and AgGs-408), one physiographic landform (a moraine), two historical roadways (Lundy's Lane and Drummond Road), one historical community (Drummondville), two historical cemeteries (the Drummond Hill Cemetery and Lundy's Lane United Cemetery) and multiple historical structure localities (e.g., several 19th century houses, two churches, Fralick's Tavern and a Grammar School). Additionally, the national historic site of Lundy's Lane Battlefield Park and the registered heritage property of Fralick's Tavern are located immediately adjacent to the east limits of the study area.

Background research determined that during the Battle of Lundy's Lane (War of 1812), British reinforcements were positioned within the study area. Historical and aerial imagery suggests that portions of the study area remain relatively unaltered, and retain potential for the presence of

archaeological resources and/or human remains. Additionally, other portions of the study area may present surficial disturbance, and may retain deeply buried archaeological resources, and as such retains archaeological potential.

Although proximity to a feature of archaeological potential is a significant factor in the potential modelling process, current land conditions must also be considered. Section 1.3.2 of the 2011 S&Gs emphasizes that 1) quarrying, 2) major landscaping involving grading below topsoil, 3) building footprints and 4) sewage/infrastructure development can result in the removal of archaeological potential, and Section 2.1 states that 1) permanently wet areas, 2) exposed bedrock and 3) steep slopes ($> 20^\circ$) in areas unlikely to contain pictographs or petroglyphs can also be evaluated as having no or low archaeological potential. Areas previously assessed and not recommended for further work also require no further assessment.

The Regional Municipality of Niagara's *Archaeological Management Plan* indicates that the entire study area has no archaeological potential (Map 11). However, this modelling was not the result of a property-specific assessment and therefore does not fully account for land-use history and current conditions. Background research did not identify any previously assessed areas of no further concern within the subject lands.

ARA's visual inspection, coupled with the analysis of historical sources and digital environmental data, resulted in the identification of two areas of no archaeological potential within the study area. Specifically, deep land alterations have resulted in the removal of archaeological potential from the structural footprint of the Highlander Inn and a in-ground swimming pool (Image 1–Image 2). The remainder of the assessed area has potential for either surficial and/or deeply buried archaeological materials as well as deeply buried human remains and/or burial features (Image 3–Image 10). The potential modelling results are presented in Map 14–Map 15. The limits of the study area are depicted as a layer in these maps.

3.0 RECOMMENDATIONS

The Stage 1 assessment determined that the study area comprised a mixture of areas of archaeological potential and areas of no archaeological potential. It is recommended that all identified areas of archaeological potential that could be impacted by the project be subject to a Stage 2 property assessment in accordance with Section 2.1 of the 2011 *S&Gs*. Given that the areas of archaeological potential consist of both upper layers and lower layers, it is recommended that both test pit survey and deeply buried survey methods be utilized to complete the assessment.

The areas of surficial archaeological potential must be assessed using the test pit survey method. A survey interval of 5 m will be required due to the proximity of the lands to the identified features of archaeological potential. Each test pit must be excavated into at least the first 5 cm of subsoil, and the resultant pits must be examined for stratigraphy, potential features and/or evidence of fill. The soil from each test pit must be screened through mesh with an aperture of no greater than 6 mm and examined for archaeological materials. If archaeological materials are encountered, all positive test pits (PTPs) must be documented, and intensification may be required.

All areas of deeply buried archaeological potential associated with possible early structures and/or the battlefield must be subject to mechanical excavation. It is recommended that the full extent be mechanically investigated to expose any deeply buried resources in accordance with Section 2.1.7 Standard 3 of the 2011 *S&Gs*. If no specific targets have been identified, trenching at a maximum interval of 10 m can occur. An excavator or backhoe with an articulated wrist and a straight-bladed bucket must be utilized so that potential features and/or human remains are not damaged. Mechanical excavation must continue until the topsoil/subsoil interface is reached; this interface must then be subjected to a close examination for potential features and shovel shined or trowelled to further clarify the interface in accordance with the requirements set out in Section 4.2.3 of the 2011 *S&Gs*. If it is determined that the required area is too small to conduct mechanical excavation, then archaeological monitoring must be conducted. On-site monitoring must be carried out whenever work is occurring within one of these areas, and a contingency plan must be prepared with the proponent and contractors in the event that archaeological resources are exposed.

If any human remains/burial features associated with the neighbouring Lundy's Lane Battlefield site (e.g., grave shafts or coffin stains) are encountered, they must be fully documented in order to satisfy the requirements and objectives set out in the *Funeral, Burial and Cremation Services Act, 2002*, Section 174 of Ontario Regulation 30/11 as well as Section 4.2.1 Standard 9 and Section 4.2.2 Standard 7 of the 2011 *S&Gs*. Authorization from the Bereavement Authority of Ontario would be required before any further excavation to confirm the presence/absence of human remains. Disarticulated human remains found in secondary contexts must also be recorded. Mechanical excavation must be extended for a minimum of 10 m beyond any burial features.

The identified areas of no archaeological potential do not require any additional assessment. Given that there are outstanding archaeological concerns within the study area, no ground alterations or development of any kind may occur until the required investigation is complete, a recommendation that the lands require no further archaeological assessment is made, and the associated report is entered into the Ontario Public Register of Archaeological Reports.

4.0 ADVICE ON COMPLIANCE WITH LEGISLATION

Section 7.5.9 of the 2011 *S&Gs* requires that the following information be provided for the benefit of the proponent and approval authority in the land use planning and development process:

- This report is submitted to the Minister of Citizenship and Multiculturalism 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 MCM, 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 at the Ministry of Public and Business Service Delivery.

5.0 IMAGES



Image 1: Disturbed Lands
(February 9, 2024; Facing West)



Image 2: Disturbed Lands
(February 9, 2024; Facing Northwest)



Image 3: Area of Potential
(February 9, 2024; Facing Northeast)



Image 4: Area of Potential
(February 9, 2024; Facing Northwest)



Image 5: Area of Potential
(February 9, 2024; Facing South)



Image 6: Area of Potential
(February 9, 2024; Facing South)



Image 7: Area of Potential
(February 9, 2024; Facing Southeast)



Image 8: Area of Potential
(February 9, 2024; Facing North)

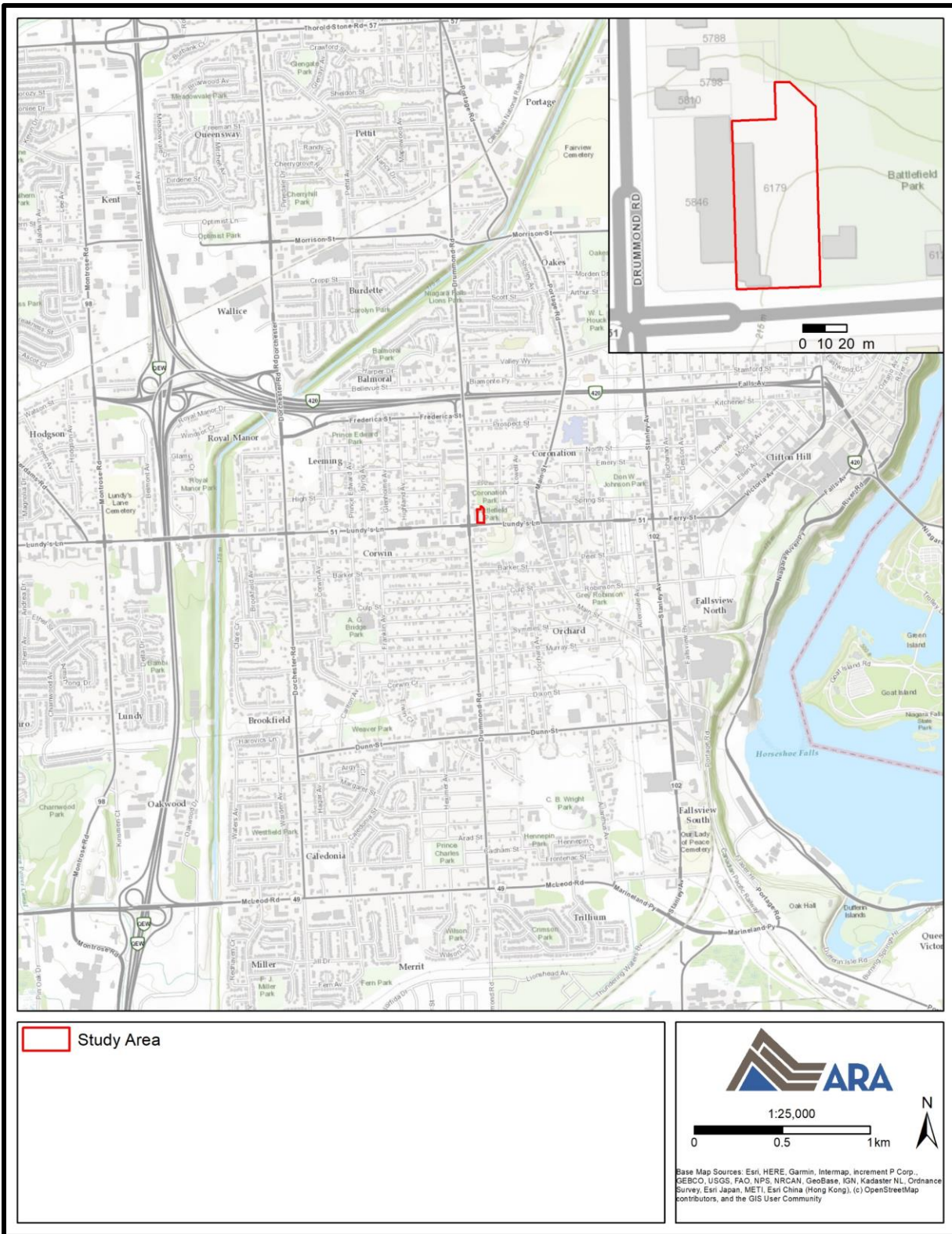


Image 9: Area of Potential
(February 9, 2024; Facing North)

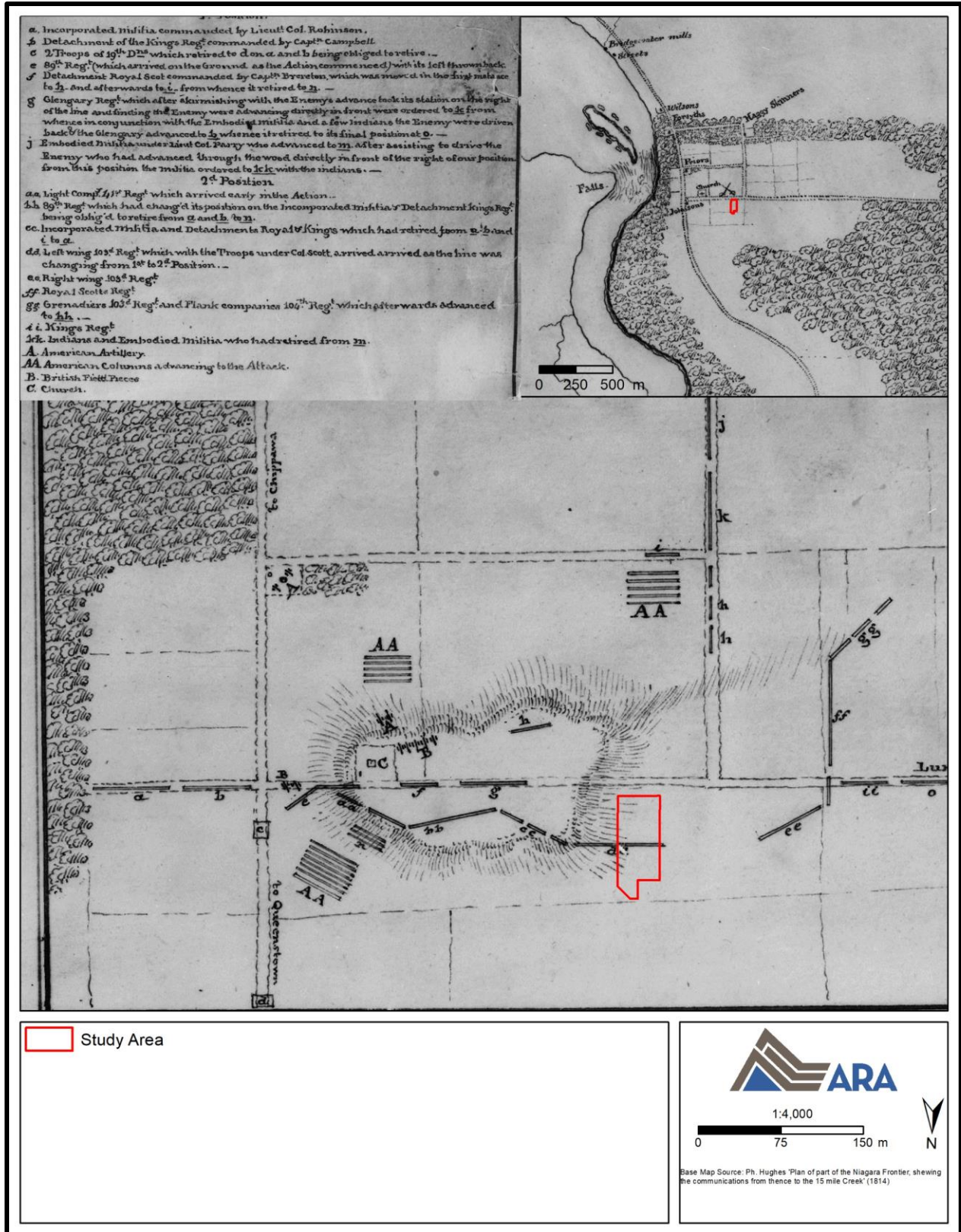


Image 10: Area of Potential
(February 9, 2024; Facing Southeast)

6.0 MAPS



Map 1: Location of Study Area
(Produced under licence using ArcGIS® software by Esri, © Esri)



Map 2: Plan of Part of the Niagara Frontier (1814)
 (Produced under licence using ArcGIS® software by Esri, © Esri; BU 2024)



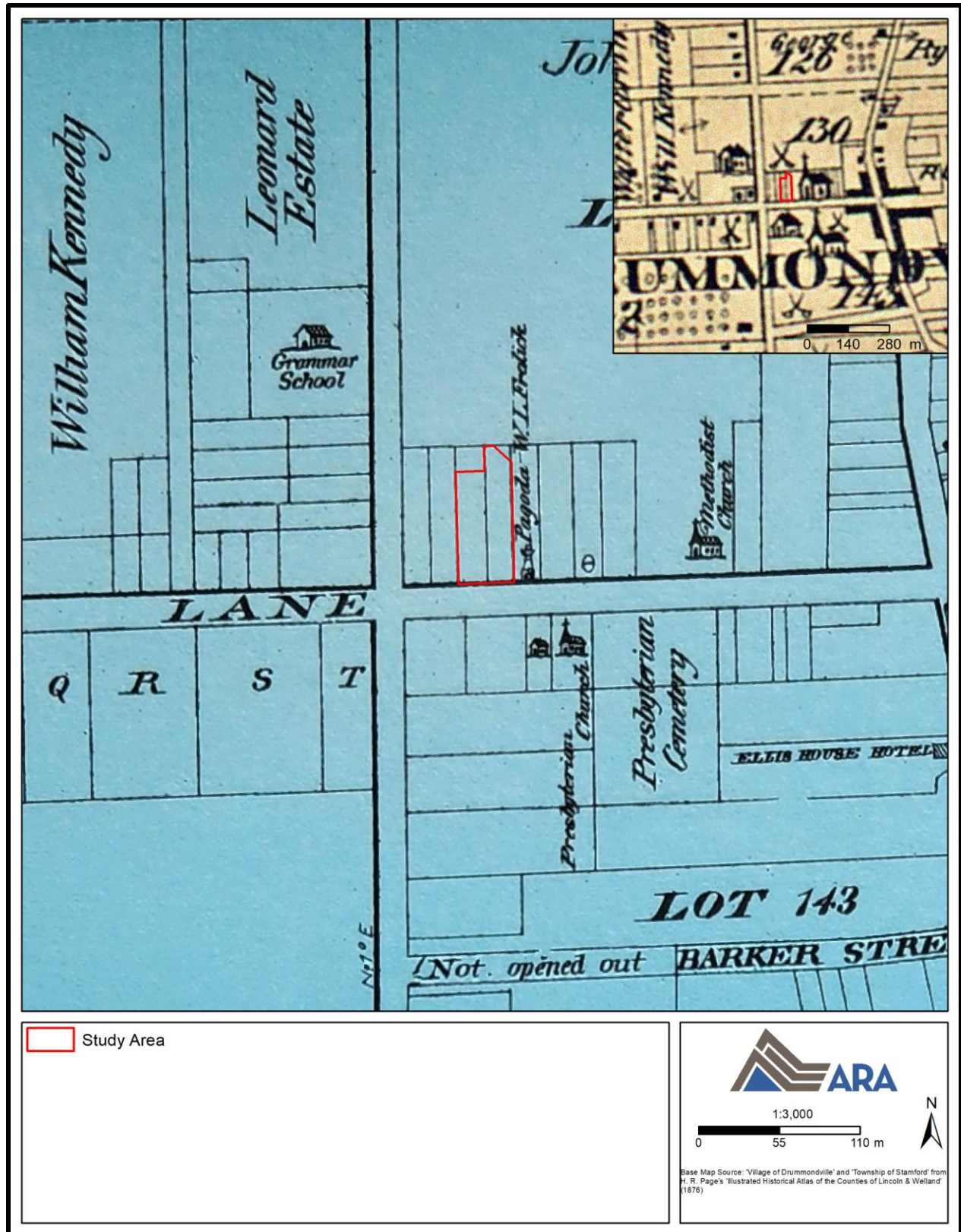
Map 3: Plan of the Military Reserve at the Falls of Niagara (1834)
(Produced under licence using ArcGIS® software by Esri, © Esri; BU 2024)



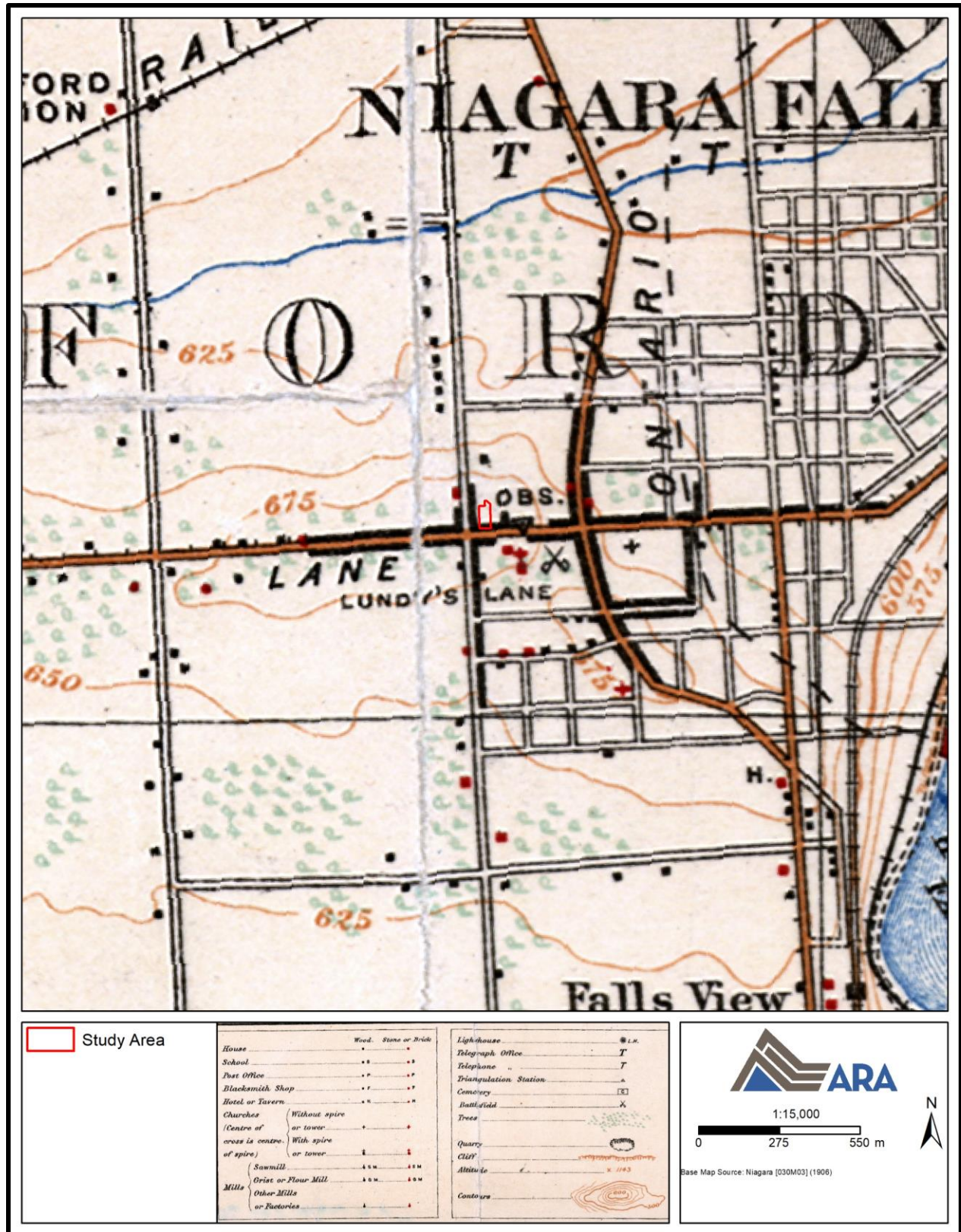
Map 4: Sketch of the Niagara District (1840)
(Produced under licence using ArcGIS® software by Esri, © Esri; BU 2024)

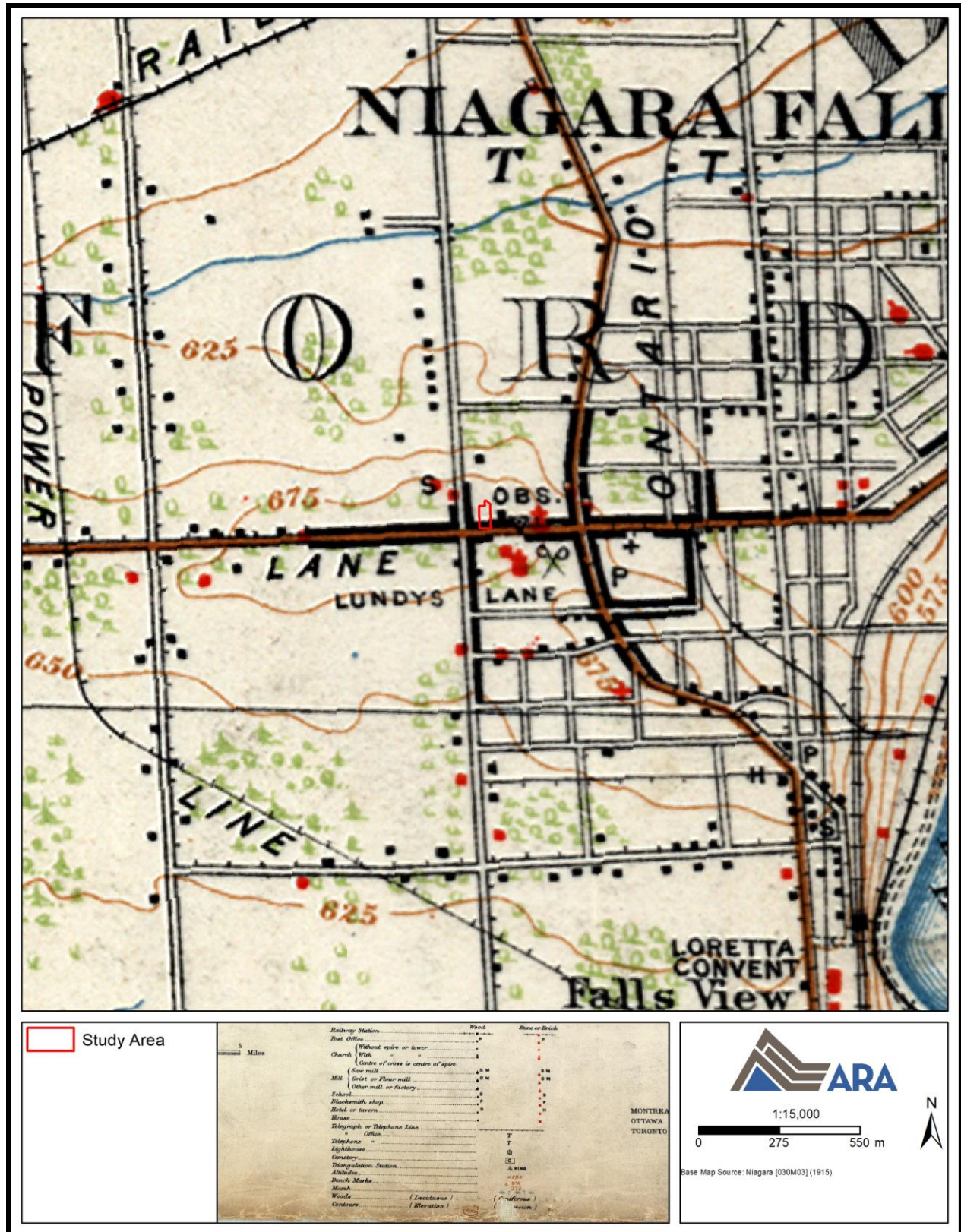


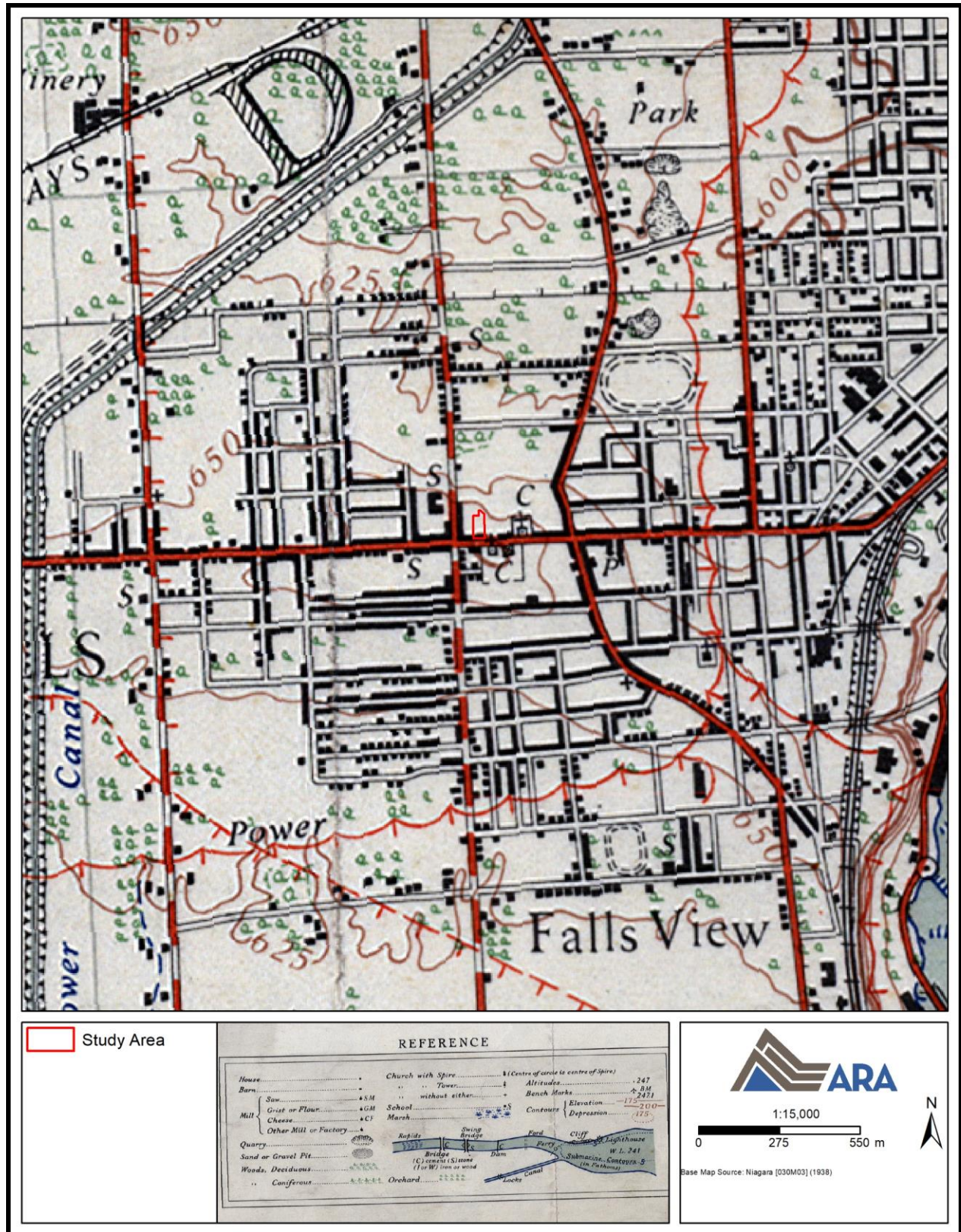
Map 5: Tremaine's Map of the Counties of Lincoln and Welland, Canada West (1862)
 (Produced under licence using ArcGIS® software by Esri, © Esri; OHCMP 2019)



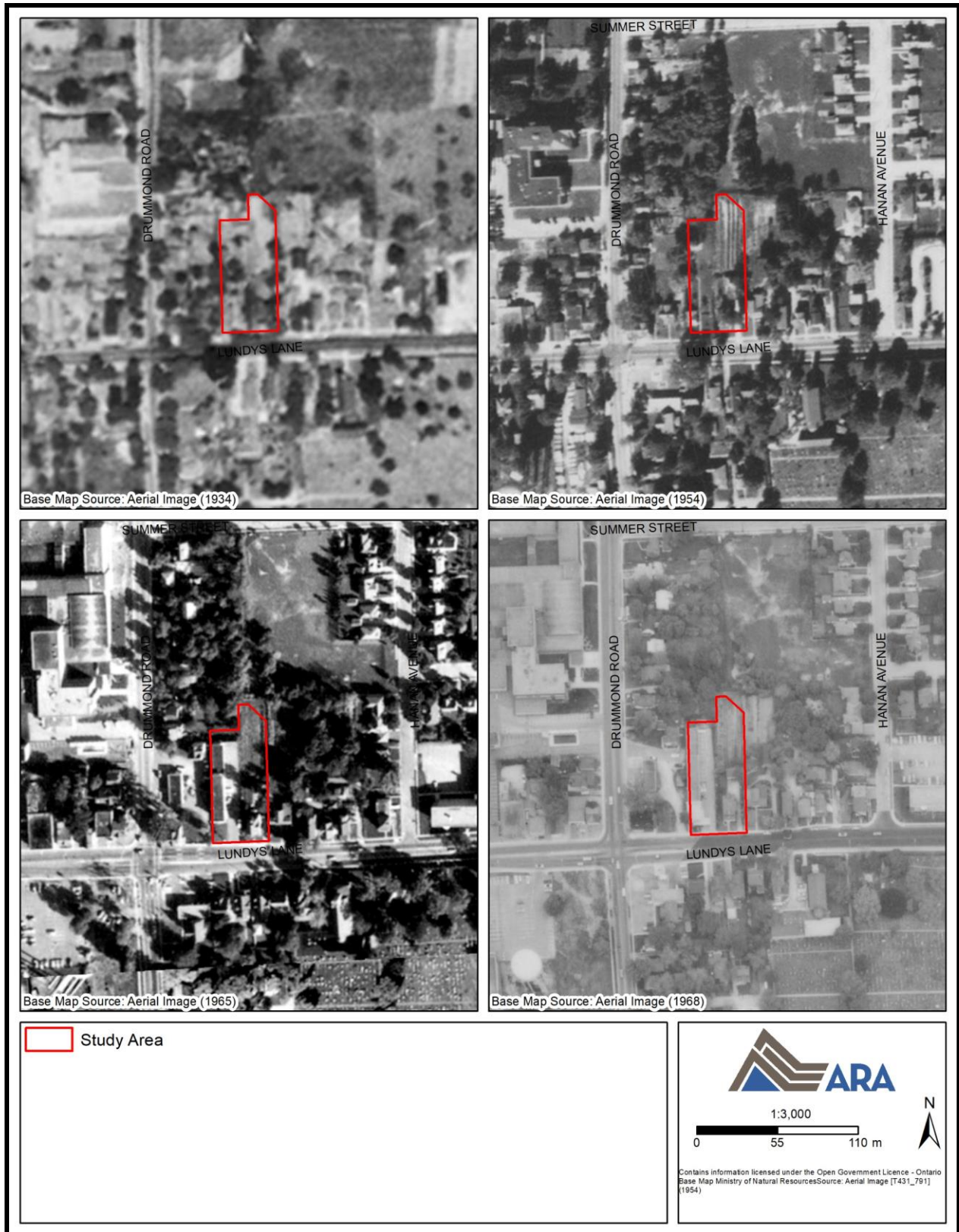
Map 6: Illustrated Historical Atlas of the Counties of Lincoln & Welland, Ont. (1876)
(Produced under licence using ArcGIS® software by Esri, © Esri; MU 2001)



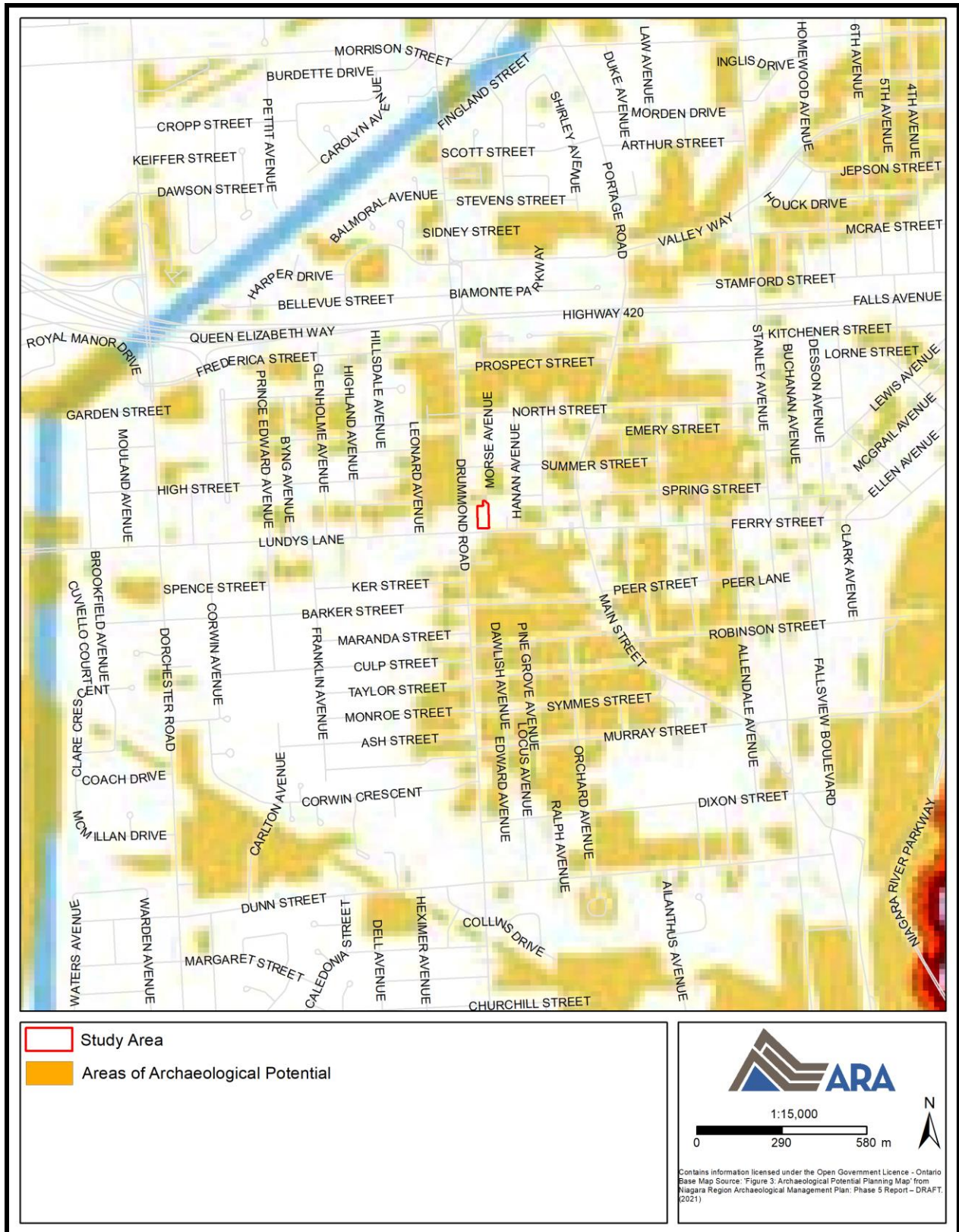


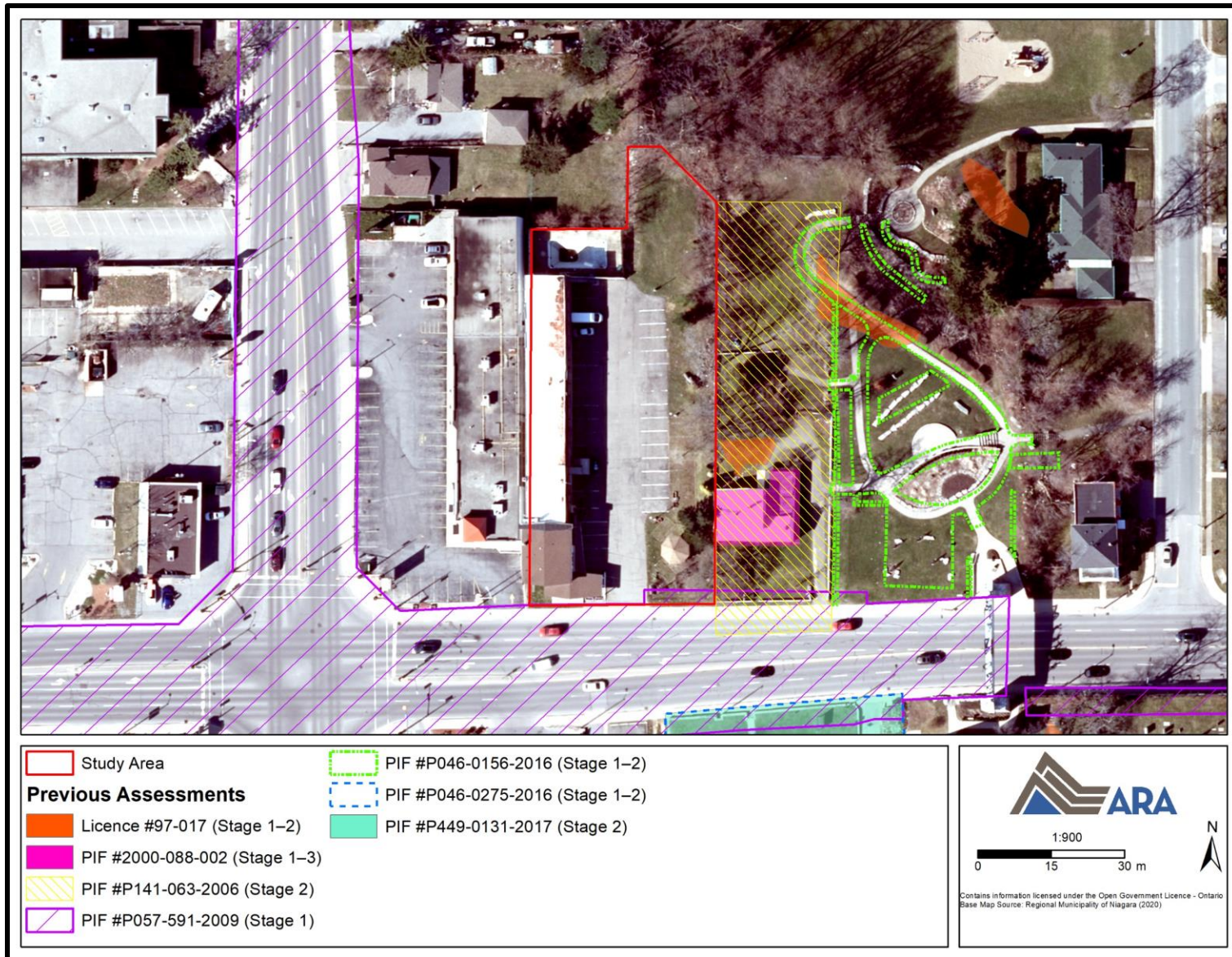


Map 9: Topographic Map (1938)
 (Produced under licence using ArcGIS® software by Esri, © Esri; OCUL 2024)

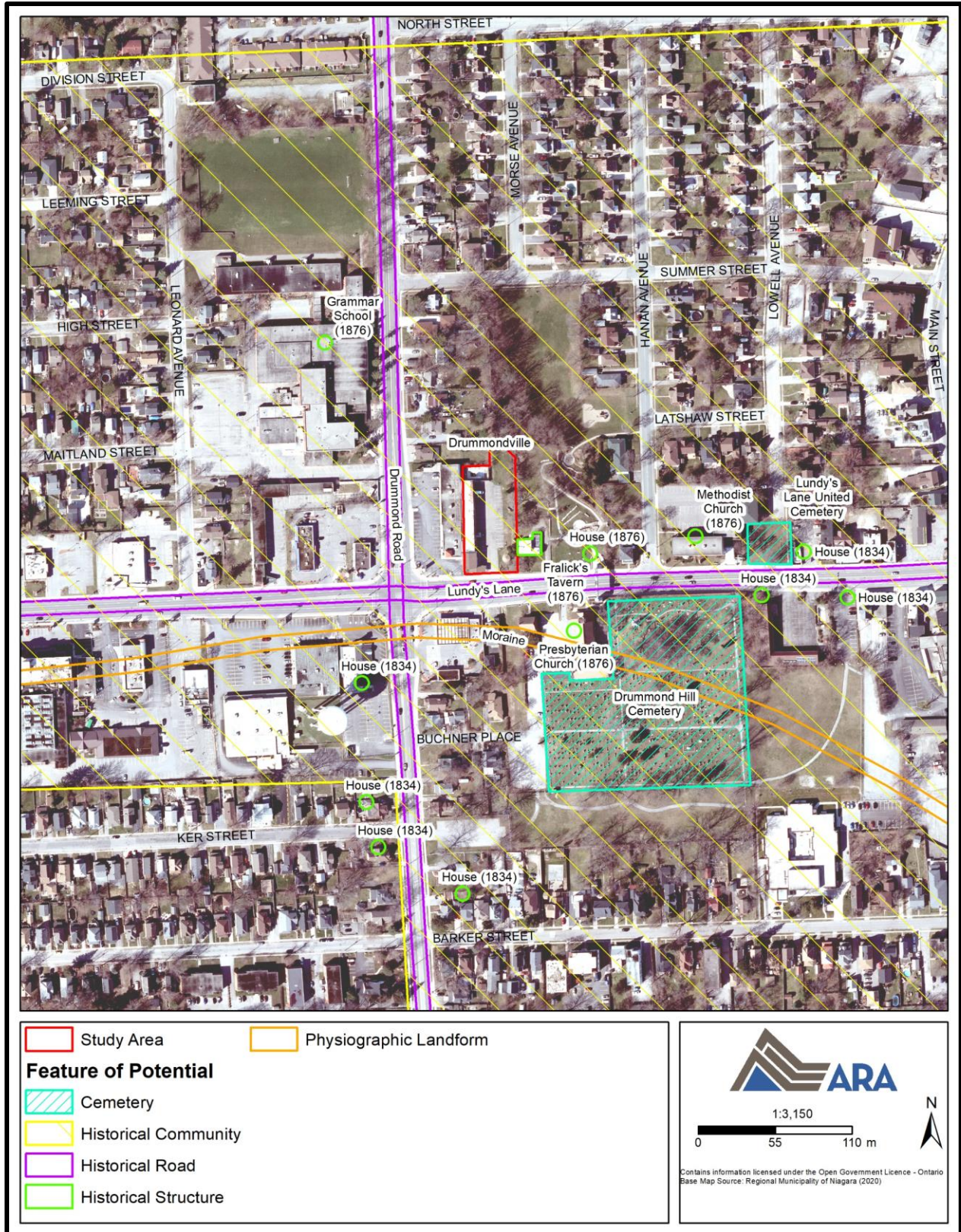


Map 10: Aerial Images (1934, 1954, 1965, 1968)
(Produced under licence using ArcGIS® software by Esri, © Esri; BU 2024)

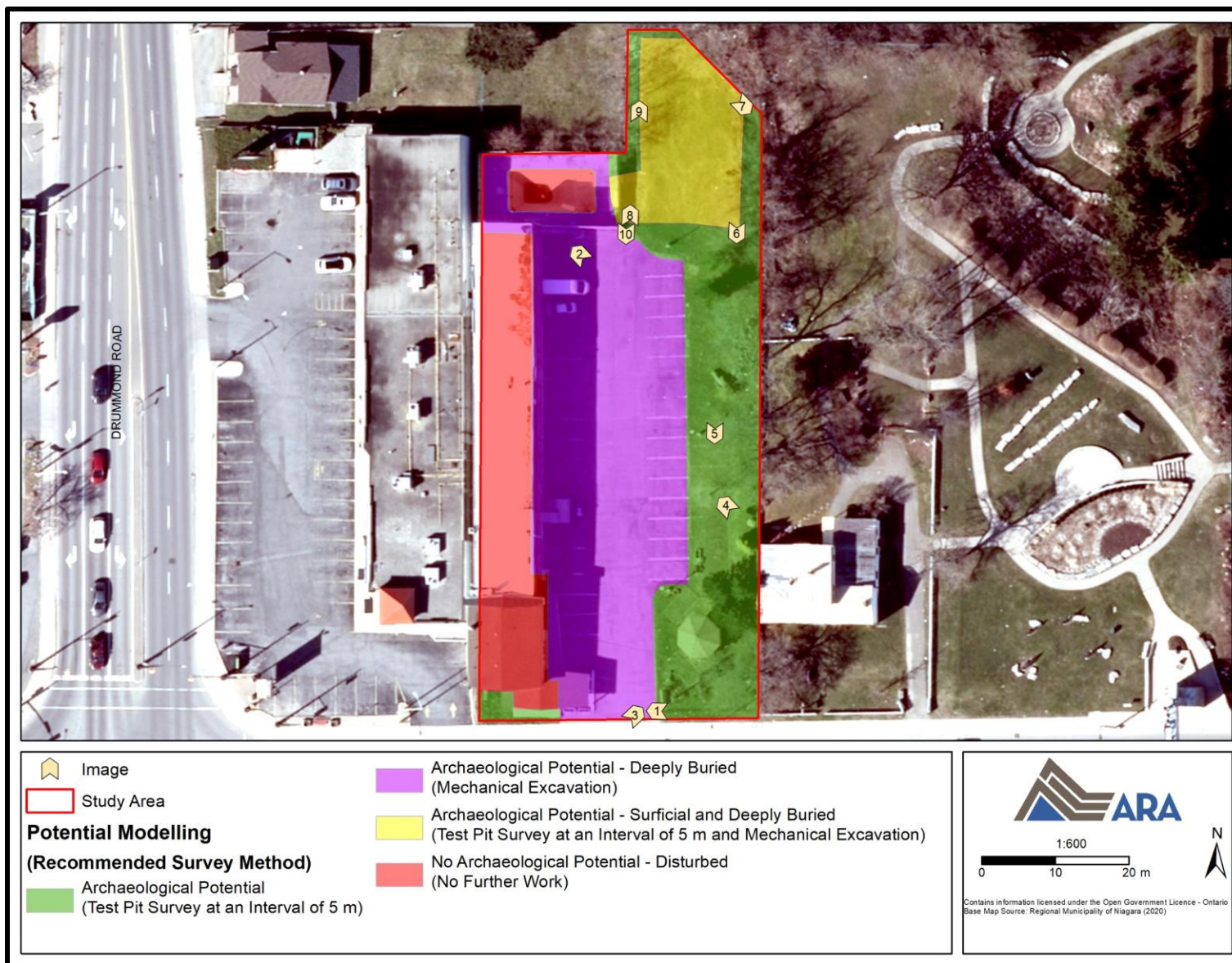




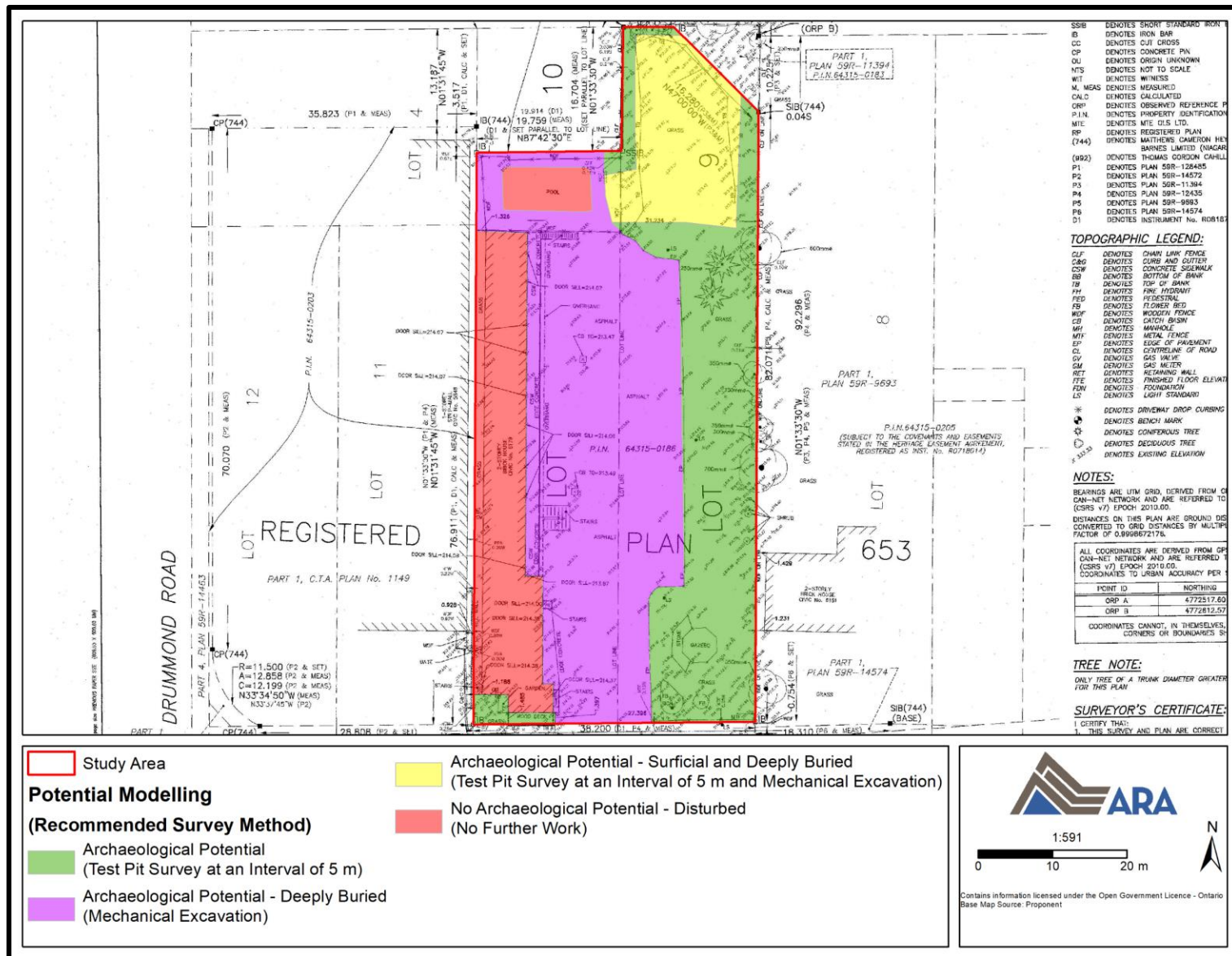
Map 12: Previous Assessments
(Produced under licence using ArcGIS® software by Esri, © Esri)



Map 13: Features of Potential
 (Produced under licence using ArcGIS® software by Esri, © Esri)



Map 14: Potential Modelling and Recommendations (Aerial Image)
 (Produced under licence using ArcGIS® software by Esri, © Esri)



Map 15: Potential Modelling and Recommendations (Survey Plan)
(Produced under licence using ArcGIS® software by Esri, © Esri)

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