
APPENDIX E

**Stage 1 Archaeological
Assessment**

Original Report: Stage 1 Archaeological Assessment

*Upper Wellington Street (Limeridge Road to Stone Church Road) Municipal Class EA,
Located on Part of Lots 12 and 13, Concession 6, 7 and 8, Barton Township, Wentworth
County, now City of Hamilton, Ontario
Project # IM20103037*

*Archaeological Consulting License # P362 (Popkin)
PIF # P362-0376-2025 (Stage 1)*

Prepared for:
*City of Hamilton
71 Main St W, Hamilton, ON L8P 4Y5, Canada*

wood.

Stage 1 Archaeological Assessment

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Located on Part of Lots 12 and 13, Concession 6, 7 and 8, Barton Township, Wentworth
County, now City of Hamilton, Ontario
Project # IM20103037*

PREPARED FOR:

City of Hamilton
71 Main St W, Hamilton, ON L8P 4Y5, Canada

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16 September 2021

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Executive Summary

Wood Environment & Infrastructure ("Wood") was retained by the City of Hamilton (the "Client") to conduct a Stage 1 archaeological assessment in support of the Upper Wellington Street – Schedule "C" Municipal Class Environmental Assessment. This archaeological assessment was triggered under the *Environmental Assessment Act* and was conducted as part of the Class EA Study. The project will involve improvements to the Upper Wellington Street, between Limeridge Road East and 50 metres ("m") south of the intersection at Stone Church Road East and Upper Wellington Street in the City of Hamilton, Ontario. The study area for Stage 1 archaeological assessment extended approximately 130 m north of Limeridge Road East, approximately 160 m south of Stone Church Road East and approximately 50 m on either side of Upper Wellington Street. The study area was historically located in Part of Lots 12 and 13, Concession 6, 7 and 8, Barton Township, Wentworth County, now City of Hamilton, Ontario and is approximately 13.5 hectares ("ha") in size (Appendix A: Figures 1, 2 and 3).

The Stage 1 archaeological assessment was carried out in accordance with the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries ("MHSTCI") 2011 *Standards and Guidelines for Consultant Archaeologists* (MHSTCI 2011), under an Ontario Professional Licence to Conduct Archaeological Fieldwork (P362) held by Peter Popkin, Associate Archaeologist at Wood. Permission-to-enter the study area for the purposes of the Stage 1 archaeological assessment was not required because the assessment was conducted via the road right of way.

The Stage 1 property inspection was undertaken by Field Director Alejandra Cooney (R1188) of Wood on 21 December 2020. The weather on 21 December 2020 was clear and sunny. The weather and ground conditions did not impede the Stage 1 property inspection in any way.

The Stage 1 background study indicated that the study area has general archaeological potential and warrants Stage 2 property assessment for the following reasons: 1) the close proximity of a tributary of Red Hill Creek formally located 100 m to the south of the study area as illustrated in the 1859 and 1875 historic maps; 2) the presence of 37 registered archaeological sites located within a 1 km radius of the study area providing direct evidence that this general area had been utilized by Indigenous and Euro-Canadian peoples; 3) the location of the historical transportation route, Upper Wellington Street, which transects the study area as shown in the 1859 and 1875 historical atlas mapping; and, 4) five farmsteads/orchards depicted within 300 m of the study area as illustrated in the 1875 historical atlas map (Appendix A: Figure 6).

The Stage 1 archaeological assessment determined that 1) 10 ha (75%) of the study area is previously disturbed and does not require Stage 2 archaeological assessment; 2) 0.6 ha (4% of the study area) of the Study Area was previously assessed prior to the introduction of the 2011 MHSTCI *Standards and Guidelines for Consultant Archaeologists* and identified as disturbed through visual assessment during the current assessment 3) 1.0 ha (7%) of the study area has been previously assessed and requires no further archaeological assessment and 4) 1.9 ha (14%) of the study area retains archaeological potential and warrants Stage 2 archaeological assessment (Appendix A: Figure 7).

Areas that retain archaeological potential include 0.3 ha (2%) of ploughed agricultural field, and 1.6 ha (12 %) of matured woodlot and manicured lawns where ploughing is not viable. The ploughed field should be assessed by means of a pedestrian survey at 5 m intervals and the non-ploughable portion of the study area should be assessed using a test pit survey at 5 m intervals (Appendix A: Figure 7).

In light of the findings of the Stage 1 archaeological assessment of the study area, the following recommendations are made, subject to the conditions outlined below and in Section 5.0:

1. Approximately 10 ha (75%) of the study area has low to no archaeological potential due to previous disturbance and requires no further archaeological assessment (Appendix A: Figure 7).
2. Approximately 0.6 ha (4%) of the study area has been previously assessed prior to the introduction of the 2011 MHSTCI *Standards and Guidelines for Consultant Archaeologists*. These areas were identified as having low to no archaeological potential through the current assessment due to previous disturbance and require no further archaeological assessment (Appendix A: Figure 7).
3. Approximately 1.0 ha (7%) of the study area has been previously assessed and requires no further archaeological assessment.
4. Approximately 0.3 ha (2%) of the study area was formerly a cultivated agricultural field. Therefore, it should be subjected to Stage 2 property survey by means of a pedestrian survey, as per Section 2.1.1, Standard 1 of the *Standards and Guidelines for Consultant Archaeologists* (MHSTCI 2011). This technique involves walking across the field in parallel rows at 5 m intervals and surveying the ground surface for artifacts. The agricultural land should be prepared for the pedestrian survey by disk harrowing to the depth of previous ploughing. The fields must be allowed to weather through one heavy rainfall to improve surface visibility. Visibility must be at least 80% of the ploughed ground surface after ploughing is completed, meeting MHSTCI standards for field preparation and visibility.
5. Approximately 1.6 ha (12 %) of the study area is located within a mature woodlot and manicured lawns that have archaeological potential but for which ploughing is not viable. This land is recommended for assessment by means of Stage 2 test pitting at 5 m grid intervals as per Section 2.1.2, Standard 1 of the *Standards and Guidelines for Consultant Archaeologists* (MHSTCI 2011). All test pits should be a minimum of 30 cm in diameter and dug to a minimum of 5 cm into the subsoil. Soil fills should be screened through 6 mm mesh screens in order to facilitate artifact recovery. Test pit profiles should be examined for cultural deposits prior to being backfilled. Test pitting should be conducted to within 1 m of all disturbances. All test pits should be backfilled to level grade, and any sod caps replaced and tamped down by foot.

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

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

Table of Contents

Section	Page
1.0 Project Context.....	1
1.1 Development Context.....	1
1.2 Scope of Work.....	2
2.0 Stage 1 Background Study.....	3
2.1 Archaeological Context.....	3
2.1.1 Registered Archaeological Sites.....	3
2.1.2 History of Archaeological Investigations.....	9
2.1.3 Environmental Context.....	13
2.2 Historical Context.....	14
2.2.1 A Cultural History for Southwestern/Southern/Southern and Eastern Ontario.....	14
2.2.2 Review of Historical Records.....	17
2.2.3 Historical Plaques.....	20
2.3 Additional Information.....	20
2.3.1 Recent Land Use History.....	20
2.4 City of Hamilton Archaeology Management Plan.....	21
2.5 Potential for Archaeological Resources.....	21
3.0 Stage 1 Property Inspection.....	24
3.1 Methods.....	24
3.1.1 Field Conditions within Areas of Archaeological Potential.....	24
3.1.2 Documentary Record.....	25
3.2 Stage 1 Analysis and Conclusions.....	25
4.0 Recommendations.....	27
5.0 Advice on Compliance with Legislation.....	28

6.0	Assessor Qualifications	29
7.0	Closure.....	30
8.0	Bibliography	32

List of Tables

Table 1: Registered Archaeological Sites within 1- km Radius of the Study Area.....	3
Table 2: Related Archaeological Assessment Reports.....	9
Table 3: Simplified Cultural Chronology of Southern and Eastern Ontario.....	15
Table 4: Review of Historical Records.....	18
Table 5: Review of Historical Aerial Photographs.....	20
Table 6: Weather and Ground Conditions for Each Field Day.....	24
Table 7: Inventory of Documentary Record	25

List of Appendices

APPENDIX A: FIGURES

APPENDIX B: PHOTOGRAPHS

APPENDIX C: HISTORIC AERIALS

APPENDIX D: ASSESSOR QUALIFICATIONS

APPENDIX E: LIMITATIONS

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1.0 Project Context

1.1 Development Context

Wood Environment & Infrastructure (“Wood”) was retained by the City of Hamilton (the “Client”) to conduct a Stage 1 archaeological assessment in support of the Upper Wellington Street – Schedule “C” Municipal Class Environmental Assessment. This archaeological assessment was triggered under the *Environmental Assessment Act* and was conducted as part of the Class EA Study. The project will involve improvements to the Upper Wellington Street, between Limeridge Road East and 50 metres (“m”) south of the intersection at Stone Church Road East and Upper Wellington Street in the City of Hamilton, Ontario. The study area for Stage 1 archaeological assessment extended approximately 130 m north of Limeridge Road East, approximately 160 m south of Stone Church Road East and approximately 50 m on either side of Upper Wellington Street. The study area was historically located in Part of Lots 12 and 13, Concession 6, 7 and 8, Barton Township, Wentworth County, now City of Hamilton, Ontario and is approximately 13.5 hectares (“ha”) in size (Appendix A: Figure 1-Figure 3).

The Stage 1 archaeological assessment was carried out in accordance with the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (“MHSTCI”) 2011 *Standards and Guidelines for Consultant Archaeologists* (MHSTCI 2011), under an Ontario Professional Licence to Conduct Archaeological Fieldwork (P362) held by Peter Popkin, Associate Archaeologist at Wood. Permission to enter the study area for the purposes of the Stage 1 archaeological assessment was not required because the assessment was conducted via the road right of way.

The Stage 1 property inspection was undertaken by Field Director Alejandra Cooney (R1188) of Wood on 21 December 2020. The weather on 21 December 2020 was clear and sunny. The weather and ground conditions did not impede the Stage 1 property inspection in any way.

The original version of this report was dated 17 February 2021 (P362-0309-2020). That version was provided to the Client for review and the Client supplied Wood with several reports detailing archaeological assessment that took place within the study area that did not appear in MHSTCI’s online report database when queried. Wood added those additional reports to the Stage 1 archaeological assessment and produced an updated version of the Stage 1 report dated 16 September 2021. Through an administrative error, the 17 February 2021 version of the report was submitted to MHSTCI for review and the Ministry entered the report into the *Ontario Public Register of Archaeological Reports* without Technical Review.

A new PIF was requested for the 16 September 2021 report backdated to the date of the original PIF (16 December 2020) (see Supplementary Documentation). This report is the 16 September 2021 version of the report submitted under the new backdated PIF P362-0376-2025 and is identical to the original version in all ways except for the edits required by the Ministry to meet Section 7.5.8 Standards 4 and 5 of the *Standards and Guidelines for Consultant Archaeologists*. This report maintains the original date of 16 September 2021 despite the mandatory updates required to meet Ministry administrative criteria.

This report presents the results of the Stage 1 archaeological assessment and makes pertinent recommendations.

1.2 Scope of Work

A Stage 1 archaeological assessment is a systematic qualitative process executed in order to assess the archaeological potential of a study area based on its historical use and its potential for early EuroCanadian (early settler) and pre-contact Indigenous occupation. The objectives of a Stage 1 background study are: 1) to provide information about the study area's geography, history, previous archaeological field-work and current land condition; 2) to evaluate in detail the study area's archaeological potential which will support recommendations for Stage 2 property assessment for all or parts of the study area if warranted; and, 3) to recommend appropriate strategies for Stage 2 property assessment if warranted.

The Stage 1 background study was conducted in accordance with the *Standards and Guidelines for Consultant Archaeologists* set out by the MHSTCI (2011) pursuant to the Ontario Heritage Act, R.S.O. 1990, c. O.18.

The scope of work for the Stage 1 background study consisted of the following tasks:

- Contacting the MHSTCI to determine if registered archaeological sites exist in the vicinity (1 kilometre ["km"] radius) of the study area, through a search of the *Ontario Archaeological Sites Database* maintained by that Ministry;
- Contacting the MHSTCI to determine if there are any known reports of previous archaeological field work within the study area or within a radius of 50 metres ("m") around the study area, through a search of the *Ontario Public Register of Archaeological Reports* maintained by that Ministry;
- A desktop review of the study area's physical setting to determine its potential for both pre-contact and post-contact period human occupation, including its topography, hydrology, soils, and proximity to important resources and historical transportation routes and settlements;
- A review of the potential for post-contact period human occupation as documented in historical atlases and other archival sources;
- A visual inspection of the study area to gather first-hand and current evidence of its physical setting, and to aid in delineating areas where archaeological potential may have been impacted or removed by recent land-use practices.
- Formulate appropriate field-testing strategies for areas of general archaeological potential;
- Mapping, photography, and the production of other relevant graphics; and
- Preparing a Stage 1 report of findings with recommendations regarding the need for further archaeological work if deemed necessary.

2.0 Stage 1 Background Study

As part of the Stage 1 archaeological assessment, Wood queried the *Ontario Archaeological Sites Database*, maintained by the MHSTCI to determine if archaeological sites have been registered within 1 km of the study area (Section 2.1.1) (MHSTCI 2020a). The *Ontario Public Register of Archaeological Reports* was also queried to determine whether previous archaeological assessments have been carried out within the study area, or within a 50 m radius of the study area (Section 2.1.2) (MHSTCI 2020b). Secondly, the principal determinants of archaeological potential, namely proximity to water, topography, drainage, soils, and proximity to important resources and historical transportation routes and settlements, were examined to evaluate the study area's general archaeological potential (Sections 2.1, 2.1.3, 2.2, and 2.2.1). Thirdly, the specific potential for post-contact period archaeological resources was assessed through an examination of available historical maps and other archival sources (Section 2.2). Finally, a property inspection was conducted to confirm the desktop evaluation of archaeological potential and identify areas where recent land use has impacted or removed that potential.

2.1 Archaeological Context

2.1.1 Registered Archaeological Sites

In Ontario, information concerning archaeology sites is stored in the *Ontario Archaeological Sites Database* maintained by the MHSTCI. This database contains archaeological sites registered within the Borden system (Borden 1952). Under the Borden system, Canada has been divided into grid blocks based on longitude and latitude. A Borden block is approximately 13 km east to west, and approximately 18.5 km north to south. Each Borden block is referred to by a four-letter designation and sites located within the block are numbered sequentially as they are found. The study area is located within the AhGx Borden block. On the basis of a search of the *Ontario Archaeological Sites Database* on 16 December 2020, there are 88 archaeological sites registered within a 1 km radius of the study area (Table 1). However, based on further investigation, 37 of these sites are located within 1 km of the study area, five of which are located within 250 m of the study area. The remaining 51 registered archaeological sites are located beyond a 1 km radius of the study area. When requesting the backdated PIF P362-0376-2025 under which this report is submitted, a new search of the Ontario Archaeological Sites Database was required to be completed. This new search indicated that there are 97 registered archaeological sites located within a 1 km radius of the study area. The nine additional sites are presented in Table 1 as bold text. Seven of the nine additional sites are located beyond a 1 km radius of the study area, one site is located within 1 km of the study area and one site is located within 250 m of the study area.

Table 1: Registered Archaeological Sites within 1- km Radius of the Study Area

Borden Number	Site Name	Cultural Affiliation	Site Type	Distance from Study Area	Development Review Status
AhGx-32	Olmstead	Indigenous (Late Woodland)	Village, Burial	600 m	Further CHVI
AhGx-35	Almas	Euro-Canadian	Scatter	> 1 km	-
AhGx-36	Comley 1	Indigenous (Late Archaic;	Camp/Campsite	> 1 km	-

Table 1: Registered Archaeological Sites within 1- km Radius of the Study Area

Borden Number	Site Name	Cultural Affiliation	Site Type	Distance from Study Area	Development Review Status
		Middle Archaic, Early Archaic)			
AhGx-37	Comley 2	Indigenous (Late Archaic; Middle Archaic, Early Archaic)	Camp/Campsite	> 1 km	-
AhGx-38	Comley 3	Indigenous (Late Archaic; Late Woodland)	Camp/Campsite	945 m	-
AhGx-39	Comley 4	Indigenous (Early Woodland)	Camp/Campsite	640 m	-
AhGx-40	Comley 5	Indigenous (Middle Archaic, Early Archaic)	Camp/Campsite	260 m	-
AhGx-41	-	Post-Contact	Homestead/Midden	> 1 km	-
AhGx-42	Goodale 1	Indigenous (Early Woodland); Euro-Canadian (Post-Contact)	Midden, Homestead	> 1 km	-
AhGx-43	Goodale 2	Euro-Canadian (Post-Contact)	House	> 1 km	-
AhGx-46	Comley 6	-	-	50 m	-
AhGx-47	Comley 7	Indigenous (Middle Archaic, Late Archaic, Early Archaic)	Camp/Campsite;	155 m	-
AhGx-50	Bethune 1	Post-Contact	Unknown	> 1 km	-
AhGx-51	-	Post-Contact	Unknown	> 1 km	-
AhGx-83	UG Kirkwall 31	Indigenous (Archaic)	Camp/Campsite	> 1 km	-
AhGx-84	UG Kirkwall 33	Indigenous (Early Archaic)	Camp/Campsite	> 1 km	-
AhGx-87	UG Kirkwall 32	Indigenous (Pre-Contact)	Scatter	> 1 km	-
AhGx-88	UG Kirkwall 37	-	-	> 1 km	-
AhGx-89	UG Kirkwall 38	Indigenous (Late Archaic)	Camp/Campsite	> 1 km	-

Table 1: Registered Archaeological Sites within 1- km Radius of the Study Area

Borden Number	Site Name	Cultural Affiliation	Site Type	Distance from Study Area	Development Review Status
AhGx-101	-	Other	Findspot	65 m	-
AhGx-102	-	Other	Unknown	500 m	-
AhGx-103	-	Other	Unknown	455 m	-
AhGx-104	-	Other	Findspot	665 m	-
AhGx-105	-	Pre-Contact	Other	365 m	-
AhGx-106	-	Other	Camp/Campsite	315 m	-
AhGx-107	-	Indigenous (Early Archaic)	Other	175 m	-
AhGx-108	-	Indigenous (Early Archaic); Euro-Canadian (Late 19th Century)	Camp/Campsite;	95 m	-
AhGx-225	Daniel Young site	Indigenous (Late Archaic; Late Woodland); Euro-Canadian	Camp/Campsite;	495 m	No Further CHVI
AhGx-227	-	-	-	> 1 km	-
AhGx-228	-	-	-	> 1 km	-
AhGx-229	-	-	-	> 1 km	-
AhGx-230	-	-	-	> 1 km	-
AhGx-232	Oakdale 1	Other	Findspot	500 m	No Further CHVI
AhGx-233	Oakdale 2	Other	Findspot	650 m	No Further CHVI
AhGx-234	Oakdale 3	Other	Camp/Campsite	660 m	-
AhGx-235	Oakdale 4	Other	Other	655 m	-
AhGx-236	Oakdale 5	Other	Findspot	760 m	No Further CHVI
AhGx-237	Oakdale 6	Other	Other	640 m	No Further CHVI
AhGx-238	Oakdale 7	Other	Other	825 m	-
AhGx-239	Oakdale 8	Indigenous (Late Woodland)	Findspot	940 m	-
AhGx-240	Oakdale 9	Other	Findspot	810 m	No Further CHVI
AhGx-241	Oakdale 10	Other	Unknown	740 m	No Further CHVI
AhGx-242	Oakdale 11	Other	Camp/Campsite	895 m	-
AhGx-243	Oakdale 12	Other	Findspot	840 m	No Further CHVI
AhGx-245	-	-	-	> 1 km	-

Table 1: Registered Archaeological Sites within 1- km Radius of the Study Area

Borden Number	Site Name	Cultural Affiliation	Site Type	Distance from Study Area	Development Review Status
AhGx-251	Cityview Estates Subdivision	Euro-Canadian	-	> 1 km	-
AhGx-254	Abby Hill 1	Other	Camp/Campsite	> 1 km	-
AhGx-255	Abby Hill 2	Other	Camp/Campsite	> 1 km	-
AhGx-266	Twenty Rd East	Euro-Canadian	Homestead	> 1 km	-
AhGx-270	Jacob Smith	Euro-Canadian	Outbuilding	> 1 km	-
AhGx-274	Serena	Indigenous (Late Archaic, Early Woodland, Late Woodland)	Camp/Campsite	> 1 km	Further CHVI
AhGx-301	Cadham	Indigenous (Pre-Contact)	-	> 1 km	-
AhGx-302	Ossington	Indigenous (Middle Archaic, Middle Woodland)	-	> 1 km	-
AhGx-303	Upper Gage North	Indigenous (Pre-Contact)	-	> 1 km	-
AhGx-304	Upper Gage South	Indigenous (Late Archaic)	-	> 1 km	-
AhGx-305	Terni	Indigenous (Pre-Contact)	-	> 1 km	-
AhGx-306	Long Dump	Euro-Canadian	Dump	> 1 km	-
AhGx-325	-	Indigenous (Pre-Contact)	Findspot	> 1 km	-
AhGx-326	-	Indigenous (Pre-Contact)	Findspot	> 1 km	-
AhGx-327	-	Indigenous (Pre-Contact)	Findspot	> 1 km	-
AhGx-328	-	Indigenous (Pre-Contact)	Findspot	> 1 km	-
AhGx-329	-	Indigenous (Pre-Contact)	Findspot	> 1 km	-
AhGx-330	-	Indigenous (Late Archaic)	Findspot	> 1 km	-

Table 1: Registered Archaeological Sites within 1- km Radius of the Study Area

Borden Number	Site Name	Cultural Affiliation	Site Type	Distance from Study Area	Development Review Status
AhGx-401	Jacqueline	Indigenous (Pre-Contact)	Camp/Campsite	955 m	-
AhGx-402	Hydro	Indigenous (Pre-Contact)	Camp/Campsite	> 1 km	-
AhGx-485	Mantis	Indigenous (Archaic)	Camp/Campsite	> 1 km	-
AhGx-488	-	Indigenous (Late Archaic)	Camp/Campsite	> 1 km	-
AhGx-555	-	Indigenous (Pre-Contact)	Camp/Campsite	265 m	No Further CHVI
AhGx-556	-	Euro-Canadian (1800-1900)	Midden	375 m	No Further CHVI
AhGx-616	-	Pre-Contact	Unknown	765 m	Further CHVI
AhGx-615	-	Pre-Contact	Unknown	775 m	Further CHVI
AhGx-614	-	Pre-Contact	Unknown	660 m	Further CHVI
AhGx-666	-	-	-	> 1 km	-
AhGx-667	-	Pre-Contact	-	> 1 km	-
AhGx-677	Hess	Indigenous (Early Woodland); Euro-Canadian (Post-Contact)	Scatter, Homestead	> 1 km	Further CHVI
AhGx-678	Park I	Euro-Canadian (Post-Contact)	Midden	> 1 km	-
AhGx-679	Park II	Euro-Canadian (Post-Contact)	Midden	> 1 km	-
AhGx-680	AhGx-680-P1	-	-	> 1 km	-
AhGx-687	-	Post-Contact, Pre-Contact	Other	> 1 km	-
AhGx-720	P1	Indigenous (Middle Archaic); Euro-Canadian (1800-1900)	Camp/Campsite; Homestead	445 m	Further CHVI
AhGx-724	P2	Indigenous (Late Archaic)	Camp/Campsite	440 m	Further CHVI
AhGx-726	-	Indigenous (Pre-Contact)	Unknown	> 1 km	No Further CHVI

Table 1: Registered Archaeological Sites within 1- km Radius of the Study Area

Borden Number	Site Name	Cultural Affiliation	Site Type	Distance from Study Area	Development Review Status
AhGx-739	Breeze	Pre-Contact; Post-Contact	Scatter; Unknown	900 m	Further CHVI
AhGx-784	Young Site	Pre-Contact, Post Contact	Dump, Unknown	890 m	No Further CHVI
AhGx-785	-	Indigenous (Pre-Contact)	Camp/Campsite	> 1 km	-
AhGx-789	P1	Indigenous (Pre-Contact)	Scatter	> 1 km	No Further CHVI
AhGx-797	-	Euro-Canadian (Post-Contact)	Farmstead	> 1 km	Further CHVI
AhGx-798	Edelweiss	Euro-Canadian (Post-Contact, Pre-Contact)	Tool Modification, Homestead	> 1 km	No Further CHVI
AhGx-817	P1/P14	Indigenous (Pre-Contact)	Scatter	> 1 km	Further CHVI
AhGx-856	-	Indigenous (Pre-Contact)	Camp/Campsite	> 1 km	Further CHVI
AhGx-857	-	Indigenous (Pre-Contact)	Camp/Campsite	> 1 km	Further CHVI
AhGx-858	-	Indigenous (Pre-Contact)	Unknown, Hunting	> 1 km	No Further CHVI
AhGx-886	-	Indigenous (Pre-Contact)	Unknown	110 m	No Further CHVI
AhGx-899	-	Indigenous (Pre-Contact)	Scatter	870 m	Further CHVI
AhGx-905	-	Euro-Canadian (Post-Contact)	Residential	> 1 km	No Further CHVI
AhGx-927	-	Indigenous (Pre-Contact)	Unknown	> 1 km	Further CHVI
AhGx-928	-	Indigenous (Pre-Contact)	Unknown	> 1 km	Further CHVI

The sites listed below are located within 250 m of the study area:

- Archaeological Site AhGx-46 (Comley 6) is located approximately 120 m south of the study area. The site was discovered during surface collection and includes a lithic scatter measuring

approximately 70 m x 70 m and is located 20 m to the north of site AhGx-47 (Comley 7). The artifacts from the assemblage include 1 possible Adena point but the MHSTCI database has no listed time period inferences (MHSTCI 2020).

- Archaeological Site AhGx-47 (Comley 7) is located approximately 250 m south of the study area. The site was discovered during surface collection for a lithic scatter measuring approximately 60 m x 30 m. The artifacts from the assemblage include 1 Nettling point, 1 Brewerton corner-notched, 1 Innes point base, and 1 possible Broadpoint. The site has been dated to the Early, Middle and Late Archaic time periods (MHSTCI 2020).
- Archaeological Site AhGx-101 is located approximately 130 m southwest of the study area. This Late Archaic site was identified during a controlled surface collection and the artifacts collected include one partial Innes projectile point (MHSTCI 2020).
- Archaeological Site AhGx-107 is located approximately 230 m southwest of the study area. This Early Archaic site was identified during a controlled surface collection and the artifacts collected include one partial nettling projectile point (MHSTCI 2020).
- Archaeological Site AhGx-108 is located approximately 90 m southeast of the study area identified during surface collection. This multi-component site includes a late 18th century Euro-Canadian homestead/campsite and an Early Archaic camp/campsite. Artifacts collected include a single projectile point and a few pieces of debitage and a small ceramic and glass scatter (MHSTCI 2021).
- Archaeological site AhGx-886 is an Indigenous archaeological site located approximately 110 m west of the study area. The site was a lithic scatter consisting of 103 lithic artifacts. The site was subject to Stage 4 mitigation and fully excavated and has no further CHVI (MCM 2025).

2.1.2 History of Archaeological Investigations

Wood completed a search for archaeological reports within 50 m of the study area within the *Ontario Public Register of Archaeological Reports* administered by the MHSTCI (MHSTCI 2020b). Based on this search (by address, lot and concession, and above-mentioned archaeological sites), and on information provided by the Client, seven archaeological assessments have been conducted within the study area or within 50 m of the study area (Table 2) (Appendix A: Figure 4).

Table 2: Related Archaeological Assessment Reports

Year	Title	Author	PIF
1988	An Archaeologist Resource Assessment of Diconzo Gardens 25T-86008 City of Hamilton.	ASI 1988a	P87-16
1988	An Archaeological Resource Assessment of Wellington Chase Subdivision- Phase 2 City of Hamilton, Ontario.	ASI 1988b	P87-16
2011	Revised Stage 1-2 Archaeological Assessment of 289 Stone Church Road East and 1321-1355 Upper Wellington Street, Part of Lot 12, Concession 7, City of Hamilton	Archaeological Assessments Ltd. 2011	P013-569-2011

Stage 1 AA: Upper Wellington Street, Municipal Class EA

Table 2: Related Archaeological Assessment Reports

Year	Title	Author	PIF
2016	Revised 2013 Stage 1-2 Archaeological Assessment of Jerome Property, 1310 Upper Wellington, Part Lot 13, Con. 7 (Geo. Twp. of Barton), City of Hamilton	AMICK 2016	P384-0129-2013
2018	Stage 1 Archaeological Assessment of Shalom Campus of Care, 1411 And 1415 Upper Wellington Street, Part of Lot 12, Concession 7, Geographic Township of Barton, Wentworth County, City of Hamilton, Ontario	ASI 2018a	P449-0170-2017
2018	Stage 2 Archaeological Assessment of Shalom Campus of Care, 1411 and 1415 Upper Wellington Street, Part of Lot 12, Concession 7, Geographical Township of Barton, Wentworth County, City of Hamilton, Ontario	ASI 2018b	P398-0006-2018
2021	Stage 1 Upper Wellington Street (Limeridge Road to Stone Church Road) Municipal Class EA, Located on Part of Lots 12 and 13, Concession 6, 7 and 8, Barton Township, Wentworth County, now City of Hamilton, Ontario	Wood 2021	P362-0309-2020

ASI 1988a: *An Archaeologist Resource Assessment of Diconzo Gardens 25T-86008 City of Hamilton.*

In 1987, Archaeological Services Inc. (ASI) conducted an archaeological resource assessment on Lot 13, Concession 8 within the township of Barton, Wentworth County (ASI 1988a). The objectives of the assessment were to identify and locate three previously documented sites recorded during previous archaeological work completed by George Parkin in 1983, David Faux in 1981, Rita Michaels in 1987 and Christine Dodd. As part of their background research ASI noted the presence of 23 previously recorded sites within a 3 km radius of the study area. During their field survey ASI identified four new sites (AhGx-102, AgHx-103, AgHx-105 and AgHx-106) as well as three isolated finds (AhGx-101, AhGx-104 and AhGx-107) of single flakes.

ASI made the following recommendations following their resource assessment:

- 1) *All of the archaeological resources which were situated on Phase 1, 2 and 3 lands have been previously cleared for development.*
- 2) *Sites AhGx-104, AhGx-105, AhGx-107, AhGx-32, AhGx-225 have not yet been cleared. However, no further archaeological investigation is recommended for sites AhGx-104 and AhGx-107.*
- 3) *Prior to any development, Site 5 (AhGx-105) should be subjected to an intensive and systematic archaeological surface survey including test units which should be excavated to subsoil to determine the yield of artifacts in the plough zone and to assess the potential for subsurface features.*
- 4) *It is also recommended that, prior to land disturbance of any kind, the Daniel Young*

site (AhGx-225) be stripped of topsoil in the presence of an archaeologist, in order to examine the nature of subsurface cultural features and to delimit the extent of the site. All extant subsurface features must then be protected from development until such time that they are properly recorded and excavated.

- 5) *Due to the extreme archaeological importance and significance of the Olmstead site (AhGx-32), a detailed excavation is necessary prior to land disturbance or development of any nature. The investigation should encompass testing of midden areas, as defined in surface collection, stripping of topsoil in the presence of an archaeologist, and complete mitigative excavation of all subsurface settlement patterns.*

(ASI 1988a:19-20)

Previous investigations of the 1987 ASI study area conducted by George Parkin, Christine Dodd, ASI, David Faux and Rita Michaels were noted by ASI within the report (ASI 1988a). The results of these investigations identified 23 previous archaeological sites within 3 km of the 1987 ASI study area (ASI 1988a). No information about any reporting that was completed in association with this previous research was available at the time this report was written.

ASI 1988b: An Archaeological Resource Assessment of Wellington Chase Subdivision- Phase 2 City of Hamilton, Ontario.

In 1987, Archaeological Services Inc. (ASI) conducted an archaeological resource assessment on the western half of Lot 11 and 12, Concession 8 within the Township of Barton, now the City of Hamilton, Regional Municipality of Hamilton-Wentworth, Ontario. Detailed mapping outlining the full extent of the study area was not provided within the archaeological report so does not appear on Appendix A: Figure 4. The objectives of the assessment were: 1) to conduct a comprehensive survey of three previously identified sites: the Comley V Site (AhGx-40), the Comley VI Site (AhGx-46), and the Comley VII (AhGx-47), 2) conduct a pedestrian survey and controlled surface collection to delineation the extent of the Comley Sites; and, 3) add any additional test units to assess the need for any additional and more complete archaeological mitigation. As part of their background research ASI noted the presence of 31 previously recorded sites within a 3 km radius of the study area. During their 1987 field survey ASI identified four isolated prehistoric findspots that were found within the study area. Three of these consisted of small lithic scatters, while the fourth (AhGx-108) consisted of a few pieces of lithic debitage and a projectile point made of Onondaga chert. The projectile point was identified to a variant of the Hi-Lo type, which is associated with the Late Paleo-Indian/ Early Archaic Period in the Lower Great Lake region. In conjunction with the lithic material recovered from AhGx-108, a small Euro-Canadian scatter was found dating to the late nineteenth century and possibly relating to the farmhouse situated nearby. Following their investigation ASI determined that the isolated findspots and the small largely non-diagnostic artifact assemblage does not hold any further archaeological concern (ASI 1988b).

Previous investigations of the study area conducted by Christine Dodd were noted within the report (ASI 1988b). The results of these investigations identified 33 previous archaeological sites within 3 km of the 1987 ASI study area (ASI 1988b). No information about any reporting that was completed in association with Dodd's previous research was available from MHSTCI at the time this report was written.

Archaeological Assessments Ltd. 2011: Revised Stage 1-2 Archaeological Assessment of 289 Stone Church Road East and 1321-1355 Upper Wellington Street, Part of Lot 12, Concession 7, City of Hamilton

Stage 1 AA: Upper Wellington Street, Municipal Class EA

In 2011, Archaeological Assessments Ltd. conducted a Stage 1-2 Archaeological Assessment of 289 Stone Church Road East and 1321-1355 Upper Wellington Street. The Stage 1 background research identified that the study area had archaeological potential for the following reasons: 1) 28 registered archaeological sites located within 1 km of the Study area 2) one site AhGx-108 located 150 m southwest of the study area 3) the study area was depicted within 100 m of early transportation routes and 300 m of early Euro-Canadian settlement as identified on the 1875 historical atlas of Wentworth County and, 4) several small watercourses were identified within 300m of the study area. The Stage 2 field assessment was completed in May of 2011. Areas of disturbance including the existing church, houses, asphalt parking lots and driveways were identified as no longer have any archaeological potential. The remainder of the study area consisted of forested areas and lawns which were systematically test pitted by 5 m intervals and agricultural lands which underwent a pedestrian survey at 5 m intervals. No archaeological resources were identified during the Stage 2 field assessment, accordingly no further archaeological assessments were recommended.

AMICK 2016: Revised 2013 Stage 1-2 Archaeological Assessment of Jerome Property, 1310 Upper Wellington, Part Lot 13, Con. 7 (Geo. Twp. of Barton), City of Hamilton

In 2013, AMICK was retained to conduct a Stage 1-2 Archaeological Assessment of the Jerome Property, at 1310 Upper Wellington. The Stage 1 background research identified that the Study area had archaeological potential for the following reasons: 1) 22 registered archaeological sites located within 1 km of the study area 2) the study area was depicted within 100 m of early transportation routes and 300 m of early Euro-Canadian settlement as identified on the 1875 historical atlas of Wentworth County and, 3) the study area was located within 300 m of an unnamed creek as illustrated on the 1875 historical atlas. The Stage 2 property assessment was completed on 6 December 2013. consisting of high intensity pedestrian survey at five metre intervals and test pit survey at five metre intervals which were increased to 10 m in areas of confirmed disturbance. During the test pit survey, a single secondary flake of worked Onondaga chert was recovered. Despite intensification at intervals of 2.5 metres between individual test pits out to a distance of twenty metres around the findspot no additional archaeological resources were recovered. AMICK concluded that the isolated find did not represent a potentially significant archaeological or heritage resource. Therefore, no further archaeological assessments were recommended.

ASI 2018a: Stage 1 Archaeological Assessment of Shalom Campus of Care, 1411 And 1415 Upper Wellington Street, Part of Lot 12, Concession 7, Geographic Township of Barton, Wentworth County, City of Hamilton, Ontario

In 2017, ASI was retained by Shalom Manor to conduct a Stage 1 Archaeological Assessment of 1411 And 1415 Upper Wellington Street. The Stage 1 background research identified that that study area had archaeological potential for the following reasons: 1) 31 registered archaeological sites located within 1 km of the study area 2) the Study area depicted within 100 m of early transportation routes and 300 m of early Euro-Canadian settlement as identified on the 1875 historical atlas of Wentworth County and, 3) Twenty Mile Creek located within 300 m of the Study area. The Stage 1 property inspection was completed on December 11, 2017. The results determined that approximately 60% of the study area was disturbed. The remaining 40% of undisturbed lands was recommended for further archaeological assessment in the form of a test-pit survey.

ASI 2018b: Stage 2 Archaeological Assessment of Shalom Campus of Care, 1411 and 1415 Upper Wellington Street, Part of Lot 12, Concession 7, Geographical Township of Barton, Wentworth

County, City of Hamilton, Ontario

In 2018, ASI was retained by Shalom Manor to conduct a Stage 2 Archaeological Assessment of the previously undisturbed lands at 1411 And 1415 Upper Wellington Street identified during the Stage 1 Archaeological Assessment. The Stage 2 assessment was conducted on April 23, by means of a test pit survey initiated at five metre intervals and increased to 10 metres when disturbance was observed. No archaeological resources were identified during the Stage 2 field assessment and accordingly no further archaeological assessments were recommended.

Wood 2021: *Upper Wellington Street (Limeridge Road to Stone Church Road) Municipal Class EA, Located on Part of Lots 12 and 13, Concession 6, 7 and 8, Barton Township, Wentworth County, now City of Hamilton, Ontario*

Wood was retained by the City of Hamilton to conduct a Stage 1 archaeological assessment in support of the Upper Wellington Street – Schedule “C” Municipal Class Environmental Assessment. The study area was identical to the study area reported on in this current Stage 1 archaeological assessment. The Wood 2021 Stage 1 Archaeological Assessment report recommended the same portions of the current study area were either previously disturbed or required archaeological assessment as this current Stage 1 archaeological assessment report with the exception that the Wood 2021 did not include the previously assessed areas of the reports noted above.

2.1.3 Environmental Context

The study area (Appendix A: Figure 1- Figure 3) is situated in the Haldimand Clay Plain physiographic region (Chapman and Putnam 1984). This area is made up of a series of parallel belts that were once submerged in Lake Warren. The highest ground adjoins the Niagara Escarpment.

The surface soil type within the study area is composed of Brantford lacustrine silty clay loam, Beverly lacustrine silt loam, Oneida clay loam hill and Toledo lacustrine silty clay loam. Brantford lacustrine silty clay loam and Oneida clay loam are characterized as having a good drainage while Beverly lacustrine silt loam and Toledo lacustrine silty clay loam are characterized by having irregular and poor drainage respectively (OMAFRA 2006).

According to the Ministry of Northern Development and Mines Quaternary Geology, Map 2556, this immediate area includes glaciolacustrine deposits (Ministry of Energy, Northern Development and Mines 1991).

It is crucial to consider the proximity of water sources in any evaluation of archaeological potential because the availability of water is arguably the single most important determinant of human land use, past and present. The *Standards and Guidelines for Consultant Archaeologists* (MHSTCI 2011) lists proximity to water as one of the prime indicators of potential for the presence of archaeological sites. Distance from potable water has been one of the most commonly used variables for predictive modelling of archaeological site location. Water, both potable and non-potable, also facilitated the transportation of people and goods and served to focus animal and plant resources. According to the *Standards and Guidelines for Consultant Archaeologists* (MHSTCI 2011), lands within 300 m of an extant or formerly mapped river or creek have potential for the presence of early Indigenous and Euro-Canadian archaeological sites. It is likely that one or more seasonally active creeks once flowed across the study area toward a tributary of Red Hill Creek as illustrated in the 1859 and 1875 historic maps (Surtees 1859, Page and Smith 1875) (Appendix A: Figure 5 and Figure 6).

2.2 Historical Context

2.2.1 A Cultural History for Southwestern/Southern/Southern and Eastern Ontario

The majority of interpretations of pre-contact Indigenous adaptations in Ontario derive from the analysis and interpretation of stone tools. Stone tools are made from specific types of rocks that fracture in ways that can be controlled, so that they are easily shaped into useful forms. These rocks include chert, chalcedony, quartzite, petrified wood, and volcanic glass, known as obsidian. Most stone tools found in southern Ontario are formed from types of chert that outcrop in local limestone formations, such as: Onondaga and Haldimand cherts, found near the north shore of Lake Erie; Kettle Point chert, which outcrops near Lake Huron; and Collingwood chert, which outcrops along the Niagara Escarpment near Georgian Bay.

Stone tools used as spear tips and arrowheads are the most commonly studied tool type. These are referred to as projectile points. As projectile point technology changed over time, styles and shapes of points changed also. Studying these changing point types has resulted in the development of a chronological framework for pre-contact times prior to 3,000 years ago, when First Nations groups began to make clay pottery. Later periods are defined both by point types and pottery characteristics. Radiocarbon dating of archaeological sites can only be done when organic materials are collected from those sites, so the dating of most sites is done by comparing the artifacts from dated sites to those from undated sites. The following is an overview of the pre-contact history of southern Ontario as understood by archaeologists.

The cultural history of southern Ontario began approximately 11,000 years ago when the glaciers had melted, and the land was re-exposed. The land was quickly settled by bands of hunters and gatherers who are thought to have been large game hunters. These people used large spear points that are distinctively shaped with long central grooves, called “flutes”. Archaeologists have defined a number of point types that date to this time, including Gainey, Barnes, Crowfield, and Hi-Lo types. This period is referred to as the Paleo-Indian Period and it is thought to have lasted until approximately 9,000 years ago.

After 9,500 years ago, there was a long period when the climate was variable and the bare lands left by the glaciers were becoming re-forested, resulting in patchier, more diverse ecozones. During this time, which lasted until 3,000 years ago, people were adapting to diverse environmental settings. There appears to have been more reliance on local stone for making tools and more variable tool manufacturing technologies. The adoption of a spear-throwing board, known as an atlatl, was an important innovation, resulting in the ability to throw smaller darts with more force. Projectile points from this period, called the Archaic Period, are commonly side or corner-notched and are smaller than those of the preceding period. The Archaic adaptation is generally thought to have centred on localized resources, often forest resources, and groups of people are thought to have been less mobile, an adaptation that continued to develop until the arrival of Europeans.

In southern Ontario, the Archaic Period is divided into the Early, Middle and Late Archaic. Early point types include serrated Nettling and Bifurcate Base points. Middle types include Brewerton Corner Notched and Otter Creek, and Late types include Lamoka, Genesee, Crawford Knoll, and Innes. Most of these point types are named after archaeological sites where they were first identified.

The Archaic Period is followed by the Woodland Period. The major technological change in the Early Woodland Period is the introduction of pottery. During this time, people are thought to have developed more community organization and the manufacture of clay pottery is thought to indicate less residential mobility. Burial sites dating to this time often display evidence of ceremonial activities. Projectile points made at this time include much smaller types, probably used as arrow tips. Point types include Meadowood and Kramer and early ceramics were crudely-made vessels with conoidal (pointed) bases. The Early Woodland Period transitioned into the Middle Woodland Period approximately 2,400 years ago.

During the Middle Woodland Period in southern Ontario community and kin identity became more deeply entrenched, and more sedentary communities developed. Point types made at this time include Saugeen, Vanport, and Snyders. Ceramic vessels were conoidal in shape but were decorated with stamped designs in the soft clay. The Middle Woodland Period transitioned into the Late Woodland Period A.D. 500–900 with the earliest direct evidence for agriculture.

The Late Woodland Period saw the development of recognizable Iroquoian and Algonkian cultures in southern Ontario, characterized by the intensification of agriculture and the increased utilization of corn. Greater sedentism led to increasing settlement populations and greater complexity of settlement organization. Sites dating to this time are often found on terraces overlooking the floodplains of large rivers. Iroquoian villages tended to be small, palisaded compounds with longhouses occupied by families. As the Late Woodland Period progressed, more intercommunity communication and integration became necessary to maintain the sedentary agricultural way of life. Later Iroquoian villages were larger and more heavily palisaded, and longhouses were larger also.

When European explorers and missionaries arrived in southern Ontario in the early seventeenth century, they described the local Iroquoian social organization as being under the direction of elected chiefs. Tribal confederacies and allegiances resulted in intertribal warfare, which was only made worse by the European presence. Three Ontario Iroquoian confederacies, the Huron, Petun, and Neutral, were driven from their traditional territories before the middle of the seventeenth century.

Archaeologists tend to describe a period of transition from Late Woodland to post-contact times as “proto-historic”. The dating of this period is variable and may be different from site to site within a region as it describes a time when local Indigenous peoples were acquiring European trade goods indirectly through other Indigenous middlemen rather than directly from European traders. This period was generally very short and is often difficult to differentiate archaeologically from later post-contact times, when trade goods were widely available, but it usually is identified by evidence of an intact traditional cultural adaptation with occasional European items used in traditional ways.

Table 3: Simplified Cultural Chronology of Southern and Eastern Ontario

Period	Complexes/Cultures, Some Diagnostic Artifacts
Early Paleo-Indian (9000–8500 B.C.)	Small nomadic hunter-gatherer bands. Early Paleo-Indian (EPI) rarely found in eastern Ontario. Gainey, Barnes, Crowfield fluted points.
Late Paleo-Indian (8500–7500 B.C.)	Small nomadic hunter-gatherer bands. Hi-Lo, Holcombe points, Lanceolate Bifaces.
Early Archaic (7500–6000/4500 B.C.)	Small nomadic hunter-gatherer bands. Nettling, Stanley/Neville points.

Table 3: Simplified Cultural Chronology of Southern and Eastern Ontario

Period	Complexes/Cultures, Some Diagnostic Artifacts
Middle Archaic (6000/4500–2500 B.C.)	Transition to territorial settlements. Seasonal round of subsistence introduced. Thebes (6000–5000 B.C.), Otter Creek points (4500–3000 B.C.). Brewerton Complex (3000–2500 B.C.). Brewerton points. Laurentian Complex (6000–2500 B.C.) (Eastern Ontario)
Late Archaic (2500–1000 B.C.)	More numerous territorial hunter- gatherer bands, increasing use of exotic materials and artistic items for grave offerings, regional trade networks. Narrowpoint Complex (2500–1850 B.C.). Lamoka points. Broadpoint Complex (1850–1650 B.C.). Adder Orchard, Genesee points. Smallpoint Complex (1650–1000 B.C.). Crawford Knoll, Innes points. Terminal Archaic (1100–1000 B.C.) Glacial Kame Complex. Hind points.
Early Woodland (1000–400 B.C.)	Pottery introduced. Meadowood Notched points, Meadowood Cache Blades, Kramer, Adena points. Meadowood Complex (1000–400 B.C.). Middlesex Complex (650–400 B.C.). Introduction of true cemeteries.
Middle Woodland (400 B.C.–A.D. 500/900)	Saugeen, Snyders, Vanport, Port Maitland points. Point Peninsula Complex (Southcentral and eastern Ontario) Saugeen Complex (Southeast of Lake Huron and the Bruce Peninsula, London area, and possibly as far east as the Grand River) Couture Complex (Lake St. Clair and the western end of Lake Erie). Burial ceremonialism.
Transitional Woodland (A.D. 500–900)	Agriculture introduced. Levanna, Jacks Reef points. Princess Point Complex (Eastern end of Lake Erie and the western end of Lake Ontario). Rivière au Vase Phase of the Younger / Western Basin Tradition (Lake St. Clair and western end of Lake Erie) Sandbanks Complex (Kingston area).
Late Woodland (A.D. 900–1650)	Tribal differentiation. Transition to settled village life. Dewaele, Glen Meyer Tanged, Triangular Naticoke, Notched Naticoke, Triangular Daniels/Madison points. Ontario Iroquoian and St. Lawrence Iroquoian Traditions (Southcentral and eastern Ontario, respectively). Algonkian Western Basin Tradition (Lake St. Clair and the western end of Lake Erie).
Early Post-Contact (A.D. 1650–1763)	Iroquoian, Algonkian migrations and resettlement. French exploration and colonization
Late Post-Contact (A.D. 1763–1867)	Iroquoian, Algonkian migrations and resettlement. British and other European immigration increases.

In southern Ontario, significant post-contact archaeological sites are those that have an affiliation with an

important historic event, figure, or family, but can also be anything dating to the original European settlement of a region. Often, these archaeological sites date to before A.D. 1830, but archaeologically significant Euro-Canadian sites can date into the twentieth century.

2.2.2 Review of Historical Records

During pre-contact and early contact times, the vicinity of the study area would have contained a mixture of deciduous trees, coniferous trees, and open areas. In the early nineteenth century, Euro-Canadian settlers arrived and began to clear the forests for agricultural purposes. In the nineteenth and early twentieth centuries, the study area and surrounding land were primarily used for agricultural purposes.

The study area is located within the Township of Barton, County of Wentworth. Wentworth County was established following the abolition of the Old Upper Canadian District system in 1849 and was temporarily united with Brant and Halton Counties until 1854–1855. In 1973–1974, the county was dissolved and succeeded by the Regional Municipality of Hamilton-Wentworth. The City of Hamilton has remained the administrative seat since the original creation of the Gore District nearly two centuries ago (Stanton 1843:215; Armstrong 1985:170–171; Jonasson 2006:191–209). In 2001, the current boundaries of the City of Hamilton were created by incorporating the original city and a number of surrounding communities, such as Ancaster, Stoney Creek and Dundas.

Barton township was named after a town in Lincolnshire England and is bounded by Burlington Bay to the north, Glenford to the south, Saltfleet township to the east and Ancaster to the west. A portion of the Niagara Escarpment, known as 'the Mountain', passes through the township which subsequently made the land within Barton Township not suitable for farming. The first survey of the Township of Barton was prepared by Augustus Jones in 1791. In 1770 Robert Land, originally from the United States, settled below the mountain. In 1815 the Township of Barton consisted of 105 rate payers and by 1823 there was one grist mill, owned by the Rymal family, and three sawmills (Surtees 1859).

The historical limits of the City of Hamilton are located 3.35 km to the northwest of the study area (Surtees 1859). The first recorded visit to the locality by Euro-Canadians was French explorer René Robert de la Salle in 1669. The City of Hamilton was recognized as a village in 1816 and was named after George Hamilton, a prominent settler who purchased land in 1813, and many of the city streets were named after members of Hamilton's family. The city's earliest institutions include the first church which was opened in 1800 as a Methodist church and the first school, the Gore district school, which was opened in 1821. The Burlington Canal, constructed in 1830, resulted in further growth of the village and by 1833 the community became a town. By 1845 the population had reached 6,478 and the following year the town was incorporated as the City of Hamilton. In 1854 the Great Western Railway was constructed which carried trade past Dundas to Hamilton. As the City was the only place where the railway touched navigable water it made the City of Hamilton a very important port to receive trade goods such as railway stock and pig iron. It was a combination of this and other advancements within the trades industry including the addition of a blast furnace constructed in 1890 that later merged with the Hamilton Blast Furnace in 1899 to form the Hamilton Steel and Iron Company, the first fully integrated steel company in Canada, that gave the City of Hamilton the nickname the 'Steel City' (Mika and Mika 1981: 221-228).

Located approximately 55 m to the South of the study area is the Young Family cemetery, opened in 1832. Currently registered to the City of Hamilton the cemetery was once owned by Daniel Young and his wife Elizabeth Windecker. A plaque at the cemetery details the Young family tree (CanadaGenWebs Cemetery Project 2021).

Stage 1 AA: Upper Wellington Street, Municipal Class EA

Historical records and mapping were examined for evidence of early Euro-Canadian use of the study area. The study area was located on Part of Lots 12 and 13, Concession 7 and 8, Township of Barton (Appendix A: Figure 5-Figure 6).

Historical records were examined in an effort to determine the potential for archaeological evidence within the study area (Table 4).

Table 4: Review of Historical Records			
Figure No.	Year	Map Title	Historical Feature(s)
5	1859	1859 Map of the County of Wentworth (Surtees 1859)	<ul style="list-style-type: none"> The study area is listed under the ownership of the following: <ul style="list-style-type: none"> Jacob Neff (Lot 13, Concession 6) Abraham Neff (Lot 12, Concession 6) H.N Case and Peter Hess (Lot 13, Concession 7) Samuel Finton and William Misener (Lot 12, Concession 7) J. Terryberry (Lot 13, Concession 8) Calvin & Alex Young (Lot 12, Concession 8) A creek is illustrated intersecting Lot 12 and 13 Concession 8 approximately 120 m to the south of the study area. A roadway running north/south is illustrated intersecting of the study area; Ryckmans Corners is located approximately 1.2 km southwest of the study area No other features are illustrated.
6	1875	Illustrated Historical Atlas of the County of Wentworth Ontario (Page and Smith 1875)	<ul style="list-style-type: none"> The study area is listed under the ownership of the following: <ul style="list-style-type: none"> Joseph Dingle, Jacob Neff (Lot 13, Concession 6) Abraham Neff (Lot 12, Concession 6) Joseph Dingle and Peter Hess (Lot 13, Concession 7) Samuel Finton and William Misener (Lot 12, Concession 7) Jacob Smith (Lot 13, Concession 8) Alexander Young & J.F and C. Young (Lot 12, Concession 8) A creek is illustrated transecting the southern portion of the study area.

Table 4: Review of Historical Records

Figure No.	Year	Map Title	Historical Feature(s)
			<ul style="list-style-type: none"> A roadway running north/south is illustrated intersecting of the study area There are five residences within 300 m of the study area There are five orchards within 300m of the study area

The 1851 historical census (Library and Archives Canada 2021) was reviewed to obtain additional information on the following properties:

- The owner of Lot 13, Concession 6, Jacob Neff, a 48-year-old New Connexion farmer. He is listed alongside his 41-year-old wife Prudence, born in New Brunswick;
- The owner of Lot 12, Concession 6, Abraham Neff, a 52-year-old New Connexion farmer listed alongside his 44-year-old wife Mary and their three children: Elizabeth age 17, Mary Anne age eight and John F. age three;
- The partial owner of Lot 13, Concession 7, Peter Hess was born in 1813 and 38-years-old at the time of the census. Peter a Wesleyan Methodist, was identified as a farmer, born in Germany. He is listed alongside his 37-year-old wife Dorothy Hess and their son Jacob Hess, who was 18-year-old and a labourer at the time of the census;
- The second owner of Lot 13, Concession 7, H. N Case, the owner of Lot 13, Concession 8, J. Terryberry, and the owners of Lot 12, Concession 8 listed, Calvin and Alexander Young, and the owner of Lot 12, Concession 7, Samuel Finton did not yield any records concerning property in the 1851 Censes.

In conjunction with the 1851 census, the 1871 historical census (Library and Archives Canada 2021) was also reviewed to obtain additional information on the following properties:

- Records for the partial owner of Lot 13, Concession 6, Jacob Neff was not found in the 1871 census;
- The owner of Lot 12, Concession 6, Abraham Neff, a 71-year-old New Connexion Methodist farmer listed alongside his 64-year-old wife Mary and their 27-year-old daughter Mary Anne; These records correlate with data obtained from the 1851 census indicating that the individual from both censuses are the same person;
- The partial owner of Lot 13, Concession 6-7, Joseph Dingle was born in 1836, he was 35 years old at the time of the census. Joseph a Wesleyan Methodist, was identified as a butcher, born in England; he is listed alongside his 36-year-old wife Selina Dingle and their seven children: Mary B Dingle age 15, Charles Dingle age 13, David Dingle age 11, Selina Dingle age 9, Joseph Dingle age 6, Susan Dingle age 4, and Jane Dingle age 3;
- The 1871 Head of Household Census indicates that the owner of Lot 13, Concession 7, Peter Hess was born in 1813, he was 58 years old at the time of the census. Peter a Wesleyan Methodist

identified as a farmer and born in Germany. These records correlate with data from the 1851 census indicating that the individual from both censuses are the same person;

- Records for the partial owners of Lot 12, Concession 7 (Samuel Finton and William Misener) and the owner of Lot 13, Concession 8 (Jacob Smith) were not found in the 1871 census;
- The owner of Lot 12, Concession 8 Alexander Young was born in 1822, and 49-years-old at the time of the census. Alexander is listed as a New Connexion Methodist, farmer, born in Germany. Alexander is listed alongside his 47-year-old wife Hannah and their five children: George age 23, Robert age 21, Harriet age 17, Willington age 13 and Peter age 10.

2.2.3 Historical Plaques

The MHSTCI's *Standards and Guidelines for Consultant Archaeologists* (MHSTCI 2011:18) stipulates that areas of early Euro-Canadian settlement, including places of early military pioneer settlement (pioneer homesteads, isolated cabins, farmstead complexes), early wharf or dock complexes, pioneer churches and early cemeteries, are considered to have archaeological potential. There may be commemorative markers of their history, such as local, provincial, or federal monuments or heritage parks. Early historical transportation routes (trails, passes, roads, railways, portage routes), properties listed on a municipal register or designated under the *Ontario Heritage Act* or a federal, provincial, or municipal historic landmark or site, and properties that local histories or informants have identified with possible archaeological sites, historical events, activities, or occupations are also considered to have archaeological potential.

There are no historical plaques located within a 1 km radius of the study area (Ontario Heritage Trust 2021).

2.3 Additional Information

2.3.1 Recent Land Use History

A review of recent aerial photographs was completed for the study area to discern past and present land uses (Table 5) (Appendix B) (McMaster University Library Historical Hamilton portal 2021).

Figure	Year	Features
B1	1934	The following features are observed: <ul style="list-style-type: none"> Upper Wellington Avenue is depicted. Lands surrounding the study area consists of undeveloped agricultural land.
B2	1959	The following features are observed: <ul style="list-style-type: none"> Upper Wellington Avenue is depicted. Lands surrounding the study area consists of undeveloped agricultural land. Homesteads begin to appear on the East and West sides of Upper Wellington Avenue.
B3	1961	<ul style="list-style-type: none"> The configuration does not appear to have changed much from the 1959 aerial photograph
Various (2004 to 2016)		The following features are observed:

Table 5: Review of Historical Aerial Photographs

Figure	Year	Features
Online Google Earth Aerial Imagery – Reviewed but not contained within Appendix B due to copyright)		<ul style="list-style-type: none"> Residential complex development has taken place within the study area and surrounding areas between the 1965 historic aerals and the 2004 imagery. Between 2004 and August 2009 the configuration does not appear to have changed much from the 2004 aerial. Between August 2009 and September 2012 there is visible evidence of residential development within the Study Area and its surrounding lands. <p>Between 2012 and 2018 the configuration of the Study Area does not appear to have changed much from the 2012 aerial.</p>

Based on a review of the historical sources in Table 5, the study area has undergone a number of land altering activities (i.e., grading/topsoil removal) from 1965 onward including the construction of several residential complexes on the eastern and western sides of the study area. As a result, these activities may have impacted the archaeological potential in portions of the study area.

2.4 City of Hamilton Archaeology Management Plan

The City of Hamilton has developed an Archaeology Management Plan (AMP) (City of Hamilton 2016). The AMP's goal is to ensure a comprehensive and consistent policy on archaeology by: 1) providing detailed policy for the management of archaeology in the City of Hamilton; 2) mapping all known archaeological sites within the City; 3) Mapping areas of archaeological potential; and, 4) identifying when and how archaeology will be carried out before soil is disturbed. Currently, Hamilton has over 1,300 known sites that are considered Provincial and National significance. Pre-contact archaeology is found from 13,000 years ago to modern historic times, marking Indigenous presence since the glaciers retreated from Hamilton. In addition, Euro-Canadian archaeology appears with the initial colonization and settlement of Hamilton in the early 1700s through to modern times. As a result, the current study area falls within the City of Hamilton Archaeology Master Plan parameters. According to the City of Hamilton Archaeology Master Plan portions of the study area were identified as having archaeological potential (City of Hamilton 2016).

2.5 Potential for Archaeological Resources

Archaeological potential is defined as the likelihood of finding archaeological sites within a study area. For planning purposes, determining archaeological potential provides a preliminary indication that archaeological sites might be found within the study area, and consequently, that it may be necessary to allocate time and resources for archaeological survey and mitigation.

The framework for determining the presence of archaeological potential within a study area is drawn from provincial standards found in the *Standards and Guidelines for Consultant Archaeologists* (MHSTCI 2011, Sections 1.3.1 and 1.3.2). The following are features or characteristics that can indicate archaeological potential:

- previously identified archaeological sites;
- water sources (it is important to distinguish types of water and shoreline, and to distinguish natural from artificial water sources, as these features affect site locations and types to varying degrees):
 - primary water sources (e.g. lakes, rivers, streams, creeks);

- secondary water sources (e.g. intermittent streams and creeks, springs, marshes, swamps);
- features indicating past water sources (e.g. glacial lake shorelines indicated by the presence of raised sand or gravel beach ridges, relic river or stream channels indicated by clear dip or swale in the topography, shorelines of drained lakes or marshes, cobble beaches); and,
- accessible or inaccessible shoreline (e.g. high bluffs, swamp or marsh fields by the edge of a lake, sandbars stretching into marsh).
- elevated topography (e.g. eskers, drumlins, large knolls, plateaus);
- pockets of well-drained sandy soil, especially near areas of heavy soil or rocky ground;
- distinctive land formation that might have been special or spiritual places, such as waterfalls, rock outcrops, caverns, mounds, and promontories and their bases. There may be physical indicators of their use, such as burials, structures, offerings, rock paintings or carvings;
- resource areas, including:
 - food or medicinal plants (e.g. migratory routes, spawning areas, prairie);
 - scarce raw materials (e.g. quartz, copper, ochre or outcrops of chert); and,
 - early Euro-Canadian industry (e.g. fur trade, logging, prospecting, mining).
- areas of early Euro-Canadian settlement. These include places of early military or pioneer settlement (e.g. pioneer homesteads, isolated cabins, farmstead complexes), early wharf or dock complexes, pioneer churches and cemeteries. There may be commemorative markers of their history, such as local provincial, or federal monuments or heritage parks;
- early transportation routes (e.g. trails, passes, roads, railways, portages); and,
- property listed on a municipal register or designated under the *Ontario Heritage Act* or that is a federal, provincial or municipal historic landmark or property that local histories or informants have identified with possible archaeological sites, historical events, activities or occupations.

Archaeological potential can be determined to not be present for either the entire study area or parts of it when the area under consideration has been subjected to extensive and deep land alterations that have severely damaged the integrity of any archaeological resources. This is commonly referred to as “disturbed” or “disturbance” and may include:

- quarrying;
- major landscaping involving grading below topsoil;
- building footprints;
- sewage and infrastructure development; and,
- activities such as agricultural cultivation, gardening, minor grading, and landscaping do not necessarily affect archaeological potential.

The study area mostly consists of previously disturbed constructed paved roadways and driveways, compacted gravel sidewalks, roadside drainage and culvert ditches, underground utilities, and residential, commercial, and public buildings, which is approximately a total of 10 ha (70% of the study area) that does not warrant a Stage 2 assessment (Appendix A: Figure 7; Appendix B; Photographs: 2-4, 6-7, 9-10).

The portions of the study area alongside Upper Wellington Street that contain archaeological potential is approximately 1.9 ha (14% of the study area), which consist of flat manicured lawns (greenspaces), a small open field, and a mature woodlot where ploughing is not viable and warrants a Stage 2 shovel-test survey (Appendix A: Figure 7; Appendix B: Photographs: 8,11-13), as well as a previous cultivated agricultural field

located on the south-west portion of the study area that warrants a Stage 2 pedestrian survey (Appendix A: Figure 7; Appendix B: Photographs: 14-15).

Several factors can be used to assess the potential for recovery of Indigenous archaeological resources within a study area. Natural water sources were located within 300 m of the study area, including a tributary of Red Hill Creek as illustrated in the 1859 and 1875 historic maps (Appendix A: Figure 5 and Figure 6). Moreover, there is archaeological evidence that this general area has been intensively utilized by Indigenous people. Although no Indigenous sites have been registered within the study area, 36 Indigenous sites have been registered within a 1 km radius of the study area, five of which are located within 250 m of the study area.

As per the MHSTCI's *Standards and Guidelines for Consultant Archaeologists* (MHSTCI 2011), any areas within 100 m of early transportation routes and 300 m of early Euro-Canadian settlement have archaeological potential. Upper Wellington Street transects the as illustrated in the 1859 and 1877 historical maps. In addition, five farmsteads and five orchards are depicted on the 1875 historical atlas map (Appendix A Figure 5 and Figure 6). Moreover, there is archaeological evidence that this general area had been intensively utilized by Euro-Canadian people. Although no Euro-Canadian sites have been registered within the study area, three Euro-Canadian sites have been registered within a 1 km radius of the study area, one of which is located within 250 m of the study area.

The current study area falls within the City of Hamilton Archaeology Management Plan parameters. According to the City of Hamilton Archaeology Management Plan portions of the study area were identified as having archaeological potential (City of Hamilton 2016).

Given the above, background archival research supports the conclusion that all previously undisturbed portions of the study area exhibit general archaeological potential for the presence of both Indigenous and Euro-Canadian archaeological resources therefore, a Stage 2 archaeological assessment is required.

Areas that have been disturbed by modern activities, both extensive and intensive, have low potential for the recovery of archaeological resources. These areas include the following: buildings, building footprints, roadways, compacted gravel roads, underground utilities, and storm/ sewage drains (Appendix A: Figure 7).

3.0 Stage 1 Property Inspection

3.1 Methods

A Stage 1 property inspection was conducted on 21 December 2020. No permission-to-enter was required because the assessment was conducted via the road right of way. The weather conditions for each day the archaeologist was out in the field for the Stage 1 assessment are provided in Table 6. As such, it is confirmed that the assessment met Section 1.2 Standard 2 of the Standards and Guidelines for Consultant Archaeologists (MHSTCI 2011) regarding weather and lighting.

The weather and ground conditions for each day of the Stage 1 property inspection are provided in Table 6.

Table 6: Weather and Ground Conditions for Each Field Day			
Date	Weather	Field Director	Activities Conducted
21 December 2020	Clear, sunny, no snow coverage 4°C	Alejandra Cooney (R1188)	Stage 1 archaeology property inspection of entire study area.

The Stage 1 property inspection was conducted by Field Director Alejandra Cooney (R1188) of Wood. The Wood field director photo-documented the assessment (Appendix A: Figure 7 and Appendix B: Photographs 1 to 15).

The Stage 1 property inspection confirmed archaeological site potential and determined the degree to which development and landscape alteration have affected that potential. It included a walk-through of the entire study area. The property inspection was thoroughly photo-documented. Field observations were recorded on aerial maps and field forms. All land conditions were recorded as shown in Appendix A: Figure 7 and Appendix B: Photographs 1 to 15.

3.1.1 Field Conditions within Areas of Archaeological Potential

Based on the Stage 1 property inspection and background research Wood determined that archaeological potential has been removed within 10 ha (75%) of the study area. These areas, identified as disturbed, have had the integrity of the topsoil compromised by earth moving activities to the point where archaeological potential has been removed. These areas include the following: buildings, building footprints, gas-station and business plaza, parking lots, roadways, underground utilities, sewage and storm drain, man-made slopes, and compacted gravel roads and driveways (Appendix B: Photographs 2-4, 6-7, 9-10).

Approximately 0.6 ha (4% of the study area) was previously assessed prior to the introduction of the 2011 MHSTCI *Standards and Guidelines for Consultant Archaeologists*. Visual confirmation of disturbance has concluded that these areas do not require additional archaeological assessment due to the fact that the integrity of the topsoil has been compromised by earth moving activities.

The Study Area contains 1.9 ha (14% of the study area) of previously unassessed formerly cultivated agricultural field, and mature woodlot and manicured lawns, that has general archaeological potential and warrants Stage 2 archaeological assessment (Appendix A: Figure 7; Appendix B: Photographs 1, 5, 8, 11-15).

Of the 1.9 ha of the study area with archaeological potential, approximately 0.3 ha (2% of the study area) is a cultivated agricultural field. Therefore, it should be subjected to Stage 2 property survey by means of pedestrian survey, as per Section 2.1.1 Standard 1 of the Standards and Guidelines for Consultant Archaeologists (2011). This technique involves walking across the entire field in parallel rows at 5-m intervals and surveying the ground surface for artifacts. The agricultural land should be prepared for the pedestrian survey by disk harrowing to the depth of previous ploughing. The fields must be allowed to weather through one heavy rainfall to improve surface visibility. Visibility must be at least 80% of the ploughed ground surface after ploughing is completed, meeting MHSTCI standards for field preparation and visibility.

Of the 1.9 ha of the study area with archaeological potential, approximately 1.6 ha (12% of the study area) consists of a mature woodlot and manicured lawns that has archaeological potential but could not be accessed by plough, meeting the requirements of Section 2.1.2, Standard 1.a, Standard 1.d and Standard 1.e, that ploughing or cultivation is not viable. This land is recommended for archaeological assessment by means of test pitting at 5 m grid intervals. All test pits should be a minimum of 30 centimetres ("cm") in diameter and dug to a minimum of 5 cm into the subsoil. Soil fills should be screened through 6 millimetre ("mm") mesh screens in order to facilitate artifact recovery. Test pit profiles should be examined for cultural deposits prior to being backfilled. Test pitting should be conducted to within 1 m of all disturbances. All test pits should be backfilled to level grade, and any sod caps replaced and tamped down by foot.

3.1.2 Documentary Record

The inventory of documentary records accumulated as part of this assessment is provided in Table 7.

Table 7: Inventory of Documentary Record		
Study Area	Map and Photo(s)	Field Notes
Part of Lots 12 and 13, Concession 6, 7 and 8, Barton Township, Wentworth County, now City of Hamilton, Ontario	Copies of 2 historical maps, 15 Stage 1 photographs and 4 aerial photographs	Stage 1 photo logs, 4 field maps, and field notes

Documentation related to the archaeological assessment of this project will be curated by Wood until such time that arrangements for their ultimate transfer to Her Majesty the Queen in right of Ontario, or other public institution, can be made to the satisfaction of the project owner, the MHSTCI and any other legitimate interest groups.

3.2 Stage 1 Analysis and Conclusions

The Stage 1 background study indicated that the study area has general archaeological potential and warrants Stage 2 property assessment for the following reasons: 1) the close proximity of a tributary of Red Hill Creek formally located 100 m to the south of the study area as illustrated in the 1859 and 1875 historic maps; 2) the presence of 37 registered archaeological sites located within a 1 km radius of the study area providing direct evidence that this general area had been utilized by Indigenous and Euro-Canadian peoples; 3) the location of the historical transportation route, Upper Wellington Street, which transects the study area as shown in the 1859 and 1875 historical atlas mapping; and, 4) five farmsteads/orchards depicted within 300 m of the study area as illustrated in the 1875 historical atlas map

(Appendix A: Figure 6).

The Stage 1 archaeological assessment determined that 1) 10 ha (75%) of the study area is previously disturbed and does not require Stage 2 archaeological assessment; 2) 0.6 ha (4% of the Study Area) of the Study Area was previously assessed prior to the introduction of the 2011 MHSTCI *Standards and Guidelines for Consultant Archaeologists* and identified as disturbed through visual assessment during the current assessment 3) 1.0 ha (7%) of the study area has been previously assessed and requires no further archaeological assessment and 4) 1.9 ha (14%) of the study area retains archaeological potential and warrants Stage 2 archaeological assessment (Appendix A: Figure 7).

Areas that retain archaeological potential include 0.3 ha (2%) of ploughed agricultural field, and 1.6 ha (12%) of matured woodlot and manicured lawns where ploughing is not viable. The ploughed field should be assessed by means of a pedestrian survey at 5 m intervals and the non-ploughable portion of the study area should be assessed using a test pit survey at 5 m intervals (Appendix A: Figure 7).

4.0 Recommendations

In light of the findings of the Stage 1 archaeological assessment of the study area, the following recommendation is made, subject to the conditions outlined below and in Section 5.0:

1. Approximately 10 ha (75%) of the study area has low to no archaeological potential due to previous disturbance and requires no further archaeological assessment (Appendix A: Figure 7).
2. Approximately 0.6 ha (4%) of the study area has been previously assessed prior to the introduction of the 2011 MHSTCI *Standards and Guidelines for Consultant Archaeologists*. These areas were identified as having low to no archaeological potential through the current assessment due to previous disturbance and require no further archaeological assessment (Appendix A: Figure 7).
3. Approximately 1.0 ha (7%) of the study area has been previously assessed and requires no further archaeological assessment.
4. Approximately 0.3 ha (2%) of the study area was formerly a cultivated agricultural field. Therefore, it should be subjected to Stage 2 property survey by means of a pedestrian survey, as per Section 2.1.1, Standard 1 of the *Standards and Guidelines for Consultant Archaeologists* (MHSTCI 2011). This technique involves walking across the field in parallel rows at 5 m intervals and surveying the ground surface for artifacts. The agricultural land should be prepared for the pedestrian survey by disk harrowing to the depth of previous ploughing. The fields must be allowed to weather through one heavy rainfall to improve surface visibility. Visibility must be at least 80% of the ploughed ground surface after ploughing is completed, meeting MHSTCI standards for field preparation and visibility.
5. Approximately 1.6 ha (12 %) of the study area is located within a mature woodlot and manicured lawns that have archaeological potential but for which ploughing is not viable. This land is recommended for assessment by means of Stage 2 test pitting at 5 m grid intervals as per Section 2.1.2, Standard 1 of the *Standards and Guidelines for Consultant Archaeologists* (MHSTCI 2011). All test pits should be a minimum of 30 cm in diameter and dug to a minimum of 5 cm into the subsoil. Soil fills should be screened through 6 mm mesh screens in order to facilitate artifact recovery. Test pit profiles should be examined for cultural deposits prior to being backfilled. Test pitting should be conducted to within 1 m of all disturbances. All test pits should be backfilled to level grade, and any sod caps replaced and tamped down by foot.

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

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

5.0 Advice on Compliance with Legislation

- a. This report is submitted to the Minister of Heritage, Sport, Tourism and Culture Industries as a condition of licensing in accordance with Part VI of the *Ontario Heritage Act, R.S.O. 1990, c O.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 Ministry of Heritage, Sport, Tourism and Culture Industries, 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.
- b. 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 a 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 Archaeological Reports referred to in Section 65.1 of the *Ontario Heritage Act*.
- c. 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*.
- d. The *Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33* requires that any person discovering human remains must notify the local police or coroner and the Registrar of Cemeteries at the Ministry of Government and Consumer Services.

6.0 Assessor Qualifications

This report was prepared and reviewed by the undersigned, employees of Wood. Wood is one of North America's leading engineering firms, with more than 50 years of experience in the earth and environmental consulting industry. The qualifications of the assessors involved in the preparation of this report are provided in Appendix D.

7.0 Closure

This report was prepared for the exclusive use of the City of Hamilton and is intended to provide a Stage 1 archaeological assessment of the study area for the Municipal Class EA Study for improvements to Upper Wellington Street, between Limeridge Road East and 50m south of the intersection at Stone Church Road East and Upper Wellington Street in the City of Hamilton, Ontario. The property is legally described as Part of Lots 12 and 13, Concession 6, 7 and 8, Barton Township, Wentworth County, now City of Hamilton, Ontario.

Any use which a third party makes of this report, or any reliance on or decisions to be made based on it, are the responsibility of the third party. Should additional parties require reliance on this report, written authorization from Wood will be required. With respect to third parties, Wood has no liability or responsibility for losses of any kind whatsoever, including direct or consequential financial effects on transactions or property values, or requirements for follow-up actions and costs.

The report is based on data and information collected during the Stage 1 background study and property inspection conducted by Wood. It is based solely on a review of historical information, a property reconnaissance conducted on 21 December 2020 and data obtained by Wood as described in this report. Except as otherwise maybe specified, Wood disclaims any obligation to update this report for events taking place, or with respect to information that becomes available to Wood after the time during which Wood conducted the archaeological assessment. In evaluating the property, Wood has relied in good faith on information provided by other individuals noted in this report. Wood has assumed that the information provided is factual and accurate. In addition, the findings in this report are based, to a large degree, upon information provided by the current owner/occupant. Wood accepts no responsibility for any deficiency, misstatement or inaccuracy contained in this report as a result of omissions, misinterpretations or fraudulent acts of persons interviewed or contacted.

Wood makes no other representations whatsoever, including those concerning the legal significance of its findings, or as to other legal matters touched on in this report, including, but not limited to, ownership of any property, or the application of any law to the facts set forth herein. With respect to regulatory compliance issues, regulatory statutes are subject to interpretation and change. Such interpretations and regulatory changes should be reviewed with legal counsel.

This report is also subject to the further Standard Limitations contained in Appendix E.

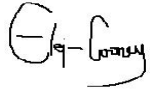
Stage 1 AA: Upper Wellington Street, Municipal Class EA

We trust that the information presented in this report meets your current requirements. Should you have any questions, or concerns, please do not hesitate to contact the undersigned.

Respectfully Submitted,

Wood Environment & Infrastructure,
a Division of Wood Canada Limited

Prepared by,



Alejandra Cooney, BSc. (R1188)
Field Director

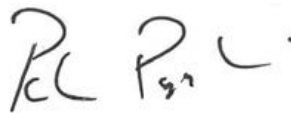


Chelsea Dickinson (R1194)
Research Archaeologist

Reviewed by,



Barbara Slim, M.A. (P348)
Associate Archaeologist



Peter Popkin, Ph.D, CAHP, MCIfA (P362)
Associate Archaeologist

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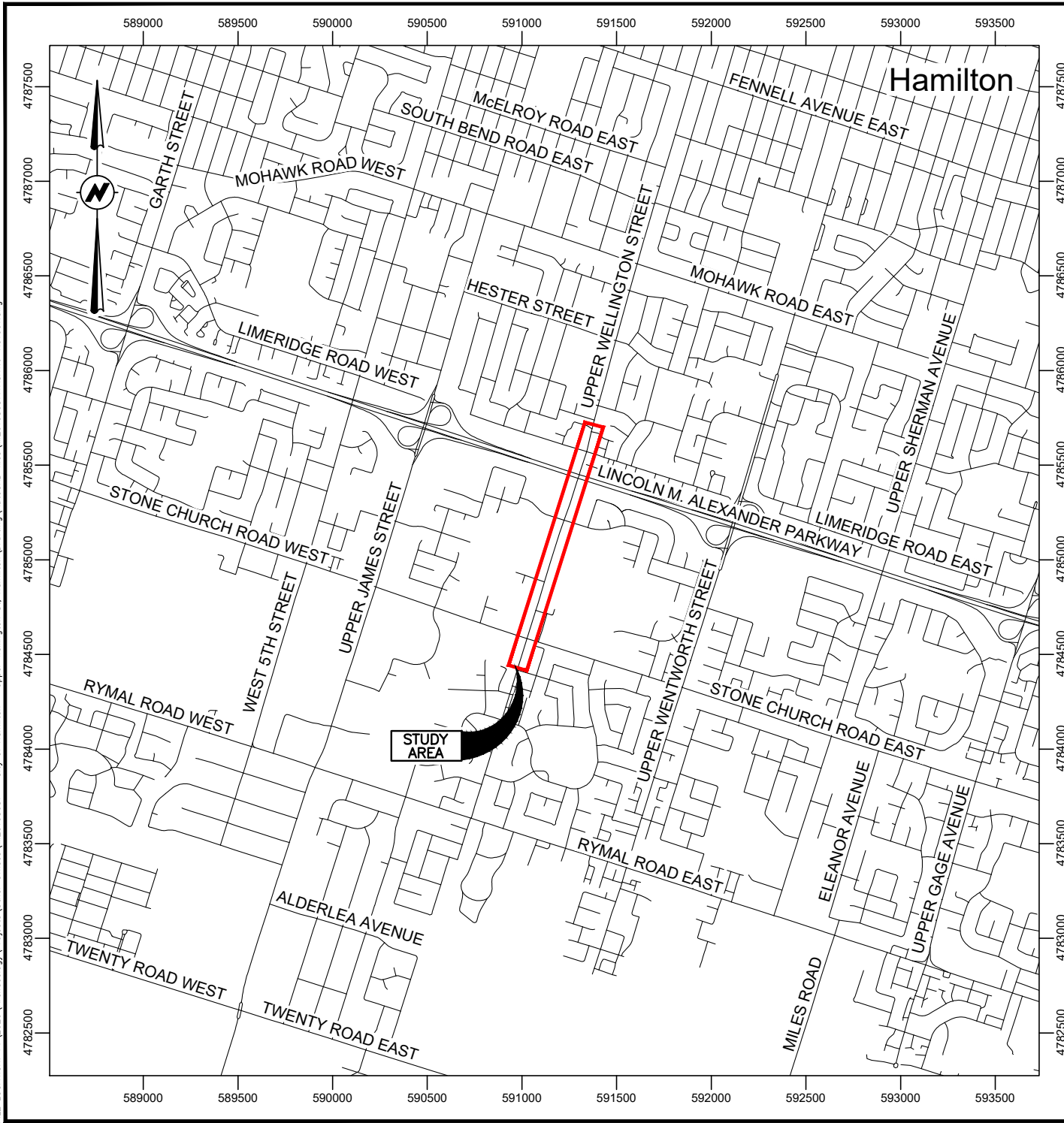
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APPENDIX A: FIGURES

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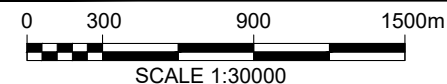


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UPPER WELLINGTON STREET (LIMERIDGE ROAD
TO STONE CHURCH ROAD) MUNICIPAL CLASS EA
PART OF LOTS 12 AND 13, CONCESSION 6, 7 AND 8
BARTON TOWNSHIP, WENTWORTH COUNTY
NOW THE CITY OF HAMILTON, ONTARIO

TITLE:
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 STUDY AREA

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City of Hamilton
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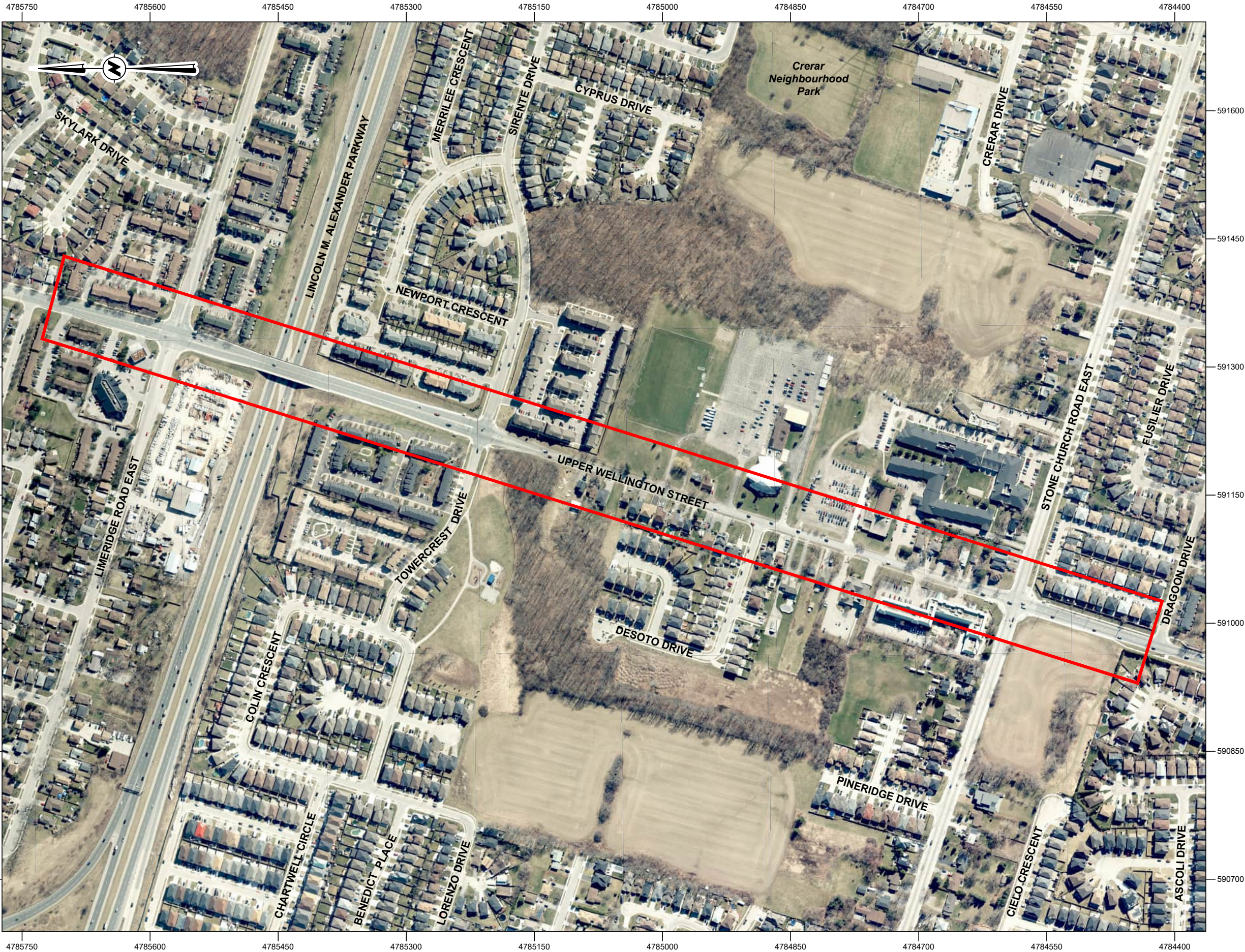


Wood
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905-335-2353

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PROJECT: STAGE 1 ARCHAEOLOGICAL ASSESSMENT
UPPER WELLINGTON STREET (LIMERIDGE ROAD
TO STONE CHURCH ROAD) MUNICIPAL CLASS EA
PART OF LOTS 12 AND 13, CONCESSION 6, 7 AND 8
BARTON TOWNSHIP, WENTWORTH COUNTY
NOW THE CITY OF HAMILTON, ONTARIO

TITLE:
AERIAL PHOTOGRAPH SHOWING
THE LOCATION OF THE STUDY AREA


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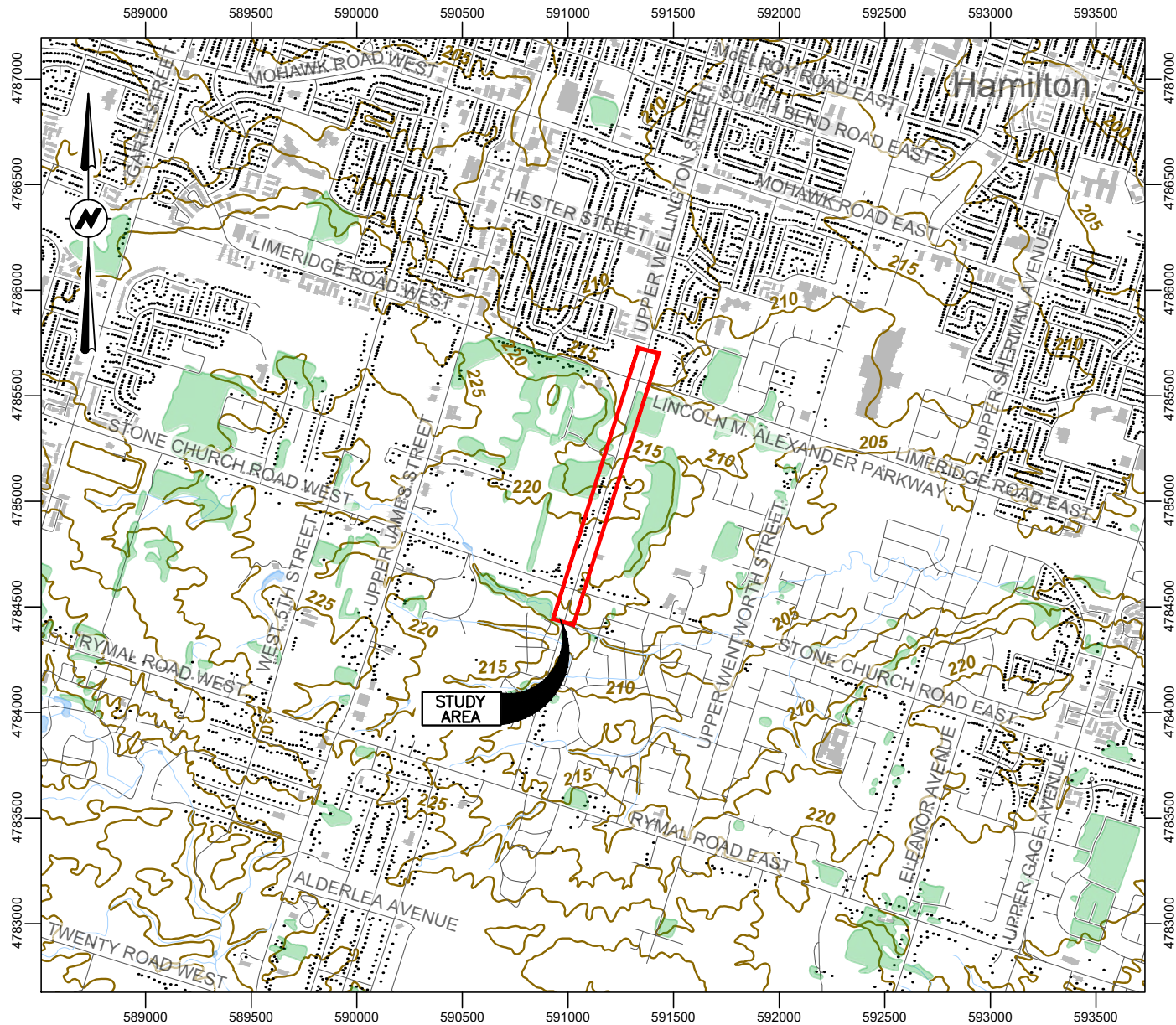
City of Hamilton
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905-335-2353



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DATUM: NAD83	PROJECTION: UTM Zone 17	PROJECT No: IM20103037.TASK1.6
REV No: 0		FIGURE No: 2



PROJECT: STAGE 1 ARCHAEOLOGICAL ASSESSMENT
 UPPER WELLINGTON STREET (LIMERIDGE ROAD
 TO STONE CHURCH ROAD) MUNICIPAL CLASS EA
 PART OF LOTS 12 AND 13, CONCESSION 6, 7 AND 8
 BARTON TOWNSHIP, WENTWORTH COUNTY
 NOW THE CITY OF HAMILTON, ONTARIO

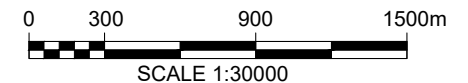
TITLE: TOPOGRAPHIC MAP SHOWING
 LOCATION OF THE STUDY AREA

LEGEND:
 STUDY AREA

NOTES:
 THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH THE
 WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS
 REPORT No. IM20103037.TASK1.6.
 ALL LOCATIONS ARE APPROXIMATE.

ORIGINAL PAPER SIZE: 8½ x 11.

REFERENCES:
 ESRI CANADA, "ONTARIO BASIC MAPPING (OBM)"; CANMAP
 STREETFILES V2008.4.



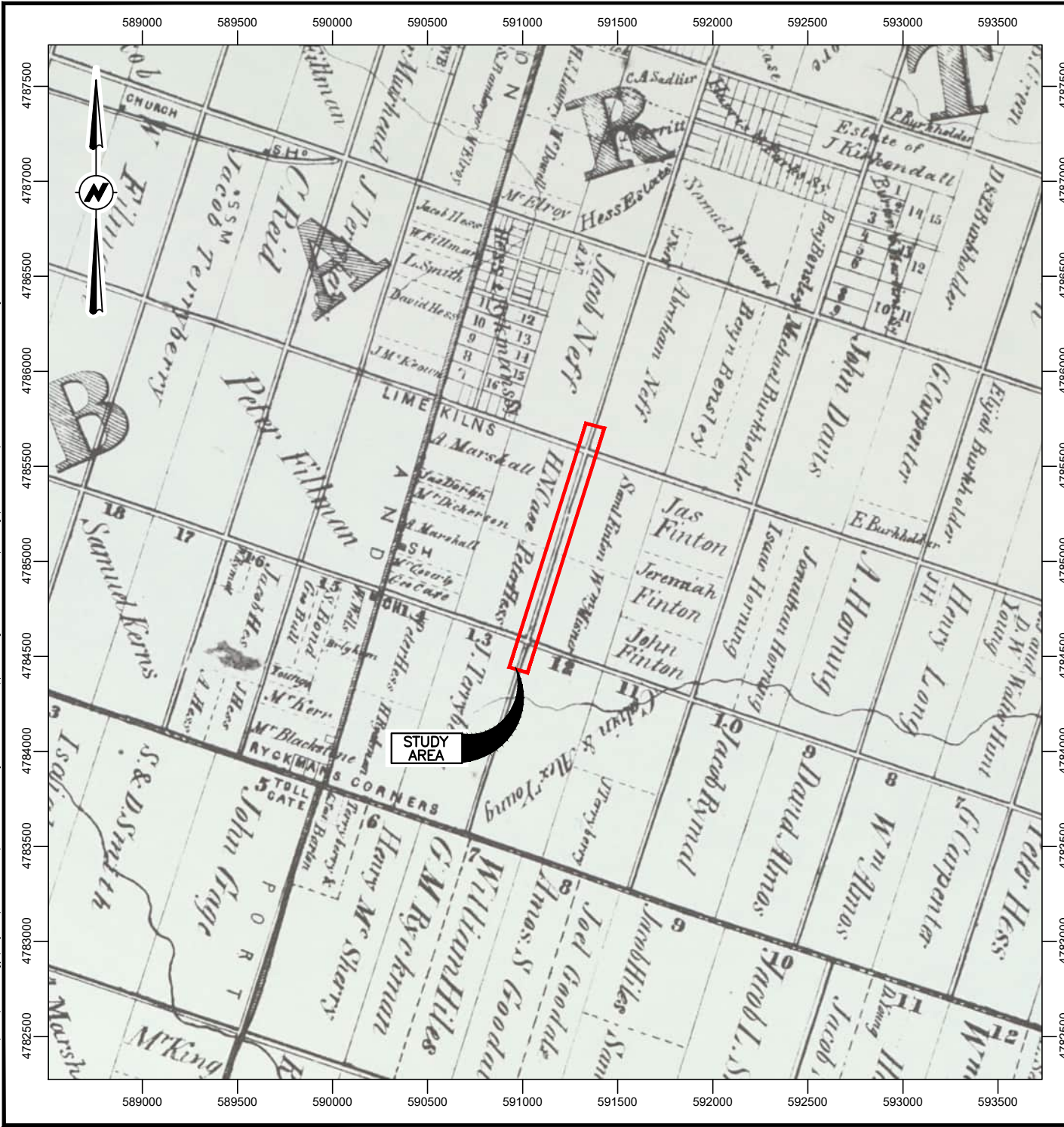
City of Hamilton
 71 MAIN STREET WEST
 HAMILTON, ONTARIO, L8P 4Y5



Wood
 Environment & Infrastructure Solutions
 3450 HARVESTER ROAD, SUITE 100
 BURLINGTON, ONTARIO, L7N 3W5
 905-335-2353

wood.

DWN BY: SJL	CHK'D BY: CD	DATE: JAN. 19, 2021
DATUM: NAD83	PROJECTION: UTM Zone 17	PROJECT No: IM20103037.TASK1.6
REV No: 0		FIGURE No: 3



PROJECT: STAGE 1 ARCHAEOLOGICAL ASSESSMENT
 UPPER WELLINGTON STREET (LIMERIDGE ROAD
 TO STONE CHURCH ROAD) MUNICIPAL CLASS EA
 PART OF LOTS 12 AND 13, CONCESSION 6, 7 AND 8
 BARTON TOWNSHIP, WENTWORTH COUNTY
 NOW THE CITY OF HAMILTON, ONTARIO

TITLE:
 1859 MAP OF THE COUNTY OF WENTWORTH
 SHOWING THE LOCATION OF THE STUDY AREA

LEGEND:
 STUDY AREA

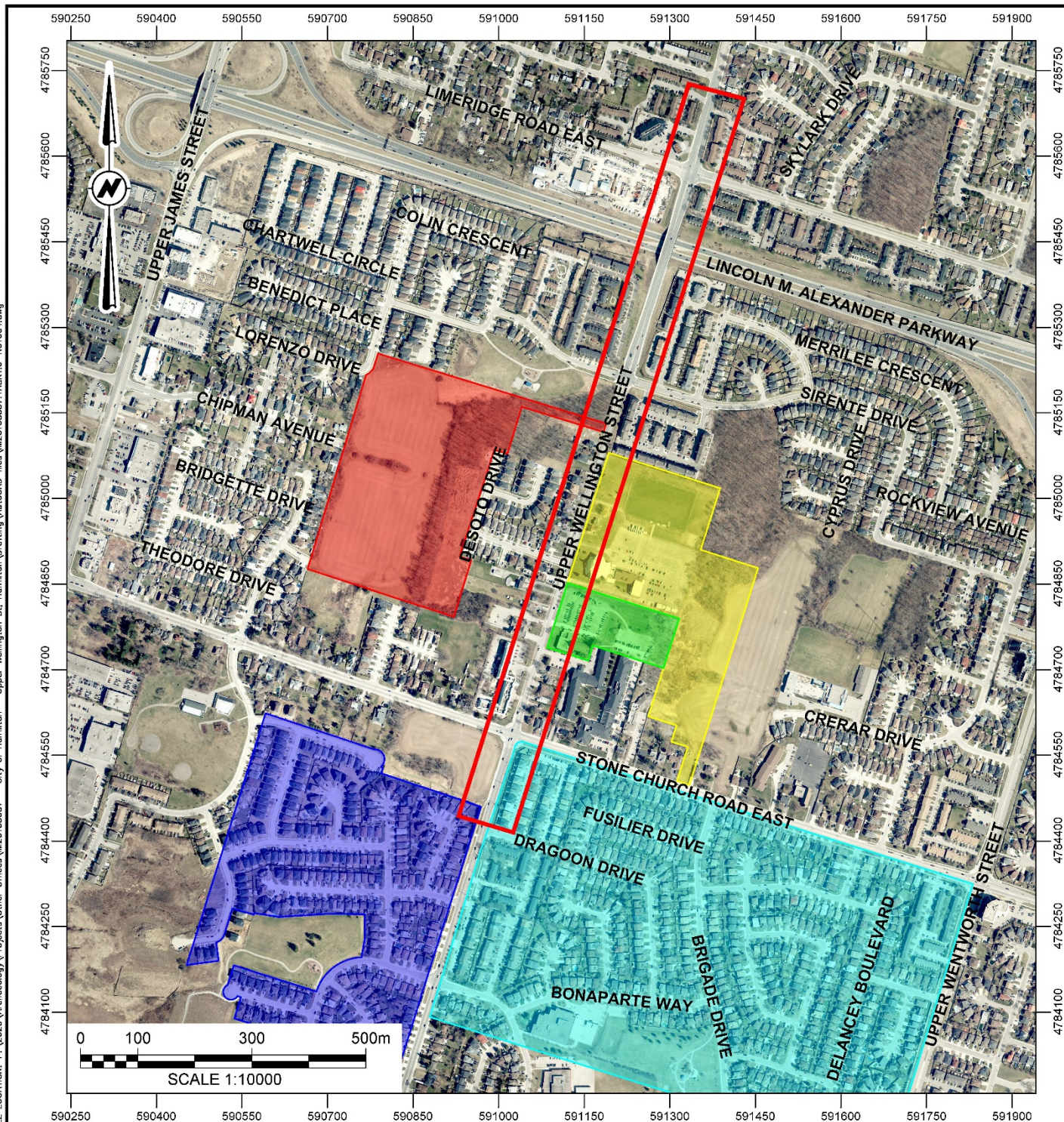
NOTES:
 THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH THE
 WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS
 REPORT No. IM20103037.TASK1.6.
 ALL LOCATIONS ARE APPROXIMATE.
ORIGINAL PAPER SIZE: 8½ x 11.
REFERENCES:
 SURTEES, 1859; CANMAP STREETFILES V2008.4.



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 SCALE 1:30000

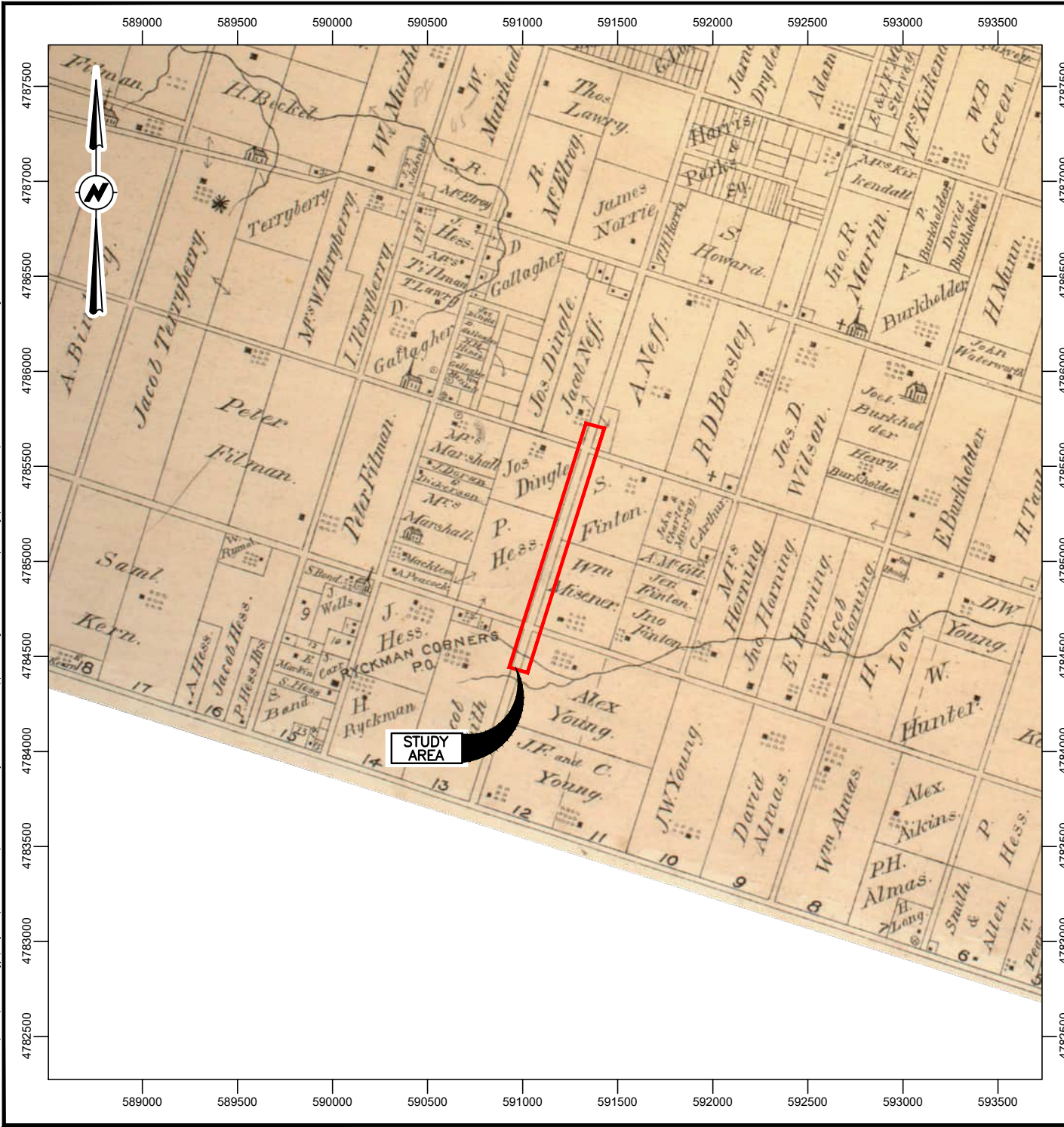
City of Hamilton
 71 MAIN STREET WEST
 HAMILTON, ONTARIO, L8P 4Y5

Wood
Environment & Infrastructure Solutions
 3450 HARVESTER ROAD, SUITE 100
 BURLINGTON, ONTARIO, L7N 3W5
 905-335-2353

DWN BY: SJL	CHK'D BY: CD	DATE: JAN. 19, 2021
DATUM: NAD83	PROJECTION: UTM Zone 17	PROJECT No: IM20103037.TASK1.6
REV No: 0		FIGURE No: 5



PROJECT: STAGE 1 ARCHAEOLOGICAL ASSESSMENT UPPER WELLINGTON STREET (LIMERIDGE ROAD TO STONE CHURCH ROAD) MUNICIPAL CLASS EA PART OF LOTS 12 AND 13, CONCESSION 6, 7 AND 8 BARTON TOWNSHIP, WENTWORTH COUNTY NOW THE CITY OF HAMILTON, ONTARIO		
TITLE: PREVIOUS ARCHAEOLOGICAL INVESTIGATIONS WITHIN THE STUDY AREA AND WITHIN 50m OF THE STUDY AREA		
LEGEND: <ul style="list-style-type: none"> STUDY AREA (ALSO STAGE 1 ARCHAEOLOGICAL ASSESSMENT PIF P362-0309-2020; WOOD 2021) STAGE 2 ARCHAEOLOGICAL ASSESSMENT (87-16; ASI, 1988a) STAGE 2 ARCHAEOLOGICAL ASSESSMENT (87-16; ASI, 1988b) STAGE 1 & 2 ARCHAEOLOGICAL ASSESSMENT (PIF P013-569-2011; ARCHAEOLOGICAL ASSESSMENTS LTD., 2011): NO FURTHER ASSESSMENT REQUIRED STAGE 1 & 2 ARCHAEOLOGICAL ASSESSMENT (PIF P384-0129-2013; AMICK, REVISED 2016): NO FURTHER ASSESSMENT REQUIRED STAGE 1 ARCHAEOLOGICAL ASSESSMENT (P449-0170-207; ASI, 2018a) AND STAGE 2 ARCHAEOLOGICAL ASSESSMENT (PIF P398-0006-2018; ASI, 2018b): NO FURTHER ASSESSMENT REQUIRED 		
NOTES: THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH THE WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS REPORT No. IM20103037.TASK1.6. ALL LOCATIONS ARE APPROXIMATE. ORIGINAL PAPER SIZE: 8½ x 11. REFERENCES: 2019 AERIAL PHOTOGRAPHS BY THE CITY OF HAMILTON; ARCHAEOLOGICAL SERVICES INC., "A.R.A. OF DECENZO GARDENS 25T-86008", 1987; CANMAP STREETFILES V2008.4.		
City of Hamilton 71 MAIN STREET WEST HAMILTON, ONTARIO, L8P 4Y5  Hamilton		
Wood Environment & Infrastructure Solutions 3450 HARVESTER ROAD, SUITE 100 BURLINGTON, ONTARIO, L7N 3W5 905-335-2353 		
DWN BY:	CHK'D BY:	DATE:
SJL	CD	AUG. 24, 2021
DATUM:	PROJECTION:	PROJECT No:
NAD83	UTM Zone 17	IM20103037.TASK1.6
REV No:		FIGURE No:
2		4



PROJECT: STAGE 1 ARCHAEOLOGICAL ASSESSMENT
 UPPER WELLINGTON STREET (LIMERIDGE ROAD
 TO STONE CHURCH ROAD) MUNICIPAL CLASS EA
 PART OF LOTS 12 AND 13, CONCESSION 6, 7 AND 8
 BARTON TOWNSHIP, WENTWORTH COUNTY
 NOW THE CITY OF HAMILTON, ONTARIO

TITLE: 1875 ILLUSTRATED HISTORICAL ATLAS
 OF THE COUNTY OF WENTWORTH SHOWING
 THE LOCATION OF THE STUDY AREA

LEGEND:

STUDY AREA

NOTES:

THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH THE
 WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS
 REPORT No. IM20103037.TASK1.6.

ALL LOCATIONS ARE APPROXIMATE.

ORIGINAL PAPER SIZE: 8½ x 11.

REFERENCES:
 PAGE & SMITH, 1875; CANMAP STREETFILES V2008.4.

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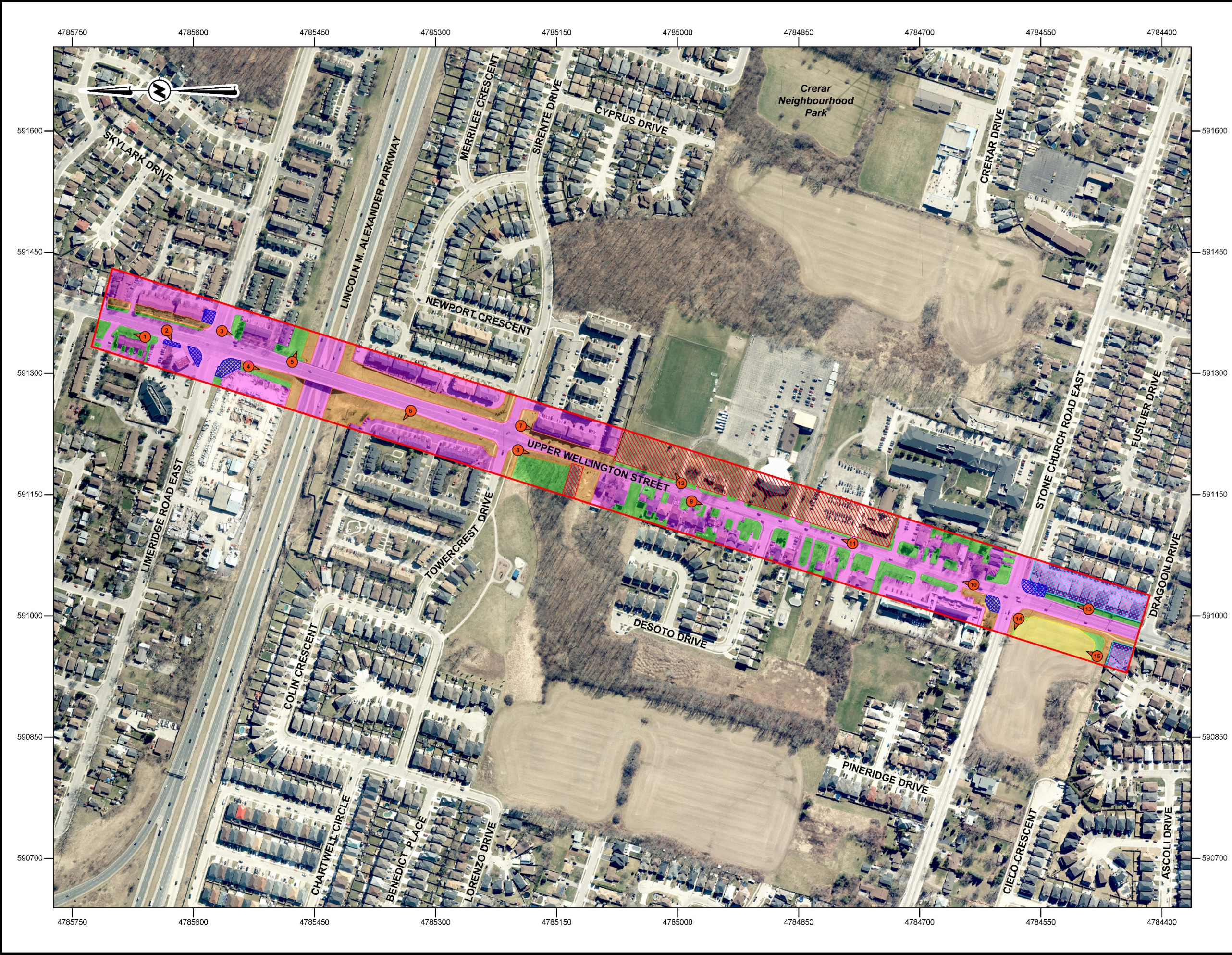
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City of Hamilton
 71 MAIN STREET WEST
 HAMILTON, ONTARIO, L8P 4Y5

Wood
Environment & Infrastructure Solutions
 3450 HARVESTER ROAD, SUITE 100
 BURLINGTON, ONTARIO, L7N 3W5
 905-335-2353

DWN BY: SJL	CHK'D BY: CD	DATE: JAN. 19, 2021
DATUM: NAD83	PROJECTION: UTM Zone 17	PROJECT No: IM20103037.TASK1.6
REV No: 0		FIGURE No: 6

DATE PLOTTED: 9/16/2021 12:54:01 PM
FILE LOCATION: P:\2020\Archaeology\Projects\Other\Offices\W20103037 - City of Hamilton - Upper Wellington St. Hamilton\Drafting\AutoCAD files\W20103037.TASK1.6 - R01007.dwg



PROJECT: STAGE 1 ARCHAEOLOGICAL ASSESSMENT
UPPER WELLINGTON STREET (LIMERIDGE ROAD
TO STONE CHURCH ROAD) MUNICIPAL CLASS EA
PART OF LOTS 12 AND 13, CONCESSION 6, 7 AND 8
BARTON TOWNSHIP, WENTWORTH COUNTY
NOW THE CITY OF HAMILTON, ONTARIO

TITLE:
STAGE 1 RESULTS WITH PHOTOGRAPH
LOCATIONS AND DIRECTIONS

LEGEND:

- STUDY AREA
- PHOTOGRAPH LOCATION, VIEWING DIRECTION, AND IDENTIFICATION
- UTILITIES AND STORM/SEWAGE DRAINS
- PREVIOUSLY ASSESSED: NO FURTHER ASSESSMENT REQUIRED
- PREVIOUSLY ASSESSED PRIOR TO IMPLEMENTATION OF MHSTCI 2011 STANDARDS AND GUIDELINES FOR CONSULTANT ARCHAEOLOGISTS

AREA OF ARCHAEOLOGICAL POTENTIAL

- UNPLOUGHABLE LAND - TO BE SHOVEL TESTED AT 5m INTERVALS
- PLOUGHABLE LAND - TO BE PEDESTRIAN SURVEYED AT 5m INTERVALS

AREA OF NO/LOW ARCHAEOLOGICAL POTENTIAL

- DISTURBED - GRAVEL ROAD, BUILDING FOOTPRINT, ROADWAY, UNDERGROUND UTILITIES, STORM/SEWAGE DRAIN: NO FURTHER ASSESSMENT REQUIRED
- DISTURBED - DITCH/DISTURBANCE, MAN-MADE SLOPE, GRAVEL FOOTPRINT, BERM: NO FURTHER ASSESSMENT REQUIRED

NOTES:

THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH THE WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS REPORT No. IM20103037.TASK1.6.

ALL LOCATIONS ARE APPROXIMATE.


ORIGINAL PAPER SIZE: 11 x 17.

REFERENCES:


2019 AERIAL PHOTOGRAPHS BY THE CITY OF HAMILTON;
CANMAP STREETFILES V2008.4.

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SCALE 1:4500

City of Hamilton
71 MAIN STREET WEST
HAMILTON, ONTARIO, L8P 4Y5


Hamilton

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wood.

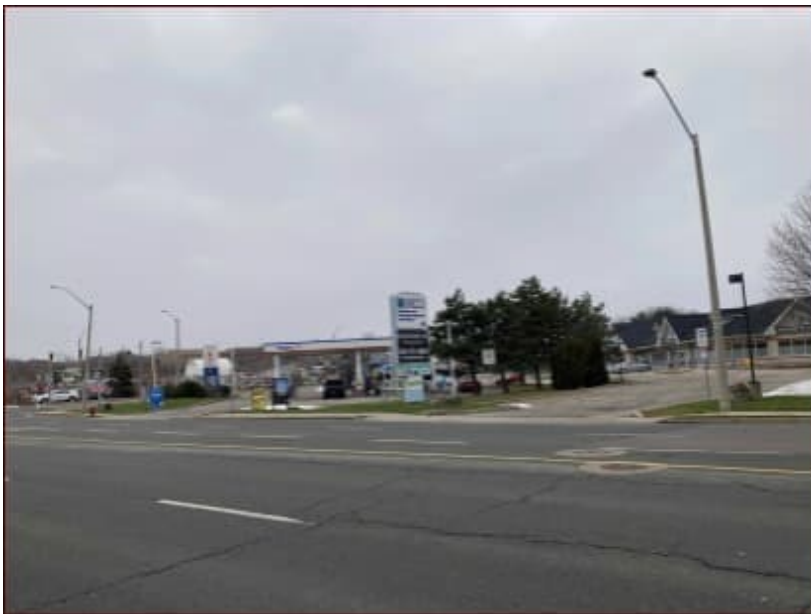
DWN BY:	CHK'D BY:	DATE:
SJL	CD	SEP. 16, 2021
DATUM:	PROJECTION:	PROJECT No:
NAD83	UTM Zone 17	IM20103037.TASK1.6
REV No:		FIGURE No:
3		7

APPENDIX B: PHOTOGRAPHS



PHOTOGRAPH 1

Study area facing northeast along Upper Wellington Street, manicured lawn directly adjacent to paved sidewalk and building footprint.



PHOTOGRAPH 2

Study area facing southwest at the corner of Upper Wellington Street and Limeridge Road, gas station and commercial building footprint.



PHOTOGRAPH 3

Study area facing southwest at the corner of Upper Wellington Street and Limeridge Road, deep ground disturbance (sewage drain), bus stop, and building footprint.



PHOTOGRAPH 4

Study area facing southwest along Upper Wellington Street, manicured lawn directly adjacent to paved sidewalk and deep ground disturbance (utilities and man-made slope).



PHOTOGRAPH 5

Study area facing southeast along Upper Wellington Street, manicured lawn/open field.



PHOTOGRAPH 6

Study area facing northwest along Upper Wellington Street, deep ground disturbance (man-made slope and utilities) directly adjacent to paved sidewalk and building footprint.



PHOTOGRAPH 7

Study area facing southwest at the corner of Upper Wellington Street and Sirente Drive, compacted gravel sidewalk and berm adjacent to paved sidewalk and building footprint.



PHOTOGRAPH 8

Study area facing southwest at the corner of Upper Wellington Street and Towercrest Drive, woodlot adjacent to paved sidewalk.



PHOTOGRAPH 9

Study area facing southwest along Upper Wellington Street, manicured lawn directly adjacent to paved sidewalk and building footprint.



PHOTOGRAPH 10

Study area facing northeast along Upper Wellington Street, manicured lawn directly adjacent to paved sidewalk and building footprint.



PHOTOGRAPH 11

Study area facing northeast along Upper Wellington Street, manicured lawn directly adjacent to paved sidewalk, parking lot, and building footprint.



PHOTOGRAPH 12

Study area facing northeast along Upper Wellington Street, BGT Park directly adjacent to paved sidewalk.



PHOTOGRAPH 13

Study area facing northeast along Upper Wellington Street, manicured lawn directly adjacent to paved sidewalk and building footprint.



PHOTOGRAPH 14

Study area facing northwest along Upper Wellington Street, previously cultivated agricultural field.



PHOTOGRAPH 15

Study area facing northeast along Upper Wellington Street, previously cultivated agricultural field.

APPENDIX C: HISTORIC AERIALS



Aerial Photograph
Dated: 1934

Study Area

Stage 1 AA: Upper Wellington Street
(Limeridge Road to Stone Church Road) MCEA
Plate: B1



wood.



Aerial Photograph
Dated: 1959

Study Area

Stage 1 AA: Upper Wellington Street
(Limeridge Road to Stone Church Road) MCEA
Plate: B2



wood.



Aerial Photograph
Dated: 1965

Study Area

**Stage 1 AA: Upper Wellington Street
(Limeridge Road to Stone Church Road) MCEA
Plate: B3**



wood.

APPENDIX D: ASSESSOR QUALIFICATIONS

Assessor Qualifications

Peter Popkin, Ph.D., CAHP, MCIfA, Associate Archaeologist (P362) – Dr. Popkin is an Associate Archaeologist at Wood. Peter has over 20 years of professional experience in both consulting and academic archaeology within Canada and internationally. In Ontario he has successfully undertaken consultant archaeology projects triggered by: the Planning Act (subdivisions, site plans, re-zoning, official plan amendments, consent), the Environmental Assessment Act (individual and Class EAs, provincial and federal EAs), the Environmental Protection Act (Renewable Energy Approvals O.Reg 359/09), as well as the Aggregates Resources Act (aggregate pit extensions), and has managed projects under the National Energy Board Act (now the Canadian Energy Regulator Act). Dr. Popkin has lectured in archaeology at York University, the University of Toronto and Wilfrid Laurier University in Ontario, as well as University College London, King's College London, and Birkbeck College, in the UK. Dr. Popkin holds a Professional Archaeology Licence (P362) from the Ontario MHSTCI, is a Professional Member of the Canadian Association of Heritage Professionals (CAHP) and is a full Member of the Chartered Institute for Archaeologists (MCIfA). Dr. Popkin received his Ph.D. from the Institute of Archaeology, University College London, London, UK (2009).

Barbara Slim, M.A., Associate Archaeologist, Ontario Archaeology Discipline Lead (P348) – Ms. Slim is a professionally licensed archaeologist with over 16 years of experience in the archaeology and environmental consulting industry. Ms. Slim has conducted all aspects of Stage 1 to 4 archaeological assessments for provincial agencies, municipalities, and land developers in support of infrastructure developments, financial real estate transactions, environmental remediation and private developments. As a founding member of the Wood Ontario archaeology team, Ms. Slim has performed every aspect of project execution, from client relations, project design to MHSTCI clearance. Through her project experience, Ms. Slim has gained an in-depth understanding of the Heritage Act and legislations & standards associated with cultural heritage management. Ms. Slim holds a Master's Degree in Anthropology from Trent University and an Honours Bachelor's Degree in Environmental Studies and Anthropology from Trent University. Ms. Slim currently holds a Professional Archaeology Licence (P348) issued by the Ontario MHSTCI, is RAQs Certified in Archaeology/Heritage and is a member of the Ontario Association of Professional Archaeologists.

Chelsea Dickinson B.A., Research Archaeologist (R1194) - Ms. Dickinson has been working in consulting archaeology since 2015. During this time, Ms. Dickinson has developed a variety of archaeological skills, from background research to Stage 4 excavations laboratory work, and environmental assessments (EA) conducted for the development of wind and solar farms, hydro line corridors and municipal roadway. Ms. Dickinson has had the privilege of working alongside a multitude of First Nation community members while conducting archaeological assessments in both Northern and Southern Ontario. Ms. Dickinson holds an honorary Degree in Near Eastern and Classical Archaeology from Wilfrid Laurier University, and a Post-Graduate Certificate in Geographical Information Systems from Fanshawe College. Ms. Dickinson holds an Applied Research Licence (R1194) from the Ontario MHSTCI.

Alejandra Cooney, B.Sc., Field Director (R1188) - Ms. Cooney holds a BSc. Degree in Anthropology and Biology from Trent University and has an Environmental Technician Diploma from Mohawk College. Ms. Cooney has been working in the field of archaeological consulting since 2013. She holds an Applied Research License (R1188) in archaeology from the Ontario MHSTCI. Ms. Cooney has conducted Stage 1 to 4 archaeological assessments in of environmental assessments, hydro line corridors, municipal roadways, residential and infrastructure development. Through her experience, she has gained expertise in archaeological projects in remote locations. A number of projects that Ms. Cooney has been involved in,

have included Indigenous Engagement. Ms. Cooney's education and relevant work experience have provided her with knowledge of high precision GPS technologies, such as SX Blue, Top Con Hi SR and FC5000 global positioning systems, used to record architectural and natural features/ landscapes, cultural material, topographical anomalies and site boundaries. Ms. Cooney is a member of the Ontario Archaeological Society.

APPENDIX E: LIMITATIONS

Limitations

1. The work performed in the preparation of this report and the conclusions presented are subject to the following:
 - a. The Standard Terms and Conditions which form a part of our Professional Services Contract;
 - b. The Scope of Services;
 - c. Time and Budgetary limitations as described in our Contract; and,
 - d. The Limitations stated herein.
2. No other warranties or representations, either expressed or implied, are made as to the professional services provided under the terms of our Contract, or the conclusions presented.
3. The conclusions presented in this report were based, in part, on visual observations of the Study Area. Our conclusions cannot and are not extended to include those portions of the Study Area which were not reasonably available, in Wood Environment & Infrastructure's opinion, for direct observation.
4. The potential for archaeological resources, and any actual archaeological resources encountered, at the Study Area were assessed, within the limitations set out above, having due regard for applicable heritage regulations as of the date of the inspection.
5. Services including a background study and fieldwork were performed. Wood Environment & Infrastructure's work, including archival studies and fieldwork, were completed in a professional manner and in accordance with the Ministry of Heritage, Sport, Tourism and Culture Industries' guidelines. It is possible that unforeseen and undiscovered archaeological resources may be present at the Study Area.
6. The utilization of Wood Environment & Infrastructure's services during the implementation of any further archaeological work recommended will allow Wood Environment & Infrastructure to observe compliance with the conclusions and recommendations contained in the report. Wood Environment & Infrastructure's involvement will also allow for changes to be made as necessary to suit field conditions as they are encountered.
7. This report is for the sole use of the parties to whom it is addressed unless expressly stated otherwise in the report or contract. Any use which any third party makes of the report, in whole or in part, or any reliance thereon, or decisions made based on any information or conclusions in the report, is the sole responsibility of such third party. Wood Environment & Infrastructure accepts no responsibility whatsoever for damages or loss of any nature or kind suffered by any such third party as a result of actions taken or not taken or decisions made in reliance on the report or anything set out therein.
8. This report is not to be given over to any third-party other than a governmental entity, for any purpose whatsoever without the written permission of Wood Environment & Infrastructure, which shall not be unreasonably withheld.