

Part Three (of Three)



CULTURAL HERITAGE IMPACT ASSESSMENT

Town of Niagara-on-the-Lake | Royal George Theatre

APPENDIX F: LANDSCAPE PLAN

Refer to the SPA package: The documents provided in the appendices are integral to the Site Plan Approval (SPA) submission.

APPENDIX G: BUILDING CONDITION ASSESSMENT



November 30, 2023

Reference Number: 23344

Joel Parke

Owner's Representative
Shaw Festival
10 Queen's Parade, Box 774
Niagara-on-the-Lake, ON L0S 1J0

Dear Joel,

RE: Royal George Theatre Structural Assessment

1.1 BACKGROUND

At your request, we completed a review of the Royal George Theatre at 85 Queen St in Niagara-on-the-Lake. We also reviewed the structures at 79 Queen St, 178 & 188 Victoria St., and the Gallery building behind 85 Queen St. The purpose of the review was to assess the current structures with a view to incorporating the existing buildings into an expanded new theatre.

1.2 EXISTING INFORMATION

As part of our study, we visited the site on May 5, 2023 to visually review the existing structures. Our review was visual and only the structural elements exposed to view were observed. No finishes were removed as part of the review. Additionally, we reviewed the following documents that were supplied to us:

- ▶ Original Theatre Architectural Drawings by architect Chas M. Wilmont circa 1913;
- ▶ Theatre Alteration Drawings by architect John M. Collins circa 1940;
- ▶ Stage Addition Drawings by Lett/Smith Architects dated December 1984; and
- ▶ Preliminary Architectural Drawings for the new Theatre by Lett Architects dated January 2023.
- ▶ "Early Theatre in Niagara-on-the-Lake including the history of The Royal George" by Faye Goodwin and Nancy Butler – April 2010
- ▶

Based on our visual review, the arrangement and sizes of the existing structure appeared to generally match the existing drawings provided, with the exception of the balcony at the front of the theatre building and the façade facing Queen Street which we understand was modified in 1975 and again in the 1980s.

No drawings for the structures at 79 Queen St., 178 & 188 Victoria St., or the Gallery building were provided.



1.3 BUILDING DESCRIPTIONS

1.3.1 83 Queen Street

The existing Royal George Theatre structure at 83 Queen St was completed in 1915 as a Moving Picture and Vaudeville Theatre. The original construction is a single-story building with a basement and a fly tower over the stage. At the front of the building there is a balcony and projection booth. The basement construction consists of 16" concrete foundation walls and slab on grade. The ground floor is wood framed consisting of 2x12 wood joists spanning between steel beams sloping toward the stage. The steel beams are supported by the foundation walls and steel columns along the centre of the basement. The stage is also wood framed consisting of 2x14 joists. The roof is wood framed with 2x14 joists spanning between steel beams which are supported by steel columns at the exterior of the building. The exterior walls are non-load bearing hollow terra cotta block also known as speed tile. The walls infill the spaces between the steel columns supporting the roof structure.

The 1940s renovation expanded the balcony and the projection booth. The project also reworked the façade facing Queen Street, removing windows and awnings.

The 1984 Stage Addition project expanded the backstage and sidestage to the north and east respectively. The work included removing the north and east speed tile walls to a height of approximately 30'-0" and supporting the remaining fly tower walls above on new steel beams and columns. The expanded back and side stage are enclosed with 12" concrete masonry walls and a sloped 1 ½" steel deck roof supported by steel I beam rafters. We understand that in 1984 the front façade, foyer, and balcony were also modified, however no drawings for this work were provided. The balcony framing was reviewed through a trap door in the projection booth and consisted of wood joists and plywood that appeared to be built on top of the earlier balcony structure.

Behind the theatre building there is a two-story structure known as the Gallery. We understand this building is approximately 25 years old. No drawings were made available for this structure; however it appears to be of wood framed construction and does not have a basement.

1.3.2 79 Queen Street

The structure at 79 Queen Street is a single-story building with a gable roof. The exterior is finished in stucco and the interior ground floor is finished such that the above grade framing is unknown. However, based on experience it is likely a wood framed roof bearing on either masonry or wood stud walls. The basement was unfinished and the structure was observed to consist of concrete basement / foundation walls supporting a wood joist floor.

1.3.3 178 & 188 Victoria Street

The structures at 178 and 188 Victoria Street are both two-story wood framed residential houses. 178 Victoria Street has a basement with concrete foundation walls. 188 Victoria Street does not have a basement and the foundation construction was not reviewed. No drawings were made available for either structure.



1.4 ASSESSMENT

The proposed structure for the new redeveloped theatre has a footprint that encompasses all the existing buildings described in section 1.3. The proposed structure is three stories tall with public lobbies in the area currently occupied by the buildings at 79 and 85 Queen Street, a new theatre in the rear of the existing theatre where the gallery building currently stands, and a rehearsal studio and administrative offices at the west side of the site currently occupied by the houses at 178 and 188 Victoria Street.

The existing Gallery building, 178 and 188 Victoria Street, appear to be built in accordance with Part 9: Housing and Small Buildings, of the Ontario Building Code (OBC) and could not easily be incorporated into the proposed theatre building. Part 9 of the OBC governs the design of residential housing and small buildings not exceeding 600m² and has reduced loading requirements. It is not be expected that these buildings would meet the structural requirements of Part 4: Structural Design of the OBC, which would be required if incorporated into the new theatre facility. The proposed new structure also has a basement where the existing structures are located. The Gallery building and 188 Victoria Street do not. The basement at 178 Victoria Street is not deep enough to match the proposed construction. Incorporating them could require constructing a new basement below them and/or underpinning the existing foundations.

Furthermore, we understand the existing basement of the theatre building at 83 Queen Street has experienced flooding in the past. To prevent this, permanent below slab drainage systems and waterproofing of the exterior basement walls would be necessary. Installation of below slab drainage would require removal and replacement of the basement slab-on-grade and would be a costly endeavour.

These buildings also do not have structural elements that would be compatible with the lateral force resisting systems required of the new construction as a whole. The existing theatre structure was designed and built before formal building codes existed. Further, lateral seismic loading requirements were not introduced into Canadian building codes until 1941 and have evolved over the intervening years. The construction of the existing theatre building, namely the hollow terra cotta exterior walls, are non-ductile materials that have a very low resistance to seismic forces. Commentary L of the National Building Code (NBC 2015) requires that existing buildings undergoing renovations or additions that have a total weight exceeding 10% of the existing building weight, undergo seismic upgrading such that the combined existing and new structures fully comply with the current building code. Any significant addition to the existing structure will require a full seismic upgrade of the existing lateral force resisting system.

To upgrade the existing lateral force resisting system, new structural elements would have to be constructed that are compatible with the existing stiff brittle terra cotta walls. Flexible structures such as steel moment frames or steel bracing would not be appropriate. Concrete shear walls could be utilized to strengthen the structure. New shear walls would need to be located strategically within the existing structure and would have to be built on new foundations sized for the gravity and overturning forces.

The proposed structure is significantly larger and taller than the existing structure. In order to incorporate existing structural elements into the new construction, significant reinforcing of walls, beams and foundations would be required. The location of the existing structural elements also does not provide much flexibility for a new building with a larger footprint and modern accessibility requirements. To retain the existing roof structure and incorporate it into a new floor, for example, the existing steel beams would need to be lengthened and reinforced and the existing wood framing would also require upgrading.



1.5 CONCLUSION

In our opinion, based on the information available and the level of study completed, incorporating the existing structures into a new larger, modern theatre structure would be impractical and cost prohibitive. The layout and composition of the structural elements in the existing buildings would require significant upgrades and interventions, to retain even small portions in the new scheme.

Likewise, renovations to the existing Royal George to modernize to meet current industry theatre practices and to achieve the desired functionality would also require significant structural interventions. In our opinion, the required structural interventions would also be impractical and cost prohibitive.

Should you have any questions or comments, please do not hesitate to contact us.

Yours truly,

LEA CONSULTING LTD.

John Kaczmarek, P.Eng.
Project Manager

John Ford, P.Eng.
Principal

cc: Lett Architects Inc.

Attachments: Limitations



LIMITATIONS

- ▶ No party other than the Client shall rely on the Consultant's work without the express written consent of the Consultant. The scope of work and related responsibilities are defined in the Conditions of Assignment. Any use which a third party makes of this work, or any reliance on or decisions to be made based on it, are the responsibility of such third parties. Decisions made or actions taken as a result of our work shall be the responsibility of the parties directly involved in the decisions or actions. Any third party user of this report specifically denies any right to any claims, whether in contract, tort and/or any other cause of action in law, against the Consultant (including Sub-Consultants, their officers, agents and employees).
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- ▶ This work does not wholly eliminate uncertainty regarding the potential for existing or future costs, hazards or losses in connection with a property. No physical or destructive testing and no design calculations have been performed unless specifically recorded. Conditions existing but not recorded were not apparent given the level of study undertaken. Only conditions actually seen during examination of representative samples can be said to have been appraised and comments on the balance of the conditions are assumptions based upon extrapolation. We can perform further investigation on items of concern if so required.
- ▶ Only the specific information identified has been reviewed. The Consultant is not obligated to identify mistakes or insufficiencies in the information obtained from the various sources or to verify the accuracy of the information.
- ▶ LEA Consulting Ltd. is not investigating or providing advice about pollutants, contaminants or hazardous materials. This work is included only in the mandate of the environmental consultant.

APPENDIX H: PARKING STUDY (2025)

Refer to the SPA package: The documents provided in the appendices are integral to the Site Plan Approval (SPA) submission.

APPENDIX I: URBAN DESIGN BRIEF (2025)

Refer to the SPA package: The documents provided in the appendices are integral to the Site Plan Approval (SPA) submission.

APPENDIX J: ARCHEOLOGICAL ASSESSMENT

Stage 1 and 2 Archaeological Assessment of 188 Victoria Street, Part of Lot 57, Registered Plan 86, Geographic Township of Niagara, County of Lincoln, now in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara

Original Report

Prepared for:

Shaw Festival Theatre Canada

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Archaeological Licence: P1133 (Kashani)

Project Information Form P1133-0014-2023

Archaeological Services Inc. File: 23PL-028

16 May 2023



Executive Summary

Archaeological Services Inc. was contracted by Shaw Festival Theatre Canada to undertake a Stage 1 and 2 Archaeological Assessment of 188 Victoria Street, Part of Lot 57, Registered Plan 86, in the Geographic Township of Niagara, County of Lincoln, now in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara. The subject property, located on the southeast side of Victoria Street, is approximately 425 square metres. Permission to access the subject property and to carry out all activities necessary for the completion of the assessment was granted by the proponent on February 9, 2023.

The Stage 1 background research entailed consideration of the proximity of previously registered archaeological sites and the original environmental setting of the subject property, along with its development history. The evaluation of archaeological potential also took into consideration the criteria established in the *Master Plan of Archaeological Resources for the Town of Niagara-on-the-Lake Planning Report* (Archaeological Services Inc., 2001). This research suggested there would typically be potential for Indigenous and Euro-Canadian archaeological sites within the subject property. However, based on the extent of previous ground impacts from house construction, paving, and landscaping, it was concluded that the presence of any intact archaeological deposits was unlikely.

The Stage 2 field assessment was conducted on April 17 and 19, 2023. The visual inspection of the subject property confirmed nearly the entire property, approximately 95%, was thoroughly disturbed from the existing development. The remaining 5% of the property, comprising a narrow stretch of garden along the southwest limit, was subject to test pit survey to confirm disturbance. As a result of this assessment, the entire property was confirmed to be disturbed. Therefore, it is recommended that no further archaeological assessment of the subject property be required.



Project Personnel

- **Senior Project Manager:** Jennifer Ley, Honours Bachelor of Arts (R376), Lead Archaeologist, Manager, Planning Assessment Division
- **Project Manager:** Jamie Houston-Dickson, Master of Arts (P398), Associate Archaeologist, Project Manager, Planning Assessment Division
- **Project Director:** Poorya Kashani, Doctor of Philosophy (P1133), Associate Archaeologist, Field Director, Planning Assessment Division
- **Project Administrator:** Lauren Vince, Honours Bachelor of Arts (R1235), Archaeologist, Project Administrator, Planning Assessment Division
- **Field Director:** Sean Haefner, Bachelor of Science (R1253), Archaeologist, Field Director, Planning Assessment Division
- **Field Archaeologist:** Paul Roschman, Bachelor of Science
- **Project Historian:** Brian Narhi, Master of Arts, Historian, Planning Assessment Division
- **Report Preparation:** Dana Millson, Doctor of Philosophy, Archaeologist, Technical Writer, Planning Assessment Division
- **Graphics:** Peter Bikoulis, Doctor of Philosophy, Archaeologist, Geographic Information System Technician, Operations Division; Carolyn Nettleton, Bachelor of Arts, Archaeologist, Geographic Information System Technician, Operations Division
- **Report Reviewers:** Jamie Houston-Dickson; Jennifer Ley



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1.0 Project Context

Archaeological Services Inc. was contracted by Shaw Festival Theatre Canada to undertake a Stage 1 and 2 Archaeological Assessment of 188 Victoria Street, Part of Lot 57, Registered Plan 86, in the Geographic Township of Niagara, County of Lincoln, now in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara (Figure 1). The subject property is approximately 425 square metres and is located along the southeast side of Victoria Street, northeast of Queen Street.

1.1 Development Context

This assessment was conducted under the senior project management of Jennifer Ley (R376), the project management of Jamie Houston-Dickson (P398), and the project direction of Poorya Kashani (P1133); the work was completed under Ministry of Citizenship and Multiculturalism (hereafter referred to as the Ministry) Project Information Form P1133-0014-2023. All activities carried out during this assessment were completed as due diligence prior to proposed redevelopment, as required by the Town of Niagara-on-the-Lake and the *Planning Act* (Ministry of Municipal Affairs and Housing, 1990).

All work was completed in accordance with the *Ontario Heritage Act* (Ministry of Culture [now the Ministry], 1990) and the *Standards and Guidelines for Consultant Archaeologists* (hereafter referred to as the Standards) (the Ministry of Tourism and Culture [now the Ministry], 2011). The work was also guided by the *Master Plan of Archaeological Resources for the Town of Niagara-on-the-Lake Planning Report* (Archaeological Services Inc., 2001), which provides further refinement with regards to potential buffers surrounding any noted features or characteristics that affect archaeological potential.

Permission to access the subject property and to carry out all activities necessary for the completion of the assessment was granted by the proponent on February 9, 2023. Buried utility locates were obtained prior to fieldwork.



1.2 Historical Context

The purpose of this section is to describe the past and present land use and the settlement history of the subject property, and any other relevant historical information gathered through the Stage 1 background research.

1.2.1 Pre-Contact Settlement

Southern Ontario has a cultural history that began approximately 13,500 years ago and continues to the present. As there tends to be less widespread awareness of the depth of this pre-contact settlement history, or general knowledge of the societies that inhabited Ontario prior to the onset of Euro-Canadian settlement, a brief review of the prehistory of the area is necessary in order to provide an understanding of the various natural and cultural forces that have operated to create the archaeological sites that are found today.

Table 1 provides a general summary of the pre-contact Indigenous settlement history of southern Ontario from approximately 11,500 Before Common Era (B.C.E.) to the year 1650 Common Era (C.E.).

Table 1: Pre-contact Indigenous Temporal Culture Periods in Southern Ontario

| Period | Description |
|----------------------------------|--|
| Paleo > 11,500 – 8,500 B.C.E. | <ul style="list-style-type: none">• First human occupation of Ontario• Astronomers/ Artists/ Hunters/ Gatherers/ Foragers• Language Unknown• Small occupations• Non-stratified populations |



| Period | Description |
|---|---|
| Archaic 8,500 – 1,000 B.C.E. | <ul style="list-style-type: none"> • Astronomers/ Artists/ Hunters/ Gatherers/ Foragers • Small occupations • Non-stratified populations • Mortuary ceremonialism • Extensive trade networks for raw materials and finished objects |
| Early Woodland 1,000 – 450 B.C.E. | <ul style="list-style-type: none"> • Astronomers/ Artists/ Hunters/ Gatherers/ Foragers • General trend in spring/summer congregation and fall/winter dispersal • Small and large occupations • First evidence of community identity • Mortuary ceremonialism • Extensive trade networks for raw materials and finished objects |
| Middle Woodland 450 B.C.E. – 750 C.E. Transitional Woodland 600 – 900 C.E. | <ul style="list-style-type: none"> • Astronomers/ Artists/ Hunters/ Gatherers/ Foragers • A general trend in spring/summer congregation and fall/winter dispersal into large and small settlements • Kin-based political system • Increasingly elaborate mortuary ceremonialism • Incipient agriculture in some regions • Longer term settlement occupation and reuse |
| Late Woodland (Early) 900 – 1300 C.E. | <ul style="list-style-type: none"> • Foraging with locally defined dependence on agriculture • Villages, specific and special purpose sites • Socio-political system strongly kinship based |



| Period | Description |
|--|---|
| Late Woodland (Middle) 1300 – 1400 C.E. | <ul style="list-style-type: none"> • Major shift to agricultural dependency • Villages, specific and special purpose sites • Development of socio-political complexity |
| Late Woodland (Late) 1400 – 1650 C.E. | <ul style="list-style-type: none"> • Complex agricultural society • Villages, specific and special purpose sites • Politically allied regional populations |

1.2.2 Post-Contact Settlement

The Niagara Purchase

Following the 1764 Niagara Peace Treaty and the follow-up treaties with Pontiac, the English colonial government considered the Mississaugas to be their allies since they had accepted the Covenant Chain. The English administrators followed the terms of the Royal Proclamation and insured that no settlements were made in the hunting grounds that had been reserved for their use (Johnston, 2004; Lytwyn, 2005). The subject property is within Treaty 381, the Niagara Purchase, signed in 1781 between the Crown and the Chippewa and Mississaugas for the tract of land not previously agreed upon in the 1764 Niagara Peace Treaty on the west side of “the Straits” that lead from Lake Erie to Lake Ontario at Niagara Falls (Crown-Indigenous Relations and Northern Affairs, 2016).

County of Lincoln

The land that comprises the former County of Lincoln was alienated by the British from the Mississaugas through a treaty concluded on May 22, 1784. This treaty was subsequently ratified at Navy Hall in the Town of Niagara (Niagara-on-the-Lake) on December 7, 1792. The purchase price for the land that the British acquired, which extended between Lakes Ontario and Erie from the Niagara River to the “River La Tranche” was a mere £1180.7.4 (Treaty No. 3, *Indian Treaties* vol. 1:5-7).



Lincoln County was one of the first counties to be established by proclamation following the arrival of Lieutenant-Governor John Graves Simcoe in Upper Canada in 1792. The County was named after Lincolnshire in England. Prior to that time, Lincoln had comprised part of the District of Nassau, which was under the legal and administrative jurisdiction of Montreal between 1783 and 1788. This name was changed to the “Home District” in October 1792. The Town of Niagara (or Newark, now Niagara-on-the-Lake) was not only the County Town but also the capital of the Province of Upper Canada between 1792 and 1796. In 1800, the Niagara Region was re-named the “District of Niagara.” The Town of Niagara remained as the “official” County Town from July 1801 until 1866, when that status was transferred to St. Catharines (Gardiner, 1899:267; Armstrong, 1985:172, 186-188).

By 1805, Lincoln was described as being “a very fine and populous settlement,” with a population of about 6,000 (Boulton, 1805:49).

Township of Niagara

The first township survey was undertaken in 1782, and the first legal settlers occupied their land holdings in the same year. The township was named Newark by John Graves Simcoe in 1792, possibly after a town in Nottinghamshire, England. Another theory suggests that Niagara, which was the temporary provincial capital of Upper Canada, was “an ark of safety for the Loyalists.” The township regained its original name, Niagara, in 1798. This is a derivative of an Iroquois word, *onghiara*, which is thought to signify “neck” or possibly “thundering waters.”

Niagara was initially settled by disbanded soldiers, mainly Butler’s Rangers, following the end of the American Revolutionary War. The township was the scene of several battles and skirmishes during the War of 1812, and much of the township was laid to waste at that time (Boulton, 1805:49-57; Smith, 1846:130; Crysler, 1943; Armstrong, 1985:146; Rayburn, 1997:241).



Town of Niagara (Niagara-on-the-Lake)

The Town of Niagara, today known as Niagara-on-the-Lake, was first surveyed on the government reserve north of the East-West Line in 1790. Originally known by several names, including “Lennox,” “Butlersburg,” and “West Niagara,” the town was given its present name in 1903, to avoid confusion with Niagara Falls.

In 1792, the town became the temporary capital of Upper Canada. In 1796, the seat of government was transferred to York (Toronto), but Niagara remained the County seat for Lincoln until 1866 when it was transferred to St. Catharines. Niagara was an early mercantile and shipping centre and contained many substantial houses and businesses built during the first decade of the nineteenth century. It also contained one of the first Masonic Lodges in Ontario, as well as the first public library in Ontario. Niagara was captured during the War of 1812, and almost entirely destroyed when retreating American forces under General McClure fired the town in December 1813. Fort George was partly destroyed at that time, and Fort Mississauga was constructed out of the rubble of the town in 1814-15. Niagara was rebuilt during the late 1810s through the 1830s, but it never fully regained its pre-War prominence. By the late nineteenth century, Niagara was also famous as a resort and vacation destination during the summer months. In 1873, the population numbered 1,600 (Crossby, 1873:221).

In the first half of the twentieth century, the now-renamed Town of Niagara-on-the-Lake housed military camps set up during both World Wars. Today, the town is known for its heritage homes, the theatre, and fine shopping and dining (Winearls, 1991:754; Scott, 1997:159-160; Rayburn, 1997:241).

Development of Lot 57, Registered Plan 86

The subject property comprises a portion of Lot 57 of Registered Plan 86. The early land ownership of Lot 57 is very muddled and difficult to trace due to several gaps in the chain of title, which was either caused by the destruction of the pre-1813 records or by the transfer of the land through deeds, which were not registered.



This one-half acre (0.202 hectare) lot was originally granted to James Fitzgerald. Fitzgerald had submitted a petition to the Executive Council in late September 1793 praying for a grant of “vacant Lot 57” in the town of Newark (Niagara). The recitals in the petition noted that Fitzgerald was “desirous to improve on a vacant lot” and to become a permanent settler. The petition was received and read before the council and approved on November 30, 1793. Further records indicate that a Land Board Certificate was issued to Fitzgerald for this lot on December 21, 1793, and that a “description” for it was issued by the Surveyor General’s office in November 1795. Fitzgerald was referred to in a list of lot owners dated May 20, 1795. Other early land-related records suggest that Andrew Heron possessed some interest in part of this lot (Anonymous, no date[a]; Anonymous, no date[b], report from Thomas Rideout, September 5, 1817:15953-15955; Anonymous, no date[a]:Niagara Town "Township Papers," :478).

The place and date of birth are not known for Fitzgerald, although he was undoubtedly a native of Ireland. He had settled in Niagara sometime prior to September 1793 where he established himself in business as an innkeeper. Fitzgerald drowned sometime prior to October 20, 1794, and notices to his creditors were published in the *Upper Canada Gazette* by his attorney, James Clarke, between June and August 1795. Other notices published in the newspapers noted that Andrew Heron was “trustee” for the Fitzgerald estate, and the creditors of the estate were called to meet at Wyer’s Tavern at Niagara on September 15. Fitzgerald was married to a woman named Ann Connolly by whom he left no issue. After his death she was married at St. Mark’s (Anglican) Church on January 28, 1795, to John Cain. This John Cain may have been the son of Barnabas Cain. Notices in the *Gazette* stated that accounts for debts owing to the estate could also be paid to John Cain and his wife. Ann Cain had originally been granted Letters of Administration by the Surrogate Court with respect to the Fitzgerald estate on December 1, 1795. This power was granted to her with the provision that she provided the court with an inventory of the effects of the deceased. She entered into a bond amounting to £1,000 with sureties James Hurst and Donald Grant for the just administration of the estate. On July 22, 1796, Joseph Edwards (a respected merchant and local magistrate) applied to the surrogate court for new Letters of Administration to be granted to him for settlement of the affairs of the estate. His petition to the court also requested



that the administration previously granted to Mrs. Ann Cain be revoked, on the grounds that she was “wasting the estate of the deceased without paying the just debts,” and that she “is likely to make devastation of the remaining part thereof without paying the debts of the deceased.” Two prominent inhabitants of Niagara, Colin McNabb and William Johnson Chew, stood as bondsmen or sureties for Edwards.

Mrs. Cain was subpoenaed to appear in court and show cause “if any she has” as to why the administration should not be revoked. New Letters of Administration appear to have been subsequently granted to Edwards. The fate of Mrs. Cain took a sinister turn, since the *Canadian Constellation* newspaper reported that Mrs. Ann C. Cain had been hired to work as a servant by a local merchant named George Forsyth. In June 1800, Cain was “killed by blows and kicks inflicted by a fellow servant” named Charles Trump while they were in the employ of Mr. Forsyth. Trump was to stand trial for her murder at the next assizes. The editor of the *Constellation* newspaper cautioned his readers that this was “a sorrowful instance...and let it be a warning to those who forgetting they are men, and in a gust of passion, assail a woman, weak woman, who under every circumstance has a claim to our tenderness and protection, even in her transports of fury.” Reports from the *Constellation* were reprinted by the editor of the *Niagara Mail* as an item of curiosity in 1855. It is not known whether the original newspaper from 1800 has survived.

In August 1795, John Cain was named as having some interest in farm Lot 25 in Niagara Township, which had been granted to the late James Fitzgerald. The original certificate that granted the land to Fitzgerald could not be produced since it was believed to have been on his person when he was “drown’d.” This lot later formed part of the land assembly of John McFarland on the Niagara River Road. There was reference to the death of one John Cain, who died at the Four Mile Creek at the residence of his son, on March 27, 1841, aged 80 years. This may not be the same individual, since he would have been several years older than the son of Barnabas Cain (*Upper Canada Gazette*, June 10 and August 19, 1795; St. Mark's Marriage Register, 1795; Lincoln County Surrogate Court, 1795; *Canadian Constellation*, June 21, 1800; *Christian Guardian*, April 7, 1841; *Niagara Mail*, August 22, 1855; Carnochan, 1914:71).



Records of losses sustained by the inhabitants of the Town of Niagara during the War of 1812 referred to the destruction of a house owned by “Fitzgerald” for which £100 was claimed. It is uncertain whether the claim was submitted for a house on this particular lot.

At some point after the War of 1812, Rodman (or Rhodman) Starkweather and Russell Searle Brown acquired an interest in part of this lot. The first deeds in the subsequent chain of title contain a very vague description, simply referring to the land sold as “part of the northerly part of Lot 57” (Anonymous, no date[c]:Lot 57).

Starkweather (born February 7, 1789) was a native of Preston, near New London, Connecticut, and the son of Charles and Deborah Starkweather. He is known to have been a medical student during the winter of 1815, and was referred to as “Dr. Starkweather.” He settled in the Town of Niagara in 1819, where he established his drug store on Queen Street in the shop now known as the “Niagara Apothecary.” Starkweather was in partnership with Russell Searle Brown as druggists in a firm known as “Brown & Starkweather.” Starkweather was named in various lawsuits, which were brought before the magistrates at the Niagara District Quarter Sessions between April 1828 and July 1836. These included assault and battery charges brought against him by Valentine Butterfield and Patrick Handy (a Niagara grocer) in April and July 1828. In July 1830, Starkweather was a witness in a larceny suit having refused to accept a stolen bank note as payment for goods in his shop. In January 1833, Starkweather was assaulted in his shop by the merchant John Alma who pleaded “guilty” to the charge. In July 1836, Starkweather and Brown had an individual named Charles Walsh confined in the Niagara gaol on some unspecified charge. Starkweather served on the Grand Jury at the Quarter Sessions in October 1829 and again in March 1835. By 1837, Brown and Starkweather had relocated to Buffalo where they borrowed money heavily from other merchants and banks. Brown executed a promissory note for \$50,000 in favour of George Truscott, and mortgaged part of the partnership property in order to secure the loan. The mortgage was foreclosed upon and formed the basis for a case (Truscott vs. King) heard in the Supreme Court for the State of New York, and which dragged on until at least September 1849 (Selden, 1854). Rodman was married to Martha Baldwin Brown (circa 1800-April 24, 1881) sometime around 1821. She was the daughter of



Humphrey Brown, and her obituary noted that she was “a leader in Buffalo society” during the 1840s, “distinguished for her high social qualities, elegant manner, and great hospitality.” They raised a family of six children (three sons, three daughters), all of whom were born at Niagara between April 1822 and October 1833. Rodman died at Buffalo on March 22, 1858 (*Christian Guardian*, May 21, 1831; Phillips, 1850:440-445; Narhi, 2006:files 2-24, 2-25, 2-28, 4-9, 7-49, 13-33, 14-18, 19-20, and 24-15; Barbour, 1859:346-351; *Buffalo Commercial Advertiser*, April 25, 1881:2; Bryant and Voss, 1975:52-53).

Russell Searle Brown (born circa 1803) was probably a native of New York and was the business partner of Rodman Starkweather. Brown was named a few times in the records of the Niagara District Quarter Sessions. Brown may have been the defendant in a charge of assault and battery brought before the courts by one John Courtney in April 1825 (or 1826?). The defendant in the case was simply recorded as “Russell Brown.” Brown died in Buffalo on March 26, 1844, and he bequeathed the bulk of his estate to Starkweather (Narhi, 2006:file 8-30).

In July 1835, Starkweather and Brown quit-claimed their interest in Lot 57 to Ralfe Clench (Junior). In March 1837, Clench quit-claimed his interest in this land to the widow Elizabeth Clench for £25. In February 1840, Elizabeth quit-claimed her interest in this property to her children, Francis Andrew Bernard Clench, Hannah Clench, and Priscilla Clench, for £25. Recitals contained in a subsequent deed showed that Elizabeth Clench was indebted in the amount of £932.15.0. in favour of Edward Clarke Campbell. The sheriff was ordered to seize any property that Clench owned in order to satisfy the debt. The sale of her personal property only raised £28.14.0. and her real property was estimated to be valued at £150. This land remained in the hands of Sheriff William Kingsmill “for want of a purchaser.” The court eventually ordered Kingsmill to sell the land at the best possible price. In July 1843, Kingsmill sold this land to Hannah Catherine Clench for £141. The land transferred to her was described as 7,376 square feet in extent. The parcel measured 39 feet (11.88 metres) on Queen Street by 166 feet (50.59 metres) on Victoria Street. The north side of the property measured 64 feet (19.50 metres) in width and ran parallel to Queen Street. The east side of the parcel was irregularly shaped. In that same month, Eliza, Hannah, and F.A.B. Clench sold this parcel to



Charles Coxwell Small for £157 (Anonymous, no date[f]:#11760, 11780, 12828, 1445, 1446).

Ralfe Clench Senior (1762-January 19, 1828) was a native of Schenectady, New York and had served as a Lieutenant in Captain William Caldwell's Company in Butler's Rangers during part of the American Revolutionary War. Lieutenant Clench was at Niagara, apparently as a single man, in November 1783. He held numerous local government positions such as registrar of the Surrogate Court, clerk of the District Court, and clerk of the peace, as well as being an auctioneer in the Town of Niagara. Clench Senior was also elected to the House of Assembly for Upper Canada, where he sat between 1800 and 1820. Clench served in the Lincoln Militia and was socially prominent in the Town of Niagara.

Ralfe was married at Niagara sometime during the late 1780s¹ to Elizabeth Johnson (circa 1773-August 15, 1850), a native of Johnstown, New York, and the daughter of Brant Johnson (or Kegneghtago, 1742-1818) by his wife Margaret Campbell. Elizabeth was therefore the granddaughter of Sir William Johnson by his Mohawk wife Elizabeth Brant.² Clench Senior was fluent in native languages and was described by an eyewitness as "a young man of liberal education...equally capable of entertaining company on an organ and of translating speeches into Iroquois." Ralfe and Elizabeth raised a family of twelve children. The first home built by Ralfe Senior survived the burning of the Town of Niagara in December 1813, but was accidentally destroyed by fire shortly thereafter. He built a large home for his family at 234 Johnson Street, which was completed around 1824 and still stands today. As a mark of esteem, Clench Senior was interred in the private family burial ground of Colonel John Butler (Anonymous, 1880a:586-590; Anonymous, 1880b; Fryer and Smy, 1981:54; Wilson, 1987:154-154; Taylor, 1992:6).

¹ Some sources state that the marriage took place on July 21, 1792.

² Some sources state that Brant Johnson was the son of Sir William Johnson by his German wife, Catherine Wissenberg or Wysenbergh.



Ralfe Clench Junior (October 22, 1806-November 18, 1880) was a native of Niagara and the son of Ralfe and Elizabeth (Johnson) Clench referred to above. Ralfe Junior, like his father, held several local government posts including postmaster, magistrate, town councillor, assessor, and clerk of the county court. He was also a tavern keeper, a druggist, and “kept the ferry” for twenty-five years. He was married to Catherine Prior and raised a family of at least three sons. Ralfe died from typhoid fever (Anonymous, 1851a, division 1:66/131; Archives of Ontario, no date, death registration #9070/1880).

Francis Andrew Bernard Clench (born January 15, 1815) was born in Niagara and the son of Ralfe and Elizabeth (Johnson) Clench. He was the Registrar of the Surrogate Court for Lincoln County, and Clerk of the County Court. Clench served as the Lincoln County Clerk and was a Justice of the Peace. He was a Niagara town councillor for seventeen years, served as deputy town clerk, and was elected Mayor on three occasions. Clench served as a lieutenant in the Queen’s Niagara Fencibles in 1837-38. Despite his status within the community, Clench was brought before the magistrates in June 1833 and charged with assault and battery by James A. Clement. He died from kidney disease on May 20, 1887 (Anonymous, 1851b, division 1:66/131; Archives of Ontario, no date, death registration #9605/1887; Narhi, 2006:file 14-29).

Hannah Catherine Clench (baptized January 29, 1795) was a native of Niagara and the daughter of Ralfe and Elizabeth (Johnson) Clench. She did not marry and lived at home with her siblings. Hannah was still alive in 1851. Priscilla Stuart (or Stewart) Clench (born 1799, baptized April 27, 1800) was her sister. Priscilla was married to Henry Dilke, an English-born druggist. They moved to the Town of Thorold where they resided in 1851. There does not appear to have been any issue from this marriage. Priscilla died as the result of “general debility” in the Town of Niagara on April 30, 1887 (Anonymous, 1851c, division 2:8/15; Archives of Ontario, no date, death registration #9604/1887).

Another part of Lot 57 was acquired through an unregistered deed by Archibald Gilkison (or Gilkinson) of Queenston. In December 1840, Gilkinson quit-claimed his interest in this property to Patrick Finn for the sum of five shillings. The deed referred to the property as being located on the south-east side of the Clench lot



and formed a parallelogram 34 by 120 feet (10.36 by 36.58 metres) in size (Anonymous, no date[e]:#164).

Gilkison (born circa 1815) was a native of Upper Canada and the son of Captain William and Isabella (Grant) Gilkison. His father had served in the province during the War of 1812 and is believed to have been present at the Battle of Crysler's Farm in 1813. His mother was the daughter of the Honorable Alexander Grant (R.N.) and his father, Captain Gilkison, was named as one of the "founders" of the Town of Elora in the 1830s and was a cousin of John Galt of the Canada Company. Gilkison studied law in the Town of Niagara under Charles Richardson, who was the clerk of the Niagara Quarter Sessions³. He then went on to further his legal studies in Toronto under William Henry Draper who served as the Solicitor General and as the Attorney General for Upper Canada. Gilkison was called to the bar of the Law Society of Upper Canada during Hilary term of 1837. Around that time, he was called upon to provide evidence in an assault and battery case that was heard before the magistrates at the Niagara Quarter Sessions. Gilkison later petitioned in 1847 that he be allowed to practice as an attorney and solicitor in the Court of Queen's Bench and in the Court of Chancery. He resided in the village of Queenston and in the Town of Niagara, but later moved to Hamilton, then Brantford, and later Elora, and served for a time as judge in the Town of Picton. He was also the secretary of the Brantford & Buffalo Railway Company during the early 1850s. Gilkison was married in September 1836 to Hannah McCormick (1818-1889). She was the daughter of Thomas McCormick (1784-1867), the manager of the Niagara branch of the Bank of Upper Canada, by his wife Augusta Jarvis (1790-1848). Hannah was therefore the granddaughter of the Provincial Secretary, William Jarvis, by his wife Hannah (Peters) Gilkison. Together, they raised a family of seven children (one daughter, six sons) who were born between

³ Charles Richardson (1805-1848) was the son of Dr. Richardson and brother of the early Canadian novelist Major John Richardson. Charles studied law and was one of the men who sacked the printing office of William Lyon Mackenzie in the Town of York in 1826. He was elected to the House of Assembly for Upper Canada, and represented the Town of Niagara between 1834 and 1841. Richardson was married to Eliza Euretta Clench, the daughter of Ralfe and Elizabeth (Johnson) Clench. Archibald Gilkison may have become acquainted with the Clench family during the period when he studied law under Richardson, and perhaps he purchased part of Lot 57 directly from some member of that family.



1837 and 1854. The family belonged to the Church of England. Gilkison died in 1876 (*Toronto Correspondent and Advocate*, October 26, 1836; Anonymous, 1851a, division 2:67; Anonymous 1861a, division 1:20; Jarvis, 1879:17, 61, 104-105; Chadwick, 1894:120-121; Carnochan, 1914:242; Connon, 1975:51-52, 58, 110, 175; Armstrong, 1985:131; Narhi, 2006:file 29-27).

Finn (born circa 1800) was a native of Ireland who settled in the Town of Niagara in 1836. His name was recorded in the minutes of the Niagara District Quarter Sessions as early as July of that year when he was appointed to serve as one of the constables for the town. Finn also served as a constable and as the crier at the sessions. In October 1836, he submitted a charge to the Quarter Sessions for his services as a constable at the execution of convicted murderer Aaron Seely at Niagara. In March 1840, he was called upon to provide testimony at the trial of Mark Kennedy, who was charged with the theft of 40 wooden railings. In August 1840, the magistrates approved paying Finn a salary of £20 per annum as crier, rather than simply paying him per diem for his services. At the same sessions, Finn brought charges against one Ambrose Oakes, a labourer in the town, who stole a jar, a plate, a tin dish, some milk, butter, and raspberry preserves from Finn. In December 1840, Finn acted as surety for two men who applied for tavern licences in the Niagara District. Finn was described in the 1851 census as the “high bailiff” for Niagara, and simply as “bailiff” in the 1861 census. Finn was married circa 1833 to Mary (or Maria) Eagen (circa 1810-before 1861) who was also a native of Ireland. They raised a family of at least seven children (three daughters, four sons) who were born between 1834 and 1848 and were sufficiently affluent that they could employ a domestic servant. A few of their children died in infancy and are interred in St. Vincent de Paul (RC) Cemetery in Niagara-on-the-Lake. Presumably Mary/Maria Finn is also buried there. Patrick Finn was no longer enumerated in the 1871 census for Niagara, and it has been suggested that he may have returned to Ireland (Narhi, 2006:files 24-2, 25-1, 31-18, 32-1, 38-20, 39-21, 40-19, 40-21).

All prior interests in Lot 57 held by Heron, Starkweather and Brown, Clench, Small, Gilkison, and Finn appear to have been cut out in order to provide a clear title to the property. An assignment was made by the Surveyor General and a new patent was issued on October 13, 1842, to Mary Ann McAuliff (or McAuliffe) and



Catherine Fitzgerald. These women were the “co-heiresses” of the late James Fitzgerald through the estate of their father, Patrick Fitzgerald, who was the eldest brother and heir of James Fitzgerald (Anonymous, no date[d]:337).

Little biographical information is available for McAuliff. A Roman Catholic, she was the daughter of Patrick Fitzgerald, a native of Ireland, and the wife of John McAuliff[e]. In the early 1870s, she was a resident of Monkstown in County Cork, in southern Ireland. Her husband had died sometime prior to August 1848, but it is unknown when Mary Ann died.

Likewise, there is little information about Catherine Fitzgerald. She was the daughter of Patrick Fitzgerald and was described in deeds as the “heiress at law of the late James Fitzgerald.” In 1848-1849, she was a resident of Toronto, in a house called “Primrose Cottage” on Queen Street East, but by 1850, she appears to have moved to Niagara. The 1851 census for the Town of Niagara showed that Catherine was born in Ireland circa 1810, was a spinster, and a Roman Catholic. She appears to have been a member of the household of a baker named Robert Torrance. In 1861, she was a member of the household of James D[ooerty?], a shoemaker. It is unclear in these instances what status Fitzgerald held within the household beyond that of a tenant since no occupation was listed for her. Her name was not found in any subsequent census returns for the town, and land deeds clearly stated that she was dead by June 1872 (Anonymous, 1851b, St. David's Ward, division 1:79/40; Anonymous, 1861b, division 2:23).

Another part of this lot appears to have been sold and mortgaged through unregistered deeds. A map of the town compiled circa 1826 showed the words “estate of John Willson” on Lot 57. Other records show that the lot was occupied by Andrew Willson, who was possibly a long-term tenant on the property. This part lot was seized by Sheriff William Kingsmill in July 1850 “at the suit of the Bank of British North America” and the “lands and buildings and erections thereon” were to be offered for sale by him at a public auction that was to be held at the Court House at noon on October 19 (*Niagara Chronicle*, July 16, 1850).

Little is known about Andrew Willson. The Niagara District Quarter Sessions records show that a man by this name recommended Garrett Vanderburgh for a tavern licence in Thorold in January 1829, and Willson was also selected to sit on



the petit jury for the assizes in March 1833. The Sessions records also include lists of prisoners confined in the Niagara gaol; one of the prisoners was Andrew “Wilson” who was confined in September and October 1832 for an unspecified crime, but who was committed on the orders of Niagara merchant and magistrate John Alma for a second time on the charge of “enticing a soldier to desert.” Wilson was confined to the gaol from November 1834 until at least May 1835. The name “Andrew Willson” was not found in any of the subsequent decennial census returns for the Town of Niagara (Narhi, 2006:files 3-10, 13-1, 14-14, 18-2, 18-15, 19-18, 20-1).

In February 1848, Catherine Fitzgerald ran an advertisement in the *Niagara Mail* newspaper for the sale of Lots 57, 58, and 59. In August 1848, Fitzgerald sold her interest in the remainder of the lot to Mary Ann McAuliff for £500. This property was 1.5 acres in extent (0.607 hectare) and included parts of Lots 57, 58, and 59. In July 1850, Fitzgerald once again ran an advertisement in the newspapers for the lease of these lots “for building,” which suggests that the property was vacant at the time. Fitzgerald must have acted in the capacity of agent for McAuliff (Anonymous, no date[f]:#1553; *Niagara Mail*, February 2, 1848 and July 31, 1850).

In June 1872, McAuliff sold this property to Peter Clarke and Henry Paffard for \$400 (Anonymous, no date[c]:#426).

Clarke (born circa 1815) was a native of Ireland who settled in the Town of Niagara sometime before 1871. He was described in the property deed as a “gentleman.” His and his wife Margaret were members of the Roman Catholic Church and appear to have been childless. The census returns showed that they employed one or two domestic servants. Margaret died on June 8, 1877, and was interred in St. Vincent de Paul Churchyard. Peter died sometime after 1881 (Anonymous, 1871, Centre Ward, division C:24; Lovell, 1871:559; Anonymous, 1881, division A:23; Clarke tombstone inscription, St. Vincent de Paul Cemetery).

Paffard (born May 24, 1824) was a native of Portsmouth, England and the son of Thomas and Mary (Miall) Paffard. He immigrated to Canada with his family in 1850 and settled in the Town of Niagara, where he established himself in business as a druggist in the shop now known as the Niagara Apothecary. Paffard sold a variety of products, some of them with exotic names such as “Dr. Garden’s Worm



Tea” and “Rose Hair Gloss.” His brother Frederick Paffard settled in St. Catharines where he also operated a drug store on St. Paul Street. The death of their father at the age of 80 in March 1860 was noted in the St. Catharines newspapers. Paffard was married to Hannah Eliza Wilson (1828-February 10, 1899) around 1860. They raised a family of four children (one son, three daughters) who were born at Niagara between 1864 and 1869. Paffard was elected mayor of the town in 1871, and he also served as the treasurer for the Ontario and Erie Ship Canal Company. He served for several years as the vice-president of the Niagara Historical Society. Paffard’s wife died as the result of “typhoid pneumonia,” after which he remained in Niagara for a few years, but by 1906 he had moved to the Assiniboia District of Saskatchewan; by 1911, he was a resident of Kootenay, British Columbia. In 1912, Paffard died and his remains were brought back to Niagara for burial in St. Mark’s (Anglican) Churchyard (*St. Catharines Semi-Weekly Post*, June 22, 1855; *St. Catharines Journal*, Mar. 8, 1860; Anonymous no date[c], Anonymous 1871, Centre Ward division C:10; Lovell, 1871:560; Anonymous no date[f]; Anonymous, 1901, division H2:4; Anonymous, 1906; Anonymous, 1911, district 9, sub-district 25:8; Archives of Ontario, no date, death registration #15731/1899; Niagara Historical Society pamphlets “List of Officers;” Paffard tombstone inscription, St. Mark’s Cemetery).

Four months later, in early October 1872, Clarke and Paffard sold this lot and part of Lot 58 to Sarah Kirby Garrett for \$605. The property that Garrett purchased measured 150 feet (45.7 metres) along Queen Street by the depth of the lot. This property was divided into three parcels each measuring 50 feet (15.24 metres) in width (Anonymous, no date[c]:deeds #444, 445, 448).

Garrett (born circa 1817) was from New York and the wife of Henry A. Garrett (born January 1, 1813), who was a merchant in New York City. Henry was born in Upper Canada, and the son of Alexander and Emelia Garrett. The 1850 and 1860 censuses for New York simply referred to Henry as a “merchant.” (Anonymous, 1850). The 1870 census specified that Henry was an “importer of silks.” The Garrett household included their daughter, (Mary) Augusta (born circa 1844), and her husband, Franklin Martine (born circa 1843), who was also a silk importer. Augusta and Franklin were married at Manhattan in early October 1865, and they had a young son, Henry J. Martine (born circa 1866). The Garrett household



employed four domestic servants. Sarah K. Garrett died at Manhattan on December 23, 1874, and she was interred at Woodlawn Cemetery. By 1880, Henry Garrett and the Martine family had moved to the Town of Niagara. Martine did not remain in the area and had returned to New York with his family by the autumn of 1884. Henry Garrett was married at Niagara in January 1880 to Alice Hewgill (born England, March 1851). One of the witnesses at the marriage was the druggist, Henry Paffard. Henry and Alice Garrett had one daughter named Mary Alice (born November 1880). Garrett was described in the 1881 census for Niagara as a “gentleman,” but later censuses referred to him as a “wholesale merchant.” Henry died at Niagara as the result of “senile decay” on April 1, 1903 (Anonymous 1901, division H3:3).

In August 1874, Henry A. and Sarah Garrett sold this land to Richard Brown for \$125 (Anonymous, no date[c], #678). Although Brown was described in the property deed as a “gentleman” of the Town of Niagara, his name could not be found in the census returns for Niagara from 1871 and 1881 under the spellings of “Brown” or “Browne.” Two weeks later, Brown flipped this property and sold it to three spinsters named Mary Jane, Susan, and Eliza Hall (Anonymous, no date[c], #683).

The Hall sisters were the daughters of John Hall (Born circa 1815-August 15, 1895) who was from Ireland. He joined the British army around 1830 and served as a Sergeant in the 1st Dragoon Guards. This regiment was transferred to Niagara in the summer of 1838. Hall settled in the Town of Niagara where he was employed as a customs officer and customs inspector beginning in 1845. He was married in Wales in September 1835 to Jane Goodyere (1818-1874), and they raised several children including the sisters who owned this property. Mary Jane (born September 8, 1845) and Susan (born December 10, 1847) lived at home with their widowed father. Eliza (1854-April 8, 1892) was married in August 1880 to a merchant named Michael Gartlan and they resided with their six children in Stayner. The Hall family belonged to the Roman Catholic Church, although John Hall was sometimes identified as a member of the Church of England. Susan Hall died at the St. Catharines General Hospital on March 10, 1915, from “senility,” and Mary Jane died at Stayner on January 14, 1932, from “hemiplegia.” Susan was buried with her parents at St. Vincent de Paul Cemetery in the Town of Niagara,



and Mary Jane and Eliza are both interred at St. Patrick's (RC) Cemetery in Stayner (Anonymous 1861a, division 1:14; Archives of Ontario, no date, death registrations #10082/1895, 19782/1915, 30110/1932; Anonymous, 1891a; Anonymous, 1891b; Hall family tombstone inscription, St. Vincent de Paul Cemetery; Gartlan family tombstone inscription, St. Patrick's Cemetery, Stayner).

In August 1877, the Hall sisters sold part of this property to William John Campbell. In December 1882 and October 1884, Campbell purchased additional parcels. In June 1901, prior owner Henry Paffard executed a quit claim deed in favour of Campbell. This quit claim deed was probably registered in order to clear any outstanding clouds from the title to the land (Anonymous, no date[c], #801?, 1269, 1407, 2879).

William Campbell (born January 6, 1848) was a native of the Town of Niagara and the son of Johnson and Ellen (Sagar) Campbell. William was trained as a blacksmith and pursued this occupation for more than thirty years. In the early 1900s until at least 1921, Campbell was employed as "house carpenter." He was married at Niagara in November 1872 to Barbara Jane Davidson (born January 9, 1848), a native of the Town of Niagara and the daughter of John and Isabella (Torrance) Davidson. John Davidson had settled in the Town of Niagara in 1846 as a "builder." William and Barbara raised a family of at least eight children, four sons and four daughters, who were born between 1873 and 1891. A few of the children died during their infancy. Campbell was a member of the Church of England whereas his wife was a Presbyterian. He suffered a fall and fractured his femur and died shortly thereafter on December 11, 1932, from myocardial failure. He and his wife were interred in St. Andrew's (Presbyterian) Churchyard in Niagara-on-the-Lake (Anonymous, 1861c, division 2:22; Anonymous, 1881, division A:30-31; Anonymous, 1901, district 85, sub-district 11-2:2).

In December 1932, the title to this property fell into the possession of Barbara Jane Campbell through the estate of her late husband William John Campbell. Barbara Jane Campbell died on July 3, 1939, from "senility" (Archives of Ontario, no date, death registration #22794).



188 Victoria Street

In April 1901, William Campbell sold a parcel in the centre of Lot 57, which measured 48 by 95 feet in size (14.63 by 28.95 metres), commencing 70 feet (21.34 metres) north of the intersection of Queen and Victoria Streets to J. Jefferies (Anonymous, no date[c], #2888A, 6655); this parcel corresponds to the current subject property at 188 Victoria Street. After Jefferies' death in 1927, the parcel was sold to William Harrison and his wife, Annie, who granted the land to their son, Roger D. and his wife, Gertrude, in 1967. Gertrude Harrison then sold the property to Comcrest Limited in 1972. In 1976, Comcrest Limited transferred the parcel to Pine Tree Lane Properties Limited (possibly a subsidiary), and it was leased to John and Olga Kulak. Then in 1978, Comcrest sold the parcel to Ursula E. Anderson. Anderson flipped the property the following year, selling it to Dorsur Investments Limited, who then sold it to John Law in 1985. In the twenty-first century, the subject property was converted for commercial use and was last occupied by the Pie'zza Pizzeria from 2016 until 2022, when it was acquired by the proponent for whom the current archaeological assessment is being conducted.

The structure located at 188 Victoria Street was built in 1880 and exhibits features typical of a Queen Anne revival style, including a gable-front-and-wing style, a shingled gable, and large windows (Hill, 1986:104). There are bay windows at the front (west) and side (south). A tall 1/1 sash window is set above the front bay window, stretching nearly to the roof.

Historical mapping (discussed below) clearly shows that there were no structures standing on Lot 57 between 1815 and 1833. A map from 1837 contained the notation "very closely built on" for Lots 57-58 but this may have been in reference to the Queen Street commercial frontage only. The title search and other records have shown that the Fitzgerald heirs attempted to sell their property as building lots and advertised them for lease during the late 1840s and early 1850s. Low purchase prices during the early 1870s suggest that there were no significant structures on the land at that time. William John Campbell purchased parts of Lot 57 under three deeds dated August 1877, December 1882, and October 1884. The consideration paid for these parcels (\$100, \$50, \$325) suggests that the property



remained vacant and was bought and sold on speculation. A construction date between circa 1877 and 1885 was inferred for the house to the north of this structure (178 Victoria Street) based upon the historical mapping, land registry records, and its architectural style (Archaeological Services Inc., 2019a), which places the development of the two houses in the north part of Lot 57 at roughly the same period.

City Directories

There are very few directories for the Town of Niagara-on-the-Lake, and many of those that were published did not always include the street numbers for the various households listed and are therefore of limited usefulness. Families were normally listed as residents of their street, such as “Victoria Street,” or “Queen Street.”

Listed or Designated Structures

In June 1987, the Town of Niagara-on-the-Lake passed a by-law (1667-86) which designated the Queen-Picton neighbourhood as a Heritage Conservation District (H.C.D.). The H.C.D. is bounded on the east by Wellington Street, on the south by Johnson Street, on the west by Gate Street, and on the north by Prideaux Street (Anonymous, no date[a], #543965).

Part V of the Ontario Heritage Act gives municipalities the ability to designate heritage conservation districts. These districts are areas whose cultural heritage value contributes to a sense of place extending beyond their individual buildings, structures, and landscapes. Once a heritage conservation district designation by-law is approved, property owners in the district require a permit from the municipality for any alteration that is not considered to be “minor,” as well as for demolitions or new construction within the boundaries of the H.C.D. Heritage value may be attributed to representative examples of architecture and does not require that they be outstanding or unique. Further, the value may be “associative,” which is tied to historical persons or events and is distinct from the built heritage of the district.



A map of the Queen-Picton H.C.D. prepared by the Town of Niagara-on-the-Lake for the designation by-law includes 188 Victoria Street as one of the residential structures within the H.C.D.

1.2.3 Review of Map Sources

A review of nineteenth- and early twentieth-century mapping was completed to determine if these sources depict any nineteenth-century Euro-Canadian settlement features that may represent potential historical archaeological sites within or adjacent to the subject property. Historic map sources are used to reconstruct/predict the location of former features within the modern landscape by cross-referencing points between the various sources and then georeferencing them in order to provide the most accurate determination of the location of any property from historic mapping sources. The results can be imprecise (or even contradictory) because sources of error, such as the vagaries of map production, differences in scale or resolution, and distortions caused by the reproduction of the sources, introduce error into the process. The impacts of this error are dependent on the size of the feature in question, the constancy of reference points on mapping, the distances between them, and the consistency with which both are depicted on historic mapping.

In addition, not all settlement features were depicted systematically in the compilation of these historical map sources, given that they were financed by subscription, and subscribers were given preference with regards to the level of detail provided. Thus, not every feature of interest from the perspective of archaeological resource management would have been within the scope of these sources.

The subject property, as overlaid on the 1876 *Illustrated Historical Atlas of the Counties of Lincoln and Welland* (Figure 2) and its accompanying *Village of Niagara* insert (Figure 3) (Page, 1876), is shown within a town block, two blocks west of a railway corridor. The Niagara River is depicted a similar distance to the northeast. The more detailed *Village* insert shows the town block divided into eight numbered lots, with the subject property depicted in the centre of Lot 57, fronting Victoria Street to the west, just northeast of the junction with Queen Street (Figure 3).



Early topographic mapping was also reviewed for the presence of potential historical features. Land features, such as waterways, wetlands, woodlots, and elevation, are clearly illustrated on this series of mapping, along with roads and structure locations. On the 1906 Niagara Topographic Map (Department of Militia and Defence, 1906), the subject property is depicted on the 294-foot (89.6-metre) elevation contour in the north of Niagara-on-the-Lake adjacent to the commercial district (Figure 4). There are buildings shown fronting the planned streets shaded in black to show their designation as commercial structures. While georeferencing appears to place the subject property in a vacant area between building blocks, the historical background research indicates the current structure on the property was built in 1880 (see Section 1.2.2 above).

1.2.4 Review of Aerial Imagery

Selected aerial imagery was also reviewed to better understand the land use and development history of the subject property.

Figure 5 shows the subject property overlain on the 1934 and 1968 aerial photographs (Niagara Region, no date; Brock University, 2018). On both images, the extant house is visible in the centre of the subject property fronting Victoria Street to the northwest, which is visible as a tree-lined street. There is a house immediately southwest of the property, and the Royal George Theatre abuts the subject property along its southeast limit, both structures front Queen Street. A house surrounded by a maintained lawn is visible to the north.

1.3 Archaeological Context

This section provides background research pertaining to previous archaeological fieldwork conducted within and in the vicinity of the subject property, its environment characteristics (including drainage, soils, surficial geology, and topography), and current land use and field conditions.

1.3.1 Registered Archaeological Sites

In order that an inventory of archaeological resources could be compiled for the subject property, three sources of information were consulted: the site record



forms for registered sites housed at the Ministry, published and unpublished documentary sources, and the files of Archaeological Services Inc.

In Ontario, information concerning archaeological sites is stored in the Ontario Archaeological Sites Database, which is maintained by the Ministry. This database contains archaeological sites registered within the Borden system. The Borden system was first proposed by Doctor Charles E. Borden and is based on a block of latitude and longitude. Each Borden block measures approximately 13 kilometres east to west by 18.5 kilometres north to south and is referenced by a four-letter designator. Sites within a block are numbered sequentially as they are found. The subject property is located in the centre of the AhGs Borden block.

Twenty-nine archaeological sites have been registered with an approximate one-kilometre radius of the subject property (Ministry of Citizenship and Multiculturalism, 2023). A detailed summary of these sites is in Appendix A. The nearest site, AhGs-394, a grocery store/stable, is approximately 75 metres southwest of the subject property near the east corner of Queen Street and Victoria Street. In addition, AhGs-82, a Euro-Canadian homestead, is approximately 90 metres northeast of the subject property, and the Cassidy site (AhGs-381), is approximately 100 metres northwest.

1.3.2 Previous Assessments

There are no archaeological assessments known to have been conducted within the subject property, but seven previous archaeological assessments have been conducted within 50 metres of the property: three at 106 Queen Street, two at 65 Queen Street, and two at the combined 79-83 Queen Street and 178 Victoria Street addresses.

In 2015, Detritus Consulting Limited conducted a Stage 1 and 2 Archaeological Assessment at 106 Queen Street under Ministry Project Information Form P017-0455-2015 (Detritus Consulting Limited, 2016a). The rectangular study area is located approximately 50 metres southwest of the current subject property. During the course of the survey, the Euro-Canadian site AhGs-394 was encountered. Site AhGs-394 was associated with the early commercial development of Niagara-on-the-Lake, and a Stage 3 Archaeological Assessment



was recommended (Detritus Consulting Limited, 2016a). Detritus Consulting Limited conducted subsequent Stage 3 and 4 Archaeological Assessments of Euro-Canadian site AhGs-394 under Ministry Project Information Forms P017-0473-2016 and P017-0479-2016, respectively (Detritus Consulting Limited, 2016b, 2016c). During the Stage 3, a total of 10 test units were excavated in areas of high artifact yield and other areas of interest. Four subsurface features were also observed across the site, including a stone foundation. In total, the Stage 3 resulted in 2,563 artifacts being retained, most of which dated to the early-mid nineteenth century (Detritus Consulting Limited, 2016b). The Stage 4 mitigation consisted of mechanical stripping of the overburden to expose the subsurface features. A series of small rubble foundations was encountered that may have supported partition walls of a small room associated with a nineteenth-century store. Modern twentieth-century infrastructure was observed throughout the property. Upon completion, site AhGs-394 had no further cultural heritage value or interest (Detritus Consulting Limited, 2016c).

In 2016, Detritus Consulting Limited conducted a Stage 1 and partial Stage 2 Archaeological Assessment at 65 Queen Street under Ministry Project Information Form P017-0537-2016. The rectangular study area is located approximately 50 metres southeast of the current subject property. While no archaeological resources were encountered during the course of the test pit survey, the northeast portion of the property contained a concrete pad. Therefore, mechanical trenching was recommended before the subject property could be cleared of archaeological concern (Detritus Consulting Limited, 2017). In 2017, Detritus Consulting Limited conducted a Stage 2 Archaeological Assessment for the additional work at 65 Queen Street under separate Ministry Project Information Form P017-0644-2017. A trench was excavated through the middle of the concrete pad where all soils observed were determined to be disturbed. No further archaeological assessment was recommended (Detritus Consulting Limited, 2018).

In May 2019, Archaeological Services Inc. carried out a Stage 1 Archaeological Assessment of a 0.16-hectare property consisting of the 79-83 Queen Street and 178 Victoria Street addresses that surrounds the current subject property on its northeast, southeast, and southwest sides (Archaeological Services Inc., 2019a;



Project Information Form P449-0292-2019). The assessment determined that approximately 20% of the property retained archaeological potential and that a Stage 2 assessment would be required.

In September 2019, Archaeological Services Inc. completed a Stage 2 Archaeological Assessment of the above property by means of a test pit survey, initiated at five-metre intervals under the Ministry Project Information Form P449-0326-2019 (Archaeological Services Inc., 2019b). Intensified test pit survey and the excavation of one test unit was conducted in a confined area where nineteenth-century cultural material was encountered. Analysis of the material determined the cultural material was residual as the property has been subject to widespread disturbance to below the original A- and B-horizons. It was determined that since the artifacts did not constitute an archaeological site, no further archaeological assessment would be required ahead of development.

1.3.3 Physiography

The subject property is located on the clay plains within the Iroquois Plain physiographic region of Southern Ontario, a lowland region bordering Lake Ontario. This region is characteristically flat and formed by lacustrine deposits laid down by the inundation of Lake Iroquois, a body of water that existed during the late Pleistocene. This region extends around the western part of Lake Ontario from the Trent River to the Niagara River, spanning a distance of 300 kilometres (Chapman and Putnam, 1984:190). The old shorelines of Lake Iroquois include cliffs, bars, beaches, and boulder pavements. The old sandbars in this region are good aquifers that supply water to farms and villages. The gravel bars are quarried for road and building material, while the clays of the old lake bed have been used for the manufacture of bricks (Chapman and Putnam, 1984:196).

The surficial geology of the subject property is comprised of massive to well-laminated fine-textured glaciolacustrine deposits of silt and clay with minor sand and gravel (Ontario Geological Survey, 2018).

The subject property is in the One Mile Creek and Niagara River/Lake Ontario watersheds. One Mile Creek flows approximately 260 metres southwest of the subject property and the mouth of the Niagara River where it empties into Lake



Ontario is approximately 325 metres north (Ministry of Natural Resources and Forestry, 2020).

1.3.4 Existing Conditions

The subject property is a rectangular parcel approximately 425 square metres in size that fronts Victoria Street to the northwest (Figure 6). A late-nineteenth-century house, which last operated as a commercial eatery, is in the centre of the property and there are paved areas in the northwest, northeast, and southeast that extend to the property limits. A narrow strip of garden approximately 24 metres in length is between the house and the paved parking lot in the adjacent parcel to the southwest. There is a residence immediately northeast of the subject property, the Royal George Theatre to the southeast, and commercial buildings and a paved parking lot to the southwest.

1.3.5 Review of Archaeological Potential

The Standards, Section 1.3.1 stipulates that undisturbed lands within 300 metres of primary water sources (lakes, rivers, streams, creeks), secondary water sources (intermittent streams and creeks, springs, marshes, swamps), ancient water sources (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, and cobble beaches), and accessible and inaccessible shorelines (bluffs, swamp or marsh fields by the edge of a lake, and sandbars stretching into marsh) are considered, at a generic level, to exhibit archaeological potential.

Potable water is the single most important resource necessary for any extended human occupation or settlement. Since water sources have remained relatively stable in south-central Ontario after the Pleistocene era, proximity to water can be regarded as a useful index for the evaluation of archaeological site potential. Indeed, distance from water has been one of the most common variables used for predictive modelling of site location.

Other geographic characteristics that can indicate pre-contact archaeological potential include elevated topography (eskers, drumlins, large knolls, plateaux),



pockets of well-drained sandy soil, especially near areas of heavy soil or rocky ground, and distinctive land formations that might have been special or spiritual places for Indigenous populations, such as waterfalls, rock outcrops, caverns, mounds, and promontories and their bases. There may be physical indicators of their use by Indigenous peoples, such as burials, structures, offerings, or rock paintings or carvings. Resource areas, including food or medicinal plants (migratory routes, spawning areas, prairie) and scarce raw materials (quartz, copper, ochre, or outcrops of chert), are also considered characteristics that indicate pre-contact archaeological potential.

For the post-contact period, Section 1.3.1 of the Standards stipulates those 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. Also considered to have archaeological potential are 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 historical landmark or site, and properties that local histories or informants have identified with possible archaeological sites, historical events, activities, or occupations.

The majority of early nineteenth-century farmsteads, those which are arguably the most potentially significant resources and whose locations are rarely recorded on nineteenth-century maps, are likely to be captured by the basic proximity to water model, since these occupations were subject to similar environmental constraints. An added factor, however, is the development of the network of concession roads and railroads through the course of the nineteenth century. These transportation routes frequently influenced the siting of farmsteads and businesses. Accordingly, the Standards considers undisturbed lands within 100 metres of early settlement roads or railroads to have potential for the presence of Euro-Canadian archaeological sites.



The master plan document completed for the Town of Niagara-on-the-Lake considers a similar suite of criteria or indicators (Archaeological Services Inc., 2001). Pertinent to the subject property are buffers of 150-200 metres from water sources and within 200 metres above the Glacial Lake Iroquois strand for determining pre-contact archaeological potential. In terms of historical archaeological potential, this is evaluated based on buffers of 100 metres from early settlement roads and features illustrated on historical maps, along with 50-metre buffers around early railways. There is also pre-contact and historical potential within 100 metres of registered and unregistered archaeological sites.

Given the subject property's location relative to the Niagara River and Lake Ontario, its setting in the heart of the historic Town of Niagara-on-the-Lake, the extant historical house within the property, and its proximity to several registered historical sites, the subject property meets the criteria for both Indigenous and historical archaeological potential. However, a review of the background history and current conditions suggests the property has been significantly disturbed from previous development impacts, and it is unlikely that any intact Indigenous or historical archaeological material would have survived.

2.0 Field Methods

The Stage 2 field assessment was conducted on April 17 and 19, 2023, in order to inventory, identify, and describe any archaeological resources extant within the subject property prior to development. All fieldwork was conducted under the field direction of Sean Haefner (R1253) and was carried out in accordance with the Standards. The weather conditions were appropriate for the completion of fieldwork, permitting good visibility of the land features.

Representative photographs documenting the field conditions during the Stage 2 fieldwork are presented in Section 8.0 of this report (Images 1-7), and photo locations and field observations have been compiled on project mapping (Figure 7). Field observations and photographs were recorded with a Trimble Catalyst Global Navigation Satellite System receiver using World Geodetic System 1984.



2.1 Areas of No Potential

The assessment was initiated by conducting a visual review to identify areas of no archaeological potential. During this review, it was determined that approximately 95% of the property is disturbed. The areas of disturbance consist of the footprints of the house and its surrounding driveway, walkways, and landscaped areas, along with buried utilities throughout (Images 1-4). In accordance with the Standards, Section 2.1, Standard 2b, these areas of land disturbance retain no archaeological potential and were not tested.

2.2 Test Pit Survey

The balance of the subject property, consisting of a narrow strip of garden approximately 24 metres in length immediately adjacent to the house along the southwest limit, was the only area on the property accessible to testing with the potential for intact soil deposits. Therefore, in accordance with the procedures outlined in Section 2.1.2, Standard 2, a test pit survey of this strip was initiated at five-metre intervals. However, upon encountering subsurface disturbance throughout the test pit survey area, survey intervals were increased to ten metres, as per Section 2.1.8, Standard 2 (Figure 7; Images 5-6). In accordance with the Standards, Section 2.1.2, all test pits were excavated stratigraphically by hand no less than five centimetres into sterile subsoil, and all topsoil was screened through six-millimetre mesh to facilitate artifact recovery. The test pits were examined for stratigraphy, cultural features, and evidence of fill. All test pits were at least 30 centimetres in diameter and excavated within approximately one metre of all structures and/or disturbances where possible. The test pits were backfilled upon completion of the survey.

All test pit soil profiles were found to be disturbed, consisting of 20-25 centimetres of black (5YR 2.5/1) garden soil, overlying approximately 40 centimetres of dark greyish brown (10YR 4/2) landscape fill, over yellowish brown (10YR 5/6) clay subsoil (Image 7).



3.0 Record of Finds

Despite scrutiny, no archaeological resources were found during the Stage 2 field assessment. Written field notes, annotated field maps, Global Positioning System logs, and other data related to the archaeological assessment of the subject property are located at Archaeological Services Inc.

The documentation and materials related to this project will be curated by Archaeological Services Inc. until such a time that arrangements for their ultimate transfer to His Majesty the King in right of Ontario, or other public institution, can be made to the satisfaction of the project owner(s), the Ontario Ministry of Citizenship and Multiculturalism, and any other legitimate interest groups.

4.0 Analysis and Conclusions

Archaeological Services Inc. was contracted by Shaw Festival Theatre Canada to complete a Stage 1 and 2 Archaeological Assessment of 188 Victoria Street, Part of Lot 57, Registered Plan 86, Geographic Township of Niagara, County of Lincoln, now in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara. The subject property is approximately 425 square metres.

The Stage 1 background research entailed consideration of the proximity of previously registered archaeological sites and the original environmental setting of the subject property, along with its development history. The evaluation of archaeological potential also took into consideration the criteria established in the *Master Plan of Archaeological Resources for the Town of Niagara-on-the-Lake* (Archaeological Services Inc., 2001). This research suggested there would typically be potential for Indigenous and Euro-Canadian archaeological sites within the subject property. However, based on the extent of previous ground impacts, it was concluded that the presence of any intact archaeological deposits was unlikely.

The Stage 2 field assessment was conducted on April 17 and 19, 2023. The visual inspection of the subject property confirmed nearly the entire property, approximately 95%, was thoroughly disturbed by impacts resulting from building construction, paving, and landscaping activities. The remaining 5% of the



property, comprising a narrow stretch of garden along the southwest limit, was subject to test pit survey to confirm disturbance. As a result of this assessment, the entire property was confirmed to be disturbed.

5.0 Recommendations

In light of these results, and in accordance with the 2011 *Standards and Guidelines for Consultant Archaeologists*, the following recommendation is made:

1. No further archaeological assessment of the subject property be required.

NOTWITHSTANDING the results and recommendations presented in this study, Archaeological Services Inc. notes that no archaeological assessment, no matter how thorough or carefully completed, can necessarily predict, account for, or identify every form of isolated or deeply buried archaeological deposit. In the event that archaeological remains are found during subsequent construction activities, the consultant archaeologist, approval authority, and the Cultural Programs Unit of the Ministry of Citizenship and Multiculturalism must be immediately notified.

The above recommendations are subject to Ministry approval, and it is an offence to alter any archaeological site without Ministry of Citizenship and Multiculturalism concurrence. No grading or other activities that may result in the destruction or disturbance of any archaeological sites are permitted until notice of Ministry approval has been received.

6.0 Advice on Compliance with Legislation

Archaeological Services Inc. advises compliance with the following legislation:

- This report is submitted to the Ministry of Citizenship and Multiculturalism as a condition of licensing in accordance with Part VI of the *Ontario Heritage Act*, R.S.O. 2005, c 0.18. The report is reviewed to ensure that it complies with the standards and guidelines that are issued by the Minister, and that the archaeological field work and report recommendations ensure the conservation, preservation, and protection of the cultural heritage of Ontario. When all matters relating to archaeological sites within the subject



property of a development proposal have been addressed to the satisfaction of the Ministry of Citizenship and Multiculturalism, a letter will be issued by the Ministry stating that there are no further concerns with regards to alterations to archaeological sites by the proposed development.

- It is an offence under Sections 48 and 69 of the *Ontario Heritage Act* for any party other than a licensed archaeologist to make any alteration to a known archaeological site or to remove any artifact or other physical evidence of past human use or activity from the site, until such time as a licensed archaeologist has completed archaeological field work 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*.
- 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*.
- The Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33, requires that any person discovering or having knowledge of a burial site shall immediately notify the police or coroner. It is recommended that the Registrar, Funeral, Burial and Cremation Services Act, Ministry of Public and Business Services Delivery is also immediately notified.
- Archaeological sites recommended for further archaeological field work or protection remain subject to Section 48 (1) of the *Ontario Heritage Act* and may not be altered, nor may artifacts be removed from them, except by a person holding an archaeological license.

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8.0 Images



Image 1: View of the southwest corner and front of the house at 188 Victoria Street.



Image 2: View of the front of the house and landscaped areas.



Image 3: The paved driveway and garage along the northeast limit of the subject property.



Image 4: Paved areas along the southeast limit of the subject property to the rear of the house.



Image 5: Garden area along the southwest limit of the subject property.



Image 6: View along southwest limit of the subject property.



Image 7: Typical test pit soil profile documented in the narrow stretch of garden along the southwest limit of the subject property.

9.0 Maps

See following pages for detailed assessment mapping and figures.



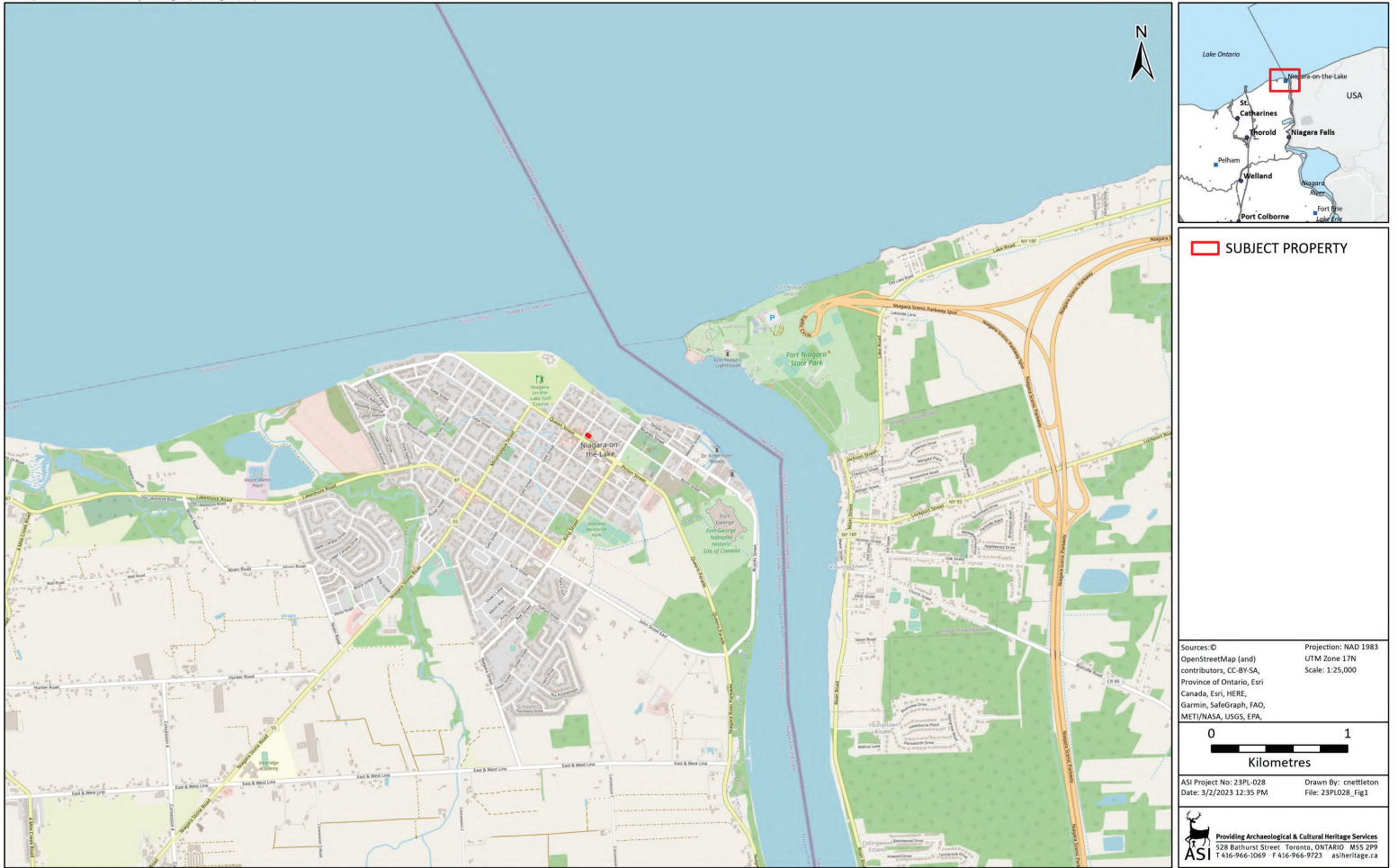


Figure 1: Location of the Subject Property

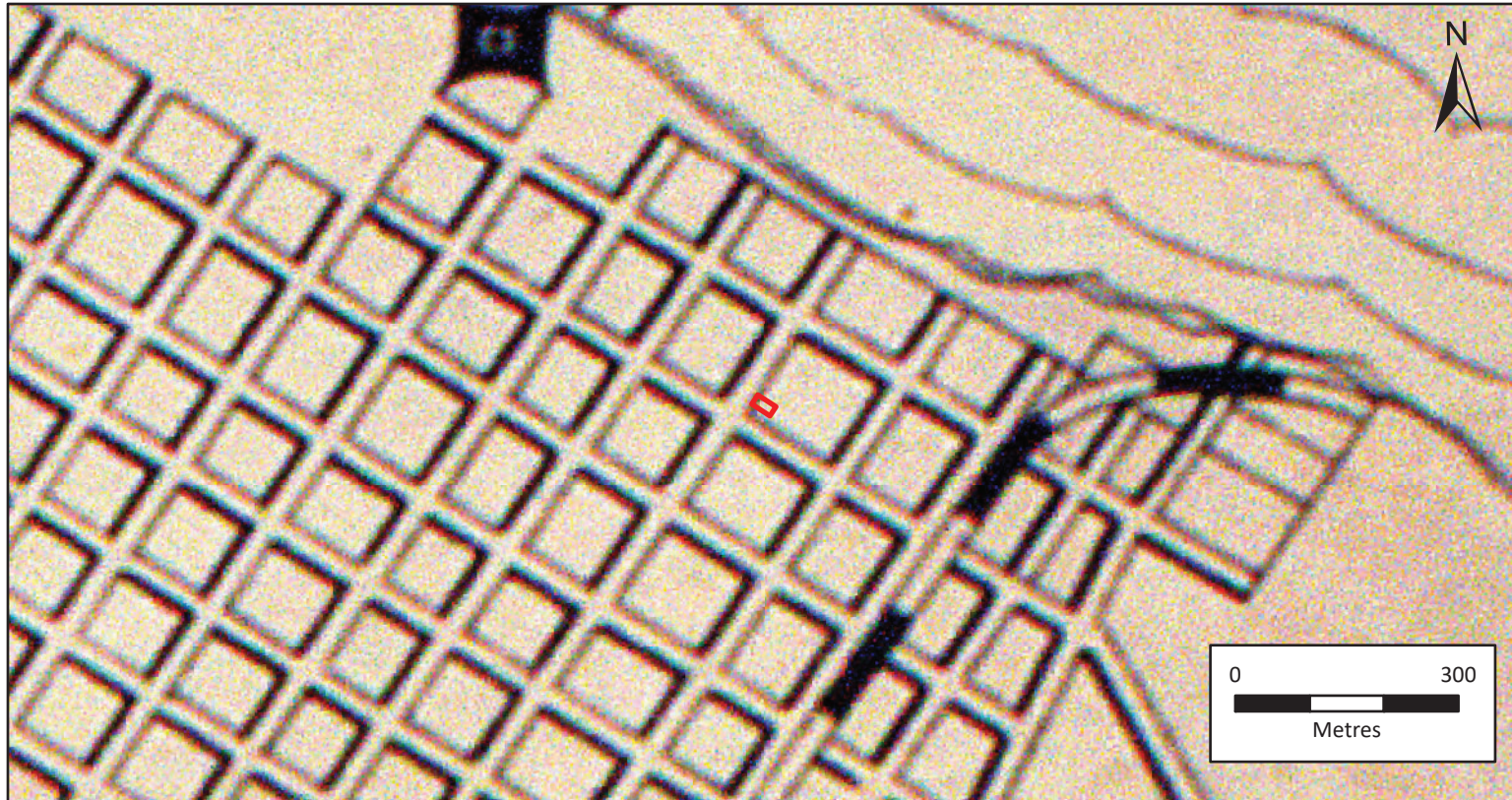


Figure 2: Subject Property Located on the 1876 Illustrated Historical Atlas of the Counties of Lincoln and Welland

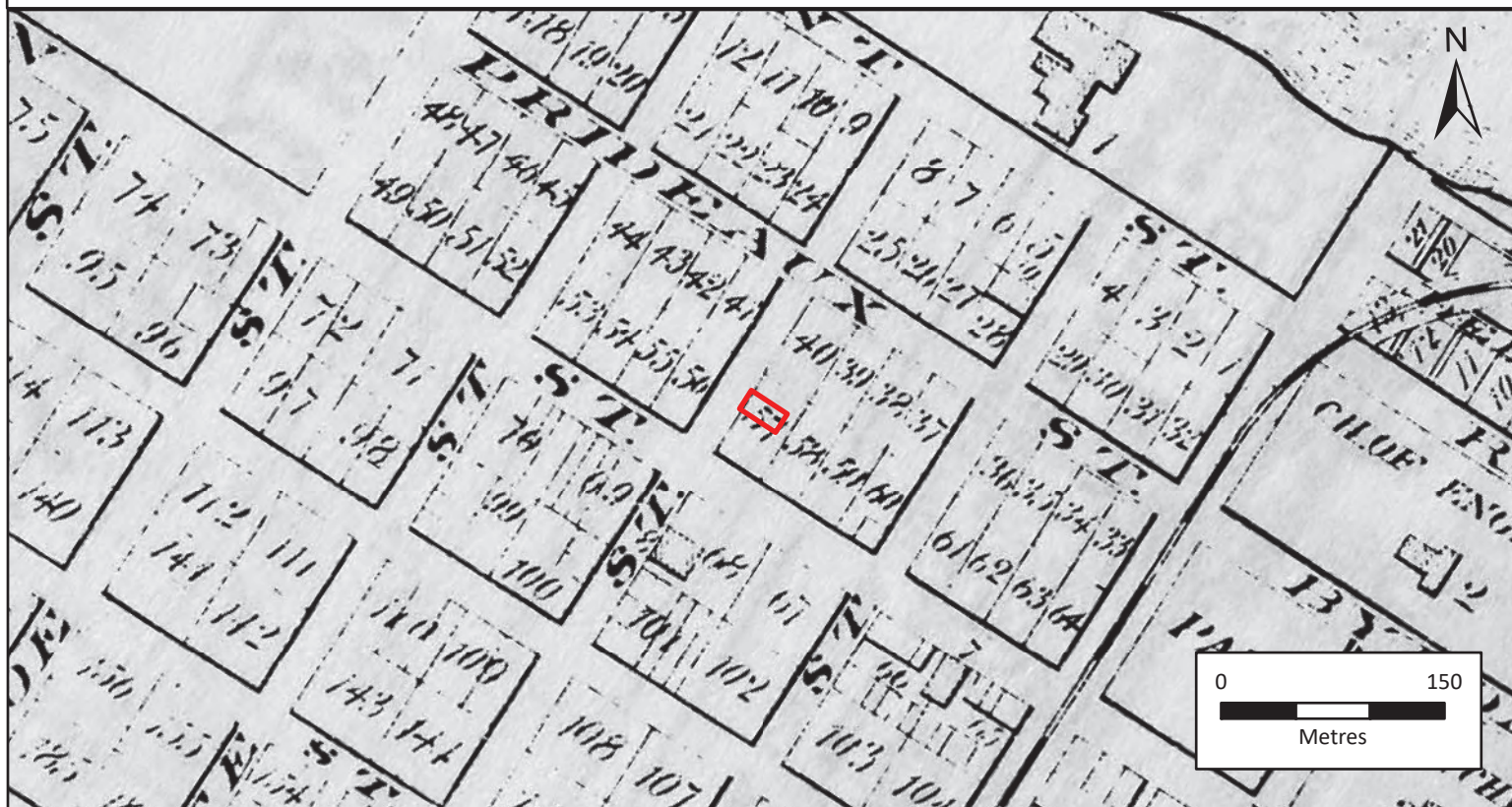


Figure 3: Subject Property Located on the Village of Niagara Insert of the 1876 Illustrated Historical Atlas of the Counties of Lincoln and Welland

| | | | | |
|--|--|---|--|---|
|  |  SUBJECT PROPERTY | Sources: Illustrated Historical Atlas of the Counties of Lincoln and Welland (1876); Illustrated Historical Atlas of the Counties of Lincoln and Welland - Village of Niagara Insert (1876); Projection: NAD 1983 UTM Zone 17N Scale: 1:10,000 Page Size: 8.5 x 11 | ASI Project No.: 23PL-028 Date: 3/22/2023 | Drawn By: pbikouls File: 23PL028_Historic_x2 |
|--|--|---|--|---|

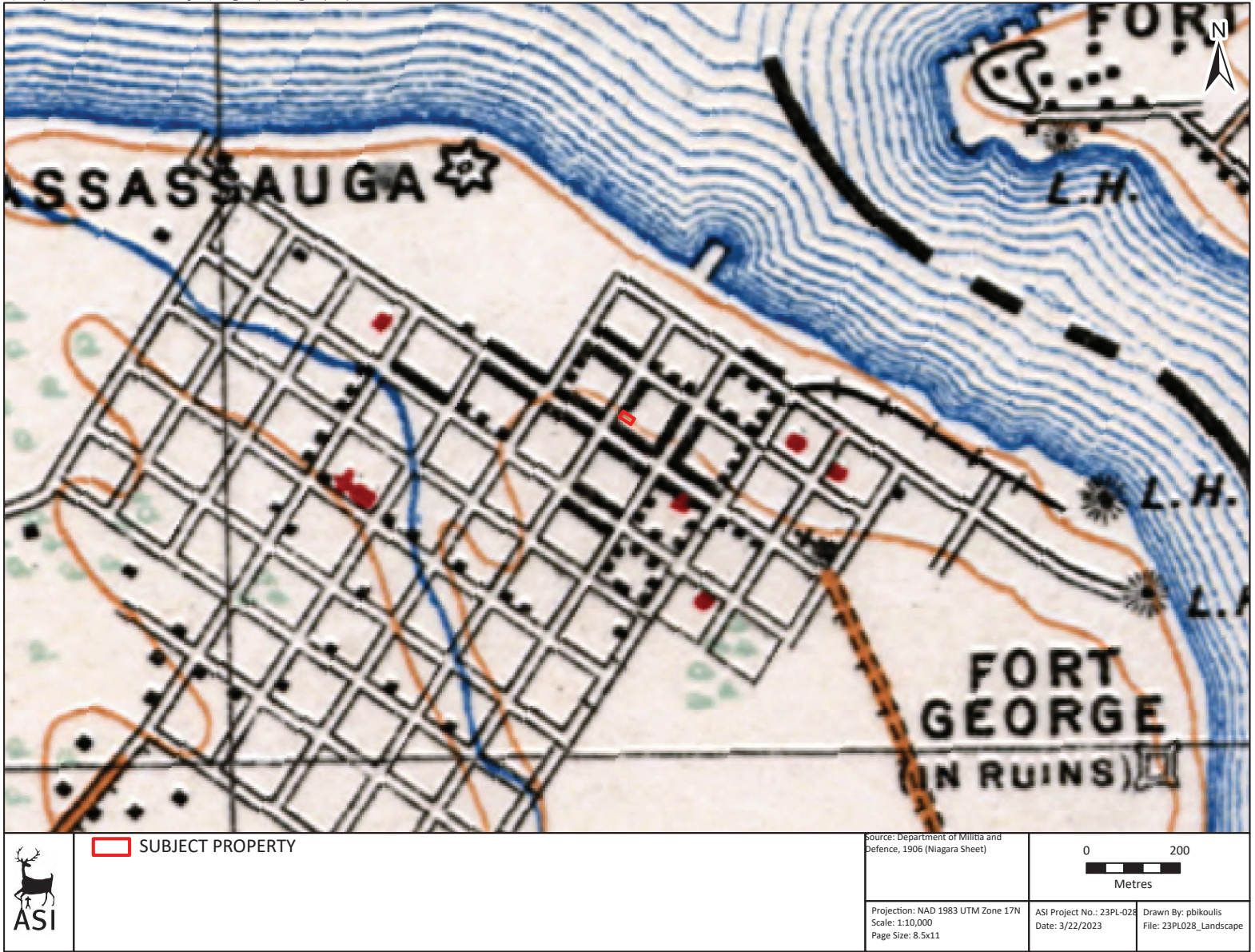


Figure 4: Subject Property Located on the 1906 Niagara Topographic Map



1934

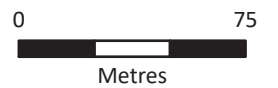


1968



SUBJECT PROPERTY

Sources: Ontario Aerial Survey



Projection: NAD 1983 UTM Zone 17N
Scale: 1:2,500
Page Size: 8.5 x 11

ASI Project No.: 23PL-028
Date: 3/22/2023

Drawn By: pbikouls
File: 23PL028_Historic_x2

Figure 5: Subject Property Located on 1934 and 1968 Aerial Imagery



| | | | | |
|---|--|---|---|--|
|  |  SUBJECT PROPERTY | Source: Google Earth (2023) |  0 10 Metres | |
| |  PROPERTY PARCEL | Projection: NAD 1983 UTM Zone 17N Scale: 1:250 Page Size: 11 x 17 | ASI Project No.: 23PL-028 Date: 3/10/2023 4:38 PM | Drawn By: pbikoulis File: 11x17_Landscape |

Figure 6: Existing Conditions of the Subject Property

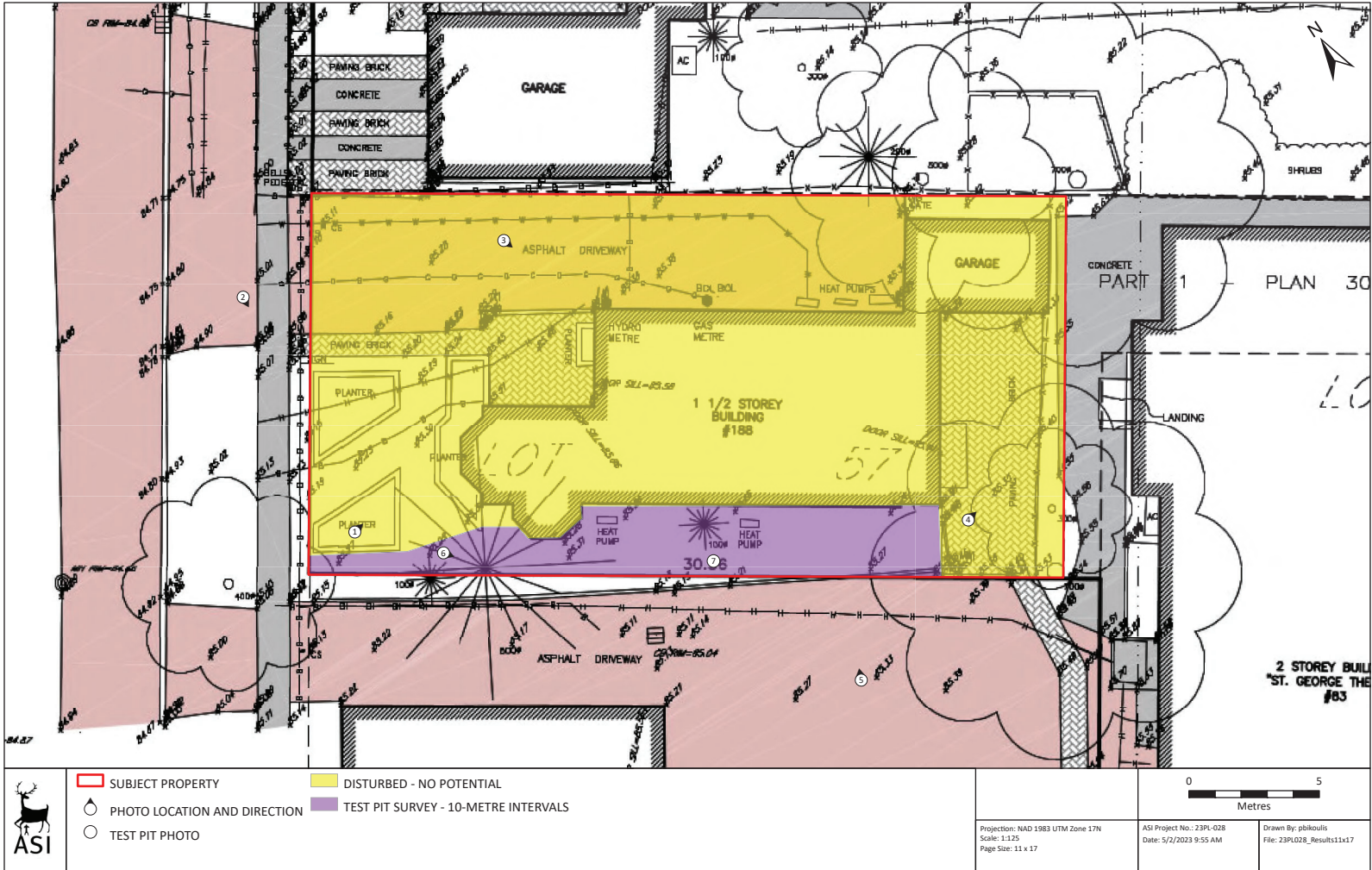


Figure 7: Stage 2 Archaeological Assessment Results

Appendix A

Registered Sites within a One-Kilometre Radius of the Subject Property

| Borden | Site Name | Temporal/Cultural Affiliation | Site Type | Researcher |
|---------|---|--|--------------------------|--|
| AhGs-2 | Fort Mississauga | Euro-Canadian | Unknown | Unknown 1979 |
| AhGs-6 | Presbyterian Schoolhouse | Euro-Canadian | Unknown | Unknown 1982 |
| AhGs-9 | Niagara Apothecary | Euro-Canadian | Unknown | Doroszenko, 1988, 2021 |
| AhGs-30 | Brock/Addison | Euro-Canadian | Homestead | DR Poulton and Associates, 1999 |
| AhGs-33 | Niagara-on-the-Lake Golf Club clubhouse | Pre-contact; Euro-Canadian | Scatter; golf club house | Jouppien Heritage Resource Consultants, 2000 |
| AhGs-42 | Talbot | Euro-Canadian | Homestead | Archaeological Services Inc., 2003a, 2003b; Mayer Heritage Consultants, 2005 |
| AhGs-43 | Sherlock | Pre-contact; Euro-Canadian | Unknown; homestead | Archaeological Services Inc., 2003a, 2003b; Mayer Heritage Consultants, 2005 |
| AhGs-46 | Victoria Meadows | Middle Archaic; Late Woodland; Euro-Canadian | Scatter; homestead | Archaeological Services Inc., 2005 |

| Borden | Site Name | Temporal/Cultural Affiliation | Site Type | Researcher |
|---------------|--------------------|--------------------------------------|-----------------------|---|
| AhGs-53 | Market Street | Euro-Canadian | Foundations | AMICK Consultants Limited, 2006 |
| AhGs-54 | | Euro-Canadian | Midden | Archaeologix Inc., 2007 |
| AhGs-82 | | Euro-Canadian | Homestead | Fisher Archaeological Consulting, 2014a, 2014b, 2016 |
| AhGs-83 | 105 Delater Street | Euro-Canadian | Residential | Bluestone Research, 2014, 2015 |
| AhGs-379 | | Euro-Canadian | Unknown | Fisher Archaeological Consulting, 2011 |
| AhGs-381 | Cassady Site | Euro-Canadian | Homestead | Archeoworks Inc., 2014, 2015a, 2017; Timmins Martelle Heritage Consultants Inc., 2017a, 2017b |
| AhGs-382 | Victoria H1 Site | Euro-Canadian | Homestead | Archeoworks Inc., 2015b |
| AhGs-392 | | Euro-Canadian | Residential | Detritus Consulting Limited, 2015a, 2015b, 2016a |
| AhGs-393 | | Euro-Canadian | Homestead; midden | Mayer Heritage Consultants Inc., 2015, 2017a, 2017b |
| AhGs-394 | | Euro-Canadian | Grocery store, stable | Detritus Consulting Limited, 2015c, 2016b, 2016c |

| Borden | Site Name | Temporal/Cultural Affiliation | Site Type | Researcher |
|---------------|------------------|--------------------------------------|----------------------------|--|
| AhGs-403 | | Euro-Canadian | House | Detritus Consulting Limited, 2017a |
| AhGs-404 | Elliot | Late Archaic | Campsite | Mayer Heritage Consultants, 2011 |
| AhGs-406 | | Euro-Canadian | Unknown | Detritus Consulting Limited, 2017b, 2018 |
| AhGs-415 | | Euro-Canadian | Meeting house | Detritus Consulting Limited, 2020a, 2020b, 2020c |
| AhGs-419 | | Euro-Canadian | House | Detritus Consulting Limited, 2019a, 2019b, 2020d |
| AhGs-421 | H1 | Euro-Canadian | Homestead, blacksmith shop | Archeoworks Inc., 2019, 2020a, 2020b, 2021 |
| AhGs-422 | McMonigle-Craik | Euro-Canadian | Homestead | Horizon Archaeology, 2020, 2021, 2022 |
| AhGs-423 | Breakenridge | Euro-Canadian | House | Detritus Consulting Limited, 2021a, 2021b |
| AhGs-424 | | Euro-Canadian | Midden | Bluestone Research, 2021 |
| AhGs-427 | H1 | Euro-Canadian | Homestead | Archeoworks Inc., 2021, 2022 |

| Borden | Site Name | Temporal/Cultural Affiliation | Site Type | Researcher |
|---------------|-------------------|--|------------------|---|
| AhGs-428 | Melville Historic | Euro-Canadian | House | Detritus Consulting Limited, 2021c, 2022 |

Stage 1 and 2 Archaeological Assessment of 188 Victoria Street, Part of Lot 57, Registered Plan 86, Geographic Township of Niagara, County of Lincoln, now in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara

Original Report

Prepared for:

Shaw Festival Theatre Canada

10 Queen's Parade, P.O. Box 774

Niagara-on-the-Lake, Ontario L0S 1J0

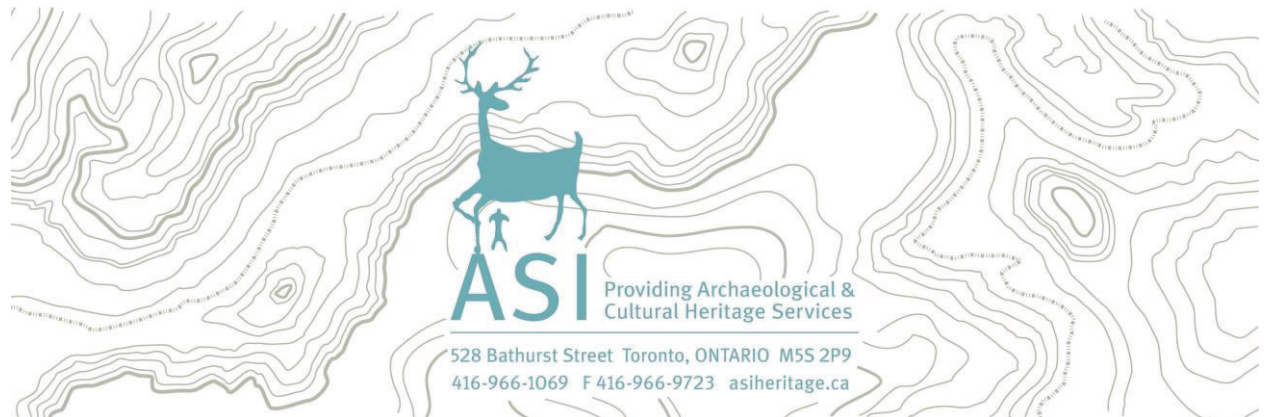
(905) 468-2153

Archaeological Licence: P1133 (Kashani)

Project Information Form P1133-0014-2023

Archaeological Services Inc. File: 23PL-028

16 May 2023



Executive Summary

Archaeological Services Inc. was contracted by Shaw Festival Theatre Canada to undertake a Stage 1 and 2 Archaeological Assessment of 188 Victoria Street, Part of Lot 57, Registered Plan 86, in the Geographic Township of Niagara, County of Lincoln, now in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara. The subject property, located on the southeast side of Victoria Street, is approximately 425 square metres. Permission to access the subject property and to carry out all activities necessary for the completion of the assessment was granted by the proponent on February 9, 2023.

The Stage 1 background research entailed consideration of the proximity of previously registered archaeological sites and the original environmental setting of the subject property, along with its development history. The evaluation of archaeological potential also took into consideration the criteria established in the *Master Plan of Archaeological Resources for the Town of Niagara-on-the-Lake Planning Report* (Archaeological Services Inc., 2001). This research suggested there would typically be potential for Indigenous and Euro-Canadian archaeological sites within the subject property. However, based on the extent of previous ground impacts from house construction, paving, and landscaping, it was concluded that the presence of any intact archaeological deposits was unlikely.

The Stage 2 field assessment was conducted on April 17 and 19, 2023. The visual inspection of the subject property confirmed nearly the entire property, approximately 95%, was thoroughly disturbed from the existing development. The remaining 5% of the property, comprising a narrow stretch of garden along the southwest limit, was subject to test pit survey to confirm disturbance. As a result of this assessment, the entire property was confirmed to be disturbed. Therefore, it is recommended that no further archaeological assessment of the subject property be required.



Project Personnel

- **Senior Project Manager:** Jennifer Ley, Honours Bachelor of Arts (R376), Lead Archaeologist, Manager, Planning Assessment Division
- **Project Manager:** Jamie Houston-Dickson, Master of Arts (P398), Associate Archaeologist, Project Manager, Planning Assessment Division
- **Project Director:** Poorya Kashani, Doctor of Philosophy (P1133), Associate Archaeologist, Field Director, Planning Assessment Division
- **Project Administrator:** Lauren Vince, Honours Bachelor of Arts (R1235), Archaeologist, Project Administrator, Planning Assessment Division
- **Field Director:** Sean Haefner, Bachelor of Science (R1253), Archaeologist, Field Director, Planning Assessment Division
- **Field Archaeologist:** Paul Roschman, Bachelor of Science
- **Project Historian:** Brian Narhi, Master of Arts, Historian, Planning Assessment Division
- **Report Preparation:** Dana Millson, Doctor of Philosophy, Archaeologist, Technical Writer, Planning Assessment Division
- **Graphics:** Peter Bikoulis, Doctor of Philosophy, Archaeologist, Geographic Information System Technician, Operations Division; Carolyn Nettleton, Bachelor of Arts, Archaeologist, Geographic Information System Technician, Operations Division
- **Report Reviewers:** Jamie Houston-Dickson; Jennifer Ley



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1.0 Project Context

Archaeological Services Inc. was contracted by Shaw Festival Theatre Canada to undertake a Stage 1 and 2 Archaeological Assessment of 188 Victoria Street, Part of Lot 57, Registered Plan 86, in the Geographic Township of Niagara, County of Lincoln, now in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara (Figure 1). The subject property is approximately 425 square metres and is located along the southeast side of Victoria Street, northeast of Queen Street.

1.1 Development Context

This assessment was conducted under the senior project management of Jennifer Ley (R376), the project management of Jamie Houston-Dickson (P398), and the project direction of Poorya Kashani (P1133); the work was completed under Ministry of Citizenship and Multiculturalism (hereafter referred to as the Ministry) Project Information Form P1133-0014-2023. All activities carried out during this assessment were completed as due diligence prior to proposed redevelopment, as required by the Town of Niagara-on-the-Lake and the *Planning Act* (Ministry of Municipal Affairs and Housing, 1990).

All work was completed in accordance with the *Ontario Heritage Act* (Ministry of Culture [now the Ministry], 1990) and the *Standards and Guidelines for Consultant Archaeologists* (hereafter referred to as the Standards) (the Ministry of Tourism and Culture [now the Ministry], 2011). The work was also guided by the *Master Plan of Archaeological Resources for the Town of Niagara-on-the-Lake Planning Report* (Archaeological Services Inc., 2001), which provides further refinement with regards to potential buffers surrounding any noted features or characteristics that affect archaeological potential.

Permission to access the subject property and to carry out all activities necessary for the completion of the assessment was granted by the proponent on February 9, 2023. Buried utility locates were obtained prior to fieldwork.



1.2 Historical Context

The purpose of this section is to describe the past and present land use and the settlement history of the subject property, and any other relevant historical information gathered through the Stage 1 background research.

1.2.1 Pre-Contact Settlement

Southern Ontario has a cultural history that began approximately 13,500 years ago and continues to the present. As there tends to be less widespread awareness of the depth of this pre-contact settlement history, or general knowledge of the societies that inhabited Ontario prior to the onset of Euro-Canadian settlement, a brief review of the prehistory of the area is necessary in order to provide an understanding of the various natural and cultural forces that have operated to create the archaeological sites that are found today.

Table 1 provides a general summary of the pre-contact Indigenous settlement history of southern Ontario from approximately 11,500 Before Common Era (B.C.E.) to the year 1650 Common Era (C.E.).

Table 1: Pre-contact Indigenous Temporal Culture Periods in Southern Ontario

| Period | Description |
|----------------------------------|--|
| Paleo > 11,500 – 8,500 B.C.E. | <ul style="list-style-type: none">• First human occupation of Ontario• Astronomers/ Artists/ Hunters/ Gatherers/ Foragers• Language Unknown• Small occupations• Non-stratified populations |



| Period | Description |
|---|---|
| Archaic 8,500 – 1,000 B.C.E. | <ul style="list-style-type: none"> • Astronomers/ Artists/ Hunters/ Gatherers/ Foragers • Small occupations • Non-stratified populations • Mortuary ceremonialism • Extensive trade networks for raw materials and finished objects |
| Early Woodland 1,000 – 450 B.C.E. | <ul style="list-style-type: none"> • Astronomers/ Artists/ Hunters/ Gatherers/ Foragers • General trend in spring/summer congregation and fall/winter dispersal • Small and large occupations • First evidence of community identity • Mortuary ceremonialism • Extensive trade networks for raw materials and finished objects |
| Middle Woodland 450 B.C.E. – 750 C.E. Transitional Woodland 600 – 900 C.E. | <ul style="list-style-type: none"> • Astronomers/ Artists/ Hunters/ Gatherers/ Foragers • A general trend in spring/summer congregation and fall/winter dispersal into large and small settlements • Kin-based political system • Increasingly elaborate mortuary ceremonialism • Incipient agriculture in some regions • Longer term settlement occupation and reuse |
| Late Woodland (Early) 900 – 1300 C.E. | <ul style="list-style-type: none"> • Foraging with locally defined dependence on agriculture • Villages, specific and special purpose sites • Socio-political system strongly kinship based |



| Period | Description |
|--|---|
| Late Woodland (Middle) 1300 – 1400 C.E. | <ul style="list-style-type: none">• Major shift to agricultural dependency• Villages, specific and special purpose sites• Development of socio-political complexity |
| Late Woodland (Late) 1400 – 1650 C.E. | <ul style="list-style-type: none">• Complex agricultural society• Villages, specific and special purpose sites• Politically allied regional populations |

1.2.2 Post-Contact Settlement

The Niagara Purchase

Following the 1764 Niagara Peace Treaty and the follow-up treaties with Pontiac, the English colonial government considered the Mississaugas to be their allies since they had accepted the Covenant Chain. The English administrators followed the terms of the Royal Proclamation and insured that no settlements were made in the hunting grounds that had been reserved for their use (Johnston, 2004; Lytwyn, 2005). The subject property is within Treaty 381, the Niagara Purchase, signed in 1781 between the Crown and the Chippewa and Mississaugas for the tract of land not previously agreed upon in the 1764 Niagara Peace Treaty on the west side of “the Straits” that lead from Lake Erie to Lake Ontario at Niagara Falls (Crown-Indigenous Relations and Northern Affairs, 2016).

County of Lincoln

The land that comprises the former County of Lincoln was alienated by the British from the Mississaugas through a treaty concluded on May 22, 1784. This treaty was subsequently ratified at Navy Hall in the Town of Niagara (Niagara-on-the-Lake) on December 7, 1792. The purchase price for the land that the British acquired, which extended between Lakes Ontario and Erie from the Niagara River to the “River La Tranche” was a mere £1180.7.4 (Treaty No. 3, *Indian Treaties* vol. 1:5-7).



Lincoln County was one of the first counties to be established by proclamation following the arrival of Lieutenant-Governor John Graves Simcoe in Upper Canada in 1792. The County was named after Lincolnshire in England. Prior to that time, Lincoln had comprised part of the District of Nassau, which was under the legal and administrative jurisdiction of Montreal between 1783 and 1788. This name was changed to the “Home District” in October 1792. The Town of Niagara (or Newark, now Niagara-on-the-Lake) was not only the County Town but also the capital of the Province of Upper Canada between 1792 and 1796. In 1800, the Niagara Region was re-named the “District of Niagara.” The Town of Niagara remained as the “official” County Town from July 1801 until 1866, when that status was transferred to St. Catharines (Gardiner, 1899:267; Armstrong, 1985:172, 186-188).

By 1805, Lincoln was described as being “a very fine and populous settlement,” with a population of about 6,000 (Boulton, 1805:49).

Township of Niagara

The first township survey was undertaken in 1782, and the first legal settlers occupied their land holdings in the same year. The township was named Newark by John Graves Simcoe in 1792, possibly after a town in Nottinghamshire, England. Another theory suggests that Niagara, which was the temporary provincial capital of Upper Canada, was “an ark of safety for the Loyalists.” The township regained its original name, Niagara, in 1798. This is a derivative of an Iroquois word, *onghiara*, which is thought to signify “neck” or possibly “thundering waters.”

Niagara was initially settled by disbanded soldiers, mainly Butler’s Rangers, following the end of the American Revolutionary War. The township was the scene of several battles and skirmishes during the War of 1812, and much of the township was laid to waste at that time (Boulton, 1805:49-57; Smith, 1846:130; Crysler, 1943; Armstrong, 1985:146; Rayburn, 1997:241).



Town of Niagara (Niagara-on-the-Lake)

The Town of Niagara, today known as Niagara-on-the-Lake, was first surveyed on the government reserve north of the East-West Line in 1790. Originally known by several names, including “Lennox,” “Butlersburg,” and “West Niagara,” the town was given its present name in 1903, to avoid confusion with Niagara Falls.

In 1792, the town became the temporary capital of Upper Canada. In 1796, the seat of government was transferred to York (Toronto), but Niagara remained the County seat for Lincoln until 1866 when it was transferred to St. Catharines. Niagara was an early mercantile and shipping centre and contained many substantial houses and businesses built during the first decade of the nineteenth century. It also contained one of the first Masonic Lodges in Ontario, as well as the first public library in Ontario. Niagara was captured during the War of 1812, and almost entirely destroyed when retreating American forces under General McClure fired the town in December 1813. Fort George was partly destroyed at that time, and Fort Mississauga was constructed out of the rubble of the town in 1814-15. Niagara was rebuilt during the late 1810s through the 1830s, but it never fully regained its pre-War prominence. By the late nineteenth century, Niagara was also famous as a resort and vacation destination during the summer months. In 1873, the population numbered 1,600 (Crossby, 1873:221).

In the first half of the twentieth century, the now-renamed Town of Niagara-on-the-Lake housed military camps set up during both World Wars. Today, the town is known for its heritage homes, the theatre, and fine shopping and dining (Winearls, 1991:754; Scott, 1997:159-160; Rayburn, 1997:241).

Development of Lot 57, Registered Plan 86

The subject property comprises a portion of Lot 57 of Registered Plan 86. The early land ownership of Lot 57 is very muddled and difficult to trace due to several gaps in the chain of title, which was either caused by the destruction of the pre-1813 records or by the transfer of the land through deeds, which were not registered.



This one-half acre (0.202 hectare) lot was originally granted to James Fitzgerald. Fitzgerald had submitted a petition to the Executive Council in late September 1793 praying for a grant of “vacant Lot 57” in the town of Newark (Niagara). The recitals in the petition noted that Fitzgerald was “desirous to improve on a vacant lot” and to become a permanent settler. The petition was received and read before the council and approved on November 30, 1793. Further records indicate that a Land Board Certificate was issued to Fitzgerald for this lot on December 21, 1793, and that a “description” for it was issued by the Surveyor General’s office in November 1795. Fitzgerald was referred to in a list of lot owners dated May 20, 1795. Other early land-related records suggest that Andrew Heron possessed some interest in part of this lot (Anonymous, no date[a]; Anonymous, no date[b], report from Thomas Rideout, September 5, 1817:15953-15955; Anonymous, no date[a]:Niagara Town "Township Papers," :478).

The place and date of birth are not known for Fitzgerald, although he was undoubtedly a native of Ireland. He had settled in Niagara sometime prior to September 1793 where he established himself in business as an innkeeper. Fitzgerald drowned sometime prior to October 20, 1794, and notices to his creditors were published in the *Upper Canada Gazette* by his attorney, James Clarke, between June and August 1795. Other notices published in the newspapers noted that Andrew Heron was “trustee” for the Fitzgerald estate, and the creditors of the estate were called to meet at Wyer’s Tavern at Niagara on September 15. Fitzgerald was married to a woman named Ann Connolly by whom he left no issue. After his death she was married at St. Mark’s (Anglican) Church on January 28, 1795, to John Cain. This John Cain may have been the son of Barnabas Cain. Notices in the *Gazette* stated that accounts for debts owing to the estate could also be paid to John Cain and his wife. Ann Cain had originally been granted Letters of Administration by the Surrogate Court with respect to the Fitzgerald estate on December 1, 1795. This power was granted to her with the provision that she provided the court with an inventory of the effects of the deceased. She entered into a bond amounting to £1,000 with sureties James Hurst and Donald Grant for the just administration of the estate. On July 22, 1796, Joseph Edwards (a respected merchant and local magistrate) applied to the surrogate court for new Letters of Administration to be granted to him for settlement of the affairs of the estate. His petition to the court also requested



that the administration previously granted to Mrs. Ann Cain be revoked, on the grounds that she was “wasting the estate of the deceased without paying the just debts,” and that she “is likely to make devastation of the remaining part thereof without paying the debts of the deceased.” Two prominent inhabitants of Niagara, Colin McNabb and William Johnson Chew, stood as bondsmen or sureties for Edwards.

Mrs. Cain was subpoenaed to appear in court and show cause “if any she has” as to why the administration should not be revoked. New Letters of Administration appear to have been subsequently granted to Edwards. The fate of Mrs. Cain took a sinister turn, since the *Canadian Constellation* newspaper reported that Mrs. Ann C. Cain had been hired to work as a servant by a local merchant named George Forsyth. In June 1800, Cain was “killed by blows and kicks inflicted by a fellow servant” named Charles Trump while they were in the employ of Mr. Forsyth. Trump was to stand trial for her murder at the next assizes. The editor of the *Constellation* newspaper cautioned his readers that this was “a sorrowful instance...and let it be a warning to those who forgetting they are men, and in a gust of passion, assail a woman, weak woman, who under every circumstance has a claim to our tenderness and protection, even in her transports of fury.” Reports from the *Constellation* were reprinted by the editor of the *Niagara Mail* as an item of curiosity in 1855. It is not known whether the original newspaper from 1800 has survived.

In August 1795, John Cain was named as having some interest in farm Lot 25 in Niagara Township, which had been granted to the late James Fitzgerald. The original certificate that granted the land to Fitzgerald could not be produced since it was believed to have been on his person when he was “drown’d.” This lot later formed part of the land assembly of John McFarland on the Niagara River Road. There was reference to the death of one John Cain, who died at the Four Mile Creek at the residence of his son, on March 27, 1841, aged 80 years. This may not be the same individual, since he would have been several years older than the son of Barnabas Cain (*Upper Canada Gazette*, June 10 and August 19, 1795; St. Mark's Marriage Register, 1795; Lincoln County Surrogate Court, 1795; *Canadian Constellation*, June 21, 1800; *Christian Guardian*, April 7, 1841; *Niagara Mail*, August 22, 1855; Carnochan, 1914:71).



Records of losses sustained by the inhabitants of the Town of Niagara during the War of 1812 referred to the destruction of a house owned by “Fitzgerald” for which £100 was claimed. It is uncertain whether the claim was submitted for a house on this particular lot.

At some point after the War of 1812, Rodman (or Rhodman) Starkweather and Russell Searle Brown acquired an interest in part of this lot. The first deeds in the subsequent chain of title contain a very vague description, simply referring to the land sold as “part of the northerly part of Lot 57” (Anonymous, no date[c]:Lot 57).

Starkweather (born February 7, 1789) was a native of Preston, near New London, Connecticut, and the son of Charles and Deborah Starkweather. He is known to have been a medical student during the winter of 1815, and was referred to as “Dr. Starkweather.” He settled in the Town of Niagara in 1819, where he established his drug store on Queen Street in the shop now known as the “Niagara Apothecary.” Starkweather was in partnership with Russell Searle Brown as druggists in a firm known as “Brown & Starkweather.” Starkweather was named in various lawsuits, which were brought before the magistrates at the Niagara District Quarter Sessions between April 1828 and July 1836. These included assault and battery charges brought against him by Valentine Butterfield and Patrick Handy (a Niagara grocer) in April and July 1828. In July 1830, Starkweather was a witness in a larceny suit having refused to accept a stolen bank note as payment for goods in his shop. In January 1833, Starkweather was assaulted in his shop by the merchant John Alma who pleaded “guilty” to the charge. In July 1836, Starkweather and Brown had an individual named Charles Walsh confined in the Niagara gaol on some unspecified charge. Starkweather served on the Grand Jury at the Quarter Sessions in October 1829 and again in March 1835. By 1837, Brown and Starkweather had relocated to Buffalo where they borrowed money heavily from other merchants and banks. Brown executed a promissory note for \$50,000 in favour of George Truscott, and mortgaged part of the partnership property in order to secure the loan. The mortgage was foreclosed upon and formed the basis for a case (Truscott vs. King) heard in the Supreme Court for the State of New York, and which dragged on until at least September 1849 (Selden, 1854). Rodman was married to Martha Baldwin Brown (circa 1800-April 24, 1881) sometime around 1821. She was the daughter of



Humphrey Brown, and her obituary noted that she was “a leader in Buffalo society” during the 1840s, “distinguished for her high social qualities, elegant manner, and great hospitality.” They raised a family of six children (three sons, three daughters), all of whom were born at Niagara between April 1822 and October 1833. Rodman died at Buffalo on March 22, 1858 (*Christian Guardian*, May 21, 1831; Phillips, 1850:440-445; Narhi, 2006:files 2-24, 2-25, 2-28, 4-9, 7-49, 13-33, 14-18, 19-20, and 24-15; Barbour, 1859:346-351; *Buffalo Commercial Advertiser*, April 25, 1881:2; Bryant and Voss, 1975:52-53).

Russell Searle Brown (born circa 1803) was probably a native of New York and was the business partner of Rodman Starkweather. Brown was named a few times in the records of the Niagara District Quarter Sessions. Brown may have been the defendant in a charge of assault and battery brought before the courts by one John Courtney in April 1825 (or 1826?). The defendant in the case was simply recorded as “Russell Brown.” Brown died in Buffalo on March 26, 1844, and he bequeathed the bulk of his estate to Starkweather (Narhi, 2006:file 8-30).

In July 1835, Starkweather and Brown quit-claimed their interest in Lot 57 to Ralfe Clench (Junior). In March 1837, Clench quit-claimed his interest in this land to the widow Elizabeth Clench for £25. In February 1840, Elizabeth quit-claimed her interest in this property to her children, Francis Andrew Bernard Clench, Hannah Clench, and Priscilla Clench, for £25. Recitals contained in a subsequent deed showed that Elizabeth Clench was indebted in the amount of £932.15.0. in favour of Edward Clarke Campbell. The sheriff was ordered to seize any property that Clench owned in order to satisfy the debt. The sale of her personal property only raised £28.14.0. and her real property was estimated to be valued at £150. This land remained in the hands of Sheriff William Kingsmill “for want of a purchaser.” The court eventually ordered Kingsmill to sell the land at the best possible price. In July 1843, Kingsmill sold this land to Hannah Catherine Clench for £141. The land transferred to her was described as 7,376 square feet in extent. The parcel measured 39 feet (11.88 metres) on Queen Street by 166 feet (50.59 metres) on Victoria Street. The north side of the property measured 64 feet (19.50 metres) in width and ran parallel to Queen Street. The east side of the parcel was irregularly shaped. In that same month, Eliza, Hannah, and F.A.B. Clench sold this parcel to



Charles Coxwell Small for £157 (Anonymous, no date[f]:#11760, 11780, 12828, 1445, 1446).

Ralfe Clench Senior (1762-January 19, 1828) was a native of Schenectady, New York and had served as a Lieutenant in Captain William Caldwell's Company in Butler's Rangers during part of the American Revolutionary War. Lieutenant Clench was at Niagara, apparently as a single man, in November 1783. He held numerous local government positions such as registrar of the Surrogate Court, clerk of the District Court, and clerk of the peace, as well as being an auctioneer in the Town of Niagara. Clench Senior was also elected to the House of Assembly for Upper Canada, where he sat between 1800 and 1820. Clench served in the Lincoln Militia and was socially prominent in the Town of Niagara.

Ralfe was married at Niagara sometime during the late 1780s¹ to Elizabeth Johnson (circa 1773-August 15, 1850), a native of Johnstown, New York, and the daughter of Brant Johnson (or Kegneghtago, 1742-1818) by his wife Margaret Campbell. Elizabeth was therefore the granddaughter of Sir William Johnson by his Mohawk wife Elizabeth Brant.² Clench Senior was fluent in native languages and was described by an eyewitness as "a young man of liberal education...equally capable of entertaining company on an organ and of translating speeches into Iroquois." Ralfe and Elizabeth raised a family of twelve children. The first home built by Ralfe Senior survived the burning of the Town of Niagara in December 1813, but was accidentally destroyed by fire shortly thereafter. He built a large home for his family at 234 Johnson Street, which was completed around 1824 and still stands today. As a mark of esteem, Clench Senior was interred in the private family burial ground of Colonel John Butler (Anonymous, 1880a:586-590; Anonymous, 1880b; Fryer and Smy, 1981:54; Wilson, 1987:154-154; Taylor, 1992:6).

¹ Some sources state that the marriage took place on July 21, 1792.

² Some sources state that Brant Johnson was the son of Sir William Johnson by his German wife, Catherine Wissenberg or Wysenbergh.



Ralfe Clench Junior (October 22, 1806-November 18, 1880) was a native of Niagara and the son of Ralfe and Elizabeth (Johnson) Clench referred to above. Ralfe Junior, like his father, held several local government posts including postmaster, magistrate, town councillor, assessor, and clerk of the county court. He was also a tavern keeper, a druggist, and “kept the ferry” for twenty-five years. He was married to Catherine Prior and raised a family of at least three sons. Ralfe died from typhoid fever (Anonymous, 1851a, division 1:66/131; Archives of Ontario, no date, death registration #9070/1880).

Francis Andrew Bernard Clench (born January 15, 1815) was born in Niagara and the son of Ralfe and Elizabeth (Johnson) Clench. He was the Registrar of the Surrogate Court for Lincoln County, and Clerk of the County Court. Clench served as the Lincoln County Clerk and was a Justice of the Peace. He was a Niagara town councillor for seventeen years, served as deputy town clerk, and was elected Mayor on three occasions. Clench served as a lieutenant in the Queen’s Niagara Fencibles in 1837-38. Despite his status within the community, Clench was brought before the magistrates in June 1833 and charged with assault and battery by James A. Clement. He died from kidney disease on May 20, 1887 (Anonymous, 1851b, division 1:66/131; Archives of Ontario, no date, death registration #9605/1887; Narhi, 2006:file 14-29).

Hannah Catherine Clench (baptized January 29, 1795) was a native of Niagara and the daughter of Ralfe and Elizabeth (Johnson) Clench. She did not marry and lived at home with her siblings. Hannah was still alive in 1851. Priscilla Stuart (or Stewart) Clench (born 1799, baptized April 27, 1800) was her sister. Priscilla was married to Henry Dilke, an English-born druggist. They moved to the Town of Thorold where they resided in 1851. There does not appear to have been any issue from this marriage. Priscilla died as the result of “general debility” in the Town of Niagara on April 30, 1887 (Anonymous, 1851c, division 2:8/15; Archives of Ontario, no date, death registration #9604/1887).

Another part of Lot 57 was acquired through an unregistered deed by Archibald Gilkison (or Gilkinson) of Queenston. In December 1840, Gilkinson quit-claimed his interest in this property to Patrick Finn for the sum of five shillings. The deed referred to the property as being located on the south-east side of the Clench lot



and formed a parallelogram 34 by 120 feet (10.36 by 36.58 metres) in size (Anonymous, no date[e]:#164).

Gilkison (born circa 1815) was a native of Upper Canada and the son of Captain William and Isabella (Grant) Gilkison. His father had served in the province during the War of 1812 and is believed to have been present at the Battle of Crysler's Farm in 1813. His mother was the daughter of the Honorable Alexander Grant (R.N.) and his father, Captain Gilkison, was named as one of the "founders" of the Town of Elora in the 1830s and was a cousin of John Galt of the Canada Company. Gilkison studied law in the Town of Niagara under Charles Richardson, who was the clerk of the Niagara Quarter Sessions³. He then went on to further his legal studies in Toronto under William Henry Draper who served as the Solicitor General and as the Attorney General for Upper Canada. Gilkison was called to the bar of the Law Society of Upper Canada during Hilary term of 1837. Around that time, he was called upon to provide evidence in an assault and battery case that was heard before the magistrates at the Niagara Quarter Sessions. Gilkison later petitioned in 1847 that he be allowed to practice as an attorney and solicitor in the Court of Queen's Bench and in the Court of Chancery. He resided in the village of Queenston and in the Town of Niagara, but later moved to Hamilton, then Brantford, and later Elora, and served for a time as judge in the Town of Picton. He was also the secretary of the Brantford & Buffalo Railway Company during the early 1850s. Gilkison was married in September 1836 to Hannah McCormick (1818-1889). She was the daughter of Thomas McCormick (1784-1867), the manager of the Niagara branch of the Bank of Upper Canada, by his wife Augusta Jarvis (1790-1848). Hannah was therefore the granddaughter of the Provincial Secretary, William Jarvis, by his wife Hannah (Peters) Gilkison. Together, they raised a family of seven children (one daughter, six sons) who were born between

³ Charles Richardson (1805-1848) was the son of Dr. Richardson and brother of the early Canadian novelist Major John Richardson. Charles studied law and was one of the men who sacked the printing office of William Lyon Mackenzie in the Town of York in 1826. He was elected to the House of Assembly for Upper Canada, and represented the Town of Niagara between 1834 and 1841. Richardson was married to Eliza Euretta Clench, the daughter of Ralfe and Elizabeth (Johnson) Clench. Archibald Gilkison may have become acquainted with the Clench family during the period when he studied law under Richardson, and perhaps he purchased part of Lot 57 directly from some member of that family.



1837 and 1854. The family belonged to the Church of England. Gilkison died in 1876 (*Toronto Correspondent and Advocate*, October 26, 1836; Anonymous, 1851a, division 2:67; Anonymous 1861a, division 1:20; Jarvis, 1879:17, 61, 104-105; Chadwick, 1894:120-121; Carnochan, 1914:242; Connon, 1975:51-52, 58, 110, 175; Armstrong, 1985:131; Narhi, 2006:file 29-27).

Finn (born circa 1800) was a native of Ireland who settled in the Town of Niagara in 1836. His name was recorded in the minutes of the Niagara District Quarter Sessions as early as July of that year when he was appointed to serve as one of the constables for the town. Finn also served as a constable and as the crier at the sessions. In October 1836, he submitted a charge to the Quarter Sessions for his services as a constable at the execution of convicted murderer Aaron Seely at Niagara. In March 1840, he was called upon to provide testimony at the trial of Mark Kennedy, who was charged with the theft of 40 wooden railings. In August 1840, the magistrates approved paying Finn a salary of £20 per annum as crier, rather than simply paying him per diem for his services. At the same sessions, Finn brought charges against one Ambrose Oakes, a labourer in the town, who stole a jar, a plate, a tin dish, some milk, butter, and raspberry preserves from Finn. In December 1840, Finn acted as surety for two men who applied for tavern licences in the Niagara District. Finn was described in the 1851 census as the “high bailiff” for Niagara, and simply as “bailiff” in the 1861 census. Finn was married circa 1833 to Mary (or Maria) Eagen (circa 1810-before 1861) who was also a native of Ireland. They raised a family of at least seven children (three daughters, four sons) who were born between 1834 and 1848 and were sufficiently affluent that they could employ a domestic servant. A few of their children died in infancy and are interred in St. Vincent de Paul (RC) Cemetery in Niagara-on-the-Lake. Presumably Mary/Maria Finn is also buried there. Patrick Finn was no longer enumerated in the 1871 census for Niagara, and it has been suggested that he may have returned to Ireland (Narhi, 2006:files 24-2, 25-1, 31-18, 32-1, 38-20, 39-21, 40-19, 40-21).

All prior interests in Lot 57 held by Heron, Starkweather and Brown, Clench, Small, Gilkison, and Finn appear to have been cut out in order to provide a clear title to the property. An assignment was made by the Surveyor General and a new patent was issued on October 13, 1842, to Mary Ann McAuliff (or McAuliffe) and



Catherine Fitzgerald. These women were the “co-heiresses” of the late James Fitzgerald through the estate of their father, Patrick Fitzgerald, who was the eldest brother and heir of James Fitzgerald (Anonymous, no date[d]:337).

Little biographical information is available for McAuliff. A Roman Catholic, she was the daughter of Patrick Fitzgerald, a native of Ireland, and the wife of John McAuliff[e]. In the early 1870s, she was a resident of Monkstown in County Cork, in southern Ireland. Her husband had died sometime prior to August 1848, but it is unknown when Mary Ann died.

Likewise, there is little information about Catherine Fitzgerald. She was the daughter of Patrick Fitzgerald and was described in deeds as the “heiress at law of the late James Fitzgerald.” In 1848-1849, she was a resident of Toronto, in a house called “Primrose Cottage” on Queen Street East, but by 1850, she appears to have moved to Niagara. The 1851 census for the Town of Niagara showed that Catherine was born in Ireland circa 1810, was a spinster, and a Roman Catholic. She appears to have been a member of the household of a baker named Robert Torrance. In 1861, she was a member of the household of James D[ooerty?], a shoemaker. It is unclear in these instances what status Fitzgerald held within the household beyond that of a tenant since no occupation was listed for her. Her name was not found in any subsequent census returns for the town, and land deeds clearly stated that she was dead by June 1872 (Anonymous, 1851b, St. David's Ward, division 1:79/40; Anonymous, 1861b, division 2:23).

Another part of this lot appears to have been sold and mortgaged through unregistered deeds. A map of the town compiled circa 1826 showed the words “estate of John Willson” on Lot 57. Other records show that the lot was occupied by Andrew Willson, who was possibly a long-term tenant on the property. This part lot was seized by Sheriff William Kingsmill in July 1850 “at the suit of the Bank of British North America” and the “lands and buildings and erections thereon” were to be offered for sale by him at a public auction that was to be held at the Court House at noon on October 19 (*Niagara Chronicle*, July 16, 1850).

Little is known about Andrew Willson. The Niagara District Quarter Sessions records show that a man by this name recommended Garrett Vanderburgh for a tavern licence in Thorold in January 1829, and Willson was also selected to sit on



the petit jury for the assizes in March 1833. The Sessions records also include lists of prisoners confined in the Niagara gaol; one of the prisoners was Andrew “Wilson” who was confined in September and October 1832 for an unspecified crime, but who was committed on the orders of Niagara merchant and magistrate John Alma for a second time on the charge of “enticing a soldier to desert.” Wilson was confined to the gaol from November 1834 until at least May 1835. The name “Andrew Willson” was not found in any of the subsequent decennial census returns for the Town of Niagara (Narhi, 2006:files 3-10, 13-1, 14-14, 18-2, 18-15, 19-18, 20-1).

In February 1848, Catherine Fitzgerald ran an advertisement in the *Niagara Mail* newspaper for the sale of Lots 57, 58, and 59. In August 1848, Fitzgerald sold her interest in the remainder of the lot to Mary Ann McAuliff for £500. This property was 1.5 acres in extent (0.607 hectare) and included parts of Lots 57, 58, and 59. In July 1850, Fitzgerald once again ran an advertisement in the newspapers for the lease of these lots “for building,” which suggests that the property was vacant at the time. Fitzgerald must have acted in the capacity of agent for McAuliff (Anonymous, no date[f]:#1553; *Niagara Mail*, February 2, 1848 and July 31, 1850).

In June 1872, McAuliff sold this property to Peter Clarke and Henry Paffard for \$400 (Anonymous, no date[c]:#426).

Clarke (born circa 1815) was a native of Ireland who settled in the Town of Niagara sometime before 1871. He was described in the property deed as a “gentleman.” His and his wife Margaret were members of the Roman Catholic Church and appear to have been childless. The census returns showed that they employed one or two domestic servants. Margaret died on June 8, 1877, and was interred in St. Vincent de Paul Churchyard. Peter died sometime after 1881 (Anonymous, 1871, Centre Ward, division C:24; Lovell, 1871:559; Anonymous, 1881, division A:23; Clarke tombstone inscription, St. Vincent de Paul Cemetery).

Paffard (born May 24, 1824) was a native of Portsmouth, England and the son of Thomas and Mary (Miall) Paffard. He immigrated to Canada with his family in 1850 and settled in the Town of Niagara, where he established himself in business as a druggist in the shop now known as the Niagara Apothecary. Paffard sold a variety of products, some of them with exotic names such as “Dr. Garden’s Worm



Tea” and “Rose Hair Gloss.” His brother Frederick Paffard settled in St. Catharines where he also operated a drug store on St. Paul Street. The death of their father at the age of 80 in March 1860 was noted in the St. Catharines newspapers. Paffard was married to Hannah Eliza Wilson (1828-February 10, 1899) around 1860. They raised a family of four children (one son, three daughters) who were born at Niagara between 1864 and 1869. Paffard was elected mayor of the town in 1871, and he also served as the treasurer for the Ontario and Erie Ship Canal Company. He served for several years as the vice-president of the Niagara Historical Society. Paffard’s wife died as the result of “typhoid pneumonia,” after which he remained in Niagara for a few years, but by 1906 he had moved to the Assiniboia District of Saskatchewan; by 1911, he was a resident of Kootenay, British Columbia. In 1912, Paffard died and his remains were brought back to Niagara for burial in St. Mark’s (Anglican) Churchyard (*St. Catharines Semi-Weekly Post*, June 22, 1855; *St. Catharines Journal*, Mar. 8, 1860; Anonymous no date[c], Anonymous 1871, Centre Ward division C:10; Lovell, 1871:560; Anonymous no date[f]; Anonymous, 1901, division H2:4; Anonymous, 1906; Anonymous, 1911, district 9, sub-district 25:8; Archives of Ontario, no date, death registration #15731/1899; Niagara Historical Society pamphlets “List of Officers;” Paffard tombstone inscription, St. Mark’s Cemetery).

Four months later, in early October 1872, Clarke and Paffard sold this lot and part of Lot 58 to Sarah Kirby Garrett for \$605. The property that Garrett purchased measured 150 feet (45.7 metres) along Queen Street by the depth of the lot. This property was divided into three parcels each measuring 50 feet (15.24 metres) in width (Anonymous, no date[c]:deeds #444, 445, 448).

Garrett (born circa 1817) was from New York and the wife of Henry A. Garrett (born January 1, 1813), who was a merchant in New York City. Henry was born in Upper Canada, and the son of Alexander and Emelia Garrett. The 1850 and 1860 censuses for New York simply referred to Henry as a “merchant.” (Anonymous, 1850). The 1870 census specified that Henry was an “importer of silks.” The Garrett household included their daughter, (Mary) Augusta (born circa 1844), and her husband, Franklin Martine (born circa 1843), who was also a silk importer. Augusta and Franklin were married at Manhattan in early October 1865, and they had a young son, Henry J. Martine (born circa 1866). The Garrett household



employed four domestic servants. Sarah K. Garrett died at Manhattan on December 23, 1874, and she was interred at Woodlawn Cemetery. By 1880, Henry Garrett and the Martine family had moved to the Town of Niagara. Martine did not remain in the area and had returned to New York with his family by the autumn of 1884. Henry Garrett was married at Niagara in January 1880 to Alice Hewgill (born England, March 1851). One of the witnesses at the marriage was the druggist, Henry Paffard. Henry and Alice Garrett had one daughter named Mary Alice (born November 1880). Garrett was described in the 1881 census for Niagara as a “gentleman,” but later censuses referred to him as a “wholesale merchant.” Henry died at Niagara as the result of “senile decay” on April 1, 1903 (Anonymous 1901, division H3:3).

In August 1874, Henry A. and Sarah Garrett sold this land to Richard Brown for \$125 (Anonymous, no date[c], #678). Although Brown was described in the property deed as a “gentleman” of the Town of Niagara, his name could not be found in the census returns for Niagara from 1871 and 1881 under the spellings of “Brown” or “Browne.” Two weeks later, Brown flipped this property and sold it to three spinsters named Mary Jane, Susan, and Eliza Hall (Anonymous, no date[c], #683).

The Hall sisters were the daughters of John Hall (Born circa 1815-August 15, 1895) who was from Ireland. He joined the British army around 1830 and served as a Sergeant in the 1st Dragoon Guards. This regiment was transferred to Niagara in the summer of 1838. Hall settled in the Town of Niagara where he was employed as a customs officer and customs inspector beginning in 1845. He was married in Wales in September 1835 to Jane Goodyere (1818-1874), and they raised several children including the sisters who owned this property. Mary Jane (born September 8, 1845) and Susan (born December 10, 1847) lived at home with their widowed father. Eliza (1854-April 8, 1892) was married in August 1880 to a merchant named Michael Gartlan and they resided with their six children in Stayner. The Hall family belonged to the Roman Catholic Church, although John Hall was sometimes identified as a member of the Church of England. Susan Hall died at the St. Catharines General Hospital on March 10, 1915, from “senility,” and Mary Jane died at Stayner on January 14, 1932, from “hemiplegia.” Susan was buried with her parents at St. Vincent de Paul Cemetery in the Town of Niagara,



and Mary Jane and Eliza are both interred at St. Patrick's (RC) Cemetery in Stayner (Anonymous 1861a, division 1:14; Archives of Ontario, no date, death registrations #10082/1895, 19782/1915, 30110/1932; Anonymous, 1891a; Anonymous, 1891b; Hall family tombstone inscription, St. Vincent de Paul Cemetery; Gartlan family tombstone inscription, St. Patrick's Cemetery, Stayner).

In August 1877, the Hall sisters sold part of this property to William John Campbell. In December 1882 and October 1884, Campbell purchased additional parcels. In June 1901, prior owner Henry Paffard executed a quit claim deed in favour of Campbell. This quit claim deed was probably registered in order to clear any outstanding clouds from the title to the land (Anonymous, no date[c], #801?, 1269, 1407, 2879).

William Campbell (born January 6, 1848) was a native of the Town of Niagara and the son of Johnson and Ellen (Sagar) Campbell. William was trained as a blacksmith and pursued this occupation for more than thirty years. In the early 1900s until at least 1921, Campbell was employed as "house carpenter." He was married at Niagara in November 1872 to Barbara Jane Davidson (born January 9, 1848), a native of the Town of Niagara and the daughter of John and Isabella (Torrance) Davidson. John Davidson had settled in the Town of Niagara in 1846 as a "builder." William and Barbara raised a family of at least eight children, four sons and four daughters, who were born between 1873 and 1891. A few of the children died during their infancy. Campbell was a member of the Church of England whereas his wife was a Presbyterian. He suffered a fall and fractured his femur and died shortly thereafter on December 11, 1932, from myocardial failure. He and his wife were interred in St. Andrew's (Presbyterian) Churchyard in Niagara-on-the-Lake (Anonymous, 1861c, division 2:22; Anonymous, 1881, division A:30-31; Anonymous, 1901, district 85, sub-district 11-2:2).

In December 1932, the title to this property fell into the possession of Barbara Jane Campbell through the estate of her late husband William John Campbell. Barbara Jane Campbell died on July 3, 1939, from "senility" (Archives of Ontario, no date, death registration #22794).



188 Victoria Street

In April 1901, William Campbell sold a parcel in the centre of Lot 57, which measured 48 by 95 feet in size (14.63 by 28.95 metres), commencing 70 feet (21.34 metres) north of the intersection of Queen and Victoria Streets to J. Jefferies (Anonymous, no date[c], #2888A, 6655); this parcel corresponds to the current subject property at 188 Victoria Street. After Jefferies' death in 1927, the parcel was sold to William Harrison and his wife, Annie, who granted the land to their son, Roger D. and his wife, Gertrude, in 1967. Gertrude Harrison then sold the property to Comcrest Limited in 1972. In 1976, Comcrest Limited transferred the parcel to Pine Tree Lane Properties Limited (possibly a subsidiary), and it was leased to John and Olga Kulak. Then in 1978, Comcrest sold the parcel to Ursula E. Anderson. Anderson flipped the property the following year, selling it to Dorsur Investments Limited, who then sold it to John Law in 1985. In the twenty-first century, the subject property was converted for commercial use and was last occupied by the Pie'zza Pizzeria from 2016 until 2022, when it was acquired by the proponent for whom the current archaeological assessment is being conducted.

The structure located at 188 Victoria Street was built in 1880 and exhibits features typical of a Queen Anne revival style, including a gable-front-and-wing style, a shingled gable, and large windows (Hill, 1986:104). There are bay windows at the front (west) and side (south). A tall 1/1 sash window is set above the front bay window, stretching nearly to the roof.

Historical mapping (discussed below) clearly shows that there were no structures standing on Lot 57 between 1815 and 1833. A map from 1837 contained the notation "very closely built on" for Lots 57-58 but this may have been in reference to the Queen Street commercial frontage only. The title search and other records have shown that the Fitzgerald heirs attempted to sell their property as building lots and advertised them for lease during the late 1840s and early 1850s. Low purchase prices during the early 1870s suggest that there were no significant structures on the land at that time. William John Campbell purchased parts of Lot 57 under three deeds dated August 1877, December 1882, and October 1884. The consideration paid for these parcels (\$100, \$50, \$325) suggests that the property



remained vacant and was bought and sold on speculation. A construction date between circa 1877 and 1885 was inferred for the house to the north of this structure (178 Victoria Street) based upon the historical mapping, land registry records, and its architectural style (Archaeological Services Inc., 2019a), which places the development of the two houses in the north part of Lot 57 at roughly the same period.

City Directories

There are very few directories for the Town of Niagara-on-the-Lake, and many of those that were published did not always include the street numbers for the various households listed and are therefore of limited usefulness. Families were normally listed as residents of their street, such as “Victoria Street,” or “Queen Street.”

Listed or Designated Structures

In June 1987, the Town of Niagara-on-the-Lake passed a by-law (1667-86) which designated the Queen-Picton neighbourhood as a Heritage Conservation District (H.C.D.). The H.C.D. is bounded on the east by Wellington Street, on the south by Johnson Street, on the west by Gate Street, and on the north by Prideaux Street (Anonymous, no date[a], #543965).

Part V of the Ontario Heritage Act gives municipalities the ability to designate heritage conservation districts. These districts are areas whose cultural heritage value contributes to a sense of place extending beyond their individual buildings, structures, and landscapes. Once a heritage conservation district designation by-law is approved, property owners in the district require a permit from the municipality for any alteration that is not considered to be “minor,” as well as for demolitions or new construction within the boundaries of the H.C.D. Heritage value may be attributed to representative examples of architecture and does not require that they be outstanding or unique. Further, the value may be “associative,” which is tied to historical persons or events and is distinct from the built heritage of the district.



A map of the Queen-Picton H.C.D. prepared by the Town of Niagara-on-the-Lake for the designation by-law includes 188 Victoria Street as one of the residential structures within the H.C.D.

1.2.3 Review of Map Sources

A review of nineteenth- and early twentieth-century mapping was completed to determine if these sources depict any nineteenth-century Euro-Canadian settlement features that may represent potential historical archaeological sites within or adjacent to the subject property. Historic map sources are used to reconstruct/predict the location of former features within the modern landscape by cross-referencing points between the various sources and then georeferencing them in order to provide the most accurate determination of the location of any property from historic mapping sources. The results can be imprecise (or even contradictory) because sources of error, such as the vagaries of map production, differences in scale or resolution, and distortions caused by the reproduction of the sources, introduce error into the process. The impacts of this error are dependent on the size of the feature in question, the constancy of reference points on mapping, the distances between them, and the consistency with which both are depicted on historic mapping.

In addition, not all settlement features were depicted systematically in the compilation of these historical map sources, given that they were financed by subscription, and subscribers were given preference with regards to the level of detail provided. Thus, not every feature of interest from the perspective of archaeological resource management would have been within the scope of these sources.

The subject property, as overlaid on the 1876 *Illustrated Historical Atlas of the Counties of Lincoln and Welland* (Figure 2) and its accompanying *Village of Niagara* insert (Figure 3) (Page, 1876), is shown within a town block, two blocks west of a railway corridor. The Niagara River is depicted a similar distance to the northeast. The more detailed *Village* insert shows the town block divided into eight numbered lots, with the subject property depicted in the centre of Lot 57, fronting Victoria Street to the west, just northeast of the junction with Queen Street (Figure 3).



Early topographic mapping was also reviewed for the presence of potential historical features. Land features, such as waterways, wetlands, woodlots, and elevation, are clearly illustrated on this series of mapping, along with roads and structure locations. On the 1906 Niagara Topographic Map (Department of Militia and Defence, 1906), the subject property is depicted on the 294-foot (89.6-metre) elevation contour in the north of Niagara-on-the-Lake adjacent to the commercial district (Figure 4). There are buildings shown fronting the planned streets shaded in black to show their designation as commercial structures. While georeferencing appears to place the subject property in a vacant area between building blocks, the historical background research indicates the current structure on the property was built in 1880 (see Section 1.2.2 above).

1.2.4 Review of Aerial Imagery

Selected aerial imagery was also reviewed to better understand the land use and development history of the subject property.

Figure 5 shows the subject property overlain on the 1934 and 1968 aerial photographs (Niagara Region, no date; Brock University, 2018). On both images, the extant house is visible in the centre of the subject property fronting Victoria Street to the northwest, which is visible as a tree-lined street. There is a house immediately southwest of the property, and the Royal George Theatre abuts the subject property along its southeast limit, both structures front Queen Street. A house surrounded by a maintained lawn is visible to the north.

1.3 Archaeological Context

This section provides background research pertaining to previous archaeological fieldwork conducted within and in the vicinity of the subject property, its environment characteristics (including drainage, soils, surficial geology, and topography), and current land use and field conditions.

1.3.1 Registered Archaeological Sites

In order that an inventory of archaeological resources could be compiled for the subject property, three sources of information were consulted: the site record



forms for registered sites housed at the Ministry, published and unpublished documentary sources, and the files of Archaeological Services Inc.

In Ontario, information concerning archaeological sites is stored in the Ontario Archaeological Sites Database, which is maintained by the Ministry. This database contains archaeological sites registered within the Borden system. The Borden system was first proposed by Doctor Charles E. Borden and is based on a block of latitude and longitude. Each Borden block measures approximately 13 kilometres east to west by 18.5 kilometres north to south and is referenced by a four-letter designator. Sites within a block are numbered sequentially as they are found. The subject property is located in the centre of the AhGs Borden block.

Twenty-nine archaeological sites have been registered with an approximate one-kilometre radius of the subject property (Ministry of Citizenship and Multiculturalism, 2023). A detailed summary of these sites is in Appendix A. The nearest site, AhGs-394, a grocery store/stable, is approximately 75 metres southwest of the subject property near the east corner of Queen Street and Victoria Street. In addition, AhGs-82, a Euro-Canadian homestead, is approximately 90 metres northeast of the subject property, and the Cassidy site (AhGs-381), is approximately 100 metres northwest.

1.3.2 Previous Assessments

There are no archaeological assessments known to have been conducted within the subject property, but seven previous archaeological assessments have been conducted within 50 metres of the property: three at 106 Queen Street, two at 65 Queen Street, and two at the combined 79-83 Queen Street and 178 Victoria Street addresses.

In 2015, Detritus Consulting Limited conducted a Stage 1 and 2 Archaeological Assessment at 106 Queen Street under Ministry Project Information Form P017-0455-2015 (Detritus Consulting Limited, 2016a). The rectangular study area is located approximately 50 metres southwest of the current subject property. During the course of the survey, the Euro-Canadian site AhGs-394 was encountered. Site AhGs-394 was associated with the early commercial development of Niagara-on-the-Lake, and a Stage 3 Archaeological Assessment



was recommended (Detritus Consulting Limited, 2016a). Detritus Consulting Limited conducted subsequent Stage 3 and 4 Archaeological Assessments of Euro-Canadian site AhGs-394 under Ministry Project Information Forms P017-0473-2016 and P017-0479-2016, respectively (Detritus Consulting Limited, 2016b, 2016c). During the Stage 3, a total of 10 test units were excavated in areas of high artifact yield and other areas of interest. Four subsurface features were also observed across the site, including a stone foundation. In total, the Stage 3 resulted in 2,563 artifacts being retained, most of which dated to the early-mid nineteenth century (Detritus Consulting Limited, 2016b). The Stage 4 mitigation consisted of mechanical stripping of the overburden to expose the subsurface features. A series of small rubble foundations was encountered that may have supported partition walls of a small room associated with a nineteenth-century store. Modern twentieth-century infrastructure was observed throughout the property. Upon completion, site AhGs-394 had no further cultural heritage value or interest (Detritus Consulting Limited, 2016c).

In 2016, Detritus Consulting Limited conducted a Stage 1 and partial Stage 2 Archaeological Assessment at 65 Queen Street under Ministry Project Information Form P017-0537-2016. The rectangular study area is located approximately 50 metres southeast of the current subject property. While no archaeological resources were encountered during the course of the test pit survey, the northeast portion of the property contained a concrete pad. Therefore, mechanical trenching was recommended before the subject property could be cleared of archaeological concern (Detritus Consulting Limited, 2017). In 2017, Detritus Consulting Limited conducted a Stage 2 Archaeological Assessment for the additional work at 65 Queen Street under separate Ministry Project Information Form P017-0644-2017. A trench was excavated through the middle of the concrete pad where all soils observed were determined to be disturbed. No further archaeological assessment was recommended (Detritus Consulting Limited, 2018).

In May 2019, Archaeological Services Inc. carried out a Stage 1 Archaeological Assessment of a 0.16-hectare property consisting of the 79-83 Queen Street and 178 Victoria Street addresses that surrounds the current subject property on its northeast, southeast, and southwest sides (Archaeological Services Inc., 2019a;



Project Information Form P449-0292-2019). The assessment determined that approximately 20% of the property retained archaeological potential and that a Stage 2 assessment would be required.

In September 2019, Archaeological Services Inc. completed a Stage 2 Archaeological Assessment of the above property by means of a test pit survey, initiated at five-metre intervals under the Ministry Project Information Form P449-0326-2019 (Archaeological Services Inc., 2019b). Intensified test pit survey and the excavation of one test unit was conducted in a confined area where nineteenth-century cultural material was encountered. Analysis of the material determined the cultural material was residual as the property has been subject to widespread disturbance to below the original A- and B-horizons. It was determined that since the artifacts did not constitute an archaeological site, no further archaeological assessment would be required ahead of development.

1.3.3 Physiography

The subject property is located on the clay plains within the Iroquois Plain physiographic region of Southern Ontario, a lowland region bordering Lake Ontario. This region is characteristically flat and formed by lacustrine deposits laid down by the inundation of Lake Iroquois, a body of water that existed during the late Pleistocene. This region extends around the western part of Lake Ontario from the Trent River to the Niagara River, spanning a distance of 300 kilometres (Chapman and Putnam, 1984:190). The old shorelines of Lake Iroquois include cliffs, bars, beaches, and boulder pavements. The old sandbars in this region are good aquifers that supply water to farms and villages. The gravel bars are quarried for road and building material, while the clays of the old lake bed have been used for the manufacture of bricks (Chapman and Putnam, 1984:196).

The surficial geology of the subject property is comprised of massive to well-laminated fine-textured glaciolacustrine deposits of silt and clay with minor sand and gravel (Ontario Geological Survey, 2018).

The subject property is in the One Mile Creek and Niagara River/Lake Ontario watersheds. One Mile Creek flows approximately 260 metres southwest of the subject property and the mouth of the Niagara River where it empties into Lake



Ontario is approximately 325 metres north (Ministry of Natural Resources and Forestry, 2020).

1.3.4 Existing Conditions

The subject property is a rectangular parcel approximately 425 square metres in size that fronts Victoria Street to the northwest (Figure 6). A late-nineteenth-century house, which last operated as a commercial eatery, is in the centre of the property and there are paved areas in the northwest, northeast, and southeast that extend to the property limits. A narrow strip of garden approximately 24 metres in length is between the house and the paved parking lot in the adjacent parcel to the southwest. There is a residence immediately northeast of the subject property, the Royal George Theatre to the southeast, and commercial buildings and a paved parking lot to the southwest.

1.3.5 Review of Archaeological Potential

The Standards, Section 1.3.1 stipulates that undisturbed lands within 300 metres of primary water sources (lakes, rivers, streams, creeks), secondary water sources (intermittent streams and creeks, springs, marshes, swamps), ancient water sources (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, and cobble beaches), and accessible and inaccessible shorelines (bluffs, swamp or marsh fields by the edge of a lake, and sandbars stretching into marsh) are considered, at a generic level, to exhibit archaeological potential.

Potable water is the single most important resource necessary for any extended human occupation or settlement. Since water sources have remained relatively stable in south-central Ontario after the Pleistocene era, proximity to water can be regarded as a useful index for the evaluation of archaeological site potential. Indeed, distance from water has been one of the most common variables used for predictive modelling of site location.

Other geographic characteristics that can indicate pre-contact archaeological potential include elevated topography (eskers, drumlins, large knolls, plateaux),



pockets of well-drained sandy soil, especially near areas of heavy soil or rocky ground, and distinctive land formations that might have been special or spiritual places for Indigenous populations, such as waterfalls, rock outcrops, caverns, mounds, and promontories and their bases. There may be physical indicators of their use by Indigenous peoples, such as burials, structures, offerings, or rock paintings or carvings. Resource areas, including food or medicinal plants (migratory routes, spawning areas, prairie) and scarce raw materials (quartz, copper, ochre, or outcrops of chert), are also considered characteristics that indicate pre-contact archaeological potential.

For the post-contact period, Section 1.3.1 of the Standards stipulates those 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. Also considered to have archaeological potential are 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 historical landmark or site, and properties that local histories or informants have identified with possible archaeological sites, historical events, activities, or occupations.

The majority of early nineteenth-century farmsteads, those which are arguably the most potentially significant resources and whose locations are rarely recorded on nineteenth-century maps, are likely to be captured by the basic proximity to water model, since these occupations were subject to similar environmental constraints. An added factor, however, is the development of the network of concession roads and railroads through the course of the nineteenth century. These transportation routes frequently influenced the siting of farmsteads and businesses. Accordingly, the Standards considers undisturbed lands within 100 metres of early settlement roads or railroads to have potential for the presence of Euro-Canadian archaeological sites.



The master plan document completed for the Town of Niagara-on-the-Lake considers a similar suite of criteria or indicators (Archaeological Services Inc., 2001). Pertinent to the subject property are buffers of 150-200 metres from water sources and within 200 metres above the Glacial Lake Iroquois strand for determining pre-contact archaeological potential. In terms of historical archaeological potential, this is evaluated based on buffers of 100 metres from early settlement roads and features illustrated on historical maps, along with 50-metre buffers around early railways. There is also pre-contact and historical potential within 100 metres of registered and unregistered archaeological sites.

Given the subject property's location relative to the Niagara River and Lake Ontario, its setting in the heart of the historic Town of Niagara-on-the-Lake, the extant historical house within the property, and its proximity to several registered historical sites, the subject property meets the criteria for both Indigenous and historical archaeological potential. However, a review of the background history and current conditions suggests the property has been significantly disturbed from previous development impacts, and it is unlikely that any intact Indigenous or historical archaeological material would have survived.

2.0 Field Methods

The Stage 2 field assessment was conducted on April 17 and 19, 2023, in order to inventory, identify, and describe any archaeological resources extant within the subject property prior to development. All fieldwork was conducted under the field direction of Sean Haefner (R1253) and was carried out in accordance with the Standards. The weather conditions were appropriate for the completion of fieldwork, permitting good visibility of the land features.

Representative photographs documenting the field conditions during the Stage 2 fieldwork are presented in Section 8.0 of this report (Images 1-7), and photo locations and field observations have been compiled on project mapping (Figure 7). Field observations and photographs were recorded with a Trimble Catalyst Global Navigation Satellite System receiver using World Geodetic System 1984.



2.1 Areas of No Potential

The assessment was initiated by conducting a visual review to identify areas of no archaeological potential. During this review, it was determined that approximately 95% of the property is disturbed. The areas of disturbance consist of the footprints of the house and its surrounding driveway, walkways, and landscaped areas, along with buried utilities throughout (Images 1-4). In accordance with the Standards, Section 2.1, Standard 2b, these areas of land disturbance retain no archaeological potential and were not tested.

2.2 Test Pit Survey

The balance of the subject property, consisting of a narrow strip of garden approximately 24 metres in length immediately adjacent to the house along the southwest limit, was the only area on the property accessible to testing with the potential for intact soil deposits. Therefore, in accordance with the procedures outlined in Section 2.1.2, Standard 2, a test pit survey of this strip was initiated at five-metre intervals. However, upon encountering subsurface disturbance throughout the test pit survey area, survey intervals were increased to ten metres, as per Section 2.1.8, Standard 2 (Figure 7; Images 5-6). In accordance with the Standards, Section 2.1.2, all test pits were excavated stratigraphically by hand no less than five centimetres into sterile subsoil, and all topsoil was screened through six-millimetre mesh to facilitate artifact recovery. The test pits were examined for stratigraphy, cultural features, and evidence of fill. All test pits were at least 30 centimetres in diameter and excavated within approximately one metre of all structures and/or disturbances where possible. The test pits were backfilled upon completion of the survey.

All test pit soil profiles were found to be disturbed, consisting of 20-25 centimetres of black (5YR 2.5/1) garden soil, overlying approximately 40 centimetres of dark greyish brown (10YR 4/2) landscape fill, over yellowish brown (10YR 5/6) clay subsoil (Image 7).



3.0 Record of Finds

Despite scrutiny, no archaeological resources were found during the Stage 2 field assessment. Written field notes, annotated field maps, Global Positioning System logs, and other data related to the archaeological assessment of the subject property are located at Archaeological Services Inc.

The documentation and materials related to this project will be curated by Archaeological Services Inc. until such a time that arrangements for their ultimate transfer to His Majesty the King in right of Ontario, or other public institution, can be made to the satisfaction of the project owner(s), the Ontario Ministry of Citizenship and Multiculturalism, and any other legitimate interest groups.

4.0 Analysis and Conclusions

Archaeological Services Inc. was contracted by Shaw Festival Theatre Canada to complete a Stage 1 and 2 Archaeological Assessment of 188 Victoria Street, Part of Lot 57, Registered Plan 86, Geographic Township of Niagara, County of Lincoln, now in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara. The subject property is approximately 425 square metres.

The Stage 1 background research entailed consideration of the proximity of previously registered archaeological sites and the original environmental setting of the subject property, along with its development history. The evaluation of archaeological potential also took into consideration the criteria established in the *Master Plan of Archaeological Resources for the Town of Niagara-on-the-Lake* (Archaeological Services Inc., 2001). This research suggested there would typically be potential for Indigenous and Euro-Canadian archaeological sites within the subject property. However, based on the extent of previous ground impacts, it was concluded that the presence of any intact archaeological deposits was unlikely.

The Stage 2 field assessment was conducted on April 17 and 19, 2023. The visual inspection of the subject property confirmed nearly the entire property, approximately 95%, was thoroughly disturbed by impacts resulting from building construction, paving, and landscaping activities. The remaining 5% of the



property, comprising a narrow stretch of garden along the southwest limit, was subject to test pit survey to confirm disturbance. As a result of this assessment, the entire property was confirmed to be disturbed.

5.0 Recommendations

In light of these results, and in accordance with the 2011 *Standards and Guidelines for Consultant Archaeologists*, the following recommendation is made:

1. No further archaeological assessment of the subject property be required.

NOTWITHSTANDING the results and recommendations presented in this study, Archaeological Services Inc. notes that no archaeological assessment, no matter how thorough or carefully completed, can necessarily predict, account for, or identify every form of isolated or deeply buried archaeological deposit. In the event that archaeological remains are found during subsequent construction activities, the consultant archaeologist, approval authority, and the Cultural Programs Unit of the Ministry of Citizenship and Multiculturalism must be immediately notified.

The above recommendations are subject to Ministry approval, and it is an offence to alter any archaeological site without Ministry of Citizenship and Multiculturalism concurrence. No grading or other activities that may result in the destruction or disturbance of any archaeological sites are permitted until notice of Ministry approval has been received.

6.0 Advice on Compliance with Legislation

Archaeological Services Inc. advises compliance with the following legislation:

- This report is submitted to the Ministry of Citizenship and Multiculturalism as a condition of licensing in accordance with Part VI of the *Ontario Heritage Act*, R.S.O. 2005, c 0.18. The report is reviewed to ensure that it complies with the standards and guidelines that are issued by the Minister, and that the archaeological field work and report recommendations ensure the conservation, preservation, and protection of the cultural heritage of Ontario. When all matters relating to archaeological sites within the subject



property of a development proposal have been addressed to the satisfaction of the Ministry of Citizenship and Multiculturalism, a letter will be issued by the Ministry stating that there are no further concerns with regards to alterations to archaeological sites by the proposed development.

- It is an offence under Sections 48 and 69 of the *Ontario Heritage Act* for any party other than a licensed archaeologist to make any alteration to a known archaeological site or to remove any artifact or other physical evidence of past human use or activity from the site, until such time as a licensed archaeologist has completed archaeological field work 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*.
- 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*.
- The Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33, requires that any person discovering or having knowledge of a burial site shall immediately notify the police or coroner. It is recommended that the Registrar, Funeral, Burial and Cremation Services Act, Ministry of Public and Business Services Delivery is also immediately notified.
- Archaeological sites recommended for further archaeological field work or protection remain subject to Section 48 (1) of the *Ontario Heritage Act* and may not be altered, nor may artifacts be removed from them, except by a person holding an archaeological license.

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8.0 Images



Image 1: View of the southwest corner and front of the house at 188 Victoria Street.



Image 2: View of the front of the house and landscaped areas.



Image 3: The paved driveway and garage along the northeast limit of the subject property.



Image 4: Paved areas along the southeast limit of the subject property to the rear of the house.



Image 5: Garden area along the southwest limit of the subject property.



Image 6: View along southwest limit of the subject property.



Image 7: Typical test pit soil profile documented in the narrow stretch of garden along the southwest limit of the subject property.

9.0 Maps

See following pages for detailed assessment mapping and figures.



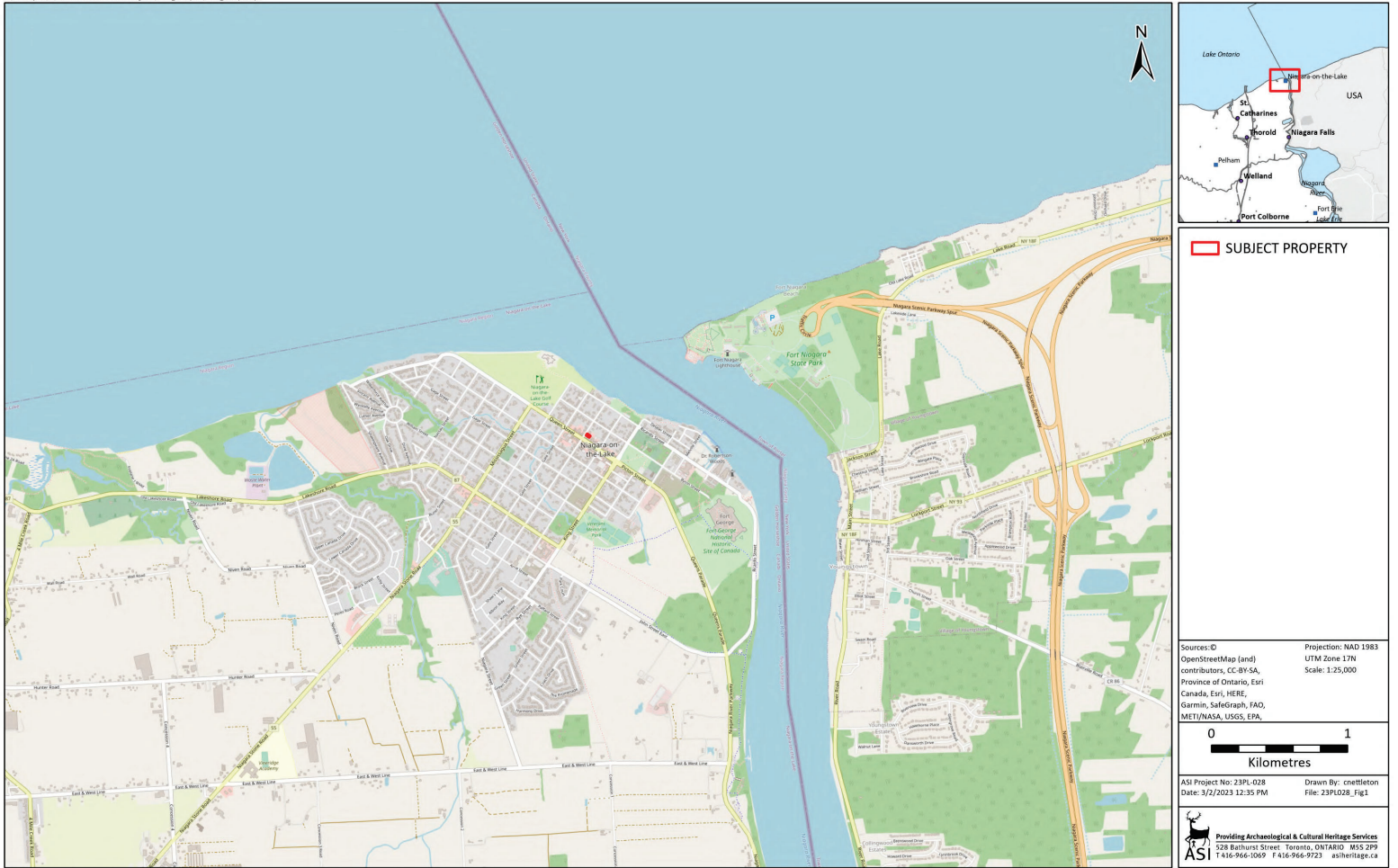


Figure 1: Location of the Subject Property

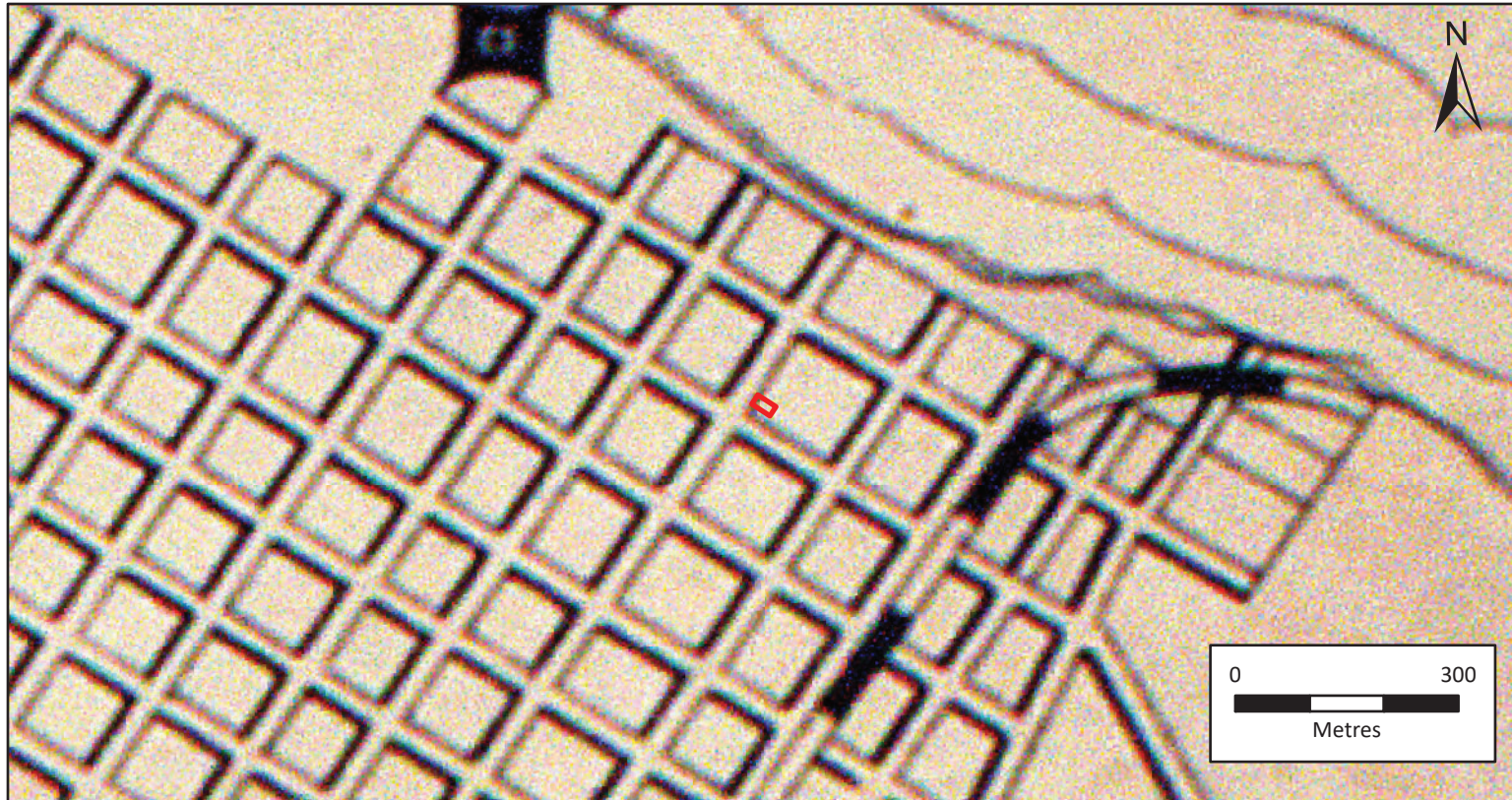


Figure 2: Subject Property Located on the 1876 Illustrated Historical Atlas of the Counties of Lincoln and Welland



Figure 3: Subject Property Located on the Village of Niagara Insert of the 1876 Illustrated Historical Atlas of the Counties of Lincoln and Welland

| | | | | |
|--|--|---|--|---|
|  |  SUBJECT PROPERTY | Sources: Illustrated Historical Atlas of the Counties of Lincoln and Welland (1876); Illustrated Historical Atlas of the Counties of Lincoln and Welland - Village of Niagara Insert (1876); | ASI Project No.: 23PL-028 Date: 3/22/2023 | Drawn By: pbikouls File: 23PL028_Historic_x2 |
| Projection: NAD 1983 UTM Zone 17N Scale: 1:10,000 Page Size: 8.5 x 11 | | | | |

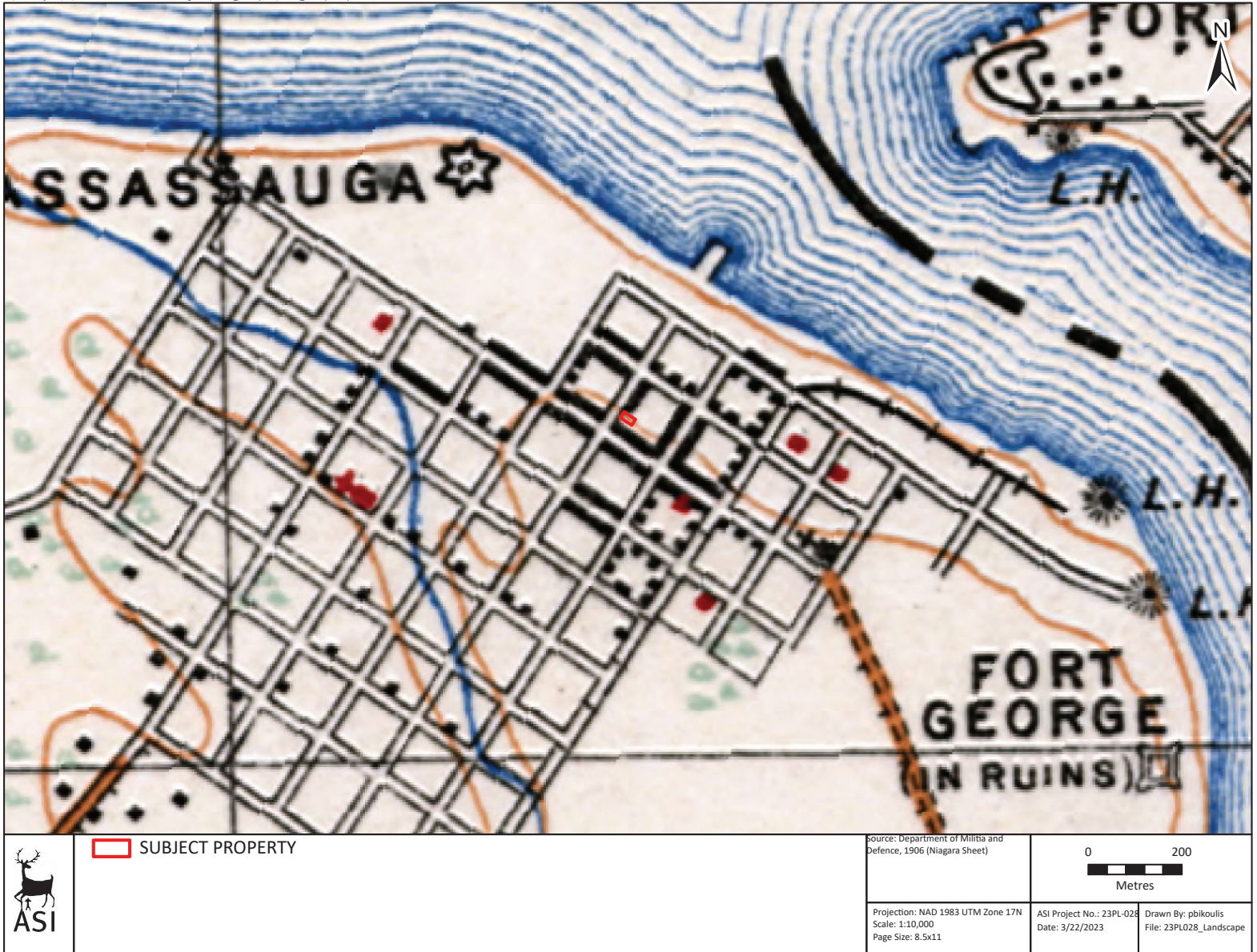


Figure 4: Subject Property Located on the 1906 Niagara Topographic Map



1934

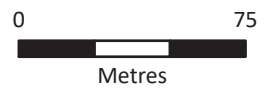


1968



 SUBJECT PROPERTY

Sources: Ontario Aerial Survey



Projection: NAD 1983 UTM Zone 17N
Scale: 1:2,500
Page Size: 8.5 x 11

ASI Project No.: 23PL-028
Date: 3/22/2023

Drawn By: pbikouls
File: 23PL028_Historic_x2

Figure 5: Subject Property Located on 1934 and 1968 Aerial Imagery



| | | | | |
|---|--|---|---|--|
|  |  SUBJECT PROPERTY | Source: Google Earth (2023) |  0 10 Metres | |
| |  PROPERTY PARCEL | Projection: NAD 1983 UTM Zone 17N Scale: 1:250 Page Size: 11 x 17 | ASI Project No.: 23PL-028 Date: 3/10/2023 4:38 PM | Drawn By: pbikoulis File: 11x17_Landscape |

Figure 6: Existing Conditions of the Subject Property

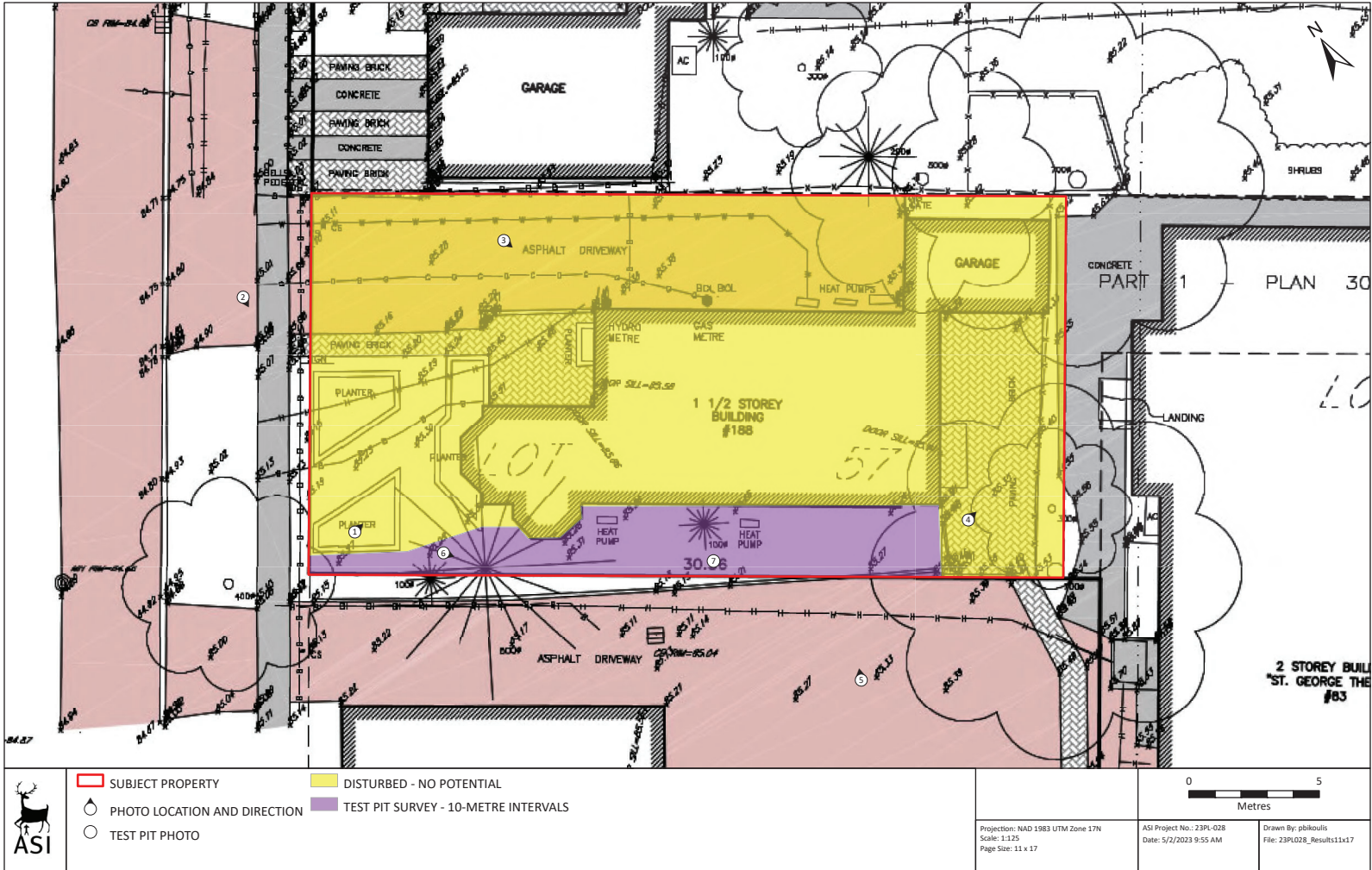


Figure 7: Stage 2 Archaeological Assessment Results

Appendix A

Registered Sites within a One-Kilometre Radius of the Subject Property

| Borden | Site Name | Temporal/Cultural Affiliation | Site Type | Researcher |
|---------|---|--|--------------------------|--|
| AhGs-2 | Fort Mississauga | Euro-Canadian | Unknown | Unknown 1979 |
| AhGs-6 | Presbyterian Schoolhouse | Euro-Canadian | Unknown | Unknown 1982 |
| AhGs-9 | Niagara Apothecary | Euro-Canadian | Unknown | Doroszenko, 1988, 2021 |
| AhGs-30 | Brock/Addison | Euro-Canadian | Homestead | DR Poulton and Associates, 1999 |
| AhGs-33 | Niagara-on-the-Lake Golf Club clubhouse | Pre-contact; Euro-Canadian | Scatter; golf club house | Jouppien Heritage Resource Consultants, 2000 |
| AhGs-42 | Talbot | Euro-Canadian | Homestead | Archaeological Services Inc., 2003a, 2003b; Mayer Heritage Consultants, 2005 |
| AhGs-43 | Sherlock | Pre-contact; Euro-Canadian | Unknown; homestead | Archaeological Services Inc., 2003a, 2003b; Mayer Heritage Consultants, 2005 |
| AhGs-46 | Victoria Meadows | Middle Archaic; Late Woodland; Euro-Canadian | Scatter; homestead | Archaeological Services Inc., 2005 |

| Borden | Site Name | Temporal/Cultural Affiliation | Site Type | Researcher |
|---------------|--------------------|--------------------------------------|-----------------------|---|
| AhGs-53 | Market Street | Euro-Canadian | Foundations | AMICK Consultants Limited, 2006 |
| AhGs-54 | | Euro-Canadian | Midden | Archaeologix Inc., 2007 |
| AhGs-82 | | Euro-Canadian | Homestead | Fisher Archaeological Consulting, 2014a, 2014b, 2016 |
| AhGs-83 | 105 Delater Street | Euro-Canadian | Residential | Bluestone Research, 2014, 2015 |
| AhGs-379 | | Euro-Canadian | Unknown | Fisher Archaeological Consulting, 2011 |
| AhGs-381 | Cassady Site | Euro-Canadian | Homestead | Archeoworks Inc., 2014, 2015a, 2017; Timmins Martelle Heritage Consultants Inc., 2017a, 2017b |
| AhGs-382 | Victoria H1 Site | Euro-Canadian | Homestead | Archeoworks Inc., 2015b |
| AhGs-392 | | Euro-Canadian | Residential | Detritus Consulting Limited, 2015a, 2015b, 2016a |
| AhGs-393 | | Euro-Canadian | Homestead; midden | Mayer Heritage Consultants Inc., 2015, 2017a, 2017b |
| AhGs-394 | | Euro-Canadian | Grocery store, stable | Detritus Consulting Limited, 2015c, 2016b, 2016c |

| Borden | Site Name | Temporal/Cultural Affiliation | Site Type | Researcher |
|---------------|------------------|--------------------------------------|----------------------------|--|
| AhGs-403 | | Euro-Canadian | House | Detritus Consulting Limited, 2017a |
| AhGs-404 | Elliot | Late Archaic | Campsite | Mayer Heritage Consultants, 2011 |
| AhGs-406 | | Euro-Canadian | Unknown | Detritus Consulting Limited, 2017b, 2018 |
| AhGs-415 | | Euro-Canadian | Meeting house | Detritus Consulting Limited, 2020a, 2020b, 2020c |
| AhGs-419 | | Euro-Canadian | House | Detritus Consulting Limited, 2019a, 2019b, 2020d |
| AhGs-421 | H1 | Euro-Canadian | Homestead, blacksmith shop | Archeoworks Inc., 2019, 2020a, 2020b, 2021 |
| AhGs-422 | McMonigle-Craik | Euro-Canadian | Homestead | Horizon Archaeology, 2020, 2021, 2022 |
| AhGs-423 | Breakenridge | Euro-Canadian | House | Detritus Consulting Limited, 2021a, 2021b |
| AhGs-424 | | Euro-Canadian | Midden | Bluestone Research, 2021 |
| AhGs-427 | H1 | Euro-Canadian | Homestead | Archeoworks Inc., 2021, 2022 |

| Borden | Site Name | Temporal/Cultural Affiliation | Site Type | Researcher |
|---------------|-------------------|--|------------------|---|
| AhGs-428 | Melville Historic | Euro-Canadian | House | Detritus Consulting Limited, 2021c, 2022 |

**STAGE 1 ARCHAEOLOGICAL ASSESSMENT OF
THE ROYAL GEORGE THEATRE,
79-83 QUEEN STREET AND 178 VICTORIA STREET,
PART OF LOTS 39, 40, 57 AND 58, REGISTERED PLAN 86,
GEOGRAPHIC TOWNSHIP OF NIAGARA, COUNTY OF LINCOLN,
TOWN OF NIAGARA-ON-THE-LAKE, REGIONAL MUNICIPALITY OF NIAGARA**

ORIGINAL REPORT

Prepared for:

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Archaeological Licence #P449 (Bhardwaj)
Ministry of Tourism, Culture and Sport PIF# P449-0292-2019
ASI File: 18PL-323

May 8, 2019



**STAGE 1 ARCHAEOLOGICAL ASSESSMENT OF
THE ROYAL GEORGE THEATRE,
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GEOGRAPHIC TOWNSHIP OF NIAGARA, COUNTY OF LINCOLN,
TOWN OF NIAGARA-ON-THE-LAKE, REGIONAL MUNICIPALITY OF NIAGARA**

EXECUTIVE SUMMARY

ASI was contracted by Shaw Festival Theatre, Canada to undertake a Stage 1 Archaeological Assessment of the Royal George Theatre, 79-83 Queen Street and 178 Victoria Street, part of Lots 39, 40, 57 and 58, Registered Plan 86, in the Geographic Township of Niagara, County of Lincoln, now in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara. The subject property is approximately 0.16 hectares in size. Permission to access the subject property and to carry out all activities necessary for the completion of the assessment was granted by the property owner on January 31, 2019.

The Stage 1 background assessment entailed consideration of the proximity of previously registered archaeological sites and the original environmental setting of the property, along with nineteenth- and twentieth-century settlement trends. This research has concluded there is potential for encountering both Indigenous and Euro-Canadian materials on the subject property.

In conjunction with a property inspection, the Stage 1 Archaeological Assessment has resulted in the determination that 20% of the subject property is found to contain the potential for encountering archaeological resources. Therefore, a Stage 2 Archaeological Assessment is required in accordance with the Ministry of Tourism, Culture and Sport's 2011 *Standard and Guidelines for Consultant Archaeologists*.



PROJECT PERSONNEL

| | |
|----------------------------|--|
| <i>Project Managers:</i> | Beverly Garner, Hons. BA Senior Archaeologist & Manager, Planning Assessment Division |
| | Jennifer Ley, Hons. BA (R376) Associate Archaeologist & Assistant Manager, Planning Assessment Division |
| <i>Project Director:</i> | Robb Bhardwaj, MA (P449) Associate Archaeologist & Field Director, Planning Assessment Division |
| <i>Field Director:</i> | Jennifer Ley |
| <i>Project Historian:</i> | Brian Narhi, MA Project Historian, Planning Assessment Division |
| <i>Report Preparation:</i> | Robb Bhardwaj Jennifer Ley Brian Narhi |
| <i>Graphics:</i> | Robin Latour, MPhil, PDip Associate Archaeologist Geomatics Specialist – Operations Division |
| <i>Report Reviewers:</i> | Beverly Garner |
| | David Robertson, MA (P372) Partner & Director, Planning Assessment Division |



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1.0 PROJECT CONTEXT

ASI was contracted by Shaw Festival Theatre, Canada to undertake a Stage 1 Archaeological Assessment of the Royal George Theatre, 79-83 Queen Street and 178 Victoria Street, part of Lots 39, 40, 57 and 58, Registered Plan 86, in the Geographic Township of Niagara, County of Lincoln, now in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara (Figure 1). The subject property is approximately 0.16 hectares in size.

1.1 Development Context

This assessment was conducted under the project management of Ms. Beverly Garner and Ms. Jennifer Ley (R376), and under the project direction of Mr. Robb Bhardwaj (MTCS PIF P449-0292-2019). All activities carried out during this assessment were completed in order to renovate and construct an addition to the existing Royal George Theatre, as required by the Town of Niagara-on-the-Lake. All work was completed in accordance with the *Ontario Heritage Act* (Ministry of Culture [MCL] 1990) and the *Standards and Guidelines for Consultant Archaeologists (S & G)* (Ministry of Tourism and Culture [MTC] 2011; now administered by the Ministry of Tourism, Culture and Sport [MTCS]).

All work carried out for this assessment is further guided by the *Master Plan of Archaeological Resources for the Town of Niagara-on-the-Lake* (ASI 2000), which provides further refinement with regard to potential buffers surrounding any noted features or characteristics which affect archaeological potential.

Permission to access the subject property and to carry out all activities necessary for the completion of the assessment was granted by the property owner on January 31, 2019.

1.2 Historical Context

The purpose of this section is to describe the past and present land use and the settlement history of the subject property, and any other relevant historical information gathered through the Stage 1 background research. First, a summary is presented of the current understanding of the Indigenous land use of the subject property. This is followed by a review of the historical Euro-Canadian settlement history.

Historically, the subject property is located within part of Lots 39, 40, 57 and 58, Registered Plan 86, within the limits of the Village of Niagara. The subject property is L-shaped and currently includes the Royal George Theatre fronting Queen Street and a former dwelling fronting Victoria Street.

1.2.1 Indigenous Overview

Southern Ontario has a cultural history that begins approximately 11,000 years ago and continues to the present. Table 1 provides a general summary of the pre-contact Indigenous settlement of the subject property and surrounding area.



Table 2: Outline of Southern Ontario Prehistory

| Period | Archaeological/ Material Culture | Date Range | Lifeways/ Attributes |
|---------------------|--|-----------------|---|
| PALEO-INDIAN | | | |
| Early | Gainey, Barnes, Crowfield | 9000-8500 BC | Big game hunters |
| Late | Holcombe, Hi-Lo, lanceolate | 8500-7500 BC | Small nomadic groups |
| ARCHAIC | | | |
| Early | Nettling, Bifurcate-base | 7800-6000 BC | Nomadic hunters and gatherers |
| Middle | Kirk, Stanly, Brewerton, Laurentian | 6000-2000 BC | Transition to territorial settlements |
| Late | Lamoka, Genesee, Crawford Knoll, Innes | 2500-500 BC | Polished/ground stone tools (small stemmed) |
| WOODLAND | | | |
| Early | Meadowood | 800-400 BC | Introduction of pottery |
| Middle | Point Peninsula, Saugeen | 400 BC-AD 800 | Incipient horticulture |
| Late | Algonkian, Iroquoian | AD 800-1300 | Transition to village life and agriculture |
| | Algonkian, Iroquoian | AD 1300-1400 | Establishment of large palisaded villages |
| | Algonkian, Iroquoian | AD 1400-1600 | Tribal differentiation and warfare |
| HISTORIC | | | |
| Early | Huron, Neutral, Petun, Odawa, Ojibwa | AD 1600-1650 | Tribal displacements |
| Late | Six Nations Iroquois, Ojibwa | AD 1650-1800's | |
| | Euro-Canadian | AD 1800-present | European settlement |

1.2.2 Historical Overview

Administrative and Land Survey History

The land which comprises the Town of Niagara-on-the-Lake and the surrounding former Township of Niagara was partly included within the limits of the “Four Mile Strip” (6.43 km) which was acquired by the British through a surrender negotiated by Sir William Johnson in July 1764. This treaty was intended to provide the British with a safe portage along the west side of the Niagara River following the “Devil’s Hole” massacre in September of the previous year. The treaty was confirmed at Fort Niagara on May 9, 1781. The remainder of the township and the rest of the Niagara District was alienated by the British from the native Mississaugas by a provisional treaty (Treaty No. 3) dated May 22, 1784. By the terms of this treaty the British purchased approximately 3,000,000 acres (1,214,000 ha) for £1180.74. This treaty was ratified at Navy Hall in December 1792 (Anon. 1891: vol. 1:5-7).

The first rudimentary survey of four concessions in Niagara Township was undertaken by Allan Macdonell in 1783, which provided the inhabitants with a rough idea of the boundaries of their allotments. This survey served as the basis for the formal surveys undertaken the late 1780s and early 1790s by Philip Frey and Augustus Jones. In 1788, a local “Land Board” was established for the Nassau [Niagara] District which administered the granting of “location tickets” to the early settlers. At that time Niagara Township was simply known as “Township No. 1.” The Niagara district was then part of the Province of Quebec and temporarily fell within the judicial and administrative jurisdiction of the District of Montreal. It then became part of the Province of Upper Canada in 1791-2. The township was renamed as “Niagara” in the summer of 1792, following the arrival of Lieutenant Governor John Graves Simcoe, and was included within Lincoln County in the Home District until January 1800. After that date Lincoln County formed part of the newly established District of Niagara, which was administered from the County seat in the Town of Niagara. Lincoln was temporarily united with the Counties of Welland and Haldimand, but the judicial ties with these counties were severed between 1851 and 1856. The County seat was relocated to St. Catharines in 1866. Since 1969-70, Lincoln County has formed part of the Regional Municipality of Niagara (Armstrong 1985:137 ff; Jonasson 2006).



In August 1789, Governor General Lord Dorchester proposed that the Town of Niagara was to be laid out slightly further south along the Niagara River Road, on Niagara Township Lots 15-18 inclusive which was the property of the Fields, Baker and Wilkinson families. Gilbert and Nathaniel Fields were unwilling to surrender their holdings to the Crown for the purposes of laying out a town plot, and in March 1790 the Land Board was forced to select another site. In June 1790, the Land Board proposed four possible locations for a “town and public buildings” and in August of that year the local inhabitants suggested that the “lands near Navy Hall reserved for the use of the government” be considered as a town site. In late February 1791 instructions were issued by the Surveyor General’s office in Quebec to John Collins and Augustus Jones; ten chain bearers and axe men were to be hired and provided with provisions “and immediately proceed with all diligence to survey and mark a town plot for a County town of the district to be called Lenox on the west side of the Niagara River.” The location, dimensions and plan were to be made under the direction of the local Land Board. In June 1791 the site for Lenox had been selected “at the mouth of the river” on the government reserve west from Navy Hall. The survey work commenced sometime after June 6th and a preliminary plan was presented to the Board on June 20th. This plan was approved on June 24th. This area appears to have had some squatters since the Board directed that “the present occupants are permitted to retain the lot on which their houses may fall.” The Board also directed that a “public house” was to be built “on the corner lot at the east end of the Town adjoining the River, and a Mason’s Lodge on the lot next to it.” Augustus Jones noted that the work on the actual survey was delayed for the summer since “the lands are mostly covered with grain which in a month or two will be gathered in.” In early November 1791 the Board ordered Jones to “fix [determine] the boundary” between the town and the remainder of the government reserve. The west boundary of the town could extend no further west than one mile (1.6 km) from the river, “owing to Colonel Butler and some others who live in rear of and refuse giving up their possessions.” Jones commenced laying out the street grid and building lots in the town shortly after November 16th. By December 5th “choices for Town Lots were drawn for” on Lots 1 to 84 inclusive. A payment of 25 shillings was charged per lot before it was granted, and the money that was raised was used to defray the cost of erecting a jail and other public buildings. In February 1792 Jones noted that work on the town survey had been interrupted due to “the weather setting in very severe.” The survey was complete by June 15, 1792 when Jones submitted his plan and field notes, as well as his accounts for the work which totalled £86.13.0½. The plan for the town contained 412 building lots and was bounded along its east side by King Street. The town was expanded south and eastward from the intersection of King and Queen Streets by provincial statute in 1816 (which was surveyed into building lots by 1822), and new areas were incorporated into the west end of the town at “Crookston” around that same time (Carnochan 1914:97-98; Cruikshank 1930:22, 53, 59, 85, 111, 117-118, 121, 127, 131, 135, 140-141).

In 1914, Janet Carnochan of the Niagara Historical Society published a chapter in her work, *History of Niagara* which explained the etymology of street names in the Town of Niagara. Queen Street was easily explained since Upper Canada was a “monarchical country.” The streets north of King (which marked the original boundary of the town) were simply named “First,” “Second,” “Third” and “Fourth.” “Second Street” was apparently renamed as “Victoria Street” after the birth of the Princess and future Queen Victoria in 1819 (Carnochan 1914:99-100).

The Town of Lenox was also called “Butlersburg” for a very short time (in honour of Col. John Butler), but it was more commonly referred to by the local inhabitants as the “Town of Niagara.” It was immediately re-christened as “Newark” in 1792 by Lieutenant Governor John Graves Simcoe, but that name proved to be equally as unpopular as Lenox. It reverted back to Niagara in 1796, and it was briefly known as “West Niagara” in 1796-9. “West” Niagara distinguished the town from “East” Niagara which was used in reference to Fort Niagara and the nearby settlement at Youngstown. The name is thought to be a derivative or corruption of a native word, “onghiara,” signifying a “neck” of land. Other writers fancied that it referred to the “thundering waters” of the cataract. The name of the town remained



unchanged until 1902-03, when the name of the post office officially became “Niagara-on-the-Lake” (Gardiner 1899:273; Rayburn 1997:241).

The Town of Niagara was described in an early gazetteer published in 1799, which noted that the settlement then contained about 150 houses with a gaol and court house. The Quarter Sessions and Court of King’s Bench were held there, as well as the 1st Session of the provincial parliament. The town contained a council house, Lieutenant Governor’s residence, Navy Hall and the “public offices of government.” The author noted that the government was then in a state of transition, and the officials were relocating to the Town of York (Toronto) which had become the official provincial capital. Another writer described Niagara in 1805 as a “handsome town, of about a mile square, and its streets at right angles.” The same buildings are referred to in addition to the newly completed Fort George. The Niagara River supplied the early inhabitants of the town with “prodigious quantities of white fish” as well as sturgeon, bass and salmon. The land was “not so good as the more distant situations” but the district possessed a “remarkably fine” climate. The forests were covered with pine and hardwood, an oak savannah south of Fort George, and very little “underwood.” As a result, the settlers raised their first crops and obtained a bountiful harvest “with great facility” (Smith 1799:99, 114-116; Boulton 1805:49-50.)

Niagara Township was first settled ca. 1782-84 by the disbanded troops from Butler’s Rangers, as well as by other Loyalists from the former American colonies. Many of these early settlers were from New York, New Jersey and Pennsylvania, and were primarily of English, Scottish, Irish, and German ancestry. These refugees were initially housed in and around the garrison at Fort Niagara, but by the summer of 1784 several families had undertaken the cultivation of land on the west side of the river. The remainder of the Niagara Peninsula was surveyed in 1787-89 after which time settlement quickly spread westward from the Niagara River.

The Town of Niagara was in a vulnerable position during the War of 1812 due to its location at the confluence of the Niagara River and Lake Ontario, and on account of its proximity to Fort George and Fort Niagara. The town was captured by the Americans in May 1813 and occupied by them until early December. The town was ordered to be burned in December 1813 by the American commander, General McClure, when the enemy troops evacuated the garrison and retreated to the safety of Fort Niagara. Eyewitness accounts noted that only one or two houses survived the conflagration relatively intact, while others were reduced to rubble. The task of reconstruction commenced in 1815-16. A number of houses in the town were rebuilt on existing foundations.

The Town of Niagara continued to serve as the County seat for another 50 years. The prosperity of the town was eventually eclipsed by nearby St. Catharines which enjoyed the benefits of increased trade and settlement following the completion of the 1st Welland Canal in 1829. As one writer noted at the time, Niagara was “a place of considerable trade before the opening of the Welland Canal.” St. Catharines was elevated to the status of a town in 1845, and the County seat was transferred there from Niagara in 1866. The Town of Niagara was incorporated by a provincial statute in 1845, and a new town hall-court house was built on Queen Street in that year. In the 1840s the town possessed five churches, a fire company, two newspapers, a daily mail, and various government offices. The town was connected to Hamilton, Toronto and Kingston by daily steamboats. One of the major employers in the town during the nineteenth century was the Niagara Harbour and Dock Company established in 1830. Other businesses in the town at that time included: physicians, surgeons, lawyers, merchants, a branch of the Bank of Upper Canada, a foundry, chemists and druggists, watchmakers, wagon makers, gunsmith, book sellers and stationers, printers, saddlers, tavern and innkeepers, cabinet makers, tallow-chandlers, marble works, hatter, bakers, tinsmiths, blacksmiths, tailors, shoemakers, livery stables, and a tobacconist (Smith 1846:128-130).



By the mid-1840s, Niagara was referred to as an “old and well settled township” which contained “good farms and flourishing orchards.” 10,555 acres (4,471 ha) or 51.9% of the available land was then under cultivation. The assessed value of the farms in the township at that time was £36,172. Niagara Township contained a population of 2,109 inhabitants by 1846. The township possessed three grist mills and two saw mills. Little wheat was grown in the township during the mid-nineteenth century since many farmers had switched to rearing livestock and to tender fruit cultivation (Smith 1846:130).

Queen-Picton Heritage Conservation District

In June 1987 the Town of Niagara-on-the-Lake passed a by-law (1667-86) which designated the Queen-Picton neighbourhood as a Heritage Conservation District. The HCD is bounded on the east by Wellington Street, on the south by Johnson Street, on the west by Gate Street, and on the north by Prideaux Street. The map attached to the by-law shows the footprint of the Royal George Theatre as part of the “business” area within the HCD, and 178 Victoria Street as part of the “residential” area (*Registry deeds #543965*).

Lot 39, Registered Plan 86

This one-half acre (0.202 ha) lot was patented by Barnabas (“Barney”) Cain (Caine) on May 6, 1796. Other records show that Cain submitted a petition to the local (Nassau District) Land Board for this specific lot on December 14, 1793. The petition was read and approved three days later by the Board. His name appears on a list of land owners in the town dated May 20, 1795 (Niagara Town “Township Papers,” pp. 144-146).

Cain (b. ca. 1747) was one of the early settlers in the Town of Niagara. He was probably a native of Tyrone County, New York where other members of the Cain family originated. The Tyrone County Committee of Safety arrested several men in June 1776, including one Barnabas Cain, who were judged to be “inimical to the Liberties of America and dangerous to remain in the Country,” and who were ordered to be sent as prisoners to Albany and “disposed of as General Schuyler shall direct.” This document may refer to another Barnabas Cain (a cousin?) who served in the King’s Royal Regiment of New York and who later settled as a Loyalist in eastern Ontario. The Barney Cain who settled at Niagara is known to have joined the Indian Department in 1776 and served as a Sergeant with the “Forresters” throughout the Revolutionary War. Cain was at Niagara in December 1783 and referred to as a “Loyalist in the Indian Department” under “Brant’s Volunteers” and described as a “smith.” His name was enrolled on the old United Empire Loyalist list. Other members of the “Forresters” had settled at Niagara, such as Hugh Freel and Samuel Cox, and this may have been a determining factor that attracted Cain to this area. Cain appears to have been conversant in native languages and may have acted as an interpreter since Lieut. Governor Simcoe requested in August 1793 that he (or his son) be sent to the Tuscarora village “in order to bring the Chiefs before Colonel Butler.” Cain was subsequently appointed to serve as “blacksmith to the Indians” at Niagara, and he commenced work in December 1797 at Fort George under the supervision of Col. Claus of the Indian Department. He received a yearly wage of £85.3.4 for his work. Cain was granted 500 acres (202.35 ha) as a reduced officer. This allotment was in addition to his town lot at Niagara, and another 200 acres (80.94 ha) which he purchased. His name was published in various notices that appeared in the *Upper Canada Gazette* which announced that his land patents had been completed and were ready for him to pick up at the provincial Secretary’s office. Cain was the owner of Niagara Township Lot 111 (patented May 1796) and Lot 114 (patented December 1798.) He sold Lot 111 in October 1802. Lot 114 was sold by means of an unregistered deed sometime prior to 1839. Cain was a founding subscriber for St. Andrew’s Presbyterian Church at Niagara in September



1794, donating £1 to the fund. He was named in a list of jurors at Niagara in May 1795. Cain required to perform statute labour (road work) in the town in 1801. During the War of 1812, Cain was paid £2.10.0. by the Loyal and Patriotic Society due to being “harassed by the enemy.” Local tradition related that one Barney Cain fought at Lundy’s Lane in July 1814 and that he carried the corpse of his friend, George Caughill, from the battlefield. This probably referred to a son of the blacksmith, since Barney would have been beyond the age required for active service by 1814. Cain was first married to a woman named Margaret (b. ca. 1751) by whom he left at least one son, John, who was born in New York ca. 1774. The widower Barnabas Cain was married at St. Mark’s (Anglican) Church by the Rev. Robert Addison on Feb. 11, 1798 to the widow Cyble [Sybil] Clinton. Cybil died at Niagara and was interred in an unspecified location by the Rev. Addison on Oct. 22, 1820. Barney was buried near his farm in a small cemetery located on the Corus farm outside of Virgil (Upper Canada Land Petitions, C8/49 [1807]; Niagara Township Memorials Abstract Index, Lots 111 and 114 [volume 102]; Old UE List, p. 148; *Upper Canada Gazette*, Oct. 5 and 26, 1796, Mar. 8, 1797 and Dec. 29, 1798; Carnochan 1914:182-183; Cruikshank 1924:45; Cruikshank 1935:53; Taylor 1992:14; Crowder 1993:24; Fitzgerald 1993:181, 194, 208; Narhi 2006:9, 28; 2012:112).

In July 1798, Cain sold this lot to Andrew Heron (Niagara Memorial deed #132).

Andrew Heron (b. 1763) was a native of Kirkcudbrightshire, Scotland, and the son of Andrew and Sarah (McMichael) Heron. He emigrated to the United States in 1785 but then settled at Niagara in 1788. Heron was one of the prominent early merchants in the Niagara District, and was among the original parishioners at St. Andrew’s Presbyterian Church in 1794. He served for over 30 years as an elder and secretary-treasurer for the congregation. Heron was one of the founding members of the Niagara Public Library in 1800. Heron was named in court records as a juror from as early as 1795, and in 1804 he was accused of removing building materials (timber, nails, bricks, window glass, lime) from the “close of Elizabeth Thompson” which he “took away and converted to his own use.” The court found that Heron was in fact the legal owner of the land upon which Thompson’s shop was located and that there was “insufficient evidence” for her to pursue the case. Heron was taken prisoner by the Americans in 1813 and sent as a captive to Albany where he remained for part of 1814. When the Town of Niagara was burned in December 1813, Heron sustained substantial damages of £700. At the end of the war he “relinquished” his mercantile pursuits and in 1817 he became the editor and publisher of the *Niagara Gleaner* newspaper. Heron printed this newspaper with the exception of a brief hiatus until 1836. He was also the printer of assorted books and pamphlets during the 1820s and 1830s. Heron was married four times: Mary Kemp (1767-1803) who was the sister of Matthew Kemp, Catherine Anderson (1774-April 7, 1812), Jane Anderson (1765-July 5, 1832) and Ann Paterson. He left issue of six children by three of his wives (two sons, four daughters) who born between 1792 and 1814. Heron was named in several instances as the executor or administrator of various estates in the Niagara area. He was granted land in various parts of Upper Canada, including at least nine lots in the Town of Niagara, which were in addition to lands which he purchased from private owners. He died at Niagara from old age (“by decay of nature”) on May 13, 1848. He was interred with his wives in the family plot at St. Mark’s Churchyard (*British Colonist*, May 30, 1848; Carnochan 1914:33, 37, 48, 84, 89, 186, 250; Narhi 2006:39).

In May 1819, Heron mortgaged his property in favour of Alexander Fraser to the amount of £1,264.7.2. Payments under this mortgage fell into default, and in October 1826 this property was seized by Richard Leonard (the sheriff of the Niagara District) who conveyed the land to John Ross as attorney for the mortgagee, Alexander Fraser. In May 1828, Fraser sold this lot and other land to Matthew Dobie for £100. In October 1839, Dobie mortgaged his land for £500 in favour of Richard Hiscott, and in April 1857 he sold this land for the same consideration to Joseph P. Kirby. In July 1861, a “dismissal” was registered on title in a suit between Kirby (plaintiff) and Hiscott as defendant in which the plaintiff’s bill showing his alleged interest in the property was dismissed. This meant that the interest that Hiscott held



in the land under the mortgage from 1839 took priority over the sale to Kirby in 1857 (Niagara Memorial deeds #5731, 6919, 7296, 1507, 8191, 36). For biographical sketches of Dobie and Hiscott see Lot 58 below.

In February 1874 this property was inherited by Eliza Ann Hiscott and the other heirs of Richard Hiscott, and in June 1882 it was sold by the executors of the estate to James E. Campbell for \$550 (Niagara Town deeds #[----]28;¹ Probate #646).

In July 1889, Campbell sold this lot to James Johnson Doyle for \$900 (Niagara Town deeds # [----]?).

Doyle (b. ca. 1842) was a native of Ireland who settled in Canada in 1854. He was an innkeeper in the Town of Niagara. He and his wife Margaret (b. ca. 1846) had a family of three children (one daughter, two sons), including a son named Johnson Doyle (b. Dec. 25, 1875.) Johnson later resided with his wife and family on Regent Street. The Doyle family belonged to the Roman Catholic Church (1891 Town of Niagara Census, division 1, p. 7; 1901 Town of Niagara Census, division H1, p. 4).²

In February 1906, Doyle sold the southerly three feet of this lot (0.9144 m) to George Reid for \$12. The deed noted that this strip of land “immediately adjoining” the land to the south (i.e., Lot 58; Niagara Town deeds #3719).

In December 1915, Reid sold this land to James Laughton (Niagara Town deeds #[--]770).

Laughton (b. August 1885) was a native of Scotland and the son of John and Jessie (Shearer) Laughton. He settled in Ontario in 1904 and appears to have been engaged in farming for a time in the vicinity of Queenston. James was later described in records as a “house carpenter” and “builder.” He was married in April 1911 to Mary Ellen Ball (b. Jan. 1886). She was a native of Niagara Township, and the daughter of Albert and Frances A. (Goring) Ball. She was therefore the sister-in-law of George Reid, the grantor of this property. James and Mary Ellen were long-time residents of the Town of Niagara, and members of the Presbyterian Church (1911 Niagara Township Census, division 1, p. 3; Ontario Vital Statistics, marriage registration #8328/1911).

In June 1942, Laughton sold this property back to George Reid and his sons, Walter Melvin, Albert Stanley and George Clifford Reid. The quantity of the land that was being transferred was apparently in doubt since the entry in the abstract index noted that it “purports to be the land described in reg’d deeds Nos. 3677 & 3719” (Niagara Town deeds #6790).

The sale of this land appears to have created an encroachment of about 5 or 6 feet (1.52-1.82 m) between Lots 39 and 58 to the south. Owners of Lot 58 appear to have taken possession of this strip through “title by prescription.” The owners to the north appear to have been deeded the full depth of the lot as outlined below.

In December 1951, the executors of George Reid sold part of this lot to Lillian Magder. The property that she purchased measured 52 feet (15.84 m) on Prideaux Street by a depth of approximately 206’7½” (62.97 m.) This left an area of slightly more than a foot in depth between the land that was conveyed and

¹ This and other instrument numbers and some personal names and other details are partially or totally indecipherable in the microfilmed and digitized copies of the abstract index. They are indicated throughout this report in [----] square parentheses.

² There was another James Doyle (b. ca. 1853) who resided in Niagara Township during the late 1890s who, by coincidence, was also an innkeeper with a wife named Margaret (1891 *Niagara Township Census*, division 1 p. 9.)



the depth of the lot as originally surveyed. Dorothy G. Fowler purchased the remainder of Lot 39 in August 1952 (Niagara Town deeds #8466, 8626).

The records for this lot were automated in February 1998. The Magder parcel referred to above which adjoins the subject property comprises PIN 46397-0105. The encroachment forms part of PINs -0099 and -0106. Note that the Land Registry office “Block map” contains the notation: “the boundaries between properties 0099 and 0106 cannot be defined.” Any subsequent land ownership history from that time to the present date will require a PIN search.

Lot 40, Registered Plan 86³

This one-half acre (0.202 ha) lot was patented by Matthew Kemp on July 10, 1801. Records show that possession of this lot was officially granted to Kemp by the Executive Council four months earlier on March 4, 1801, although he may have occupied the property for several years prior to that date. The lot was described as being 1 chain and 58 links in width by 3 chains and 16 links in depth (104.28 x 208.56 feet, or 31.78 x 63.56 m), which commenced at the easterly angle of the lot on the west side of Prideaux Street (Niagara Town “Township Papers,” pp. 587-591).

Kemp (or Camp, b. ca. 1761) was undoubtedly a native of New Jersey where the family had settled after emigrating from Scotland. Kemp served in Lieutenant-Colonel Joseph Barton’s Corps in the New Jersey Volunteers during the American Revolutionary War. He settled in Upper Canada around 1784 and was at Niagara sometime prior to September 1794. At that time Kemp specifically petitioned the government for the grant of Lot 40 in the Town of Niagara. This lot had not been improved upon by the previous grantee and possession of it had been forfeited back to the Crown in early August of that year. Kemp was willing to begin “without delay...to erect a house” upon the property. This petition was granted, and Kemp was named in a list of land owners in the Town of Niagara dated May 20, 1795. In May 1796 a petitioner named Matthew Camp petitioned the government for 300 acres at the Long Point settlement, but it is not clear whether this was the same individual. Matthew Kemp of Niagara petitioned the government for additional lands in late March 1797. Unfortunately, he had lost his discharge papers and the petition was deferred until he could produce them. One week later, Kemp produced a document signed by Ralfe Clench (J.P.) which certified that Kemp had satisfied the magistrates that he had “joined the Royal Standard” and “adhered to the Unity of Empire” before the conclusion of the war in 1783. The recitals in the petition also noted that he was the brother-in-law of Andrew Heron of Niagara.⁴ Kemp was accordingly granted 200 acres (80.94 ha.) Kemp submitted another land petition to the Executive Council in February 1801, in which he stated that he had been granted Lot 40 in 1794 “and emedently [*sic*] erected a dwelling home on the same” and had occupied it ever since. A document attached to the petition certified that Kemp’s lot was fenced in and contained his house. Kemp made an enquiry about his land at the council office and was alarmed to discover that no grant could be found for it in his name. He requested that a patent would be issued to him in order that the property would not be granted to some other person. This petition was granted in his favour. Kemp served on the petty jury at Niagara in 1795. Kemp was named in the Old UEL List, although due to some oversight his name was not added to the list until April 1797. There were several other members of the Kemp family who resided in the Town of Niagara during the early period of settlement, and who were members of St. Andrew’s Presbyterian Church. Kemp died at Niagara on Oct. 2, 1833. It is not known whether he was married or left any

³ The abstract index for “Lot 40” must be used with caution since it also contains entries (abstracted in error) for documents which effect “Block 40” on Castlereagh Street.

⁴ Heron had married Mary Kemp (d. 1803), who was Matthew’s sister. Records referred to one Mary Kemp who was granted 200 acres as a Loyalist in July 1797 (Fraser 1932:20.)



surviving children (Upper Canada Land Petitions, C2/44 [1796], C2/84 and C2/130 [1797]; Niagara District Land Petitions, undated, Niagara/3; K5/4 [1801]; Old UE *List*, p. 201; *Niagara Gleaner*, Oct. 5, 1833; Fraser 1930: 33, 105, 120; Fitzgerald 1993:185, 210, 215; Narhi 2006:11).

In April 1802 Kemp sold this land to Andrew Heron. Heron was referred to above as the owner of Lot 39 (Niagara Memorial deeds, “Commissioner’s Book” series #516).

This lot was severed by Heron into four parcels which he sold to various individuals: Benjamin Hughes (Jan. 1821), Robert Cannon (Sept. 1821), John Willson (Apr. 1825) and John McBride (Dec. 1830.) The rear or south-westerly portion of the lot was the McBride parcel which adjoined the subject property (Niagara Memorial deeds #6017, 6097, 6890 and 9866).

Hereafter the chain of title for this lot in the “old abstracts” does not follow the same title contained in Lot 57. The owners of Lot 57 directly adjacent to Lot 40 may have taken possession of a narrow strip of land approximately 5 or 6 feet in width (1.52-1.82 m) through “title by prescription.”

The next property along Victoria Street towards Prideaux was the McBride lot. This large lot measures approximately 104 x 135 feet in size (31.69 x 41.14 m) which commenced 71.5 feet (21.79 m) south of Prideaux Street. Its chain of title is quite clear: Andrew Heron to John McBride (1830), Matthew Dobie (1835), James McBride (1837), James L. McBride (1902), William Robert McClelland (1908), Nellie C. McClelland (1938) and Victor and Ada LeBarre (1939.) None of these names appear on title for part of Lot 57.

The records for this lot were automated in February 1998. The McBride-LeBarre property comprises PIN 46397-0098. The encroachment between Lots 40 and 57 is included within the limits of PINs -0099 and -0106. The Land Registry “Block map” contains the notation: “the boundaries between properties 0099 and 0106 cannot be defined.” Any subsequent land ownership history from that time to the present would require a PIN search.

Lot 57, Registered Plan 86

The early land ownership of Lot 57 is very muddled and difficult to trace due to several gaps in the chain of title, which was either caused by the destruction of the pre-1813 records or by the transfer of the land through deeds which were not registered.

This one-half acre (0.202 ha) lot was originally granted to James Fitzgerald. Fitzgerald had submitted a petition to the Executive Council in late September 1793 praying for a grant of “vacant Lot 57” in the town of Newark. The recitals in the petition noted that Fitzgerald was “desirous to improve on a vacant lot” and to become a permanent settler. The petition was received and read before the council and approved on November 30, 1793. Further records indicate that a Land Board Certificate was issued to Fitzgerald for this lot on Dec. 21, 1793 and that a “description” for it was issued by the Surveyor General’s office in November 1795. Fitzgerald was referred to in a list of lot owners dated May 20, 1795. Other early land related records suggest that Andrew Heron possessed some interest in part of this lot (Upper Canada Land Petitions, F miscellaneous/52 [1788-1795]; Upper Canada Sundries, report from Thomas Ridout, Sept. 5, 1817, pp. 15953-15955; Niagara Town “Township Papers,” p.478).

The place and date of birth are not known for Fitzgerald although he was undoubtedly a native of Ireland. He had settled in Niagara sometime prior to September 1793 where he established himself in business as an innkeeper. Fitzgerald drowned sometime prior to October 20, 1794, and notices to his creditors were



published in the *Upper Canada Gazette* by his attorney, James Clarke, between June and August 1795. Other notices published in the newspapers noted that Andrew Heron was “trustee” for the Fitzgerald estate, and the creditors of the estate were called to meet at Wyer’s Tavern at Niagara on September 15th. Fitzgerald was married to a woman named Ann Connolly by whom he left no issue. After his death she was married at St. Mark’s (Anglican) Church on Jan. 28, 1795 to John Cain. This John Cain may have been the son of Barnabas Cain referred to earlier in this report. Notices in the *Gazette* stated that accounts for debts owing to the estate could also be paid to John Cain and his wife. Ann Cain had originally been granted Letters of Administration by the Surrogate Court with respect to the Fitzgerald estate on Dec. 1, 1795. This power was granted to her with the provision that she provided the court with an inventory of the effects of the deceased. She entered into a bond amounting to £1,000 with sureties James Hurst and Donald Grant for the just administration of the estate. On July 22, 1796, Joseph Edwards (a respected merchant and local magistrate) applied to the surrogate court for new Letters of Administration to be granted to him for settlement of the affairs of the estate. His petition to the court also requested that the administration previously granted to Mrs. Ann Cain be revoked, on the grounds that she was “wasting the estate of the deceased without paying the just debts,” and that she “is likely to make devastation of the remaining part thereof without paying the debts of the deceased.” Two prominent inhabitants of Niagara, Colin McNabb and William Johnson Chew stood as bondsmen or sureties for Edwards.

Mrs. Cain was subpoenaed to appear in court and show cause “if any she has” as to why the administration should not be revoked. New Letters of Administration appear to have been subsequently granted to Edwards. The fate of Mrs. Cain took a sinister turn, since the *Canadian Constellation* newspaper reported that Mrs. Ann C. Cain had been hired to work as a servant by a local merchant named George Forsyth. In June 1800, Cain was “killed by blows and kicks inflicted by a fellow servant” named Charles Trump while they were in the employ of Mr. Forsyth. Trump was to stand trial for her murder at the next assizes. The editor of the *Constellation* newspaper cautioned his readers that this was “a sorrowful instance...and let it be a warning to those who forgetting they are men, and in a gust of passion, assail a woman, weak woman, who under every circumstance has a claim to our tenderness and protection, even in her transports of fury.” Reports from the *Constellation* were reprinted by the editor of the *Niagara Mail* as an item of curiosity in 1855. It is not known whether the original newspaper from 1800 has survived.

In August 1795, John Cane was named as having some interest in farm Lot 25 in Niagara Township, which had been granted to the late James Fitzgerald. The original certificate which granted that land to Fitzgerald could not be produced since it was believed to have been on his person when he was “drown’d.” This lot later formed part of the land assembly of John McFarland on the Niagara River Road. There was reference to the death of one John Cain, who died at the Four Mile Creek at the residence of his son, on March 27, 1841 aged 80 years. This may not be the same individual, since he would have been several years older than the son of Barnabas Cain (*Upper Canada Gazette*, June 10 and Aug. 19, 1795; St. Mark’s Marriage Register 1795; Lincoln County Surrogate Court wills and administrations, Fitzgerald estate, 1795 and 1796; *Canadian Constellation*, June 21, 1800; *Christian Guardian*, Apr. 7, 1841; *Niagara Mail*, Aug. 22, 1855; Carnochan 1914:71).

Records of losses sustained by the inhabitants of the Town of Niagara during the War of 1812 referred to the destruction of a house owned by “Fitzgerald” for which £100 was claimed. It is uncertain whether the claim was submitted for a house on this particular lot.

At some point after the War of 1812 Rodman [or Rhodman] Starkweather and Russell Searle Brown acquired an interest in part of this lot. The first deeds in the subsequent chain of title contain a very vague description, simply referring to the land sold as “part of the northerly part of Lot 57” (Niagara Town Abstract Index to Deeds, Lot 57).



Starkweather (b. Feb. 7, 1789) was a native of Preston, near New London, Connecticut, and the son of Charles and Deborah Starkweather. He is known to have been a medical student during the winter of 1815, and was referred to as “Dr. Starkweather.” He settled in the Town of Niagara in 1819 where he established his drug store on Queen Street in the shop now known as the “Niagara Apothecary.” Starkweather was in partnership with Russell Searle Brown as druggists in a firm known as “Brown & Starkweather.” Starkweather was named in various lawsuits which were brought before the magistrates at the Niagara District Quarter Sessions between April 1828 and July 1836. These included assault and battery charges brought against him by Valentine Butterfield and Patrick Handy (a Niagara grocer) in April and July 1828. In July 1830, Starkweather was a witness in a larceny suit having refused to accept a stolen bank note as payment for goods in his shop. In January 1833, Starkweather was assaulted in his shop by the merchant John Alma who pleaded “guilty” to the charge. In July 1836, Starkweather and Brown had an individual named Charles Walsh confined in the Niagara gaol on some unspecified charge. Starkweather served on the Grand Jury at the Quarter Sessions in October 1829 and again in March 1835. By 1837, Brown and Starkweather had relocated to Buffalo where they borrowed money heavily from other merchants and banks. Brown executed a promissory note for \$50,000 in favour of George Truscott, and mortgaged part of the partnership property in order to secure the loan. The mortgage was foreclosed upon and formed the basis for a case (*Truscott vs. King*) heard in the Supreme Court for the State of New York, and which dragged on until at least September 1849. Rodman was married to Martha Baldwin Brown (ca. 1800-Apr. 24, 1881) sometime around 1821. She was the daughter of Humphrey Brown, and her obituary noted that she was “a leader in Buffalo society” during the 1840s, “distinguished for her high social qualities, elegant manner, and great hospitality.” They raised a family of six children (three sons, three daughters) all of whom were born at Niagara between April 1822 and October 1833. Rodman died at Buffalo on March 22, 1858 (*Christian Guardian*, May 21, 1831; Phillips 1850:440-445; Selden 1854:147-167; Barbour 1859:346-351; *Buffalo Commercial Advertiser*, Apr. 25, 1881 p. 2; Bryant & Voss 1975:52-53; Narhi 2006, files 2-24, 2-25, 2-28, 4-9, 7-49, 13-33, 14-18, 19-20 and 24-15.)

Russell Searle Brown (b. ca. 1803) was probably a native of New York and was the business partner of Rodman Starkweather. Brown was named a few times in the records of the Niagara District Quarter Sessions. Brown may have been the defendant in a charge of assault and battery brought before the courts by one John Courtney in April 1825 (or 1826?). The defendant in the case was simply recorded as “Russell Brown.” Brown died in Buffalo on March 26, 1844 and he bequeathed the bulk of his estate to Starkweather (Narhi 2006, file 8-30).

In July 1835, Starkweather and Brown quit-claimed their interest in this land to Ralfe Clench (Jr.) In March 1837, Clench quit-claimed his interest in this land to the widow Elizabeth Clench for £25. In February 1840, Elizabeth quit-claimed her interest in this property to her children, Francis Andrew Bernard Clench, Hannah Clench, and Priscilla Clench for £25. Recitals contained in a subsequent deed showed that Elizabeth Clench was indebted in the amount of £932.15.0. in favour of Edward Clarke Campbell. The sheriff was ordered to seize any property that Clench owned in order to satisfy the debt. The sale of her personal property only raised £28.14.0. and her real property was estimated to be valued at £150. This land remained in the hands of Sheriff William Kingsmill “for want of a purchaser.” The court eventually ordered Kingsmill to sell the land at the best possible price. In July 1843, Kingsmill sold this land to Hannah Catherine Clench for £141. The land transferred to her was described as 7,376 square feet in extent. The parcel measured 39 feet (11.88 m) on Queen Street by 166 feet 50.59 m) on Victoria Street. The north side of the property measured 64 feet (19.50 m) in width and ran parallel to Queen Street. The east side of the parcel was irregularly shaped. In that same month, Eliza, Hannah and F.A.B. Clench sold this parcel to Charles Coxwell Small for £157 (Niagara Town Memorial deeds #11760, 11780, 12828, 1445, 1446).



Ralfe Clench Sr. (1762-Jan. 19, 1828) was a native of Schenectady, New York and had served as a Lieutenant in Capt. William Caldwell's Company in Butler's Rangers during part of the American Revolutionary War. Lieutenant Clench was at Niagara, apparently as a single man, in November 1783. He held numerous local government positions such as registrar of the Surrogate Court, clerk of the District Court and clerk of the peace, as well as being an auctioneer in the Town of Niagara. Clench Sr. was also elected to the House of Assembly for Upper Canada where he sat between 1800 and 1820. Clench served in the Lincoln Militia, and was socially prominent in the Town of Niagara. Ralfe was married at Niagara sometime during the late 1780s to Elizabeth Johnson (ca. 1773-Aug. 15, 1850).⁵ She was a native of Johnstown, New York, and the daughter of Brant Johnson (or Kegnhegtago, 1742-1818) by his wife Margaret Campbell.

Elizabeth was therefore the granddaughter of Sir William Johnson by his Mohawk wife Elizabeth Brant.⁶ Clench Sr. was fluent in native languages and was described by an eye-witness as "a young man of liberal education...equally capable of entertaining company on an organ and of translating speeches into Iroquois." Ralfe and Elizabeth raised a family of twelve children. The first home built by Ralfe Sr. survived the burning of the Town of Niagara in December 1813, but was accidentally destroyed by fire shortly thereafter. He built a large home for his family at 234 Johnson Street which was completed around 1824 and still stands today. As a mark of esteem, Clench Sr. was interred in the private family burial ground of Col. John Butler (*Canadian Biographical Dictionary* 1880:586-590; Fryer and Smy 1981:54; Wilson 1987:153-154; Taylor 1991:6).

Ralfe Clench Jr. (Oct. 22, 1806-Nov. 18, 1880) was a native of Niagara and the son of Ralfe and Elizabeth (Johnson) Clench referred to above. Ralfe, like his father, held a number of local government posts including post master, magistrate, town councillor, assessor, and clerk of the county court. He was also a tavern keeper, a druggist, and "kept the ferry" for twenty-five years. He was married to Catherine Prior and raised a family of at least three sons. Ralfe died from typhoid fever (1851 Town of Niagara Census, division 1 p. 66/131; 1861 Town of Niagara Census, division 1, p. 1; Ontario Vital Statistics, death registration #9070/1880).

Francis Andrew Bernard Clench (b. Jan. 15, 1815) was a native of Niagara and the son of Ralfe and Elizabeth (Johnson) Clench. He was the Registrar of the Surrogate Court for Lincoln County, and Clerk of the County Court. Clench served as the Lincoln County Clerk and was a Justice of the Peace. He was a Niagara town councillor for seventeen years, served as deputy town clerk, and was elected Mayor on three occasions. Clench served as a lieutenant in the Queen's Niagara Fencibles in 1837-38. Despite his status within the community, Clench was brought before the magistrates in June 1833 and charged with assault and battery by James A. Clement. He died from kidney disease on May 20, 1887 (1851 Town of Niagara Census, division 1 p. 66/131; *Canadian Biographical Dictionary* 1880:586-590; Ontario Vital Statistics, death registration #9605/1887; Narhi 2006, file 14-29).

Hannah Catherine Clench (baptized Jan. 29, 1795) was a native of Niagara and the daughter of Ralfe and Elizabeth (Johnson) Clench. She did not marry and lived at home with her siblings. Hannah was still alive in 1851. Priscilla Stuart (or Stewart) Clench (b. 1799, baptized April 27, 1800) was her sister. Priscilla was married to Henry Dilke, an English born druggist. They moved to the Town of Thorold where they resided in 1851. There does not appear to have been any issue from this marriage. Priscilla died as the result of "general debility" in the Town of Niagara on April 30, 1887 (1851 Town of Niagara Census,

⁵ Some sources state that the marriage took place on July 21, 1792.

⁶ Some sources state that Brant Johnson was the son of Sir William Johnson by his German wife, Catherine Wissenberg or Wysenbergh.



division 1 p. 66/131; 1851 Town of Thorold Census, division 2 p. 8/15; Ontario Vital Statistics, death registration #9604/1887).

Another part of this lot was acquired through an unregistered deed by Archibald Gilkison (or Gilkinson) of Queenston. In December 1840, Gilkinson quit-claimed his interest in this property to Patrick Finn for the sum of five shillings. The deed referred to the property as being located on the south-east side of the Clench lot, and formed a parallelogram 34 x 120 feet (10.36 x 36.58 m) in size (Niagara Memorial deeds #164).

Gilkison (b. ca. 1815) was a native of Upper Canada and the son of Capt. William and Isabella (Grant) Gilkison. His father had served in the province during the War of 1812 and is believed to have been present at the Battle of Crysler's Farm in 1813, and his mother was the daughter of the Hon. Alexander Grant (R.N.) Capt. Gilkison was named as one of the "founders" of the Town of Elora in the 1830s, and was a cousin of John Galt of the Canada Company. Gilkison studied law in the Town of Niagara under Charles Richardson, who was the clerk of the Niagara Quarter Sessions.⁷ Gilkison then went on to further his legal studies in Toronto under William Henry Draper who served as the Solicitor General and as the Attorney General for Upper Canada. Gilkison was called to the bar of the Law Society of Upper Canada during Hilary term of 1837. Around that time, he was called upon to provide evidence in an assault and battery case that was heard before the magistrates at the Niagara Quarter Sessions. Gilkison later petitioned in 1847 that he be allowed to practice as an attorney and solicitor in the Court of Queen's Bench and in the Court of Chancery. Gilkison resided in the village of Queenston and in the Town of Niagara, but later moved to Hamilton, Brantford (1851, 1871) and Elora (1861.) Gilkison served for a time as judge in the Town of Picton. He was also the secretary of the Brantford & Buffalo Railway Co. during the early 1850s. Gilkison was married in September 1836 to Hannah McCormick (1818-1889). She was the daughter of Thomas McCormick (1784-1867), the manager of the Niagara branch of the Bank of Upper Canada, by his wife Augusta Jarvis (1790-1848.) Hannah was therefore the granddaughter of the Provincial Secretary, William Jarvis, by his wife Hannah (Peters.) Gilkison and his wife raised a family of seven children (one daughter, six sons) who were born between 1837 and 1854. The family belonged to the Church of England. Gilkison died in 1876 (*Toronto Correspondent & Advocate*, Oct. 26, 1836; 10 & 11 Vic. ch. CIX; 1851 Brantford Census, division 2 p. 67; 1861 Wellington/Elora Census, division 1 p. 20; 1871 Brantford Census, division 4 p. 2; Jarvis 1879:17, 61, 104-105; Chadwick 1894:120-121; Carnochan 1914:242; Connon 1975:51-52, 58, 110, 175; Armstrong 1985:131; Narhi 2006, file 29-27).

Finn (b. ca. 1800) was a native of Ireland who settled in the Town of Niagara in 1836. His name was recorded in the minutes of the Niagara District Quarter Sessions as early as July of that year when he was appointed to serve as one of the constables for the town. Finn also served as a constable and as the crier at the sessions. In October 1836 he submitted a charge to the Quarter Sessions for his services as a constable at the execution of convicted murderer Aaron Seely at Niagara. In March 1840 he was called upon to provide testimony at the trial of Mark Kennedy who was charged with the theft of 40 wooden railings. In August 1840 the magistrates approved paying Finn a salary of £20 per annum as crier, rather than simply paying him per diem for his services. At the same sessions Finn brought charges against one Ambrose

⁷ Charles Richardson (1805-1848) was the son of Dr. Richardson, and brother of the early Canadian novelist Major John Richardson. Charles studied law, and was one of the men who sacked the printing office of William Lyon Mackenzie in the Town of York in 1826. He was elected to the House of Assembly for Upper Canada, and represented the Town of Niagara between 1834 and 1841. Richardson was married to Eliza Euretta Clench, the daughter of Ralfe and Elizabeth (Johnson) Clench. Archibald Gilkison may have become acquainted with the Clench family during the period when he studied law under Richardson, and perhaps he purchased part of Lot 57 directly from some member of that family.



Oakes, a labourer in the town, who stole a jar, a plate, a tin dish, some milk, butter, and raspberry preserves from Finn. In December 1840 Finn acted as surety for two men who applied for tavern licences in the Niagara District. Finn was described in the 1851 census as the “high bailiff” for Niagara, and simply as “bailiff” in the 1861 census. Finn was married ca. 1833 to Mary (or Maria) Eagen (ca. 1810-before 1861) who was also a native of Ireland. They raised a family of at least seven children (three daughters, four sons) who were born between 1834 and 1848. The family was sufficiently affluent that they could employ a domestic servant. A few of their children died in infancy and are interred in St. Vincent de Paul (RC) Cemetery in Niagara-on-the-Lake. Presumably Mary/Maria Finn is also buried there. Patrick Finn was no longer enumerated in the 1871 census for Niagara, and it has been suggested that he may have returned to Ireland (1851 Town of Niagara Census, division 1, p. 91/46; 1861 Town of Niagara Census, division 3, p. 28; Narhi 2006: files 24-2, 25-1, 31-18, 32-1, 38-20, 39-21, 40-19, 40-21).

All prior interests in Lot 57 held by Heron, Starkweather and Brown, Clench, Small, Gilkison, and Finn appear to have been cut out in order to provide a clear title to the property. An assignment was made by the Surveyor General and a new patent was issued on October 13, 1842 to Mary Ann McAuliff (or McAuliffe) and Catherine Fitzgerald. These women were the “co-heiresses” of the late James Fitzgerald through the estate of their father, Patrick Fitzgerald, who was the eldest brother and heir of James Fitzgerald (Niagara Town “Township Papers,” p. 337).

Little biographical information available for McAuliff. She was the daughter of Patrick Fitzgerald, a native of Ireland, and a Roman Catholic. She was the wife of John McAuliff[e], and in the early 1870s she was a resident of Monkstown in County Cork, in southern Ireland. Her husband had died sometime prior to August 1848. It is not known when Mary Ann died.

Likewise there is little information about Catherine Fitzgerald. She was the daughter of Patrick Fitzgerald and was described in deeds as the “heir at law of the late James Fitzgerald.” In 1848-49 she was a resident of Toronto, in a house called “Primrose Cottage” on Queen Street East, but by 1850 she appears to have moved to Niagara. The 1851 census for the Town of Niagara showed that Catherine was born in Ireland ca. 1810, was a spinster, and a Roman Catholic. She appears to have been a member of the household of a baker named Robert Torrance. In 1861 she was a member of the household of James D[ooerty?], a shoemaker. It is unclear in these instances what status Fitzgerald held within the household beyond that of a tenant since no occupation was listed for her. Her name was not found in any subsequent census returns for the town, and land deeds clearly stated that she was dead by June 1872 (1851 Niagara Census, St. David’s Ward, division 1 p. 79/40; 1861 Niagara Census, division 2, p. 23.)

A notice which advertised the sale of Lots 57, 58 and 59 was published by Miss Catherine Fitzgerald in the *Niagara Mail* newspaper in 1848. She published additional notices in the newspapers in July 1850 which advertised these same lots available for lease (*Niagara Mail*, July 22, 1850).

Another part of this lot appears to have been sold and mortgaged through unregistered deeds. A map of the town compiled ca. 1826 showed the words “estate of John Willson” on Lot 57. Other records show that the lot was occupied by Andrew Willson, who was possibly a long-term tenant on the property. This part lot was seized by Sheriff William Kingsmill in July 1850 “at the suit of the Bank of British North America” and the “lands and buildings and erections thereon” were to be offered for sale by him at a public auction that was to be held at the Court House at noon on October 19th (*Niagara Chronicle*, July 16, 1850).

Little is known about Andrew Willson. The Niagara District Quarter Sessions records show that a man by this name recommended Garrett Vanderburgh for a tavern licence in Thorold in January 1829, and Willson was also selected to sit on the petit jury for the assizes in March 1833. The Sessions records also



include lists of prisoners confined in the Niagara gaol; one of the prisoners was Andrew “Wilson” who was confined in September and October 1832 for an unspecified crime, but who was committed on the orders of Niagara merchant and magistrate John Alma for a second time on the charge of “enticing a soldier to desert.” Wilson was confined to the gaol from Nov. 1834 until at least May 1835. The name “Andrew Willson” was not found in any of the subsequent decennial census returns for the Town of Niagara (Narhi 2006, files 3-10, 13-1, 14-14, 18-2, 18-15, 19-18, 20-1).

In February 1848, Catherine Fitzgerald ran an advertisement in the *Niagara Mail* newspaper for the sale of Lots 57, 58 and 59. In August 1848, Fitzgerald sold her interest in the remainder of the lot to Mary Ann McAuliff for £500. This property was 1.5 acres in extent (0.607 ha) and included parts of Lots 57, 58 and 59. In July 1850, Fitzgerald once again ran an advertisement in the newspapers for the lease of these lots “for building” which suggests that the property was vacant at the time. Fitzgerald must have acted in the capacity of agent for McAuliff (Niagara Memorial deeds #1553; *Niagara Mail*, Feb. 2, 1848 and July 31, 1850).

In June 1872, McAuliff sold this property to Peter Clarke and Henry Paffard for \$400 (Niagara Town deeds #426).

Clarke (b. ca. 1815) was a native of Ireland who settled in the Town of Niagara sometime before 1871. He was described in the property deed as a “gentleman.” His and his wife Margaret were members of the Roman Catholic Church and appear to have been childless. The census returns showed that they employed one or two domestic servants. Margaret died on June 8, 1877 and was interred in St. Vincent de Paul Churchyard. Peter died sometime after 1881 (1871 Niagara Census, Centre Ward, division C, p. 24; Lovell 1871:559; 1881 Niagara Census, division A, p. 23; Clarke tombstone inscription, St. Vincent de Paul Cemetery).

Paffard (b. May 24, 1824) was a native of Portsmouth, England and the son of Thomas and Mary (Miall) Paffard. He immigrated to Canada with his family in 1850 and settled in the Town of Niagara where he established himself in business as a druggist in the shop now known as the Niagara Apothecary. Paffard sold a variety of products, some of them with exotic names such as “Dr. Garden’s Worm Tea” and “Rose Hair Gloss.” His brother Frederick Paffard settled in St. Catharines where he also operated a drug store on St. Paul Street. The death of their father at the age of 80 in March 1860 was noted in the St. Catharines newspapers. Paffard was married to Hannah Eliza Wilson (1828-Feb. 10, 1899) ca. 1860. They raised a family of four children (one son, three daughters) who were born at Niagara between 1864 and 1869. Paffard was elected mayor of the town in 1871, and he also served as the treasurer for the Ontario and Erie Ship Canal Company. Paffard served for several years as the vice-president of the Niagara Historical Society. His wife died as the result of “typhoid pneumonia.” Paffard remained in Niagara for a few years following the death of his wife, but by 1906 he had moved to the Assiniboia District of Saskatchewan, and in 1911 he was a resident of Kootenay, British Columbia. Paffard died there on Jan. 3, 1912. His remains were brought back to Niagara for burial in St. Mark’s (Anglican) Churchyard (*St. Catharines Semi-Weekly Post*, June 22, 1855; *St. Catharines Journal*, Mar. 8, 1860; 1861 Niagara Census, division 2 p. 18; 1871 Niagara Census, Centre Ward division C p. 10; Lovell 1871:560; 1881 Niagara Census, division A p. 9; 1891 Niagara Census, division 2 p. 16; 1901 Niagara Census, division H2 p. 4; 1906 Saskatchewan/Assiniboia West Census, district 29A p. 9; 1911 British Columbia/ Kootenay Census, district 9, sub-district 25, p. 8; Ontario Vital Statistics, death registration #15731/1899; Niagara Historical Society pamphlets “List of Officers;” Paffard tombstone inscription, St. Mark’s Cemetery.)

Four months later, in early October 1872, Clarke and Paffard sold this lot and part of Lot 58 to Sarah Kirby Garrett for \$605. The property that Garrett purchased measured 150 feet (45.7 m) along Queen



Street by the depth of the lot. This property was divided into three parcels each measuring 50 feet (15.24 m) in width (Niagara Town deeds #444, 445, 448).

Garrett (b. ca. 1817) was a native of New York and the wife of Henry A. Garrett (b. Jan. 1, 1813), who was a merchant in New York City. Henry was a native of Upper Canada, and the son of Alexander and Emelia Garrett. The 1850 and 1860 censuses for New York simply referred to Henry as a “merchant.” The 1870 census specified that Henry was an “importer of silks.” The Garrett household included their daughter, (Mary) Augusta (b. ca. 1844) and her husband, Franklin Martine (b. ca. 1843) who was also a silk importer. Augusta and Franklin were married at Manhattan in early October 1865. They had a young son, Henry J. Martine (b. ca. 1866.) The Garrett household employed four domestic servants. Sarah K. Garrett died at Manhattan on Dec. 23, 1874 and she was interred at Woodlawn Cemetery. By 1880, Henry Garrett and the Martine family had moved to the Town of Niagara. Martine did not remain in the area and had returned to New York with his family by the autumn of 1884. Henry Garrett was married at Niagara in January 1880 to Alice Hewgill (b. England, March 1851.) One of the witnesses at the marriage was the druggist Henry Paffard. Henry and Alice Garrett had one daughter named Mary Alice (b. Nov. 1880.) Garrett was described in the 1881 census for Niagara as a “gentleman,” but later censuses referred to him as a “wholesale merchant.” Henry died at Niagara as the result of “senile decay” on April 1, 1903 (1850 *New York, New York Census*, 1st District, Ward 7, p. 24; 1860 *New York, New York Census*, 1st District, Ward 21, p. 67/663; *New York Marriage Registers*, Oct. 4, 1865; 1870 *New York, New York Census*, ward 21, p. 23/581; *New York/Manhattan death register*, Dec. 1874; 1880 *New York, New York Census*, electoral district 289, p. 7/277; *Ontario Vital Statistics*, marriage registration #6169/1880; death registration #16338/1903; 1881 *Town of Niagara Census*, District A, p. 58; 1891 *Town of Niagara Census*, district 88, division 3, p. 6; 1901 *Town of Niagara Census*, division H3, p. 3).

In August 1874, Henry A. and Sarah Garrett sold this land to Richard Brown for \$125 (Niagara Town deeds #678).

Although Brown was described in the property deed as a “gentleman” of the Town of Niagara, his name could not be found in the census returns for Niagara from 1871 and 1881 under the spellings of “Brown” or “Browne.”

Two weeks later, Brown flipped this property and sold it to three spinsters named Mary Jane, Susan and Eliza Hall (Niagara Town deeds #683).

The Hall sisters were the daughters of John Hall (b. ca. 1815-Aug. 15, 1895) who was a native of Ireland. He joined the British army around 1830 and served as a Sergeant in the 1st Dragoon Guards. This regiment was transferred to Niagara in the summer of 1838. Hall settled in the Town of Niagara where he was employed as a customs officer and customs inspector beginning in 1845. He was married in Wales in Sept. 1835 to Jane Goodyere (1818-1874.) They raised a number of children including the sisters who owned this property. Mary Jane (b. Sept. 8, 1845) and Susan (b. Dec. 10, 1847) lived at home with their widowed father. Eliza (1854-Apr. 8, 1892) was married in August 1880 to a merchant named Michael Gartlan and they resided with their six children in Stayner. The Hall family belonged to the Roman Catholic Church although John Hall was sometimes identified as a member of the Church of England. Susan Hall died at the St. Catharines General Hospital on Mar. 10, 1915 from “senility,” and Mary Jane died at Stayner on Jan. 14, 1932 from “hemiplegia.” Susan was buried with her parents at St. Vincent de Paul Cemetery in the Town of Niagara, and Mary Jane and Eliza are both interred at St. Patrick’s (RC) Cemetery in Stayner (1851 *Town of Niagara Census*, division 1, p. 66/131; 1861 *Town of Niagara Census*, division 1, p. 14; 1871 *Town of Niagara Census*, division D “East Ward” p. 17; 1881 *Town of Niagara Census*, division A p. 12; 1891 *Town of Niagara Census*, district 88, division 1, p. 10; 1891 *Stayner Census*, division F, p. 16; *Ontario Vital Statistics*, death registrations #10082/1895; 19782/1915;



30110/1932; Hall family tombstone inscription, St. Vincent de Paul Cemetery; Gartlan family tombstone inscription, St. Patrick's Cemetery, Stayner).

In August 1877, the Hall sisters sold part of this property to William John Campbell. In December 1882 and October 1884 Campbell purchased additional parcels. In June 1901 prior owner Henry Paffard executed a quit claim deed in favour of Campbell. This quit claim deed was probably registered in order to clear any outstanding clouds from the title to the land (Niagara Town deeds #801?, 1269, 1407, 2879).

Campbell (b. Jan. 6, 1848) was a native of the Town of Niagara and the son of Johnson and Ellen (Sagar) Campbell. William was trained as a blacksmith and pursued this occupation for more than thirty years. In the early 1900s until at least 1921, Campbell was employed as "house carpenter." Campbell was married at Niagara in November 1872 to Barbara Jane Davidson (b. Jan. 9, 1848). She was a native of the Town of Niagara and the daughter of John and Isabella (Torrance) Davidson. John Davidson had settled in the Town of Niagara in 1846 as a "builder." William and Barbara raised a family of at least eight children, four sons and four daughters, who were born between 1873 and 1891. A few of the children died during their infancy. Campbell was a member of the Church of England whereas his wife was a Presbyterian. Campbell suffered a fall and fractured his femur and died shortly thereafter on Dec. 11, 1932 from myocardial failure. He and his wife were interred in St. Andrew's (Presbyterian) Churchyard in Niagara (1861 Town of Niagara Census, division 2, p. 22; 1871 Town of Niagara Census, division D "East Ward," p. 16; Ontario Vital Statistics, Lincoln County Marriage Register 1872, p. 115; death registration #22111/1932; 1881 Town of Niagara Census, division A pp. 30-31; 1891 Town of Niagara Census, division 2, p. 15; 1901 Town of Niagara Census, district 85, sub-district 11-2, p. 2).

In December 1932 the title to this property fell into the possession of Barbara Jane Campbell through the estate of her late husband William John Campbell. Barbara Jane Campbell died on July 3, 1939 from "senility" (Ontario Vital Statistics, death registration #22794).

In July 1939 this land was inherited by Herbert Campbell through the estate of Barbara Jane Campbell. The legal description ("thirdly" in the deed) referred to the property as Lot 57 "save and except" a parcel previously sold which measured 48 x 95 feet in size (14.63 x 28.95 m) which commenced 70 feet (21.34 m) north of the intersection of Queen and Victoria Streets. This appears to be the land which William John Campbell sold to Sarah Jeffares (or Jefferies) in April 1901. The excepted parcel is situated directly behind the commercial block at the corner of Queen and Victoria (Bank of Montreal building) and which presently contains the business known as the "Pie-za Pizza" restaurant (Niagara Town deeds #2888A, 6655).

Lot 57 contained a two-storey, five-bay, frame dwelling house for many years (number 89 Queen Street) which was known as the "Garrett House." This building was the residence of Herbert Campbell. Thought to have been built around 1826, it was once occupied by members of the John Crooks family and afterwards by Henry A. and Alice Garrett (Garrett was a wholesale merchant.) This house was originally located on town Lot 72 near the corner of Queen and Simcoe Streets. It was moved to the Queen Street site around 1915 but removed in 1975 in order to make way for the current commercial block which occupies the corner of Queen and Victoria Streets. This house still stands at its present location at 280 Dorchester Street.

Campbell (b. Nov. 11, 1883) was a native of the Town of Niagara and the son of William J. and Barbara J. Campbell referred to above. There is little information known about his upbringing. Herbert was employed (like his father) as a "house carpenter." He lived at home with his parents and does not appear to have been married, yet he fathered one or two children (Roy, b. 1905 and Norman b. 1907.) Herbert was listed in various records such as the Federal Lists of Electors between 1935 and 1968. During his



retirement he lived in a house at 89 Queen Street which was demolished and replaced by a commercial block at the corner of Queen and Victoria streets. Herbert died at Niagara on Aug. 11, 1972 and he was interred in the family plot at St. Andrew's Church (*Ontario Vital Statistics*, birth registration #18311/1883; 1891 Town of Niagara Census, division 2, p. 15; 1901 Town of Niagara Census, district 85, sub-district 11-2 p. 2; 1911 Niagara-on-the-Lake Census, district 10, sub-district 2, p. 5; 1921 Niagara-on-the-Lake Census, district 100, sub-district 51, p. 12; 1968 Federal List of Electors, poll 6, p. 8804).

In August 1972 this land was inherited by Norman D. and Nellie A. Campbell through the estate of Herbert Campbell. The property was transferred to them by Jessie R. Gregory (widow) who was the executrix of Herbert Campbell. It includes the structure presently standing on the site and known municipally as 178 Victoria Street (Registry deeds #264298).

Norman Campbell (b. ca. 1907) was described in the census returns as being a native of British Columbia and was said to be the son of Herbert Campbell. He was raised and educated in the Town of Niagara-on-the-Lake and was employed as a bookkeeper in 1935. By the early 1950s he had moved to the City of Niagara Falls where he was employed as a salesman. He later owned a store on the Niagara Parkway (Niagara River Road) during the 1960s. After his retirement he moved to St. Catharines. He and his wife Nellie resided on Colton Avenue in Port Dalhousie during the 1970s and on Main Street during the 1980s and 1990s. Nellie Campbell died around 1989 and Norman died around 1997 (1935 Federal List of Electors, poll 56, p. 5018; 1953 Federal List of Electors, poll 3, p. 8775; 1963 Federal List of Electors, poll 4, p. 11328; 1965 Federal List of Electors, poll 4 p. 11955; 1972 Federal List of Electors, poll 292, p. 24176; Vernon's St. Catharines city directories, 1985-1997).

In February 1975, Campbell sold this property to Paul J. F. Mortimer (Registry deeds #308097.) In July 1975, Mortimer flipped this land and sold it to Angela Strauss. The property was mortgaged by Strauss on four occasions between 1980 and 1983 for \$190,000 (Registry deeds #317666, 424304, 427681, 431116, 456291).

Angie Strauss was a native of Cyprus, the daughter of a British mother and a Greek/Cypriot father. She moved to London, England as a child and later studied to become a hair stylist. While she lived in England she worked as an extra in a number of feature films and was a hair model for Vidal Sassoon. Strauss moved to Toronto in the 1960s where she opened a hair salon on Yonge Street. She studied at the Ontario College of Art and at George Brown College where she specialized in ceramics. Strauss was forced to give up her work in ceramics due to an injury and switched to Impressionist painting instead. She established a successful business for herself, "Angie Strauss' Garden Gallery," which sold women's wear, paper products, and home décor items, all based upon her own original art creations. She was married to her husband, Hartley Strauss, in 1969 who was the owner of a business known as "Hartley Strauss Environments Ltd." They had a family of two children. They were long-time residents in the Town of Niagara-on-the-Lake, but now reside in Niagara Falls where Strauss has opened her "Angie Strauss Home Art Gallery." She has been the recipient of various local awards such as "business woman of the year," and "entrepreneur of the year."

The records for this lot were automated in February 1998 as part of PINs 46397-0099 and -0106. The Land Registry "Block map" contains the notation: "the boundaries between properties 0099 and 0106 cannot be defined." Any subsequent land ownership history from the time of automation to the present would require a PIN search.



Lot 58, Registered Plan 86

This one-half acre (0.202 ha) lot was originally granted to James Farquharson (or Farguharson) through a Land Board certificate issued to him on Feb. 8, 1794. He specifically petitioned the Board for a grant of this lot on Dec. 5, 1793. He was erroneously listed as the grantee of the lot in a list of owners dated May 11, 1795. The location for this lot was assigned (transferred) by Farquharson to James Fitzgerald on August 23, 1794, and a “description” for it was issued to Fitzgerald by the Surveyor General in the following year. Other early land related records suggest that Andrew Heron possessed some interest in part of this lot (Upper Canada Sundries, report from Thomas Ridout, Sept. 5, 1817, pp. 15953-15955; Niagara Town “Township Papers,” pp. 386-389, 478).

Farquharson had served as the Assistant or Deputy Commissary General at Fort Niagara between 1776 and 1796. He had previously been granted 500 acres (202.35 ha) of land on the Outawa River in Lower Canada in 1788, which he requested “be laid off for him where the 84th [Regiment] are to have their lands.” In November 1792 he petitioned for addition land in Upper Canada. His petition noted that he had received “an allowance of Captain in lodging, fuel, &c,” and “conceives himself entitled to a like proportion of lands.”⁸ The rear of the petition was endorsed with the terse notation “No More.” Farquharson petitioned for land on a second occasion, apparently in 1796, but that petition is no longer extant. Farquharson was believed by Lieut. Governor Simcoe to have possessed “a universal and most excellent character” but in late 1795 it came to the attention of the government that “great defalcations” had taken place in the quantities of flour, peas, rice and pork which were held in the King’s stores at Fort Niagara. Farquharson ran an advertisement in the Upper Canada Gazette in May and June 1795 calling for foodstuffs to be delivered to his department “for the use of the government at Niagara.” In particular the flour deficit amounted to 235,327 lbs. (106,744 kg) which in turn meant that there were shortages in the provisions which were forwarded to the garrison at Detroit. Farquharson explained these shortages as being due to bad weather and a poor harvest, which meant that the expected delivery of grain from the local farmers had not been received. Upon further investigation, it was discovered that similar shortages had been experienced as far back as 1787-88. In April 1796 Lord Dorchester ordered that Farquharson be immediately sent to Quebec “to be tried by a general Court Martial for having misapplied and embezzled the King’s stores entrusted to his care or upon such other charges as it shall be found expedient to bring against him.” Dorchester further ordered that Simcoe was to collect evidence such as receipts from the local farmers and merchants, and to establish a Board of Enquiry to “investigate the whole business.” On May 23, 1796, Simcoe reported back to Dorchester that Farquharson had been for some time “in so infirm a state of health that it appears doubtful whether it will be practicable for him to undertake the journey.” Farquharson died testate in 1796, and in May 1797 his executor George Forsyth (a prominent Niagara merchant) petitioned the government for the additional lands that had been requested by the deceased “for the benefit of his heirs.” The board was resolute and upheld their previous decision that Farquharson had received all the lands in Lower Canada that he was entitled to receive. “The Board consequently does not regard themselves at liberty to make any addition especially as the petitioner, James Farquharson, is since dead. The prayer of this petition is, of course, refused.” (Upper Canada Land Petitions, F1/42 [1792] and F2/39 [missing]; petition F3/65 [1797]; *Upper Canada Gazette*, June 10, 1795; Cruikshank 1926:242, 269-270, 273-274; Fraser 1929:41, 45; Fraser 1930:38; Fraser 1931:148).

This lot was subsequently patented by James Fitzgerald on May 6, 1796.

Part of this lot appears to have been sold by means of an unregistered deed which was in the possession of Matthew Dobie. In October 1839 Dobie mortgaged part of his property in favour of Richard Hiscott for

⁸ Captains were originally entitled to receive 700 acres (283 ha) but this was later increased to 3,000 acres (1,214 ha.)



£500. Hiscott is known to have owned part of the adjoining Lot 39. In February 1840 Dobie quit-claimed part of this property to John Fraser for £150. This land was described as a parcel 30x114 feet in size (9.144 x 34.74 m) fronting onto Queen Street (Niagara Town Memorial deeds #13012, 1507).

Dobie (b. ca. 1796) was a native of Scotland who settled in Niagara with his brother James sometime around the War of 1812. Both men were engaged in business as blacksmiths; James had a shop near Queenston and Matthew had his shop in the Town of Niagara by 1823-24. Matthew was frequently named in the records for the Niagara District Quarter Sessions between 1828 and 1837, for manufacturing various iron goods for the gaol (bolts, rings, chisels, shovels, shackles, chains, fetters, hand cuffs, grates, a “hoop for a man’s body” &c. Dobie served as a juror in July 1831, and recommended various men for tavern licences in 1832-33. Dobie was confined to the gaol for two days for an unnamed offence in early October 1836. He was assaulted by John Pinder in March 1833, and was charged with assault and battery in May 1833 by John Cornell and Joseph Wynn. In October 1831, Dobie charged a local black man, Joshua Strother (barber), with stealing two pigs valued at 10 shillings. In February 1837 Dobie brought charges against Peter Lawrence for the theft of horseshoes. Dobie was a member of the Niagara Fire brigade (Hook and Ladder Co.) between 1829 and 1834. He was enumerated in the census returns for the Town of Niagara in 1851 and 1861. He appears to have had a daughter or relative named Sarah (b. ca. 1834) who resided with him in 1851. His name was not found in the 1865 directory for the Town of Niagara, nor was he listed in the 1871 census which suggests that he died sometime during the early 1860s (1851 Town of Niagara Census, St. David’s Ward, division 1, p. 43/85; 1861 Town of Niagara Census, division 2, p. 22; Narhi 2006, files 2-1, 6-18, 10-19, 11-29, 14-29, 15-51, 19-15, 25-2, 28-17, 30-3, 35-16).

Hiscott (1790-Mar. 26, 1874) was a native of Wiltshire, England, and the son of Edward and Mary Hiscott. He was a veteran of the Peninsular War having served in the 76th Regiment of Foot. Hiscott settled as a farmer in Niagara Township during the early 1830s with his wife Mary and three children. He served as a juror in 1833 and again in 1839, and made recommendations to the magistrates at the Quarter Sessions for improvements to the conditions in the Niagara gaol. Hiscott was married for a second time in January 1865 to Eliza Ann Hiscock. He and Elizabeth later moved to a residence in the Town of Niagara where Richard died as the result of “old age.” He was interred in the family plot at St. Mark’s (Anglican) Churchyard (1851 Niagara Township Census, division 2 p. 79; 1861 Niagara Township Census, division 4 p. 7/43; Lincoln County Marriage Register 1858-1869; 1871 Town of Niagara Census, Centre Ward, division C p. 4; Ontario Vital Statistics, death registration #5049/1874; Hiscott tombstone inscription, St. Mark’s Anglican Churchyard; Narhi 2006, files 13-30, 14-29, 14-30, 35-20).

All prior interests in Lot 58 held by Dobie, Fraser and Hiscott appear to have been cut out. In order to provide a clear title to the property, a new patent was issued on May 20, 1846 to Mary Ann McAuliff (aka, McAuliffe) and Catherine Fitzgerald. These women were the “co-heiresses” of the late patentee James Fitzgerald.

In August 1848, Catherine Fitzgerald sold her interest in the remainder of the lot to Mary Ann McAuliff for £500. This property was 1.5 acres in extent (0.607 ha) and included parts of Lots 57 and 59 (Niagara Memorial deeds #1553).

The chain of title for this lot follows as described on part Lot 57 above (i.e., Peter Clarke and Henry Paffard, June 1872; Sarah Kirby Garrett, October 1872; Richard Brown, August 1874; Mary Jane, Susan and Elizabeth Hall, August 1874; and William John Campbell in August 1877).



Royal George Theatre Parcel (83 Queen Street)

In February 1914, William John Campbell sold that part of Lot 58 (the Royal George site) to Margaret R. Norris for \$625. This deed granted to Campbell and his wife the right during their lifetimes to “draw water from a pipe from the above described lands...from the artesian well located on said property.” Campbell was free to draw as much water as he wished for his personal use without charge from this well (Niagara Town deeds #4492).

Norris was described in the deed as a “married woman” of the Town of Niagara. No biographical data could be located with respect to her.

In September 1916 Norris sold this part lot to William A. Rogers for \$3,500 (Niagara Town deeds #4754).

Rogers was described in the deeds to this property as a Toronto “manufacturer.” His wife in the deed was named as Anna S. Rogers. This individual appears to have been the founder of William A. Rogers Ltd., later known as the Canadian William A. Rogers Ltd., located at 570 King Street West. This firm manufactured and exported “the highest-grade silver-plated flatware, cutlery, hollow ware &c.” The firm was later part of the Niagara Silver Co., and is now part of Oneida. Although the deed described Rogers as being “of Toronto,” the instrument was actually executed in the Bronx in New York City.

In November 1918, Rogers sold this property to Jessie Elizabeth Reid (Niagara Town deeds #4875).

Reid (b. Feb. 27, 1872 or 1873, 1875, 1876?) was a native of Niagara and the daughter of Albert and Frances A. (Goring) Ball. Little is known about her upbringing. Her Loyalist ancestors had lived in the Niagara area since the end of the American Revolutionary War—her great-great grandparents were Francis and Lucy (Secord) Goring, and Herman and Ann Newman (Kennedy) Hostetter. Her grandfather Edward Goring (ca.1815-1876) was a stone mason by profession. Jessie’s father was not part of the Loyalist Ball family of Niagara, but rather part of another unrelated family from New York State that settled in Niagara in the 1850s. Jessie was married to George Reid sometime around 1893. Her husband (b. Mar. 27, 1872 or 1874, 1875?, d. Feb. 20, 1951) was a native of the Town of Niagara and the son of Robert M. and Louisa E. (Kemsley) Reid. Records state that Robert was a native of Bermuda who had settled at Niagara sometime during the 1850s. He resided in later years at Fort George where he was employed as the “caretaker of government property.” The Reid family was connected by marriage to a few early Loyalist families including Clench and Crysler. George was employed in the Town of Niagara as a “house painter” and “electrician.” George and Jessie lived on Prideaux Street and raised three sons who were born between 1894 and 1903. Jessie died intestate as the result of “apoplexy” on June 7, 1927. She and George were interred in the family plot at St. Mark’s (Anglican) Churchyard in Niagara-on-the-Lake (1901 Town of Niagara Census, division H2, p. 3; 1911 Town of Niagara Census, district 2, sub-district 10, p. 6; 1921 Town of Niagara Census, district 100, sub-district 51, p. 13; Ontario Vital Statistics, death registration #20856/1927; Reid family tombstone, St. Mark’s Churchyard).

In September 1940, George Reid and others (as the heirs and executors of the estate of Jessie E. Reid) sold this land to John Samuel Allen for \$4,000 (Niagara Town deeds #6607).

Allen (originally Giovanni Serravalli, b. Sept. 21, 1896) was said to have been a native of Saint John, New Brunswick. Allen was of Italian ancestry, possibly the son of Salvatore Serravalli; the family originated in Cosenza, Italy. Allen may have been the individual named as “Giovanni (John Allen) Serravalli” who became a naturalized Canadian citizen in October 1926. This record noted that Giovanni was born in Italy and was in business as a merchant in Thorold. His wife, named Maria, became a citizen



at that same date. There were several families in Thorold from the 1920s onward named “Serravalli” and “Serravelli” who may have been related to one another. Some records noted that Allen became a resident of Thorold in 1912. The Vernon’s directories referred to Allen as a “theatre manager” or “theatre proprietor” from the 1920s until 1955. He was described as being a “pioneer in the movie theatre business” in the Niagara district. He was the manager of the Tivoli Theatre in Thorold, which was reputed to have been the first theatre in the local area to screen “talkies” in the late 1920s. Allen also owned a theatre in Crystal Beach as well as the Royal George in Niagara-on-the-Lake. He also appears to have operated a billiard hall in Thorold during the early 1930s. Allen served as the president of the Theatre Manager’s Association of St. Catharines, was a director of the Motion Picture Theatre Association of Ontario, and was a member of the Theatre Association of Canada. Allen was active in the community, and was a member of Variety Village, of the Thorold Kiwanis Club, and the chairman of the local pool and carnival committees. Allen closed the Tivoli in Thorold in early 1958 due to “lack of patronage” and later declared bankruptcy. Allen was married to Maria or Mary Ferrara (b. April 14, 1900) and they raised a family of two sons. One of these sons (“Johnnie,” 1941-1947) underwent surgery for protruding ears and died as the result of cardiac arrest caused by the cyclopropane gas anesthetic. Allen lived with his family for a time on Ormond Street North in Thorold before moving to Welland Street South. Allen died at the St. Catharines General Hospital on August 17, 1961. He was interred in his family plot at Lakeview Cemetery in Thorold (*Vernon’s Thorold Directories, 1927-1962; Canada Gazette 1926-27, naturalization records, Oct. 26, 1926, p. 593; obituary, St. Catharines Standard, Aug. 18, 1961, p. 28; Allen family tombstone inscription, Lakeview Cemetery, Thorold*).

In July 1962 the estate of John Allen made an assignment in bankruptcy. W.W. Pollock of St. Catharines was appointed “trustee” and four others were appointed “inspectors” of the estate. In October 1962 Pollock sold this property with the consent of the inspectors to Dewey Loring McCourt for \$7,500 (Niagara Town deeds #86767).

McCourt (b. Jan. 6, 1917) was a native of Monkton, in Elma Township (Perth County), and the son of Howard Dean and Susan McCourt. The family had lived as farmers in Elma Township since the nineteenth century. Dewey was described in border crossing records in June 1938 as having brown hair, blue eyes, standing 5’10” (177 cm) but weighing just 130 lbs. (58 kg.) This underweight was attributed by the physicians to sickness from possible exposure to tuberculosis as a child, and it was noted that it affected his ability to earn a living. At the time he was employed as a “ticket seller.” Dewey was also employed as a taxi driver. Between ca. 1942 and 1945 Dewey lived on Westchester Avenue and on St. Paul Street in St. Catharines. During that period, he was the assistant manager and then the manager of the Palace Theatre near the corner of St. Paul and Carlisle Streets. By 1946 he had moved to Niagara-on-the-Lake where he managed the Royal George (Brock) Theatre for 26 years. He was a member of the Motion Picture Theatres Association of Ontario, a member of the Canadian Picture Pioneers, and a member of the Niagara Chamber of Commerce. In 1948 he established the Town Taxi Service in Niagara-on-the-Lake. In The family residence for many years was at nearby 277 Regent Street. Dewey was married in the 1940s to Marjorie Kathleen Taylor (June 1, 1920-Feb. 11, 2011) who was a native of Toronto. They had two children, a daughter named Hilary (1947-2001) Bald who later lived in Beamsville, and a son Howard. Dewey died on Mar. 4, 1971. He and Marjorie are interred in the Niagara Lakeshore Cemetery (*1921 Elma Township Census, p. 15; 1938 Port Huron Border Crossing Records; Vernon’s St. Catharines Directories, 1940-1946; 1945 Federal List of Electors, poll 16, p. 6199; 1949 Federal List of Electors, poll 68, p. 6804; 1962 Federal List of Electors, poll 143, p. 9649; 1968 Federal List of Electors, poll 6, p. 8805; St. Catharines Standard, McCourt obituary, Mar. 5, 1971; McCourt tombstone inscription, Niagara Lakeshore Cemetery*).



In November 1971, Marjorie McCourt (widow and executrix of Dewey) transferred ownership of the theatre property to herself. In November 1972, she sold this land to the Canadian Mime Theatre (Registry deeds #239394, 257752).

This land was mortgaged by the Canadian Mime Theatre on at least three occasions for a total of \$275,000 between November 1972 and May 1977. In March 1980 the Public Trustee transferred this land to the Court House Theatre Holding Foundation, and in April of the same year the Canadian Mime Theatre quit-claimed any interest held by it to the Court House Theatre (Registry deeds #415695, 415696).

Between August 1980 and March 1985 various agreements, Reference Plans and site plan agreements were registered on title to this property between the Shaw Festival and the Town of Niagara-on-the-Lake (Registry deeds #422546, 30R-4036, 493884).

The records for this lot were automated in February 1998 as part of PINs 46397-0102 and -0103. Any subsequent land ownership history from the time of automation to the present would require a PIN search.

79 Queen Street Parcel

In September 1874, Peter Clarke and Henry Paffard sold that part of Lot 58 containing 77-79 Queen Street to Mary Jane Stubbs for \$390 (Niagara Town deeds #442).

Stubbs (b. Oct. 22, 1838) was a native of Queenston and the daughter of William and Mary Jane (Miller) Mathews. Her father was a native of England and was a comb maker by profession. Mary Jane was married to William Stubbs on Sept. 15, 1858. William Stubbs (b. Mar. 14, 1836) was a native of Quebec and the son of George and Ann (Tipper) Stubbs. The census returns listed various occupations for William at Niagara, which included “trader,” “wagon maker,” “carriage builder” and “stage driver.” He and Mary Jane raised a family of twelve children (five sons and seven daughters) who were born between 1859 and 1886. The family belonged to the Wesleyan Methodist Church, and in 1871 they were the neighbours of mayor Henry Paffard. Their household included a younger sister, Charlotte Matthews, who resided with the family in the early 1870s. The family had left Niagara and had settled in Sarnia (Lambton Co.) by the early 1880s. William had purchased a farm there (Lot 15 Concession 6) where he took up farming. William died on March 1, 1898 from stomach cancer, and Mary Jane died on Oct. 1, 1909 from heart failure and arteriosclerosis. They were interred in their family plot at Lakeview Cemetery in Sarnia (1851 Niagara Township Census, division 2, p. 39; 1861 Town of Niagara Census, division 2, p. 18; 1871 Town of Niagara Census, Centre Ward, division C, p. 10; Ontario Vital Statistics, death registrations #12464/1898 and 16259/1909; Stubbs family tombstone inscription, Lakeview Cemetery, Sarnia).

In April 1878 Stubbs sold this part lot to George Durand for \$600 (Niagara Town deeds #947).

George Godfrey Durand (b. Sept. 15, 1805) was a native of Upper Canada and the son of Capt. James Durand (1775-1833) by his first wife Helen Godfrey (d. 1806.) James was a native of Wales who appears to have studied commercial law and was sent to Upper Canada in 1802 as the agent for a mercantile establishment. James took over the management of the Bridgewater Mills on the Chippawa Creek and then set about acquiring nearly 2,600 acres (1,052 ha) of land in his own name. James settled temporarily with his family at Long Point before taking up land in Ancaster. James became a prominent businessman at the Head of the Lake, as a merchant, miller, sawyer, land registrar and as a member of the Legislative Assembly for Upper Canada. Tragedy struck the young family in 1806 when Helen Durand was killed when she was thrown from her carriage while descending the escarpment near Hamilton. James was then



married to Kezia Morrison who raised several children of her own in addition to her step-children. Little is known about George's early life although he appears to have assisted his father in the family business. There was an individual named "George Durand" recorded in the Thorold census as a "farmer" in 1842, and another Durand who lived in Toronto during the 1850s and early 1860s. The Toronto resident appears to have been a widower with two daughters. It is not clear whether these records referred to the same George Durand who was the Niagara land owner although they were of an identical age. Durand was married at Niagara in early January 1867 to Caroline Emily Hamilton (Jan. 4, 1835-Nov. 26, 1900.) She was a native of Queenston, and the daughter of Sheriff Alexander Hamilton (1790-1839) of Willowbank by his wife, Hannah Owen Jarvis (1797-1888). Caroline's grandparents were William Jarvis (the provincial secretary of Upper Canada) and Hannah (Peters) Jarvis. The Durand, Hamilton and Jarvis families were closely connected by marriage: George Durand's older sister Harriet (1802-1856) was married to Peter Hunter Hamilton, son of the Queenston merchant Robert Hamilton. Peter Hunter Hamilton (1800-1857) was therefore the uncle of George Durand's wife. George and Caroline raised a family of five daughters who were born between 1868 and 1874. George Durand died on Nov. 20, 1880 from "typho-malarial fever complicated by urinary calculi" (kidney stones.) Caroline died as the result of "progressive anemia." She was interred along with other members of her family in the Hamilton family burial ground near Willowbank. George Durand was not interred at Willowbank with his wife and children, but rather was buried with his parents in their family plot in the Anglican Cemetery at Ancaster (*St. Mark's Anglican Church baptismal register October 1812; 1842 Thorold Census, division 9; 1851 Niagara Township Census, division 2 p. 33; 1861 Toronto Census, St. James' Ward, division 5, p. 1227; 1871 Niagara Township Census, division A2 p. 54; 1891 Niagara Township Census, division 1, p. 26; Chadwick 1894:146-148; Ontario Vital Statistics, death registrations #9025/1880, 16287/1900; Durand family tombstone inscriptions, Hamilton Family Burial Ground, Queenston; Durand family tombstone inscription, Ancaster Anglican Cemetery; Weaver 1981:42-49).*

In March 1881, John A. Mackenzie and others (as executors of the Durand estate) sold this property to Martin Kearins for \$600 (Niagara Town deeds #1138).

Kearns (b. Jan. 12, 1844) was a native of the Town of Niagara and the son of Martin and Hannah (Cullan) Kearins. His father (whose name was variously listed as Kearns, Kairns, Kerrins) was born around 1804 in Ireland. Records show Martin had settled in the Town of Niagara around 1828. He was granted a tavern licence at the Quarter Sessions in January 1836 and he was appointed to serve as a constable for the Town of Niagara in April of the same year. Kearins served as a constable in 1837 but the records do not indicate that he was reappointed to this position in 1838. In March 1839 the magistrates "admonished" him for his refusal to take the oath of allegiance to Her Majesty the Queen. His tavern licences were renewed each year until at least 1851. The census for 1851 specified that he was a "Temperance House keeper." Kearins submitted a special account to the magistrates for his services in attending upon Aaron Seeley, a condemned man in the Niagara gaol who was awaiting execution. Kearins was named as a witness in a few criminal cases, and in February 1838 he was found to be in possession of a pair of stolen boots. One record in the Quarter Sessions in March 1838 referred to "Matthias" Kearns, but this was probably an error in the draft minutes for the Sessions. Later records show that Kearins was a "labourer." He was married at Niagara on Mar. 20, 1829 to Hannah Cullen (aka, Cullin, Cullan, or Culley, 1808-May 10, 1889.) They raised a family of at least six children (four sons, two daughters) who were born between 1833 and 1848. The family belonged to the Roman Catholic Church. Martin Kearins Sr. died on Dec. 18, 1874. He and Hannah are buried with their children in the family plot at St. Vincent de Paul Churchyard in Niagara. Martin Kearins Jr. lived at home and never married. He established himself in business at Niagara as a baker, a profession from which he retired in 1913. His obituary noted that he served with the local militia in the defence of the province during the Fenian Raid of 1866. He died at the Lyndhurst Private Hospital in Toronto on March 25, 1914 as the result of an aortal aneurism and dilation of the heart. He was interred in the family plot at Niagara (St. Vincent De Paul, marriages, 1829; 1851 Town of



Niagara Census, division 1 p. 50/99; 1861 Town of Niagara Census, division 3, p. 28; 1871 Town of Niagara Census, West Ward, division B p. 8; 1881 Town of Niagara Census, division A p. 55; 1891 Town of Niagara Census, division G3 p. 1; 1901 Town of Niagara Census, division H3 p. 1; Niagara Times, Mar. 27, 1914 p.5; Ontario Vital Statistics, death registration #2411/1914; Narhi 2006, files 31-1 and 31-10; Kearins family tombstone inscription, St. Vincent de Paul Cemetery).

In November 1907 Kearins severed his land and sold part of the property to Augustus H. Crosby for \$600. Three weeks later a correcting deed was registered on title to rectify the legal description of the land (Niagara Town deeds #3862, 3877).

Crosby (b. July 1844) was a native of Frankfort, in Herkimer County, New York (east of Utica), and was the son of John and Mary (McBride) Crosby. Crosby served as a private with the Union forces during the American Civil War in the New York 2nd Artillery Company “L,” in 1863-64. He returned to Frankfort where he was married to a woman named “Debra.” In 1870 his occupation was listed as “church sexton.” Crosby moved to Belleville, Ontario, in 1872 and became a naturalized Canadian in 1885. While in Belleville he owned a grocery store (1881), a “fancy goods” store (1891) and a sporting goods and fishing tackle store (1895-1899). He moved to the Town of Niagara where records described him as a “merchant,” but his obituary noted that he conducted a “successful confectionary business” on Queen Street for a period of six years. Other records such as property deeds simply described him as a “gentleman” of the Town of Niagara. He gave up his business on account of ill health, and he returned to Belleville with his fourth wife. Crosby was “deeply interested in church and town affairs, the firemen being the special object of his friendly regard.” The family belonged to the Methodist Church. Crosby was married to an English woman named Hellen or Ellen (1842-June 7, 1889), then around 1890 to a woman named Margaret Matheson (ca. 1869-1893), and finally in August 1894 to his fourth and last wife, Hannah Matilda VanWart (1876-1938), who was a native of Rednerville, Ontario. Crosby had one child by his third wife, a son named Augustus Matheson Crosby, who died in August 1891 aged 4 months from a bowel complaint. Augustus H. died in Belleville on Nov. 7, 1912 “following an illness of several months” and he was interred in his family plot at the Belleville Cemetery (1860 Frankfort/Herkimer Census, p. 33; 1870 Frankfort/Herkimer Census, p. 25; New York State Town Clerk’s Registers of Men who Served in the Civil War; 1881 Belleville/Hastings Census, division C4, p. 4; 1891 Belleville/Hastings Census, division A2, p. 3; 1899 Belleville Directory, p. 432; 1901 Town of Niagara Census, division H1, p. 3; Ontario Vital Statistics, birth registration #17803/1891; marriage registration #10524/1894; death registration #6443/1891, 17951/1938; *St. Catharines Standard*, Nov. 18, 1912 p. 2).

In October 1911, Crosby sold this land to Herbert Travis Currie for \$800. The deed described the property as containing 5,920 square feet (Niagara Town deeds #4275).

Currie (b. Mar. 29, 1862) was a native of Saint John, New Brunswick and the son of Frederick M. and Eliza (Perry) Currie. He had a twin brother named Bartlett Currie. His mother is thought to have been born at Youngstown, New York, and was a direct descendant of Edward Doty who arrived at Plymouth aboard the *Mayflower* in 1620. Little information is known about Currie’s childhood, although by 1870 his family had moved to Porter, which is part of the Town of Ransomville in Niagara County, New York. His father died in 1872, and sometime thereafter the family moved to the Town of Niagara. Herbert and his siblings were listed in the 1881 census as farm labourers. Currie appears to have been listed twice in the 1891 census—once as part of his mother’s household as a “baggage man,” and then with his wife and child in his own household as a “fruit dealer.” Some records simply described him as a “merchant.” The 1901 and 1911 census returns described Currie as a “gardener.” Later records referred to him as a “laborer” and “caretaker.” He was married to Olive B. Buckner (aka, Bucken) around 1885. She was born in New York City either in June 1866 or July 1867, and was the daughter of George and Olive (Elliott) Buckner. Olive settled in Ontario as a child in 1875. Herbert and Olive had just one son, named Herbert



Sadler Currie (Feb. 6, 1886-Aug. 6, 1914). He was a “decorator” who died unmarried. Herbert and Olive lived either on Gate Street or Prideaux Street in 1921 where he was the proprietor of a restaurant. Herbert died from tuberculosis on Dec. 19, 1927, and Olive later died at the Niagara Cottage Hospital on Dec. 12, 1943 from “cardiac decompensation.” The Curries are interred in the family plot in the small Methodist-United Church Cemetery on Gate Street in Niagara (1870 Town of Porter/Niagara County, New York Census, p. 43; 1881 Town of Niagara Census, p. 18; 1891 Town of Niagara Census, division 3, pp. 8 & 14; Doty 1897:740; 1901 Town of Niagara Census, division H3, p. 5; 1911 Town of Niagara Census, division 3, sub-district 10, p. 7; 1921 Town of Niagara Census, district 100, sub-district 51, p. 27; Ontario Vital Statistics, death registrations #21123/1927 and 24818/1943; Currie family tombstone inscription, Methodist Cemetery, Niagara-on-the-Lake).

In October 1914, Currie sold this land to Mary Elizabeth Mulholland, the wife of James Thomas Mulholland, a Niagara merchant, for \$875 (Niagara Town deeds #4552).

Mary E. Mulholland (b. March 1869 or 1874?) was said to have been a native of St. Catharines and the daughter of Daniel and Ann (Greene) McLean. Little is known about her upbringing. She was married at St. Vincent de Paul Church in Niagara in July 1907 to James Thomas Mulholland. James (May 15, 1872-May 3, 1921) was a native of London, Ontario, and the son of Thomas and Sophia Ellen (Petley) Mulholland. Thomas died when James was a child, and the 1881 census showed the widow Mulholland and her son as residents in the Town of Niagara. Sophia operated a dry goods shop in the town. Their next-door neighbour was an elderly ship carpenter named William Petley who was undoubtedly related to Sophia. James assisted his mother in the family business, and later census returns described him as a “dry goods clerk” and “dry goods merchant.” James and Mary Eliza appear to have had just one child, a son named Joseph Thomas, who was born in Niagara on Oct. 16, 1908. James died in 1921 as the result of pulmonary tuberculosis. His widow continued to manage the dry goods business during the 1920s and ‘30s. Mary Mulholland died on March 15, 1952. Their son Joseph died unmarried. They are all interred in the family plot at St. Vincent de Paul (1881 Town of Niagara Census, division A p. 32; 1891 Town of Niagara Census, division 2, p. 6; 1901 Town of Niagara Census, division H2, p. 2; Ontario Vital Statistics, marriage registration #13608/1907 and death registration #20117/1921; 1911 Town of Niagara Census, district 93, sub-district 10-2, p. 3; 1921 Town of Niagara Census, district 100, sub-district 57, p. 12; Mulholland tombstone inscription, St. Vincent de Paul Cemetery; GR#9916).

In January 1942, the widow Mulholland transferred this property to Mary Eliza and Joseph Thomas Mulholland (Niagara Town deeds #6751).

In July 1959, Joseph T. Mulholland sold this property to Priscilla Tranter. In February 1973, she transferred this land to herself and her husband, Henry A. Tranter (Registry deeds #45527, 262614).

H.A. Tranter (Oct. 12, 1895-Feb. 10, 1976) was a native of Dover in Kent, England, and the son of Henry John and Annie Eliza (Lockhart) Tranter. Henry embarked from Southampton in June 1910 aboard the S.S. *Philadelphia* bound for New York. In 1917 he was employed as a “carbonizer” for the American Sales Book Co. in Niagara Falls, N.Y. His United States draft registration card described him as medium stature, slender build, with brown hair and eyes. This record also suggests that he was a naturalized American citizen at the time. Later in the year 1917 he crossed into Canada and moved to Bobcaygeon where he worked as a farmer. It was there that he met Priscilla Murdock (or Murdoch). Priscilla (Feb. 20, 1897-May 30, 1982) was a native of Harvey Township, and the daughter of James and Lusha J. Murdock. This family later moved to Verulam Township in Victoria County. They were married in April 1919, and afterwards moved to Niagara Falls, Ontario, where Henry found employment as a railway “boiler maker’s helper.” While in Niagara Falls the family resided on Kitchener Street. They had one son, Roy A. (b. 1920) who studied dentistry. Sometime after 1921 the family moved to Niagara-on-the-Lake where Henry



established himself in business as a barber. Priscilla worked with him as a “hair dresser.” Henry and Priscilla lived at 77 Queen Street in Niagara, and their son lived nearby on Prideaux Street. Henry and Priscilla had retired by the late 1960s. They are both interred in St. Andrew’s (Presbyterian) Churchyard in Niagara-on-the-Lake (1901 Verulam Township/Victoria South Census, division G2, p. 1; United States WW1 Draft Cards, Niagara Falls, NY, Tranter #6905; Ontario Vital Statistics, birth registrations #34149/1897; marriage registration #2485/1919; 1921 Niagara Falls Census, district 138, sub-district 36, p. 14; 1935 Federal List of Electors, poll 56, p. 5019; 1958 Federal List of Electors, poll 128, p. 8754; 1968 Federal List of Electors, poll 6, p. 8806; 1974 Federal List of Electors, poll 15A, p. 11957; Tranter family tombstone inscription, St. Andrew’s Churchyard).

In January 1983, Roy Augustus Tranter of Chatham (as executor of the estate of Priscilla Tranter) sold this property to the Shaw Festival Theatre Foundation, Canada, for \$70,000 (Registry deeds #456178).

In July 1985, Shaw sold part of this property to Angela Strauss. The parcel was described as “part 1” on Reference Plan 30R-4161. In December 1997 the property was encumbered with a mortgage in the amount of \$200,000 in favour of Canada Trustco Mortgage Co. (Registry deeds #499528, 735934.) The records for this lot were automated in February 1998 as parts of PIN 46397-0103. Any subsequent land ownership history from that time to the present date will require a PIN search.

Remaindered Parcel (east of 178 Victoria)

This land (part Lot 58) follows the same chain of title from Campbell to Strauss. The records for this lot were automated in February 1998 as parts of PINS 46397-0099 and -0106. Any subsequent land ownership history from that time to the present would require a PIN search. The Land Registry Office “Block map” contains the notation: “the boundaries between properties 0099 and 0106 cannot be defined.”

Remaindered Parcel (behind the Royal George)

There is a small, “L” shaped parcel of land situated at the rear of the Royal George Theatre which is composed of part Lots 57 and 58. This parcel has been included within the metes and bounds description for the commercial block on Queen Street adjoining the Royal George theatre, and containing the Bank of Montreal and “Russell’s” (“Russell’s at Home”) boutique. This land measures 55.3 feet in width behind the theatre by a depth of 19.75 feet (16.85 x 6.01 m.) It is linked to the commercial block by a narrow strip of land which abuts the westerly wall of the theatre.

In March 1973 Jessie Ruth Gregory (as executrix of the estate of Herbert Campbell) sold this land to Oscar Paul Johns for \$45,000. There were various mortgages, leases and other instruments registered on title to this property between 1974 and 1978 (Registry deeds #264347, 357359).

Johns (1914-1985) was a native of Toronto and the son of Oscar H. and Jessie Johns. His father was a native of Germany who settled in Canada in 1891 and was employed as a glassblower; he eventually opened his own firm, the “O.H. Johns Glass Co.,” on Broadview Ave., “manufacturers of surgical and scientific glassware and neon supplies.” The family resided for many years on Simpson Avenue. Oscar Paul trained as an artist and was employed during the mid-1930s by a commercial artist named Eric Aldwinckle and afterwards by E.S. and A. Robinson (manufacturers of paper products and printers). During the 1940s Johns worked as a display artist for the Robert Simpson Co., and as a commercial artist for McLaren Advertising. He appears to have moved to Port Credit by 1949, and then to the Town of



Niagara-on-the-Lake by the early 1970s. He worked in Niagara as a full-time artist, sharing a residence and studio space at 28 Prideaux Street with a fellow artist named Ronald S. Gordon (1921-2004.) Neither man was married, and they interred beside each other in the Niagara Lakeshore Cemetery (1921 Toronto East Census, district 131, sub-district 19, p. 12; 1935 Toronto Directory, p. 649; 1938 Toronto Directory, p. 724; 1940 Toronto Directory, p. 709; 1945 Toronto Directory, p. 736; 1949 Toronto Directory, p. 916; 1972 Federal List of Electors, poll 15, p. 11037; 1974 Federal List of Electors, poll 15A, p. 11956; Johns-Gordon tombstone inscription, Niagara Lakeshore Cemetery).

In August 1978 Johns sold this land to Michael Weinberg Properties Ltd. of Toronto for \$235,000. The land was subject to a vendor's lien in the amount of \$40,000 (Registry deeds #383914).

Part of the land to the west was developed in 1979-80 for the commercial block containing the Bank of Montreal. In March 1985, Weinberg sold the remainder of the property to the Shaw Festival (Registry deeds #493760).

The records for this parcel were automated in February 1998 as part of PIN 46397-0103. Any subsequent land ownership history from that time to the present would require a PIN search.

Royal George Theatre

Construction on the Royal George Theatre commenced in 1915 while the land was owned by Margaret R. Norris. Contracts were tendered in March of that year and accepted around the middle of April.

Records show that excavations for the structure extended over a ten-day period under a work crew hired by Antonio R. DeConza of St. Catharines. This work was completed "on or before" May 1, 1915 at a cost of \$542.75. Part of this amount (\$350) was paid by Norris and DeConza registered a lien on title on May 3rd for the outstanding balance (Niagara Town deeds #4608).

Construction of the theatre was under the supervision of building contractor William Edwin Lee of the Town of Niagara between June 3rd and July 13th in the amount of \$2,877. The lien registered by Lee in the amount of \$1,138.41 itemized various items such as an extra beam, roofer's charges, bolts for the steel work, glass, work on the scenery loft, and freight charges (Niagara Town deeds #4621, 4633).

In June and July 1915 "Natco XXX Hollow Wall Title" was installed in the building by the National Fireproofing Co. of Canada Ltd." at a cost of \$1,790. A lien was registered on title by the company for the outstanding balance of \$1,429.48 (Niagara Town deeds #4617).

The known costs for the construction of the theatre therefore amounted to a minimum of \$5,209.75 which did not include the cost of the land (\$625).

The theatre was constructed to serve as a "vaudeville house" for entertaining the troops stationed at Camp Niagara. It was originally referred to as the "Norris Theatre" and then in a display of patriotism it was named the "Kitchener Theatre."⁹ Concert programs in the collections of the Niagara Historical Society Museum show that this building was known as the Kitchener Theatre until at least June 1918. It was later

⁹ Named in honour of Herbert Kitchener (1850-June 5, 1916) 1st Earl Kitchener, who served as the Secretary of State for War during the Great War. Kitchener died while on route to Russia to discuss munitions shortages, when his ship (the *HMS Hampshire*) struck a German mine.



converted into a motion picture theatre and was known for many years as the “Brock Theatre.” It was later renamed as the “Royal George:”

The Royal George originally was a vaudeville house, in the twenties, before my day. Brian Doherty began a Sunday-night film series in the early sixties, doing art films, but when I was growing up here in the thirties it was a derelict. In the forties and fifties, a man by the name of Dewey McCourt, who ran the taxi here, renovated it and did movies. We saw Ben Hur there, and movies like that. Then it just sort of collapsed and was nothing for a while. Brian also founded the Canadian Mime Theatre, which Harold Mascow and the Potato People—what is that called now?—it's an offshoot of the Canadian Mime Theatre which played in the Royal George. It was usable but in pretty bad shape in those years. Then Walter Carson came along and put up the money to make it into a really nice theatre (Rand 1997).

The building is presently a three-bay, two-storey, Greek Revival style structure. It contains a wide, pedimented front gable, a frieze with a shallow Greek key motif. The 6/6 side windows are flanked by Ionic pilasters. The central window on the second floor is reminiscent of a Palladian window since it contains a single row of four sidelights or panes on either side of the main 6/6 window. This window is given additional visual interest by the use of a pedimented head, which echoes the gable above it, whereas the other windows are surmounted by simple, horizontal cornice heads. The main entrance is comprised of a set of triple doors each surmounted by a rectangular transom containing ten lights or panes of glass. The doors are flanked by Doric pilasters. Either end of the ground floor façade is given balance by the use of two glass cases which mimic the style and shape of the window openings directly above them on the second floor. These cases are used for displaying posters which advertise the current productions at the theatre. The front of the marquee contains the name “The Royal George” in gold lettering.

178 Victoria Street

The structure located at 178 Victoria Street is a 1½-storey, four bay, frame structure. The front façade of the building is asymmetrical, with the main entrance offset to one side. It is flanked by a pair of double hung, 2/2 paned windows on the left-hand side, and by a single window on the right-hand side. Each of the windows has shutters but it is not known whether these are original to the house. The main entrance is provided with some visual interest by a transom and sidelights. The front porch is supported by wooden columns and has been ornamented with the addition of gingerbread trim. The second floor of the house contains a gable directly above the main entrance which contains a window, and there is a single dormer above the ground floor windows facing Victoria Street. The north side or end wall of the house contains two double hung 2/2 windows (one on each floor), and there is a dormer on the south side of the house. This building contains two brick chimneys at either end of the house which appear to be original. The roof has recently been covered in cedar shakes. The rear of the house contains a flat roofed, shed-style addition which appears to have been constructed at some later period, and was used as an art gallery and sales area. The north side of the house contains a covered car port, and a new garage on the south side of the house is connected to the main building by means of a covered breezeway.

The exact construction date for this house is a matter of debate. The file on this dwelling held by the heritage planner for the Town of Niagara-on-the-Lake ascribes a date of “ca. 1820” to it without any supporting evidence. The Niagara Historical Society files date the building as “pre-1860” but again without reference to any primary source material. Historical mapping (discussed below) clearly shows that there were no structures standing on Lot 57 between 1815 and 1833. A map from 1837 contained the notation “very closely built on” for Lots 57-58 but this may have been in reference to the Queen Street commercial frontage only. The building appears to be designed in a transitional style between the Classical and Gothic Revivals of the second half of the nineteenth century, and the Queen Anne style



which became popular in Ontario during the fourth quarter of the century (see Blumenson [1990] for a discussion of the various styles).

The title search and other records have shown that the Fitzgerald heirs attempted to sell their property as building lots, and advertised them for lease during the late 1840s and early 1850s. Low purchase prices during the early 1870s suggest that there were no significant structures on the land at that time. William John Campbell purchased parts of Lot 57 under three deeds dated August 1877, December 1882 and October 1884. The consideration paid for these parcels (\$100, \$50, \$325) suggests that the property remained vacant and was bought and sold on speculation. A construction date between ca. 1877 and 1885 for this house, rather than a very early date, would be more likely based upon the historical mapping, land registry records, and its architectural style.

City Directories

There are very few directories for the Town of Niagara-on-the-Lake, and many of those that were published did not always include the street numbers for the various households listed and are therefore of limited usefulness. Families were normally listed as residents of “Victoria Street,” “Queen Street,” etc.

Listed or Designated Structures

In June 1987, the Town of Niagara-on-the-Lake passed a by-law (1667-86) which designated the Queen-Picton neighbourhood as a Heritage Conservation District. The HCD is bounded on the east by Wellington Street, on the south by Johnson Street, on the west by Gate Street, and on the north by Prideaux Street (Registry deeds #543965).

Part V of the Ontario Heritage Act gives municipalities the ability to designate heritage conservation districts. These districts are areas whose cultural heritage value contributes to a sense of place extending beyond their individual buildings, structures and landscapes. Once a heritage conservation district designation by-law is approved, property owners in the district require a permit from the municipality for any alteration that is not considered to be “minor,” as well as for demolitions or new construction within the boundaries of the HCD. Heritage value may be attributed to representative examples of architecture and does not require that they be outstanding or unique. Further, the value may be “associative” which is tied to historical persons or events, and is distinct from the built heritage of the district.

A map of the Queen-Picton HCD prepared by the Town of Niagara-on-the-Lake for the designation by-law includes the 1915 Royal George Theatre as one of the business or commercial structures within the district, and 178 Victoria Street is one of the residential structures within the HCD.

1.2.3 Historical Map Sources

A review of various map sources was completed in order to determine the presence of potential historical archaeological sites on the property¹⁰. Several maps are available from the 1790s to the present which illustrate the development of the Town of Niagara-on-the-Lake.

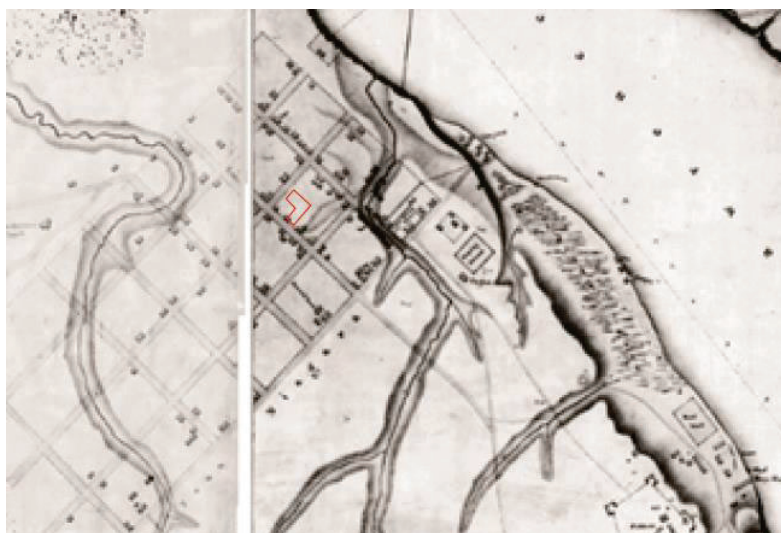
¹⁰ Use of historic map sources to reconstruct/predict the location of former features within the modern landscape generally proceeds by using common reference points between the various sources. These sources are then georeferenced in order to provide the most accurate determination of the location of any property on historic mapping sources. The results of such



The earliest maps from the 1780s and 1790s show the Township of Niagara and the government reserve lying north of the East-West Line which extended from the Niagara River towards the Four Mile Creek. Part of this land was retained by the government for use as a Military Reserve, and the Town of Niagara was laid out opposite to the Garrison Reserve in 1790-91. The remainder of the reserve south and west of the town was occupied by prominent early settlers (Butler, Ball, Pickard, Secord, Servos and others) at an early date on large, irregularly shaped farm lots. Several of these early maps highlight the military fortifications and structures along the Niagara River (e.g., Fort George, Navy Hall, warehouses, etc) and show the baselines for the corner of the town (i.e., King and Front streets) but few other details. A number of the maps from the post-War of 1812 continue this trend, featuring just the military defences at Fort George and Fort Mississauga, as well as on the garrison common. Maps which include details of the town frequently show the street grid and lot numbers, but do not identify owners or show any standing structures (Jones 1790; untitled 1790; *Plan of Fort George* 1799; Mann 1802; *Plan of Ground on the West Side of Niagara River*; *Plan of a Fort* 1816; Phillpotts 1817; Vavasour and Walpole 1819; Shaw 1823; undated Thorburn; Chewett 1833; Chewett 1839; Phillpotts 1842; Town Incorporation Plan 1845; Vavasour & Pilkington 1850; Passmore 1853; Page 1876; Niven 1910).

An early, undated (ca. 1830s?) copy of a patent plan was compiled by J.G. Chewett. This plan (Plan 86) is one of the first to identify land owners within the town. Lot 39 is identified as the property of B. Cain; Lot 40 was the property of M. Kemp; the names of the original owners of Lots 57 and 58 are obscured on this plan when the name of Mary Ann McAuliffe was written over top of them in a later hand. This plan shows no structural footprints on the subject property.

The first detailed maps to show structures within the Town of Niagara were produced by A. Gray in November and December 1810. These maps show the boundaries of the town, the streets, and existing structures. This map shows a house on the north-east end of Lot 39 on Prideaux Street but no structures on Lot 40. This is unusual since Matthew Kemp is known to have erected a dwelling on this lot ca. 1794. There is a single structure on Lot 57, located at the corner of Queen and Victoria (the Bank of Montreal site), and a single structure on Lot 58 which faced Queen Street. The latter building was undoubtedly



Detail of the Gray plan of 1810 and the approximate location of the subject property.

exercises are often imprecise or even contradictory, as there are numerous potential sources of error inherent in such a process. These include the vagaries of map production (both past and present), the need to resolve differences of scale and resolution, and distortions introduced by reproduction of the sources. To a large degree, the significance of such margins of error is dependent on the size of the feature one is attempting to plot, the constancy of reference points, the distances between them, and the consistency with which both they and the target feature are depicted on the period mapping. It should be further noted that not all settlement features were depicted systematically in the compilation of these historical map sources

the house/tavern constructed by James Fitzgerald around 1794 or by the tenants who subsequently occupied this property. The Gray map shows no structures (such as outbuildings) within the rear or interior portions of any of these lots (Gray 1810a, 1810b).

The structures which stood on Lots 39, 57 and 58 were destroyed by the retreating American forces on December 10, 1813. The Report of the Loyal and Patriotic Society for Upper Canada contains a list of the buildings in the Town of Niagara that were destroyed on that date, and it includes a house owned by the “Fitzgerald estate” which was valued at £100. No war losses claim appears to have been submitted by the Fitzgerald family for compensation for their loss (Narhi 2012:164).

In June 1815 a map was produced showing the Town of Niagara and the nearby fortifications and military reserves. This map shows that reconstruction had commenced there were a number of new structures within the town. Lots 39, 40, 57 and 58 appear to have contained no buildings (Phillpotts 1815).



Detail of the Phillpotts plan of 1815 and the approximate location of the subject property.

By May 1817, no new building activity had taken place on Lots 39, 57 and 58. There was a structure located near the southwest corner of Lot 40 (Vavasour and Willson 1817, updated 1823). Andrew Heron probably erected this building since he was the registered owner of the property at the time. This house was located on the land which he sold to John McBride in December 1830.



Detail of the Nicolls plan of 1833 and the approximate location of the subject property.

A plan of the Town produced in April 1833 shows a house on Lot 39 fronting onto Prideaux Street, as well as the Heron-McBride house noted above on Lot 40. Lots 57 and 58 remained as vacant building lots (Nicolls 1833).

A survey of the Town dated November 1837 does not show the location of any structures on the subject property. However, it contains specific notations on construction on many lots: Lot 39 “good brick dwelling;” Lot 40 “closely built;” Lots 57-58 “very closely built on” (Baddeley 1837).

Later mapping, such as that provided in the 1876 *Illustrated Historical Atlas of the Counties of Lincoln and Welland* (Figure 2-3) and early twentieth-century topographic maps (Figure 4) do not provide sufficient detail or resolution to materially contribute to the reconstruction of the development history of the property or the location of former structures.

1.2.4 Summary and Review of Historical Archaeological Potential

The first patentees of the lots making up the property, between 1793 and 1795, included Barney Cain, Matthew Kemp, James Fitzgerald and James Farquharson. These men were prominent members of local society at that time: Cain was a Loyalist and blacksmith at Fort George, Kemp was a Revolutionary War veteran and farmer, Farquharson was the assistant Commissary at Fort Niagara, until he was charged with embezzling from the King's stores, and Fitzgerald was an early innkeeper who drowned at an early age. The Cain and Fitzgerald families were united by marriage, but tragedy struck in 1800 when Mrs. Cain was kicked to death by her own servant.

A narrow strip of Lots 39 and 40 is included within the boundaries of the subject property, but the title to this land appears to have been taken through "prescription" after years of unmolested occupancy. The historical mapping shows no structures within the interior portions of these lots during the nineteenth century. The south end of Lot 40 contained a structure, presumably a dwelling, which was built by Andrew Heron sometime between June 1815 and May 1817. It remained standing until at least the 1830s. It was located near the property line between Lots 40 and 57.

Lots 57 and 58 each contained structures that were erected prior to 1810 and destroyed when the Town of Niagara was burned by the retreating American forces in December 1813. The house owned by the Fitzgerald estate on Queen Street was valued at £100, but no war losses claim was ever submitted for the house. Any traces of the pre-war house on Lot 57 would have been obliterated during the construction of the Bank of Montreal at the corner of Queen and Victoria streets.

Lots 57 and 58 were owned by a number of prominent inhabitants in the town, including the Clench family (Lot 57) who lost the property through financial insolvency. Title reverted to the heiresses of the late James Fitzgerald who owned the property until the early 1870s and who tried unsuccessfully for a number of years to sell or lease the land as building lots. These lots were owned by various merchants and business men—such as Starkweather and Brown (druggists), Paffard (druggist and mayor), Garrett (wife of a New York silk importer), Kearns (baker), Crosby (confectioner) and many others. During the Garrett period, the lots were internally subdivided into building lots which ran the full depth of the lot. This was later changed, and Lot 57 was subdivided into lots which ran the width of the lot and provided frontage to some owners on Queen Street and for others on Victoria Street.

The house at 178 Victoria Street was probably built around 1877-1885 by a carpenter/blacksmith named William John Campbell. His family retained ownership of this house until 1975. This property was later purchased by the well-known painter and business woman Angie Strauss. Surveys show that there was an old barn located at the rear of this address until at least the mid-1970s. It may have been used by Campbell in connection with his blacksmithing and carpentry business.

The Royal George Theatre property was acquired by Margaret Norris and the present structure was erected in 1915 as a vaudeville house to entertain the townsfolk and the troops who were stationed at Camp Niagara during the Great War. The theatre was known variously as the "Norris" "Kitchener" and "Brock" Theatre. The theatre was owned/managed for many years by members of the Reid family, by John S. Allen, and by Dewey McCourt. It was later home to the Canadian Mime Theatre, the Court House Theatre, and has been part of the Shaw Festival since the 1980s.

Documents found in the Land Registry Office state that an "artesian well" existed on the land at the rear of the Royal George, and that Campbell (at 178 Victoria) retained a life-time interest in drawing water in any quantity and at any time he and his wife desired from this well. This water right expired either upon Campbell's death or when the family sold the property.



Part of the lot now occupied by “Russell’s” (beside the Bank of Montreal) contained a two-storey frame dwelling built in the 1830s which was moved to the site in 1915. It was the long-time residence of Herbert Campbell. The house was moved to a new location after Campbell’s death in order to allow that part of the property to be developed as a commercial block.

The S & G, Section 1.3.1 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. The *Master Plan of Archaeological Resources for the Town of Niagara-on-the-Lake* considers a suite of similar criteria or indicators.

The S & G defines buffers of 300 metres around registered historical sites, areas of early historical settlement, and locations identified through local knowledge or informants (MTC 2011:20-21). The subject property is immediately adjacent to two such sites.

The Niagara District Court House was built between 1846-1848 at 26 Queen Street and was the third and only surviving court house erected for the former Niagara District. It is located 160 metres distant from the current subject property. It was designed by the prominent Toronto architect William Thomas, in the Neoclassical style. This project was part of a plan to maintain Niagara’s position as the political centre of the district. In 1863, however, the seat of judicial power was moved to St. Catharines. The building was designated by the Town of Niagara-on-the-Lake in 1980 under By-law 813-77 (*Canada’s Historic Places* n.d. [a]; Town of Niagara-on-the-Lake 2019).

The Niagara Apothecary is located east of the subject property, approximately 185 metres distant. The Apothecary opened its doors at this location in the late 1860s and operated for over 100 years until it closed in 1964. The apothecary contributes to the historic streetscape and stands out as an important example of confederation-era commercial architecture. The Apothecary was designated in 1970 under the By-law 1667-86 (*Canada’s Historic Places* n.d. [b]; Town of Niagara-on-the-Lake 2019).

Given the property’s location fronting Queen Street and Victoria Street, within the historical settlement centre of Niagara-on-the-Lake, and the proximity to multiple historically significant structures, there is the potential for encountering both eighteenth and nineteenth-century historical resources, depending on the degree of recent land disturbances.

1.3 Archaeological Context

This section provides background research pertaining to previous archaeological fieldwork conducted within and in the vicinity of the subject property, its environmental characteristics (including drainage, soils or surficial geology, and topography, etc.), and current land use and field conditions.



1.3.1 Registered Archaeological Sites

In order that an inventory of archaeological resources could be compiled for the subject property, three sources of information were consulted: the site record forms for registered archaeological sites housed at the Ministry of Tourism, Culture and Sport, published and unpublished documentary sources, and the files of ASI.

In Ontario, information concerning archaeological sites is stored in the Ontario Archaeological Sites Database (OASD) which is maintained by the Ministry of Tourism, Culture and Sport. This database contains archaeological sites registered within the Borden system. The Borden system was first proposed by Dr. Charles E. Borden and is based on a block of latitude and longitude. Each Borden block measures approximately 13 km east-west by 18.5 km north-south and is referenced by a four-letter designator; sites within each block are numbered sequentially as they are found. The subject property under review is located within the AhGs Borden block.

While no archaeological sites have been registered within the limits of the subject property, 39 sites have been registered within a one km radius (Table 2) (MTCS 2019). The nearest site, AhGs-394, is approximately 60 metres distant.

Table 3: Registered Sites within a 1 km Radius of the Subject Property

| Borden No. | Name | Temporal/ Cultural Affiliation | Site Type |
|-------------------|---|--|---------------------------------|
| AhGs-1 | Fort George | Euro-Canadian | Fort |
| AhGs-2 | Fort Mississauga | Euro-Canadian | Fort |
| AhGs-3 | Navy Hall Wharf | Euro-Canadian | Homestead |
| AhGs-6 | Presbyterian Schoolhouse | Euro-Canadian | Homestead, School |
| AhGs-9 | Niagara Apothecary | Euro-Canadian | Apothecary |
| AhGs-17 | Pumphouse | Euro-Canadian | Manufacturing, Other – Building |
| AhGs-18 | Thomas Butler Homestead | Indeterminate Pre-Contact, Euro-Canadian | Campsite, Homestead |
| AhGs-22 | Ransom Jay | Middle Archaic | Campsite |
| AhGs-24 | King’s Point | Early Archaic, Euro-Canadian | Campsite |
| AhGs-29 | NOTL Fire Hall | Euro-Canadian | Homestead |
| AhGs-30 | Brock/Addison | Euro-Canadian | Homestead |
| AhGs-31 | Fitzgibbon | Euro-Canadian | Homestead |
| AhGs-33 | Niagara-on-the-lake Golf Club Clubhouse | Euro-Canadian, Indeterminate Pre-contact | Homestead, Lithic scatter |
| AhGs-35 | Navy Hall Wreck | Euro-Canadian | Homestead |
| AhGs-38 | Stone Foundation | Afro-Canadian, Euro-Canadian | Homestead |
| AhGs-42 | Talbot | Euro-Canadian | Homestead |
| AhGs-43 | Sherlock | Euro-Canadian, Middle Archaic, Middle Woodland | Homestead, Lithic scatter |
| AhGs-46 | Victoria Meadows | Euro-Canadian, Middle Archaic, Middle Woodland | Homestead, Lithic scatter |
| AhGs-53 | Market Street | Euro-Canadian | Homestead |
| AhGs-54 | | Euro-Canadian | Homestead |
| AhGs-55 | | Euro-Canadian | Homestead |
| AhGs-57 | | Euro-Canadian | Homestead |
| AhGs-74 | Anne Street H2 | Euro-Canadian | Homestead |



Table 3: Registered Sites within a 1 km Radius of the Subject Property

| Borden No. | Name | Temporal/ Cultural Affiliation | Site Type |
|-------------------|--------------------|--|-------------------------|
| AhGs-75 | Anne Street H3 | Euro-Canadian | Homestead |
| AhGs-78 | | Late Woodland | Findspot |
| AhGs-79 | William Stewart | Euro-Canadian | |
| AhGs-82 | | Euro-Canadian | Farmstead |
| AhGs-83 | 105 Delater Street | Euro-Canadian | Homestead |
| AhGs-379 | | Euro-Canadian | Homestead |
| AhGs-381 | Cassady Site | Euro-Canadian | Homestead |
| AhGs-382 | Victoria H2 Site | Euro-Canadian | Homestead |
| AhGs-392 | | Euro-Canadian | Homestead |
| AhGs-393 | | Euro-Canadian | Homestead |
| AhGs-394 | | Euro-Canadian | Stable, Other - Grocery |
| AhGs-395 | Sandham | Euro-Canadian | Indeterminate |
| AhGs-396 | Palatine | Indeterminate Pre-Contact | Campsite |
| AhGs-403 | | Euro-Canadian, Indeterminate Pre-contact | Homestead, Findspot |
| AhGs-404 | Elliot | Late Archaic | Lithic Scatter |
| AhGs-406 | | Euro-Canadian | Homestead |

1.3.2 Previous Assessments

During the course of the background research, it was determined that a number of archaeological assessments have been previously completed in the immediate (within 50 metres) vicinity of the subject property.

In 2008, Mayer Heritage Consultants Inc. (MHCI) conducted a Stage 1 and 2 Archaeological Assessment at 179 Regent Street under MTCS PIF P040-0287-2008. The rectangular study area is located approximately 50 metres east of the current subject property and was subject to a test pit survey at five metre intervals. The property was found to be completely disturbed by previous construction and leveling activities and no further work was recommended (MHCI 2008).

In 2015, Detritus Consulting Limited (DCL) conducted a Stage 1 and 2 Archaeological Assessment at 106 Queen Street under MTCS PIF P017-0455-2015. The rectangular study area is located approximately 50 metres southwest of the current subject property. During the course of the survey, the Euro-Canadian site AhGs-394 was encountered. Site AhGs-394 was associated with the early commercial development of Niagara-on-the-Lake, and a Stage 3 Archaeological Assessment was recommended (DCL 2016a). Detritus Consulting Ltd. conducted subsequent Stage 3 and 4 Archaeological Assessments of Euro-Canadian site AhGs-394 under MTCS PIF P017-0473-2016 and P017-0479-2016. During the Stage 3, a total of 10 test units were excavated in areas of high artifact yield and other areas of interest. Four subsurface features were also observed across the site, including a stone foundation. In total, the Stage 3 resulted in 2,563 artifacts being retained, most of which dated to the early-mid nineteenth century. The Stage 4 mitigation consisted of mechanical stripping of the overburden to expose the subsurface features. A series of small rubble foundations were encountered that may have supported partition walls of a small room associated with a nineteenth century store. Modern twentieth century infrastructure was observed throughout the property. Upon completion, site AhGs-394 had no further cultural heritage value or interest (DCL 2016b, 2016c).



In 2014, Fischer Archaeological Consulting (FAC) conducted a Stage 1 and 2 Archaeological Assessment at 78 Prideaux Street under MTCS PIF P359-0011-2014. The rectangular study area is located to the rear of the current subject property. During the test pit survey, the early-to-mid nineteenth century Euro-Canadian site AhGs-82 was encountered. The site was concentrated fronting Prideaux Street, where 1,300 artifacts were retained, as such, site AhGs-82 was recommended for a Stage 3 Archaeological assessment (FAC 2014). In 2016, Fischer Archaeological Consulting conducted a Stage 3 Archaeological Assessment on site AhGs-82 under MTCS PIF P042-0418-2014. The Stage 3 comprised five test units and resulted in the recovery of 11,651 artifacts and four features relating to two phases of occupation on the property. Phase I coincides with a structure dating ca. 1796-1828-1829, while Phase II coincides with a structure dating ca. 1829-1857. Accordingly, a Stage 4 Archaeological Assessment was recommended (FAC 2016a). Subsequent to the Stage 3, Fischer Archaeological Consulting began a Stage 4 mitigation of site AhGs-82 under MTCS PIF P359-0021-2016. The Stage 4 resulted in the recovery of 3,000 artifacts and a stone foundation associated with a pre-1813 structure. Upon the discovery of the pre-1813 structure, work was halted at the request of the proponent (FAC 2016b). In 2016, Detritus Consulting Limited was retained to continue the Stage 4 mitigation on site AhGs-82 under MTCS PIF P017-0529-2016, where it was determined that the documented stone foundation was reminiscent of a carriage house. Recommendations in the report indicate no further cultural heritage value or interest for the proposed development of the study area. However, protection and avoidance measures were also recommended for areas where archaeological assessment had not taken place outside of the proposed development area, including archaeological monitoring (DCL 2017a).

In 2016, Detritus Consulting Limited conducted a Stage 1 and partial Stage 2 Archaeological Assessment at 65 Queen Street under MTCS PIF P017-0537-2016. The rectangular study area is located approximately 30 metres east of the current subject property. While no archaeological resources were encountered during the course of the test pit survey, the northeast portion of the property contained a concrete pad. Therefore, mechanical trenching was recommended before the subject property could be cleared of archaeological concern (DCL 2017b). In 2017, Detritus Consulting Limited conducted a Stage 2 Archaeological Assessment at 65 Queen Street under MTCS PIF P017-0644-2017. A trench was excavated through the middle of the concrete pad where all soils observed were determined to be disturbed. No further archaeological assessment was recommended (DCL 2018).

1.3.3 Physiography

The subject property lies within the Iroquois Plain physiographic region on Ontario (Chapman and Putnam 1984), which is the former bed of glacial Lake Iroquois. The Iroquois Plain physiographic region is a lowland region bordering Lake Ontario. This region is characteristically flat and formed by lacustrine deposits laid down by the inundation of Lake Iroquois, a body of water that existed during the late Pleistocene. This region extends from the Trent River and around the western part of Lake Ontario to the Niagara River, spanning a distance of 300 km (Chapman and Putnam 1984:190). The old shorelines of Lake Iroquois include cliffs, bars, beaches, and boulder pavements. The old sandbars in this region are good aquifers that supply water to farms and villages. The gravel bars are quarried for road and building material, while the clays of the old lake bed have been used for the manufacture of bricks (Chapman and Putnam 1984:196).

The subject property is located within the Lake Ontario watershed and is drained by a number of small creeks in the area, including One Mile Creek.



1.3.4 Review of Indigenous Archaeological Potential

The S & G, Section 1.3.1 stipulates that primary water sources (lakes, rivers, streams, creeks, etc.), secondary water sources (intermittent streams and creeks, springs, marshes, swamps, etc.), as well as ancient water sources (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, etc.) are characteristics that indicate archaeological potential. Geographic characteristics also indicate archaeological potential and include distinct topographic features and soils.

Potable water is the single most important resource necessary for any extended human occupation or settlement. Since water sources have remained relatively stable in south-central Ontario after the Pleistocene era, proximity to water can be regarded as a useful index for the evaluation of archaeological site potential. Indeed, distance from water has been one of the most commonly used variables for predictive modelling of site location.

This basic potential model has been further refined for the Town of Niagara-on-the-Lake (NOTL), as part of the Town's Master Plan of Archaeological Resources. The *Master Plan of Archaeological Resources for the Town of Niagara-on-the-Lake* (ASI 2000) lists proximity to water as one indicator of potential for the presence of pre-contact Indigenous archaeological sites. The potential buffer model lists all lands within 300 metres of both the Niagara River and Lake Ontario as displaying the potential for the presence of pre-contact archaeological sites. In addition, this potential model is extended to any floodplain land (i.e., 200 metres within imperfectly drained soils and 150 metres within poorly drained soils), and to land in close proximity to the glacial Lake Iroquois strand (i.e., 200 metres from the back brow of the strand).

Various mapping sources were reviewed to determine the nearest source of water to the subject property. Figure 1 indicates that One Mile Creek is approximately 300 metres west of the subject property, however, early historical mapping (see Section 1.2.3) show a former watercourse approximately 115 metres northeast of the subject property. The Niagara River is approximately 900 metres distant.

Other geographic characteristics that can indicate pre-contact archaeological potential include: elevated topography (eskers, drumlins, large knolls, plateaux), pockets of well-drained sandy soil, especially near areas of heavy soil or rocky ground, and distinctive land formations that might have been special or spiritual places for Indigenous populations such as waterfalls, rock outcrops, caverns, mounds, and promontories and their bases. There may be physical indicators of their use by Indigenous peoples, such as burials, structures, offerings, or rock paintings or carvings. Resource areas, including food or medicinal plants (migratory routes, spawning areas, prairie), and scarce raw materials (quartz, copper, ochre, or outcrops of chert) are also considered characteristics that indicate pre-contact archaeological potential.

Although several pre-contact Indigenous sites have been registered in the general area, none are located in the immediate vicinity of the subject property. However, given the property's location relative to One Mile Creek and a former watercourse to the northeast, there may be potential for the identification of Indigenous archaeological remains within the subject property, depending on the degree of recent land disturbance or soil alterations.

1.3.5 Existing Conditions

The subject property is approximately 0.16 hectares in size and is bounded by Victoria Street to the west, Queen Street to the south, residential lots to the north, and a commercial lot to the east (Figure 5). The



subject property consists of The Royal George Theatre at 79-83 Queen Street and a former dwelling, now used as a rehearsal and vocal studio, located at 178 Victoria Street. A fence has been erected to separate the public rear yard of the theatre and the private rear yard of the rehearsal and vocal studio.

2.0 FIELD METHODS

The Stage 1 field review was completed on April 4, 2019 in order to document existing conditions as they may be expected to affect considerations of archaeological potential. The field review was conducted by Ms. Jennifer Ley (R376). The weather conditions were appropriate for the completion of fieldwork, permitting good visibility of the land features.

The field review was conducted by means of a visual inspection of the subject property that involved random spot-checking across all accessible portions of the property. This strategy is consistent with Section 1.2 Property Inspection, Standard 1 of the S & G. The photo locations and field observations have been compiled on project mapping (Figure 6). Representative photos documenting the field conditions during the Stage 1 property inspection are presented in Section 7.0 of this report.

2.1 Findings

The subject property can be described in two parts: The Royal George Theatre fronting Queen Street and the rehearsal and vocal studio fronting Victoria Street.

The theatre is situated immediately fronting the sidewalk along Queen Street and narrow alleys are situated on either side providing access to the rear yard (Plates 1-3). The rear yard is landscaped, and an outbuilding is situated behind the theatre, connected by a recently constructed concrete walkway (Plate 4). This outbuilding was likely, in part, a shed for the former house lot fronting Victoria Street, as the yard would have extended behind the theatre. To the rear of the outbuilding, there is evidence of possible regrading and new sod. The remainder of the yard includes a pond and heavily landscaped garden feature, and a portion of a filled-in former pool associated with the former house lot, in addition to a wooden deck (Plates 4-6). A number of buried utilities were noted in the rear yard including services to the outbuilding and lighting around the garden and pond feature (Plate 5).

The former dwelling fronting Victoria Street includes a built-up front garden with short driveways on either side (Plates 7-8); buried utilities were marked within the garden. The rear yard includes a portion of the filled in pool, associated patio, walkway to a basement entrance, and scrubby lawn area (Plates 9-10).

Based on these findings, the building footprints, hardscaping and heavy landscaping do not retain archaeological potential. According to the S & G, Section 2.1, Standard 2b, the disturbances noted at these locations are considered too deep and extensive to warrant further survey. The disturbed areas account for approximately 80% of the subject property.

The balance of the property, comprising portions of the rear yards retain archaeological potential. These areas comprise approximately 20% of the subject property.



3.0 ANALYSIS AND CONCLUSIONS

ASI was contracted by the Shaw Festival Theatre, Canada to undertake a Stage 1 Archaeological Assessment of the Royal George Theatre, 79-83 Queen Street and 178 Victoria Street, part of Lots 39, 40, 57 and 58, Registered Plan 86, in the Geographic Township of Niagara, County of Lincoln, now in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara. The subject property is approximately 0.16 hectares in size.

The Stage 1 background assessment entailed consideration of the proximity of previously registered archaeological sites and the original environmental setting of the property, along with nineteenth- and twentieth-century settlement trends. This research has concluded there is potential for encountering both Indigenous and Euro-Canadian materials on the subject property.

In conjunction with a property inspection, the Stage 1 Archaeological Assessment has resulted in the determination that 20% of the subject property is found to contain the potential for encountering archaeological resources. Therefore, a Stage 2 Archaeological Assessment is required in accordance with the Ministry of Tourism, Culture and Sport's 2011 Standard and Guidelines for Consultant Archaeologists.

4.0 RECOMMENDATIONS

In light of these results, the following recommendation is made:

1. Prior to any land-disturbing activities within the subject property, a Stage 2 Archaeological Assessment must be conducted in accordance with the Ministry of Tourism, Culture and Sport's 2011 S & G.
 - a) The assessment must be completed by means of a test pit survey. All test pits must be excavated at least five cm into sterile subsoil, with all soils being screened through six mm mesh to facilitate artifact recovery. All test pits must be at least 30 cm in diameter and backfilled upon completion. Test pits must be excavated at five metre transect intervals as outlined in the 2011 S & G.

Notwithstanding the results and recommendations presented in this study, ASI notes that no archaeological assessment, no matter how thorough or carefully completed, can necessarily predict, account for, or identify every form of isolated or deeply buried archaeological deposit. In the event that archaeological remains are found during subsequent construction activities, the consultant archaeologist, approval authority, and the Cultural Programs Unit of the Ministry of Tourism, Culture and Sport should be immediately notified.

5.0 ADVICE ON COMPLIANCE WITH LEGISLATION

ASI advises compliance with the following legislation:

- This report is submitted to the Minister of Tourism, Culture and Sport as a condition of licensing in accordance with Part VI of the *Ontario Heritage Act*, RSO 1990, c 0.18. The report is reviewed to ensure that it complies with the standards and guidelines that are issued by the Minister, and that the archaeological field work and report recommendations ensure the conservation, preservation and protection 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



Tourism and Culture and Sport, a letter will be issued by the ministry stating that there are no further concerns with regard to alterations to archaeological sites by the proposed development.

- It is an offence under Sections 48 and 69 of the *Ontario Heritage Act* for any party other than a licensed archaeologist to make any alteration to a known archaeological site or to remove any artifact or other physical evidence of past human use or activity from the site, until such time as a licensed archaeologist has completed archaeological field work on the site, submitted a report to the Minister stating that the site has no further cultural heritage value or interest, and the report has been filed in the Ontario Public Register of Archaeology Reports referred to in Section 65.1 of the *Ontario Heritage Act*.
- Should previously undocumented archaeological resources be discovered, they may be a new archaeological site and therefore subject to Section 48 (1) of the *Ontario Heritage Act*. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed consultant archaeologist to carry out archaeological fieldwork, in compliance with sec. 48 (1) of the *Ontario Heritage Act*.
- The Funeral, Burial and Cremation Services Act, 2002, S.O. 2002. c.33, requires that any person discovering or having knowledge of a burial site shall immediately notify the police or coroner. It is recommended that the Registrar of Cemeteries at the Ministry of Consumer Services is also immediately notified.
- Archaeological sites recommended for further archaeological field work or protection remain subject to Section 48(1) of the *Ontario Heritage Act* and may not be altered, nor may artifacts be removed from them, except by a person holding an archaeological license.

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7.0 IMAGES



Plate 1: The Royal George Theatre fronting Queen Street.



Plate 2: West alley beside The Royal George Theatre.



Plate 3: East alley and patio beside The Royal George Theatre.



Plate 4: Outbuilding at left and landscape feature with pond at right.



Plate 5: Edge of filled in former pool beside pond; note buried electrical.



Plate 6: Wooden deck connected to walkway behind theatre.



Plate 7: Former dwelling fronting Victoria Street, now a rehearsal and vocal studio.



Plate 8: Front garden with blue and yellow flags marking buried utilities.



Plate 9: View of other half of filled in pool and associated patio.

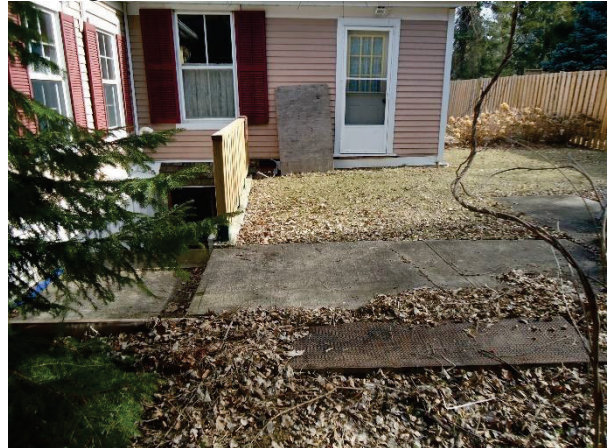


Plate 10: View of walkway and entrance to basement.

8.0 MAPS

See following pages for detailed assessment mapping and figures.

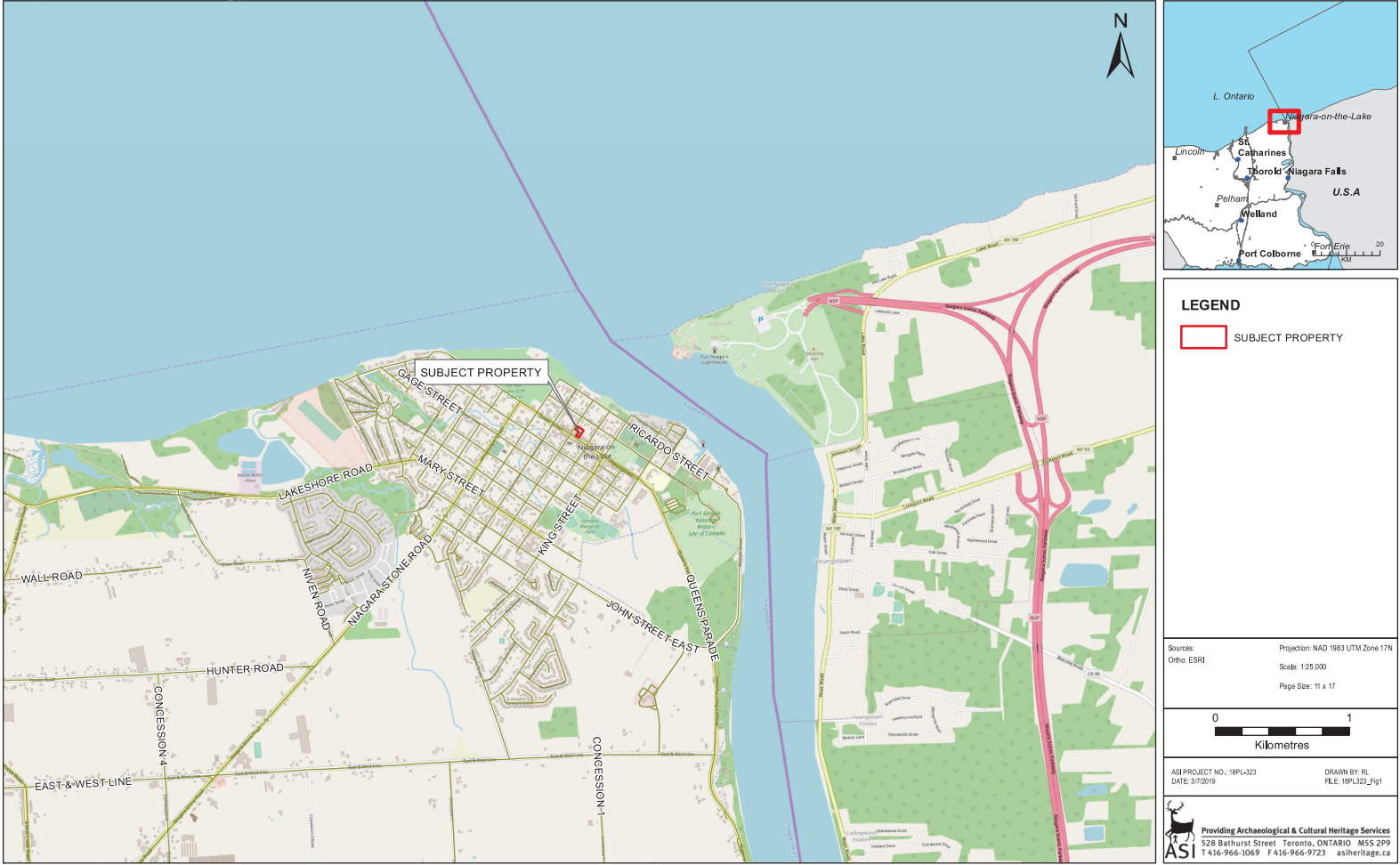


Figure 1: Location of Subject Property

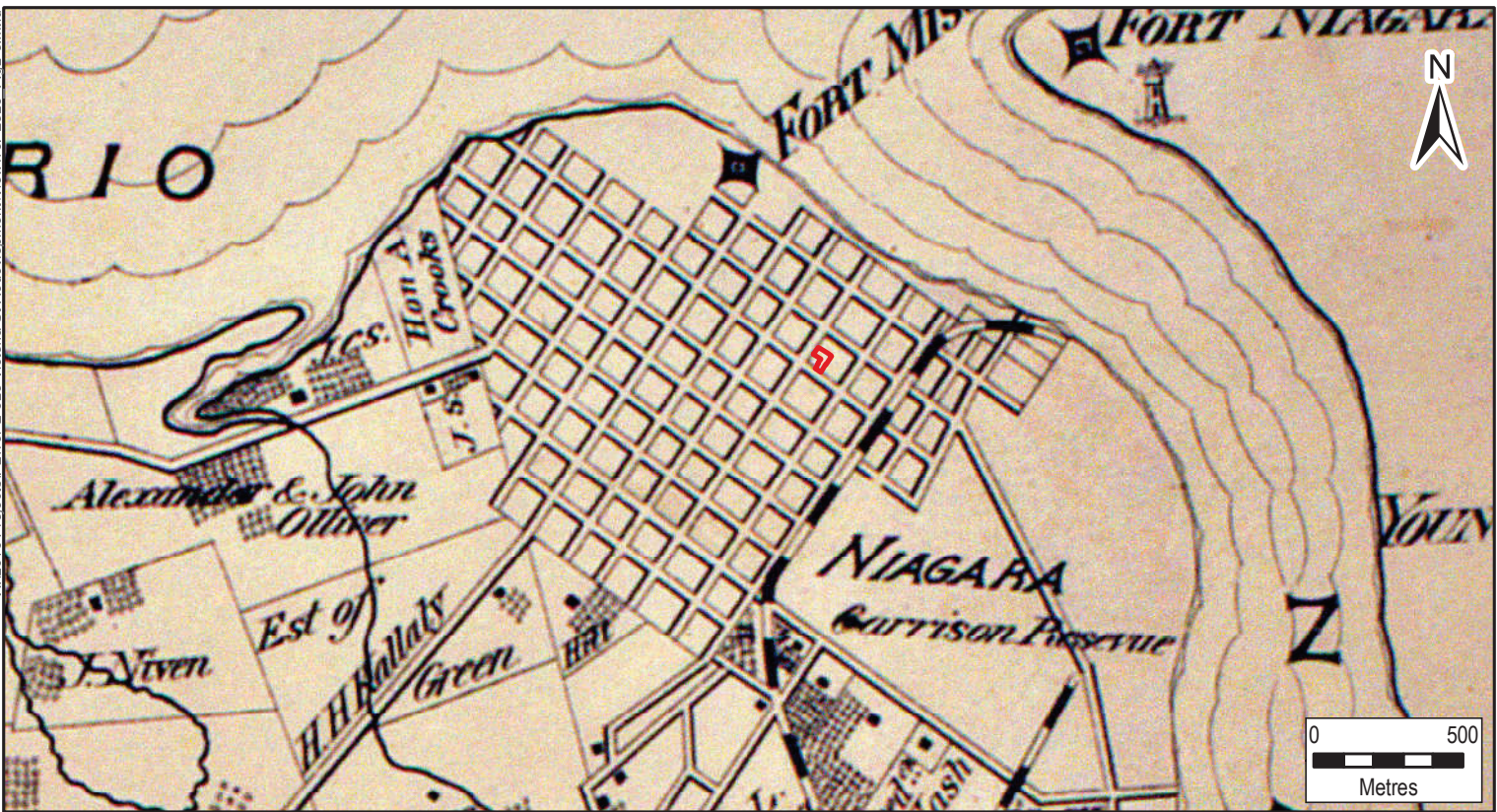


Figure 2: Subject Property located on 1876 Illustrated Historical Atlas of the Counties of Lincoln and Welland

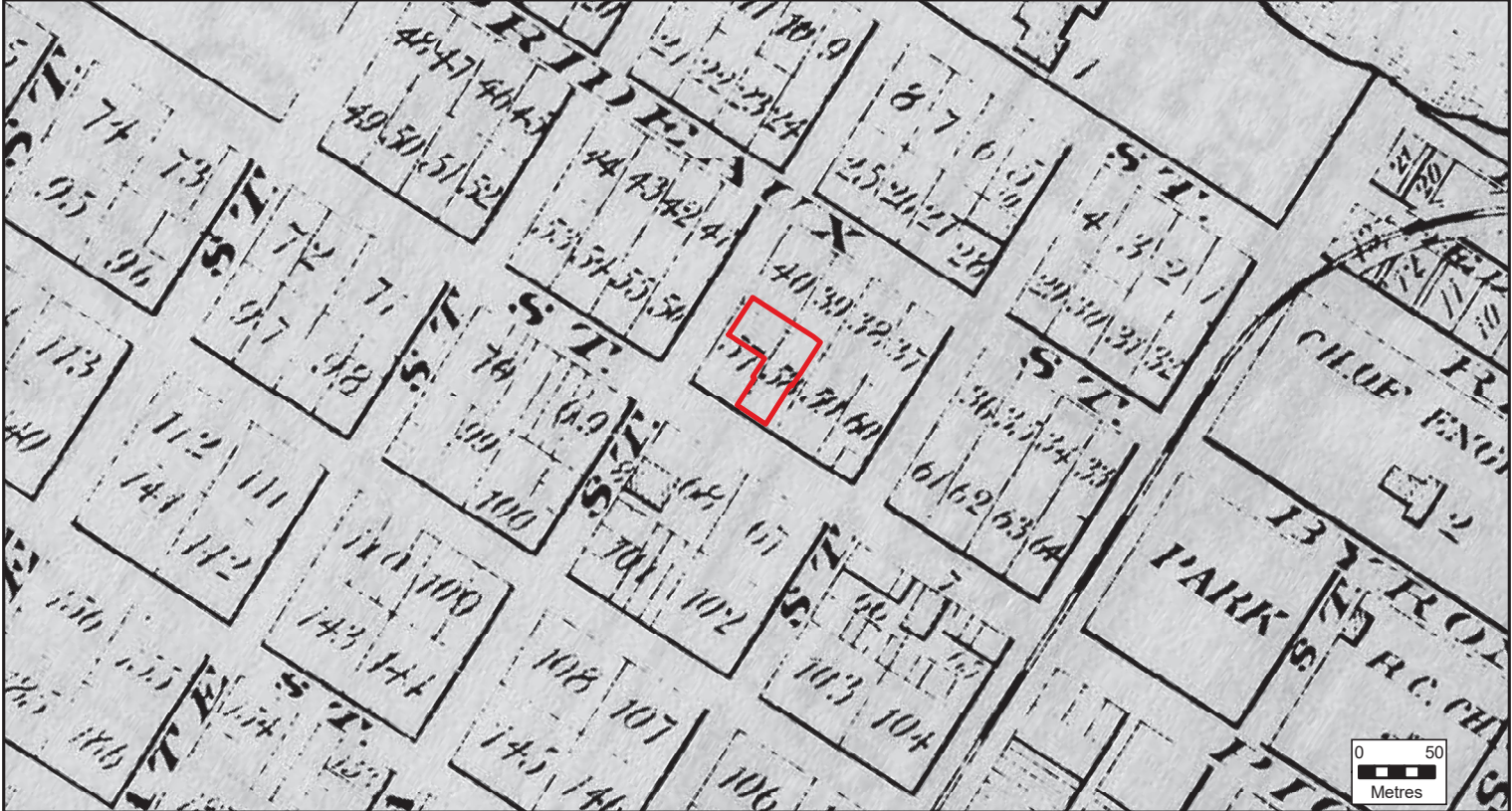


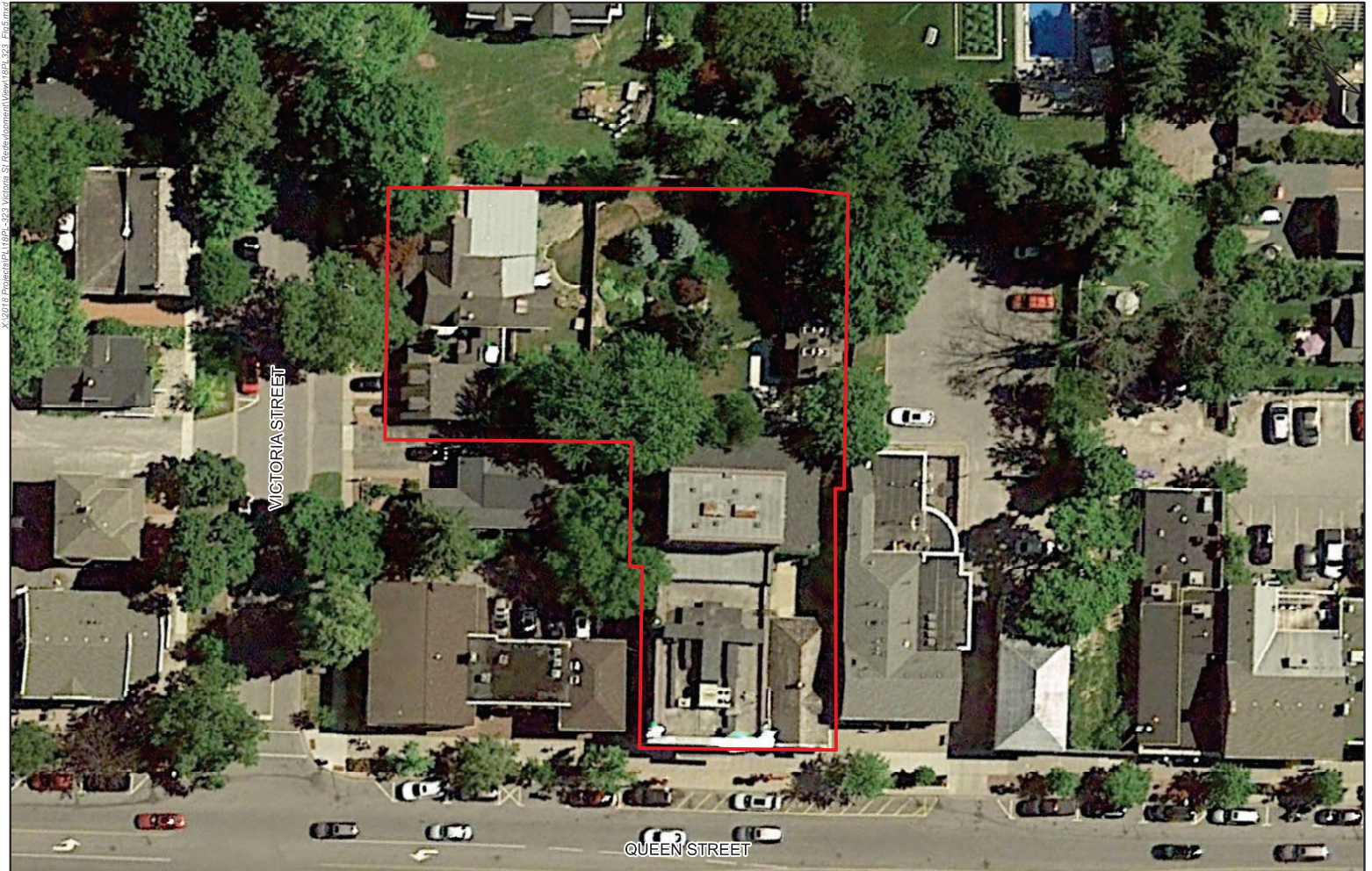
Figure 3: Subject Property located on the Village of Niagara from 1876 Illustrated Historical Atlas of the Counties of Lincoln and Welland

| | | | |
|--|------------------|--|---|
| | SUBJECT PROPERTY | Sources: Illustrated Historical Atlas of The Counties of Lincoln and Welland (1876) | ASI PROJECT NO.: 18PL-323 DATE: 2019-03-11 DRAWN BY: RL FILE: 18PL323_Fig2-3 |
| | | Projection: NAD 1983 UTM Zone 17N Scale: 25,000 Page Size: 8.5 x 11 | |



Figure 4: Subject Property located on 1905 NTS Sheet Niagara

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|  |  SUBJECT PROPERTY | Sources: Ortho: ESRI Projection: NAD 1983 UTM Zone 17N Scale: 1:600 Page Size: 8,5 x 11 | <div style="text-align: center;">  <p>0 15 Metres</p> </div> <div style="font-size: small;"> <table border="0" style="width: 100%;"> <tr> <td>ASI PROJECT NO.: 18PL-323</td> <td>DRAWN BY: RL</td> </tr> <tr> <td>DATE: 2019-03-11</td> <td>FILE: 18PL323_Fig5</td> </tr> </table> </div> | ASI PROJECT NO.: 18PL-323 | DRAWN BY: RL | DATE: 2019-03-11 | FILE: 18PL323_Fig5 |
| ASI PROJECT NO.: 18PL-323 | DRAWN BY: RL | | | | | | |
| DATE: 2019-03-11 | FILE: 18PL323_Fig5 | | | | | | |

Figure 5: Existing Conditions of Subject Property



Figure 6: Results of the Stage 1 Archaeological Assessment

**STAGE 2 ARCHAEOLOGICAL ASSESSMENT OF
THE ROYAL GEORGE THEATRE,
79-83 QUEEN STREET AND 178 VICTORIA STREET,
PART OF LOTS 39, 40, 57 AND 58, REGISTERED PLAN 86,
GEOGRAPHIC TOWNSHIP OF NIAGARA, COUNTY OF LINCOLN,
TOWN OF NIAGARA-ON-THE-LAKE, REGIONAL MUNICIPALITY OF NIAGARA**

ORIGINAL REPORT

Prepared for:

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Archaeological Licence #P449 (Bhardwaj)
Ministry of Tourism, Culture and Sport PIF# P449-0326-2019
ASI File: 19PL-133

September 16, 2019



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**STAGE 2 ARCHAEOLOGICAL ASSESSMENT OF
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GEOGRAPHIC TOWNSHIP OF NIAGARA, COUNTY OF LINCOLN,
TOWN OF NIAGARA-ON-THE-LAKE, REGIONAL MUNICIPALITY OF NIAGARA**

EXECUTIVE SUMMARY

ASI was contracted by Shaw Festival Theatre, Canada to undertake a Stage 2 Archaeological Assessment of the Royal George Theatre, 79-83 Queen Street and 178 Victoria Street, part of Lots 39, 40, 57 and 58, Registered Plan 86, in the Geographic Township of Niagara, County of Lincoln, now in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara. The subject property is approximately 0.16 hectares in size. Permission to access the subject property and to carry out all activities necessary for the completion of the assessment was granted by the proponent on May 24, 2019.

The previous Stage 1 background assessment, completed in early 2019, entailed consideration of the proximity of previously registered archaeological sites and the original environmental setting of the property, along with the nineteenth- and twentieth-century settlement history. This research concluded there was potential for encountering both Indigenous and Euro-Canadian archaeological materials on the subject property.

The Stage 2 assessment was conducted on June 24, 2019 by means of a test pit survey at five metre intervals in areas deemed to have archaeological potential. Intensified test pit survey and the excavation of one test unit was also completed in a confined area where cultural material was encountered. However, upon review of the fieldwork findings it was determined that the cultural material was out of context, and the subject property has previously been subject to widespread disturbance below the original A- and B-horizons. Therefore, the nineteenth and twentieth century artifacts collected during the course of the Stage 2 assessment do not constitute an archaeological site. As such, it is recommended that no further archaeological assessment of the subject property be required.



PROJECT PERSONNEL

| | |
|---|--|
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| | Jennifer Ley, Hons. BA (R376) Associate Archaeologist & Assistant Manager, Planning Assessment Division |
| <i>Project Director:</i> | Robb Bhardwaj, MA (P449) Associate Archaeologist & Field Director, Planning Assessment Division |
| <i>Field Director:</i> | Robb Bhardwaj |
| <i>Field Archaeologists:</i> | Dawn Chan Sean Doyle Catherine Kitchen |
| <i>Project Historian:</i> | Brian Narhi, MA Project Historian, Planning Assessment Division |
| <i>Report Preparation:</i> | Robb Bhardwaj Jennifer Ley Brian Narhi |
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| <i>Report Reviewer:</i> | David Robertson, MA (P372) Partner Director, Planning Assessment Division |



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1.0 PROJECT CONTEXT

ASI was contracted by Shaw Festival Theatre, Canada to undertake a Stage 2 Archaeological Assessment of the Royal George Theatre, 79-83 Queen Street and 178 Victoria Street, part of Lots 39, 40, 57 and 58, Registered Plan 86, in the Geographic Township of Niagara, County of Lincoln, now in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara (Figure 1). The subject property is approximately 0.16 hectares in size.

1.1 Development Context

This assessment was conducted under the project management of Ms. Beverly Garner and Ms. Jennifer Ley (R376), and under the project direction of Mr. Robb Bhardwaj (MTCS PIF P449-0326-2019). All activities carried out during this assessment were completed in order to renovate and construct an addition to the existing Royal George Theatre, as required by the Town of Niagara-on-the-Lake. All work was completed in accordance with the *Ontario Heritage Act* (Ministry of Culture [MCL] 1990) and the *Standards and Guidelines for Consultant Archaeologists (S & G)* (Ministry of Tourism and Culture [MTC] 2011; now administered by the Ministry of Tourism, Culture and Sport [MTCS]).

All work carried out for this assessment is further guided by the *Master Plan of Archaeological Resources for the Town of Niagara-on-the-Lake* (ASI 2000), which provides further refinement with regards to potential buffers surrounding any noted features or characteristics which affect archaeological potential.

Permission to access the subject property and to carry out all activities necessary for the completion of the assessment was granted by the property owner on May 24, 2019. Buried utility locates were obtained prior to fieldwork.

ASI previously completed a Stage 1 Archaeological Assessment of the subject property in early 2019, under MTCS PIF P449-0292-2019 (ASI 2019). The report has been submitted to MTCS and is currently awaiting review. A summary of the background information pertinent to this assessment has been excerpted from the Stage 1 report.

1.2 Historical Context

The previous Stage 1 report reviewed historical sources to determine the historical potential of part of Lots 39, 40, 57 and 58, Registered Plan 86, within the limits of the Village of Niagara. The subject property is L-shaped and currently includes the Royal George Theatre fronting Queen Street and a former dwelling fronting Victoria Street.

1.2.1 Historical Research

Administrative and Land Survey History

The land which comprises the Town of Niagara-on-the-Lake and the surrounding former Township of Niagara was partly included within the limits of the “Four Mile Strip” (6.43 km) which was acquired by the British through a surrender negotiated by Sir William Johnson in July 1764. This treaty was intended to provide the British with a safe portage along the west side of the Niagara River following the “Devil’s



Hole” massacre in September of the previous year. The treaty was confirmed at Fort Niagara on May 9, 1781. The remainder of the township and the rest of the Niagara District was alienated by the British from the native Mississaugas by a provisional treaty (Treaty No. 3) dated May 22, 1784. By the terms of this treaty the British purchased approximately 3,000,000 acres (1,214,000 ha) for £1180.7.4. This treaty was ratified at Navy Hall in December 1792 (Anon. 1891: vol. 1:5-7).

The first rudimentary survey of four concessions in Niagara Township was undertaken by Allan Macdonell in 1783, which provided the inhabitants with a rough idea of the boundaries of their allotments. This survey served as the basis for the formal surveys undertaken the late 1780s and early 1790s by Philip Frey and Augustus Jones. In 1788, a local “Land Board” was established for the Nassau [Niagara] District which administered the granting of “location tickets” to the early settlers. At that time Niagara Township was simply known as “Township No. 1.” The Niagara district was then part of the Province of Quebec and temporarily fell within the judicial and administrative jurisdiction of the District of Montreal. It then became part of the Province of Upper Canada in 1791-2. The township was renamed as “Niagara” in the summer of 1792, following the arrival of Lieutenant Governor John Graves Simcoe, and was included within Lincoln County in the Home District until January 1800. After that date Lincoln County formed part of the newly established District of Niagara, which was administered from the County seat in the Town of Niagara. Lincoln was temporarily united with the Counties of Welland and Haldimand, but the judicial ties with these counties were severed between 1851 and 1856. The County seat was relocated to St. Catharines in 1866. Since 1969-70, Lincoln County has formed part of the Regional Municipality of Niagara (Armstrong 1985:137 ff; Jonasson 2006).

In August 1789, Governor General Lord Dorchester proposed that the Town of Niagara was to be laid out slightly further south along the Niagara River Road, on Niagara Township Lots 15-18 inclusive which was the property of the Fields, Baker and Wilkinson families. Gilbert and Nathaniel Fields were unwilling to surrender their holdings to the Crown for the purposes of laying out a town plot, and in March 1790 the Land Board was forced to select another site. In June 1790, the Land Board proposed four possible locations for a “town and public buildings” and in August of that year the local inhabitants suggested that the “lands near Navy Hall reserved for the use of the government” be considered as a town site. In late February 1791 instructions were issued by the Surveyor General’s office in Quebec to John Collins and Augustus Jones; ten chain bearers and axe men were to be hired and provided with provisions “and immediately proceed with all diligence to survey and mark a town plot for a County town of the district to be called Lenox on the west side of the Niagara River.” The location, dimensions and plan were to be made under the direction of the local Land Board. In June 1791 the site for Lenox had been selected “at the mouth of the river” on the government reserve west from Navy Hall. The survey work commenced sometime after June 6th and a preliminary plan was presented to the Board on June 20th. This plan was approved on June 24th. This area appears to have had some squatters since the Board directed that “the present occupants are permitted to retain the lot on which their houses may fall.” The Board also directed that a “public house” was to be built “on the corner lot at the east end of the Town adjoining the River, and a Mason’s Lodge on the lot next to it.” Augustus Jones noted that the work on the actual survey was delayed for the summer since “the lands are mostly covered with grain which in a month or two will be gathered in.” In early November 1791 the Board ordered Jones to “fix [determine] the boundary” between the town and the remainder of the government reserve. The west boundary of the town could extend no further west than one mile (1.6 km) from the river, “owing to Colonel Butler and some others who live in rear of and refuse giving up their possessions.” Jones commenced laying out the street grid and building lots in the town shortly after November 16th. By December 5th “choices for Town Lots were drawn for” on Lots 1 to 84 inclusive. A payment of 25 shillings was charged per lot before it was granted, and the money that was raised was used to defray the cost of erecting a jail and other public buildings. In February 1792 Jones noted that work on the town survey had been interrupted due to “the weather setting in very severe.” The survey was complete by June 15, 1792 when Jones submitted his plan and field



notes, as well as his accounts for the work which totalled £86.13.0½. The plan for the town contained 412 building lots and was bounded along its east side by King Street. The town was expanded south and eastward from the intersection of King and Queen Streets by provincial statute in 1816 (which was surveyed into building lots by 1822), and new areas were incorporated into the west end of the town at “Crookston” around that same time (Carnochan 1914:97-98; Cruikshank 1930:22, 53, 59, 85, 111, 117-118, 121, 127, 131, 135, 140-141).

In 1914, Janet Carnochan of the Niagara Historical Society published a chapter in her work, *History of Niagara* which explained the etymology of street names in the Town of Niagara. Queen Street was easily explained since Upper Canada was a “monarchical country.” The streets north of King (which marked the original boundary of the town) were simply named “First,” “Second,” “Third” and “Fourth.” “Second Street” was apparently renamed as “Victoria Street” after the birth of the Princess and future Queen Victoria in 1819 (Carnochan 1914:99-100).

The Town of Lenox was also called “Butlersburg” for a very short time (in honour of Col. John Butler), but it was more commonly referred to by the local inhabitants as the “Town of Niagara.” It was immediately re-christened as “Newark” in 1792 by Lieutenant Governor John Graves Simcoe, but that name proved to be equally as unpopular as Lenox. It reverted back to Niagara in 1796, and it was briefly known as “West Niagara” in 1796-9. “West” Niagara distinguished the town from “East” Niagara which was used in reference to Fort Niagara and the nearby settlement at Youngstown. The name is thought to be a derivative or corruption of a native word, “onghiara,” signifying a “neck” of land. Other writers fancied that it referred to the “thundering waters” of the cataract. The name of the town remained unchanged until 1902-03, when the name of the post office officially became “Niagara-on-the-Lake” (Gardiner 1899:273; Rayburn 1997:241).

The Town of Niagara was described in an early gazetteer published in 1799, which noted that the settlement then contained about 150 houses with a gaol and court house. The Quarter Sessions and Court of King’s Bench were held there, as well as the 1st Session of the provincial parliament. The town contained a council house, Lieutenant Governor’s residence, Navy Hall and the “public offices of government.” The author noted that the government was then in a state of transition, and the officials were relocating to the Town of York (Toronto) which had become the official provincial capital. Another writer described Niagara in 1805 as a “handsome town, of about a mile square, and its streets at right angles.” The same buildings are referred to in addition to the newly completed Fort George. The Niagara River supplied the early inhabitants of the town with “prodigious quantities of white fish” as well as sturgeon, bass and salmon. The land was “not so good as the more distant situations” but the district possessed a “remarkably fine” climate. The forests were covered with pine and hardwood, an oak savannah south of Fort George, and very little “underwood.” As a result, the settlers raised their first crops and obtained a bountiful harvest “with great facility” (Smith 1799:99, 114-116; Boulton 1805:49-50.)

Niagara Township was first settled ca. 1782-84 by the disbanded troops from Butler’s Rangers, as well as by other Loyalists from the former American colonies. Many of these early settlers were from New York, New Jersey and Pennsylvania, and were primarily of English, Scottish, Irish, and German ancestry. These refugees were initially housed in and around the garrison at Fort Niagara, but by the summer of 1784 several families had undertaken the cultivation of land on the west side of the river. The remainder of the Niagara Peninsula was surveyed in 1787-89 after which time settlement quickly spread westward from the Niagara River.

The Town of Niagara was in a vulnerable position during the War of 1812 due to its location at the confluence of the Niagara River and Lake Ontario, and on account of its proximity to Fort George and



Fort Niagara. The town was captured by the Americans in May 1813 and occupied by them until early December. The town was ordered to be burned in December 1813 by the American commander, General McClure, when the enemy troops evacuated the garrison and retreated to the safety of Fort Niagara. Eyewitness accounts noted that only one or two houses survived the conflagration relatively intact, while others were reduced to rubble. The task of reconstruction commenced in 1815-16. A number of houses in the town were rebuilt on existing foundations.

The Town of Niagara continued to serve as the County seat for another 50 years. The prosperity of the town was eventually eclipsed by nearby St. Catharines which enjoyed the benefits of increased trade and settlement following the completion of the 1st Welland Canal in 1829. As one writer noted at the time, Niagara was “a place of considerable trade before the opening of the Welland Canal.” St. Catharines was elevated to the status of a town in 1845, and the County seat was transferred there from Niagara in 1866. The Town of Niagara was incorporated by a provincial statute in 1845, and a new town hall-court house was built on Queen Street in that year. In the 1840s the town possessed five churches, a fire company, two newspapers, a daily mail, and various government offices. The town was connected to Hamilton, Toronto and Kingston by daily steamboats. One of the major employers in the town during the nineteenth century was the Niagara Harbour and Dock Company established in 1830. Other businesses in the town at that time included: physicians, surgeons, lawyers, merchants, a branch of the Bank of Upper Canada, a foundry, chemists and druggists, watchmakers, wagon makers, gunsmith, book sellers and stationers, printers, saddlers, tavern and innkeepers, cabinet makers, tallow-chandlers, marble works, hatter, bakers, tinsmiths, blacksmiths, tailors, shoemakers, livery stables, and a tobacconist (Smith 1846:128-130). By the mid-1840s, Niagara was referred to as an “old and well settled township” which contained “good farms and flourishing orchards.” 10,555 acres (4,471 ha) or 51.9% of the available land was then under cultivation. The assessed value of the farms in the township at that time was £36,172. Niagara Township contained a population of 2,109 inhabitants by 1846. The township possessed three grist mills and two saw mills. Little wheat was grown in the township during the mid-nineteenth century since many farmers had switched to rearing livestock and to tender fruit cultivation (Smith 1846:130).

Queen-Picton Heritage Conservation District

In June 1987 the Town of Niagara-on-the-Lake passed a by-law (1667-86) which designated the Queen-Picton neighbourhood as a Heritage Conservation District. The HCD is bounded on the east by Wellington Street, on the south by Johnson Street, on the west by Gate Street, and on the north by Prideaux Street. The map attached to the by-law shows the footprint of the Royal George Theatre as part of the “business” area within the HCD, and 178 Victoria Street as part of the “residential” area (*Registry deeds #543965*).

Lot 39, Registered Plan 86

This one-half acre (0.202 ha) lot was patented by Barnabas (“Barney”) Cain (Caine) on May 6, 1796. Other records show that Cain submitted a petition to the local (Nassau District) Land Board for this specific lot on December 14, 1793. The petition was read and approved three days later by the Board. His name appears on a list of land owners in the town dated May 20, 1795 (Niagara Town “Township Papers,” pp. 144-146).

Cain (b. ca. 1747) was one of the early settlers in the Town of Niagara. He was probably a native of Tyrone County, New York where other members of the Cain family originated. The Tyrone County Committee of Safety arrested several men in June 1776, including one Barnabas Cain, who were judged



to be “inimical to the Liberties of America and dangerous to remain in the Country,” and who were ordered to be sent as prisoners to Albany and “disposed of as General Schuyler shall direct.” This document may refer to another Barnabas Cain (a cousin?) who served in the King’s Royal Regiment of New York and who later settled as a Loyalist in eastern Ontario. The Barney Cain who settled at Niagara is known to have joined the Indian Department in 1776 and served as a Sergeant with the “Forresters” throughout the Revolutionary War. Cain was at Niagara in December 1783 and referred to as a “Loyalist in the Indian Department” under “Brant’s Volunteers” and described as a “smith.” His name was enrolled on the old United Empire Loyalist list. Other members of the “Forresters” had settled at Niagara, such as Hugh Freel and Samuel Cox, and this may have been a determining factor that attracted Cain to this area. Cain appears to have been conversant in native languages and may have acted as an interpreter since Lieut. Governor Simcoe requested in August 1793 that he (or his son) be sent to the Tuscarora village “in order to bring the Chiefs before Colonel Butler.” Cain was subsequently appointed to serve as “blacksmith to the Indians” at Niagara, and he commenced work in December 1797 at Fort George under the supervision of Col. Claus of the Indian Department. He received a yearly wage of £85.3.4 for his work. Cain was granted 500 acres (202.35 ha) as a reduced officer. This allotment was in addition to his town lot at Niagara, and another 200 acres (80.94 ha) which he purchased. His name was published in various notices that appeared in the *Upper Canada Gazette* which announced that his land patents had been completed and were ready for him to pick up at the provincial Secretary’s office. Cain was the owner of Niagara Township Lot 111 (patented May 1796) and Lot 114 (patented December 1798.) He sold Lot 111 in October 1802. Lot 114 was sold by means of an unregistered deed sometime prior to 1839. Cain was a founding subscriber for St. Andrew’s Presbyterian Church at Niagara in September 1794, donating £1 to the fund. He was named in a list of jurors at Niagara in May 1795. Cain required to perform statute labour (road work) in the town in 1801. During the War of 1812, Cain was paid £2.10.0. by the Loyal and Patriotic Society due to being “harassed by the enemy.” Local tradition related that one Barney Cain fought at Lundy’s Lane in July 1814 and that he carried the corpse of his friend, George Caughill, from the battlefield. This probably referred to a son of the blacksmith, since Barney would have been beyond the age required for active service by 1814. Cain was first married to a woman named Margaret (b. ca. 1751) by whom he left at least one son, John, who was born in New York ca. 1774. The widower Barnabas Cain was married at St. Mark’s (Anglican) Church by the Rev. Robert Addison on Feb. 11, 1798 to the widow Cyble [Sybil] Clinton. Cybil died at Niagara and was interred in an unspecified location by the Rev. Addison on Oct. 22, 1820. Barney was buried near his farm in a small cemetery located on the Corus farm outside of Virgil (Upper Canada Land Petitions, C8/49 [1807]; Niagara Township Memorials Abstract Index, Lots 111 and 114 [volume 102]; Old UE List, p. 148; *Upper Canada Gazette*, Oct. 5 and 26, 1796, Mar. 8, 1797 and Dec. 29, 1798; Carnochan 1914:182-183; Cruikshank 1924:45; Cruikshank 1935:53; Taylor 1992:14; Crowder 1993:24; Fitzgerald 1993:181, 194, 208; Narhi 2006:9, 28; 2012:112).

In July 1798, Cain sold this lot to Andrew Heron (Niagara Memorial deed #132).

Andrew Heron (b. 1763) was a native of Kirkcudbrightshire, Scotland, and the son of Andrew and Sarah (McMichael) Heron. He emigrated to the United States in 1785 but then settled at Niagara in 1788. Heron was one of the prominent early merchants in the Niagara District, and was among the original parishioners at St. Andrew’s Presbyterian Church in 1794. He served for over 30 years as an elder and secretary-treasurer for the congregation. Heron was one of the founding members of the Niagara Public Library in 1800. Heron was named in court records as a juror from as early as 1795, and in 1804 he was accused of removing building materials (timber, nails, bricks, window glass, lime) from the “close of Elizabeth Thompson” which he “took away and converted to his own use.” The court found that Heron was in fact the legal owner of the land upon which Thompson’s shop was located and that there was “insufficient evidence” for her to pursue the case. Heron was taken prisoner by the Americans in 1813 and sent as a captive to Albany where he remained for part of 1814. When the Town of Niagara was



burned in December 1813, Heron sustained substantial damages of £700. At the end of the war he “relinquished” his mercantile pursuits and in 1817 he became the editor and publisher of the *Niagara Gleaner* newspaper. Heron printed this newspaper with the exception of a brief hiatus until 1836. He was also the printer of assorted books and pamphlets during the 1820s and 1830s. Heron was married four times: Mary Kemp (1767-1803) who was the sister of Matthew Kemp, Catherine Anderson (1774-April 7, 1812), Jane Anderson (1765-July 5, 1832) and Ann Paterson. He left issue of six children by three of his wives (two sons, four daughters) who born between 1792 and 1814. Heron was named in several instances as the executor or administrator of various estates in the Niagara area. He was granted land in various parts of Upper Canada, including at least nine lots in the Town of Niagara, which were in addition to lands which he purchased from private owners. He died at Niagara from old age (“by decay of nature”) on May 13, 1848. He was interred with his wives in the family plot at St. Mark’s Churchyard (*British Colonist*, May 30, 1848; Carnochan 1914:33, 37, 48, 84, 89, 186, 250; Narhi 2006:39).

In May 1819, Heron mortgaged his property in favour of Alexander Fraser to the amount of £1,264.7.2. Payments under this mortgage fell into default, and in October 1826 this property was seized by Richard Leonard (the sheriff of the Niagara District) who conveyed the land to John Ross as attorney for the mortgagee, Alexander Fraser. In May 1828, Fraser sold this lot and other land to Matthew Dobie for £100. In October 1839, Dobie mortgaged his land for £500 in favour of Richard Hiscott, and in April 1857 he sold this land for the same consideration to Joseph P. Kirby. In July 1861, a “dismissal” was registered on title in a suit between Kirby (plaintiff) and Hiscott as defendant in which the plaintiff’s bill showing his alleged interest in the property was dismissed. This meant that the interest that Hiscott held in the land under the mortgage from 1839 took priority over the sale to Kirby in 1857 (Niagara Memorial deeds #5731, 6919, 7296, 1507, 8191, 36). For biographical sketches of Dobie and Hiscott see Lot 58 below.

In February 1874 this property was inherited by Eliza Ann Hiscott and the other heirs of Richard Hiscott, and in June 1882 it was sold by the executors of the estate to James E. Campbell for \$550 (Niagara Town deeds #[----]28;¹ Probate #646).

In July 1889, Campbell sold this lot to James Johnson Doyle for \$900 (Niagara Town deeds # [-----]?).

Doyle (b. ca. 1842) was a native of Ireland who settled in Canada in 1854. He was an innkeeper in the Town of Niagara. He and his wife Margaret (b. ca. 1846) had a family of three children (one daughter, two sons), including a son named Johnson Doyle (b. Dec. 25, 1875.) Johnson later resided with his wife and family on Regent Street. The Doyle family belonged to the Roman Catholic Church (1891 Town of Niagara Census, division 1, p. 7; 1901 Town of Niagara Census, division H1, p. 4).²

In February 1906, Doyle sold the southerly three feet of this lot (0.9144 m) to George Reid for \$12. The deed noted that this strip of land “immediately adjoining” the land to the south (i.e., Lot 58; Niagara Town deeds #3719).

In December 1915, Reid sold this land to James Laughton (Niagara Town deeds #[-]770).

¹ This and other instrument numbers and some personal names and other details are partially or totally indecipherable in the microfilmed and digitized copies of the abstract index. They are indicated throughout this report in [----] square parentheses.

² There was another James Doyle (b. ca. 1853) who resided in Niagara Township during the late 1890s who, by coincidence, was also an innkeeper with a wife named Margaret (1891 *Niagara Township Census*, division 1 p. 9.)



Laughton (b. August 1885) was a native of Scotland and the son of John and Jessie (Shearer) Laughton. He settled in Ontario in 1904 and appears to have been engaged in farming for a time in the vicinity of Queenston. James was later described in records as a “house carpenter” and “builder.” He was married in April 1911 to Mary Ellen Ball (b. Jan. 1886). She was a native of Niagara Township, and the daughter of Albert and Frances A. (Goring) Ball. She was therefore the sister-in-law of George Reid, the grantor of this property. James and Mary Ellen were long-time residents of the Town of Niagara, and members of the Presbyterian Church (1911 Niagara Township Census, division 1, p. 3; Ontario Vital Statistics, marriage registration #8328/1911).

In June 1942, Laughton sold this property back to George Reid and his sons, Walter Melvin, Albert Stanley and George Clifford Reid. The quantity of the land that was being transferred was apparently in doubt since the entry in the abstract index noted that it “purports to be the land described in reg’d deeds Nos. 3677 & 3719” (Niagara Town deeds #6790).

The sale of this land appears to have created an encroachment of about 5 or 6 feet (1.52-1.82 m) between Lots 39 and 58 to the south. Owners of Lot 58 appear to have taken possession of this strip through “title by prescription.” The owners to the north appear to have been deeded the full depth of the lot as outlined below.

In December 1951, the executors of George Reid sold part of this lot to Lillian Magder. The property that she purchased measured 52 feet (15.84 m) on Prideaux Street by a depth of approximately 206’7½” (62.97 m.) This left an area of slightly more than a foot in depth between the land that was conveyed and the depth of the lot as originally surveyed. Dorothy G. Fowler purchased the remainder of Lot 39 in August 1952 (Niagara Town deeds #8466, 8626).

The records for this lot were automated in February 1998. The Magder parcel referred to above which adjoins the subject property comprises PIN 46397-0105. The encroachment forms part of PINs -0099 and -0106. Note that the Land Registry office “Block map” contains the notation: “the boundaries between properties 0099 and 0106 cannot be defined.” Any subsequent land ownership history from that time to the present date will require a PIN search.

Lot 40, Registered Plan 86³

This one-half acre (0.202 ha) lot was patented by Matthew Kemp on July 10, 1801. Records show that possession of this lot was officially granted to Kemp by the Executive Council four months earlier on March 4, 1801, although he may have occupied the property for several years prior to that date. The lot was described as being 1 chain and 58 links in width by 3 chains and 16 links in depth (104.28 x 208.56 feet, or 31.78 x 63.56 m), which commenced at the easterly angle of the lot on the west side of Prideaux Street (Niagara Town “Township Papers,” pp. 587-591).

Kemp (or Camp, b. ca. 1761) was undoubtedly a native of New Jersey where the family had settled after emigrating from Scotland. Kemp served in Lieutenant-Colonel Joseph Barton’s Corps in the New Jersey Volunteers during the American Revolutionary War. He settled in Upper Canada around 1784 and was at Niagara sometime prior to September 1794. At that time Kemp specifically petitioned the government for the grant of Lot 40 in the Town of Niagara. This lot had not been improved upon by the previous grantee and possession of it had been forfeited back to the Crown in early August of that year. Kemp was willing

³ The abstract index for “Lot 40” must be used with caution since it also contains entries (abstracted in error) for documents which effect “Block 40” on Castlereagh Street.



to begin “without delay...to erect a house” upon the property. This petition was granted, and Kemp was named in a list of land owners in the Town of Niagara dated May 20, 1795. In May 1796 a petitioner named Matthew Camp petitioned the government for 300 acres at the Long Point settlement, but it is not clear whether this was the same individual. Matthew Kemp of Niagara petitioned the government for additional lands in late March 1797. Unfortunately, he had lost his discharge papers and the petition was deferred until he could produce them. One week later, Kemp produced a document signed by Ralfe Clench (J.P.) which certified that Kemp had satisfied the magistrates that he had “joined the Royal Standard” and “adhered to the Unity of Empire” before the conclusion of the war in 1783. The recitals in the petition also noted that he was the brother-in-law of Andrew Heron of Niagara.⁴ Kemp was accordingly granted 200 acres (80.94 ha.) Kemp submitted another land petition to the Executive Council in February 1801, in which he stated that he had been granted Lot 40 in 1794 “and emedently [*sic*] erected a dwelling home on the same” and had occupied it ever since. A document attached to the petition certified that Kemp’s lot was fenced in and contained his house. Kemp made an enquiry about his land at the council office and was alarmed to discover that no grant could be found for it in his name. He requested that a patent would be issued to him in order that the property would not be granted to some other person. This petition was granted in his favour. Kemp served on the petty jury at Niagara in 1795. Kemp was named in the Old UEL List, although due to some oversight his name was not added to the list until April 1797. There were several other members of the Kemp family who resided in the Town of Niagara during the early period of settlement, and who were members of St. Andrew’s Presbyterian Church. Kemp died at Niagara on Oct. 2, 1833. It is not known whether he was married or left any surviving children (Upper Canada Land Petitions, C2/44 [1796], C2/84 and C2/130 [1797]; Niagara District Land Petitions, undated, Niagara/3; K5/4 [1801]; Old UE List, p. 201; *Niagara Gleaner*, Oct. 5, 1833; Fraser 1930: 33, 105, 120; Fitzgerald 1993:185, 210, 215; Narhi 2006:11).

In April 1802 Kemp sold this land to Andrew Heron. Heron was referred to above as the owner of Lot 39 (Niagara Memorial deeds, “Commissioner’s Book” series #516).

This lot was severed by Heron into four parcels which he sold to various individuals: Benjamin Hughes (Jan. 1821), Robert Cannon (Sept. 1821), John Willson (Apr. 1825) and John McBride (Dec. 1830.) The rear or south-westerly portion of the lot was the McBride parcel which adjoined the subject property (Niagara Memorial deeds #6017, 6097, 6890 and 9866).

Hereafter the chain of title for this lot in the “old abstracts” does not follow the same title contained in Lot 57. The owners of Lot 57 directly adjacent to Lot 40 may have taken possession of a narrow strip of land approximately 5 or 6 feet in width (1.52-1.82 m) through “title by prescription.”

The next property along Victoria Street towards Prideaux was the McBride lot. This large lot measures approximately 104 x 135 feet in size (31.69 x 41.14 m) which commenced 71.5 feet (21.79 m) south of Prideaux Street. Its chain of title is quite clear: Andrew Heron to John McBride (1830), Matthew Dobie (1835), James McBride (1837), James L. McBride (1902), William Robert McClelland (1908), Nellie C. McClelland (1938) and Victor and Ada LeBarre (1939.) None of these names appear on title for part of Lot 57.

The records for this lot were automated in February 1998. The McBride-LeBarre property comprises PIN 46397-0098. The encroachment between Lots 40 and 57 is included within the limits of PINs -0099 and -0106. The Land Registry “Block map” contains the notation: “the boundaries between properties 0099

⁴ Heron had married Mary Kemp (d. 1803), who was Matthew’s sister. Records referred to one Mary Kemp who was granted 200 acres as a Loyalist in July 1797 (Fraser 1932:20.)



and 0106 cannot be defined.” Any subsequent land ownership history from that time to the present would require a PIN search.

Lot 57, Registered Plan 86

The early land ownership of Lot 57 is very muddled and difficult to trace due to several gaps in the chain of title, which was either caused by the destruction of the pre-1813 records or by the transfer of the land through deeds which were not registered.

This one-half acre (0.202 ha) lot was originally granted to James Fitzgerald. Fitzgerald had submitted a petition to the Executive Council in late September 1793 praying for a grant of “vacant Lot 57” in the town of Newark. The recitals in the petition noted that Fitzgerald was “desirous to improve on a vacant lot” and to become a permanent settler. The petition was received and read before the council and approved on November 30, 1793. Further records indicate that a Land Board Certificate was issued to Fitzgerald for this lot on Dec. 21, 1793 and that a “description” for it was issued by the Surveyor General’s office in November 1795. Fitzgerald was referred to in a list of lot owners dated May 20, 1795. Other early land related records suggest that Andrew Heron possessed some interest in part of this lot (Upper Canada Land Petitions, F miscellaneous/52 [1788-1795]; Upper Canada Sundries, report from Thomas Ridout, Sept. 5, 1817, pp. 15953-15955; Niagara Town “Township Papers,” p.478).

The place and date of birth are not known for Fitzgerald although he was undoubtedly a native of Ireland. He had settled in Niagara sometime prior to September 1793 where he established himself in business as an innkeeper. Fitzgerald drowned sometime prior to October 20, 1794, and notices to his creditors were published in the *Upper Canada Gazette* by his attorney, James Clarke, between June and August 1795. Other notices published in the newspapers noted that Andrew Heron was “trustee” for the Fitzgerald estate, and the creditors of the estate were called to meet at Wyer’s Tavern at Niagara on September 15th. Fitzgerald was married to a woman named Ann Connolly by whom he left no issue. After his death she was married at St. Mark’s (Anglican) Church on Jan. 28, 1795 to John Cain. This John Cain may have been the son of Barnabas Cain referred to earlier in this report. Notices in the *Gazette* stated that accounts for debts owing to the estate could also be paid to John Cain and his wife. Ann Cain had originally been granted Letters of Administration by the Surrogate Court with respect to the Fitzgerald estate on Dec. 1, 1795. This power was granted to her with the provision that she provided the court with an inventory of the effects of the deceased. She entered into a bond amounting to £1,000 with sureties James Hurst and Donald Grant for the just administration of the estate. On July 22, 1796, Joseph Edwards (a respected merchant and local magistrate) applied to the surrogate court for new Letters of Administration to be granted to him for settlement of the affairs of the estate. His petition to the court also requested that the administration previously granted to Mrs. Ann Cain be revoked, on the grounds that she was “wasting the estate of the deceased without paying the just debts,” and that she “is likely to make devastation of the remaining part thereof without paying the debts of the deceased.” Two prominent inhabitants of Niagara, Colin McNabb and William Johnson Chew stood as bondsmen or sureties for Edwards.

Mrs. Cain was subpoenaed to appear in court and show cause “if any she has” as to why the administration should not be revoked. New Letters of Administration appear to have been subsequently granted to Edwards. The fate of Mrs. Cain took a sinister turn, since the *Canadian Constellation* newspaper reported that Mrs. Ann C. Cain had been hired to work as a servant by a local merchant named George Forsyth. In June 1800, Cain was “killed by blows and kicks inflicted by a fellow servant” named Charles Trump while they were in the employ of Mr. Forsyth. Trump was to stand trial for her murder at the next assizes. The editor of the *Constellation* newspaper cautioned his readers that this was “a sorrowful instance...and let it be a warning to those who forgetting they are men, and in a gust of passion,



assail a woman, weak woman, who under every circumstance has a claim to our tenderness and protection, even in her transports of fury.” Reports from the *Constellation* were reprinted by the editor of the *Niagara Mail* as an item of curiosity in 1855. It is not known whether the original newspaper from 1800 has survived.

In August 1795, John Cane was named as having some interest in farm Lot 25 in Niagara Township, which had been granted to the late James Fitzgerald. The original certificate which granted that land to Fitzgerald could not be produced since it was believed to have been on his person when he was “drown’d.” This lot later formed part of the land assembly of John McFarland on the Niagara River Road. There was reference to the death of one John Cain, who died at the Four Mile Creek at the residence of his son, on March 27, 1841 aged 80 years. This may not be the same individual, since he would have been several years older than the son of Barnabas Cain (*Upper Canada Gazette*, June 10 and Aug. 19, 1795; St. Mark’s Marriage Register 1795; Lincoln County Surrogate Court wills and administrations, Fitzgerald estate, 1795 and 1796; *Canadian Constellation*, June 21, 1800; *Christian Guardian*, Apr. 7, 1841; *Niagara Mail*, Aug. 22, 1855; Carnochan 1914:71).

Records of losses sustained by the inhabitants of the Town of Niagara during the War of 1812 referred to the destruction of a house owned by “Fitzgerald” for which £100 was claimed. It is uncertain whether the claim was submitted for a house on this particular lot.

At some point after the War of 1812 Rodman [or Rhodman] Starkweather and Russell Searle Brown acquired an interest in part of this lot. The first deeds in the subsequent chain of title contain a very vague description, simply referring to the land sold as “part of the northerly part of Lot 57” (Niagara Town Abstract Index to Deeds, Lot 57).

Starkweather (b. Feb. 7, 1789) was a native of Preston, near New London, Connecticut, and the son of Charles and Deborah Starkweather. He is known to have been a medical student during the winter of 1815, and was referred to as “Dr. Starkweather.” He settled in the Town of Niagara in 1819 where he established his drug store on Queen Street in the shop now known as the “Niagara Apothecary.” Starkweather was in partnership with Russell Searle Brown as druggists in a firm known as “Brown & Starkweather.” Starkweather was named in various lawsuits which were brought before the magistrates at the Niagara District Quarter Sessions between April 1828 and July 1836. These included assault and battery charges brought against him by Valentine Butterfield and Patrick Handy (a Niagara grocer) in April and July 1828. In July 1830, Starkweather was a witness in a larceny suit having refused to accept a stolen bank note as payment for goods in his shop. In January 1833, Starkweather was assaulted in his shop by the merchant John Alma who pleaded “guilty” to the charge. In July 1836, Starkweather and Brown had an individual named Charles Walsh confined in the Niagara gaol on some unspecified charge. Starkweather served on the Grand Jury at the Quarter Sessions in October 1829 and again in March 1835. By 1837, Brown and Starkweather had relocated to Buffalo where they borrowed money heavily from other merchants and banks. Brown executed a promissory note for \$50,000 in favour of George Truscott, and mortgaged part of the partnership property in order to secure the loan. The mortgage was foreclosed upon and formed the basis for a case (Truscott vs. King) heard in the Supreme Court for the State of New York, and which dragged on until at least September 1849. Rodman was married to Martha Baldwin Brown (ca. 1800-Apr. 24, 1881) sometime around 1821. She was the daughter of Humphrey Brown, and her obituary noted that she was “a leader in Buffalo society” during the 1840s, “distinguished for her high social qualities, elegant manner, and great hospitality.” They raised a family of six children (three sons, three daughters) all of whom were born at Niagara between April 1822 and October 1833. Rodman died at Buffalo on March 22, 1858 (*Christian Guardian*, May 21, 1831; Phillips 1850:440-445; Selden 1854:147-167; Barbour 1859:346-351; *Buffalo Commercial Advertiser*, Apr. 25, 1881 p. 2; Bryant & Voss 1975:52-53; Narhi 2006, files 2-24, 2-25, 2-28, 4-9, 7-49, 13-33, 14-18, 19-20 and 24-15.)



Russell Searle Brown (b. ca. 1803) was probably a native of New York and was the business partner of Rodman Starkweather. Brown was named a few times in the records of the Niagara District Quarter Sessions. Brown may have been the defendant in a charge of assault and battery brought before the courts by one John Courtney in April 1825 (or 1826?). The defendant in the case was simply recorded as “Russell Brown.” Brown died in Buffalo on March 26, 1844 and he bequeathed the bulk of his estate to Starkweather (Narhi 2006, file 8-30).

In July 1835, Starkweather and Brown quit-claimed their interest in this land to Ralfe Clench (Jr.) In March 1837, Clench quit-claimed his interest in this land to the widow Elizabeth Clench for £25. In February 1840, Elizabeth quit-claimed her interest in this property to her children, Francis Andrew Bernard Clench, Hannah Clench, and Priscilla Clench for £25. Recitals contained in a subsequent deed showed that Elizabeth Clench was indebted in the amount of £932.15.0. in favour of Edward Clarke Campbell. The sheriff was ordered to seize any property that Clench owned in order to satisfy the debt. The sale of her personal property only raised £28.14.0. and her real property was estimated to be valued at £150. This land remained in the hands of Sheriff William Kingsmill “for want of a purchaser.” The court eventually ordered Kingsmill to sell the land at the best possible price. In July 1843, Kingsmill sold this land to Hannah Catherine Clench for £141. The land transferred to her was described as 7,376 square feet in extent. The parcel measured 39 feet (11.88 m) on Queen Street by 166 feet 50.59 m) on Victoria Street. The north side of the property measured 64 feet (19.50 m) in width and ran parallel to Queen Street. The east side of the parcel was irregularly shaped. In that same month, Eliza, Hannah and F.A.B. Clench sold this parcel to Charles Coxwell Small for £157 (Niagara Town Memorial deeds #11760, 11780, 12828, 1445, 1446).

Ralfe Clench Sr. (1762-Jan. 19, 1828) was a native of Schenectady, New York and had served as a Lieutenant in Capt. William Caldwell’s Company in Butler’s Rangers during part of the American Revolutionary War. Lieutenant Clench was at Niagara, apparently as a single man, in November 1783. He held numerous local government positions such as registrar of the Surrogate Court, clerk of the District Court and clerk of the peace, as well as being an auctioneer in the Town of Niagara. Clench Sr. was also elected to the House of Assembly for Upper Canada where he sat between 1800 and 1820. Clench served in the Lincoln Militia, and was socially prominent in the Town of Niagara. Ralfe was married at Niagara sometime during the late 1780s to Elizabeth Johnson (ca. 1773-Aug. 15, 1850.)⁵ She was a native of Johnstown, New York, and the daughter of Brant Johnson (or Kegnnehtago, 1742-1818) by his wife Margaret Campbell.

Elizabeth was therefore the granddaughter of Sir William Johnson by his Mohawk wife Elizabeth Brant.⁶ Clench Sr. was fluent in native languages and was described by an eye-witness as “a young man of liberal education...equally capable of entertaining company on an organ and of translating speeches into Iroquois.” Ralfe and Elizabeth raised a family of twelve children. The first home built by Ralfe Sr. survived the burning of the Town of Niagara in December 1813, but was accidentally destroyed by fire shortly thereafter. He built a large home for his family at 234 Johnson Street which was completed around 1824 and still stands today. As a mark of esteem, Clench Sr. was interred in the private family burial ground of Col. John Butler (*Canadian Biographical Dictionary* 1880:586-590; Fryer and Smy 1981:54; Wilson 1987:153-154; Taylor 1991:6).

Ralfe Clench Jr. (Oct. 22, 1806-Nov. 18, 1880) was a native of Niagara and the son of Ralfe and Elizabeth (Johnson) Clench referred to above. Ralfe, like his father, held a number of local government

⁵ Some sources state that the marriage took place on July 21, 1792.

⁶ Some sources state that Brant Johnson was the son of Sir William Johnson by his German wife, Catherine Wissenberg or Wysenbergh.



posts including post master, magistrate, town councillor, assessor, and clerk of the county court. He was also a tavern keeper, a druggist, and “kept the ferry” for twenty-five years. He was married to Catherine Prior and raised a family of at least three sons. Ralfe died from typhoid fever (1851 Town of Niagara Census, division 1 p. 66/131; 1861 Town of Niagara Census, division 1, p. 1; Ontario Vital Statistics, death registration #9070/1880).

Francis Andrew Bernard Clench (b. Jan. 15, 1815) was a native of Niagara and the son of Ralfe and Elizabeth (Johnson) Clench. He was the Registrar of the Surrogate Court for Lincoln County, and Clerk of the County Court. Clench served as the Lincoln County Clerk and was a Justice of the Peace. He was a Niagara town councillor for seventeen years, served as deputy town clerk, and was elected Mayor on three occasions. Clench served as a lieutenant in the Queen’s Niagara Fencibles in 1837-38. Despite his status within the community, Clench was brought before the magistrates in June 1833 and charged with assault and battery by James A. Clement. He died from kidney disease on May 20, 1887 (1851 Town of Niagara Census, division 1 p. 66/131; *Canadian Biographical Dictionary* 1880:586-590; Ontario Vital Statistics, death registration #9605/1887; Narhi 2006, file 14-29).

Hannah Catherine Clench (baptized Jan. 29, 1795) was a native of Niagara and the daughter of Ralfe and Elizabeth (Johnson) Clench. She did not marry and lived at home with her siblings. Hannah was still alive in 1851. Priscilla Stuart (or Stewart) Clench (b. 1799, baptized April 27, 1800) was her sister. Priscilla was married to Henry Dilke, an English born druggist. They moved to the Town of Thorold where they resided in 1851. There does not appear to have been any issue from this marriage. Priscilla died as the result of “general debility” in the Town of Niagara on April 30, 1887 (1851 Town of Niagara Census, division 1 p. 66/131; 1851 Town of Thorold Census, division 2 p. 8/15; Ontario Vital Statistics, death registration #9604/1887).

Another part of this lot was acquired through an unregistered deed by Archibald Gilkison (or Gilkinson) of Queenston. In December 1840, Gilkinson quit-claimed his interest in this property to Patrick Finn for the sum of five shillings. The deed referred to the property as being located on the south-east side of the Clench lot, and formed a parallelogram 34 x 120 feet (10.36 x 36.58 m) in size (Niagara Memorial deeds #164).

Gilkison (b. ca. 1815) was a native of Upper Canada and the son of Capt. William and Isabella (Grant) Gilkison. His father had served in the province during the War of 1812 and is believed to have been present at the Battle of Crysler’s Farm in 1813, and his mother was the daughter of the Hon. Alexander Grant (R.N.) Capt. Gilkison was named as one of the “founders” of the Town of Elora in the 1830s, and was a cousin of John Galt of the Canada Company. Gilkison studied law in the Town of Niagara under Charles Richardson, who was the clerk of the Niagara Quarter Sessions.⁷ Gilkison then went on to further his legal studies in Toronto under William Henry Draper who served as the Solicitor General and as the Attorney General for Upper Canada. Gilkison was called to the bar of the Law Society of Upper Canada during Hilary term of 1837. Around that time, he was called upon to provide evidence in an assault and battery case that was heard before the magistrates at the Niagara Quarter Sessions. Gilkison later petitioned in 1847 that he be allowed to practice as an attorney and solicitor in the Court of Queen’s

⁷ Charles Richardson (1805-1848) was the son of Dr. Richardson, and brother of the early Canadian novelist Major John Richardson. Charles studied law, and was one of the men who sacked the printing office of William Lyon Mackenzie in the Town of York in 1826. He was elected to the House of Assembly for Upper Canada, and represented the Town of Niagara between 1834 and 1841. Richardson was married to Eliza Euretta Clench, the daughter of Ralfe and Elizabeth (Johnson) Clench. Archibald Gilkison may have become acquainted with the Clench family during the period when he studied law under Richardson, and perhaps he purchased part of Lot 57 directly from some member of that family.



Bench and in the Court of Chancery. Gilkison resided in the village of Queenston and in the Town of Niagara, but later moved to Hamilton, Brantford (1851, 1871) and Elora (1861.) Gilkison served for a time as judge in the Town of Picton. He was also the secretary of the Brantford & Buffalo Railway Co. during the early 1850s. Gilkison was married in September 1836 to Hannah McCormick (1818-1889). She was the daughter of Thomas McCormick (1784-1867), the manager of the Niagara branch of the Bank of Upper Canada, by his wife Augusta Jarvis (1790-1848.) Hannah was therefore the granddaughter of the Provincial Secretary, William Jarvis, by his wife Hannah (Peters.) Gilkison and his wife raised a family of seven children (one daughter, six sons) who were born between 1837 and 1854. The family belonged to the Church of England. Gilkison died in 1876 (*Toronto Correspondent & Advocate*, Oct. 26, 1836; 10 & 11 Vic. ch. CIX; 1851 Brantford Census, division 2 p. 67; 1861 Wellington/Elora Census, division 1 p. 20; 1871 Brantford Census, division 4 p. 2; Jarvis 1879:17, 61, 104-105; Chadwick 1894:120-121; Carnochan 1914:242; Connon 1975:51-52, 58, 110, 175; Armstrong 1985:131; Narhi 2006, file 29-27).

Finn (b. ca. 1800) was a native of Ireland who settled in the Town of Niagara in 1836. His name was recorded in the minutes of the Niagara District Quarter Sessions as early as July of that year when he was appointed to serve as one of the constables for the town. Finn also served as a constable and as the crier at the sessions. In October 1836 he submitted a charge to the Quarter Sessions for his services as a constable at the execution of convicted murderer Aaron Seely at Niagara. In March 1840 he was called upon to provide testimony at the trial of Mark Kennedy who was charged with the theft of 40 wooden railings. In August 1840 the magistrates approved paying Finn a salary of £20 per annum as crier, rather than simply paying him per diem for his services. At the same sessions Finn brought charges against one Ambrose Oakes, a labourer in the town, who stole a jar, a plate, a tin dish, some milk, butter, and raspberry preserves from Finn. In December 1840 Finn acted as surety for two men who applied for tavern licences in the Niagara District. Finn was described in the 1851 census as the “high bailiff” for Niagara, and simply as “bailiff” in the 1861 census. Finn was married ca. 1833 to Mary (or Maria) Eagen (ca. 1810-before 1861) who was also a native of Ireland. They raised a family of at least seven children (three daughters, four sons) who were born between 1834 and 1848. The family was sufficiently affluent that they could employ a domestic servant. A few of their children died in infancy and are interred in St. Vincent de Paul (RC) Cemetery in Niagara-on-the-Lake. Presumably Mary/Maria Finn is also buried there. Patrick Finn was no longer enumerated in the 1871 census for Niagara, and it has been suggested that he may have returned to Ireland (1851 Town of Niagara Census, division 1, p. 91/46; 1861 Town of Niagara Census, division 3, p. 28; Narhi 2006: files 24-2, 25-1, 31-18, 32-1, 38-20, 39-21, 40-19, 40-21).

All prior interests in Lot 57 held by Heron, Starkweather and Brown, Clench, Small, Gilkison, and Finn appear to have been cut out in order to provide a clear title to the property. An assignment was made by the Surveyor General and a new patent was issued on October 13, 1842 to Mary Ann McAuliff (or McAuliffe) and Catherine Fitzgerald. These women were the “co-heiresses” of the late James Fitzgerald through the estate of their father, Patrick Fitzgerald, who was the eldest brother and heir of James Fitzgerald (Niagara Town “Township Papers,” p. 337).

Little biographical information available for McAuliff. She was the daughter of Patrick Fitzgerald, a native of Ireland, and a Roman Catholic. She was the wife of John McAuliff[e], and in the early 1870s she was a resident of Monkstown in County Cork, in southern Ireland. Her husband had died sometime prior to August 1848. It is not known when Mary Ann died.

Likewise there is little information about Catherine Fitzgerald. She was the daughter of Patrick Fitzgerald and was described in deeds as the “heir at law of the late James Fitzgerald.” In 1848-49 she was a resident of Toronto, in a house called “Primrose Cottage” on Queen Street East, but by 1850 she appears to have moved to Niagara. The 1851 census for the Town of Niagara showed that Catherine was born in



Ireland ca. 1810, was a spinster, and a Roman Catholic. She appears to have been a member of the household of a baker named Robert Torrance. In 1861 she was a member of the household of James D[ooerty?], a shoemaker. It is unclear in these instances what status Fitzgerald held within the household beyond that of a tenant since no occupation was listed for her. Her name was not found in any subsequent census returns for the town, and land deeds clearly stated that she was dead by June 1872 (1851 Niagara Census, St. David's Ward, division 1 p. 79/40; 1861 Niagara Census, division 2, p. 23.)

A notice which advertised the sale of Lots 57, 58 and 59 was published by Miss Catherine Fitzgerald in the *Niagara Mail* newspaper in 1848. She published additional notices in the newspapers in July 1850 which advertised these same lots available for lease (*Niagara Mail*, July 22, 1850).

Another part of this lot appears to have been sold and mortgaged through unregistered deeds. A map of the town compiled ca. 1826 showed the words "estate of John Willson" on Lot 57. Other records show that the lot was occupied by Andrew Willson, who was possibly a long-term tenant on the property. This part lot was seized by Sheriff William Kingsmill in July 1850 "at the suit of the Bank of British North America" and the "lands and buildings and erections thereon" were to be offered for sale by him at a public auction that was to be held at the Court House at noon on October 19th (*Niagara Chronicle*, July 16, 1850).

Little is known about Andrew Willson. The Niagara District Quarter Sessions records show that a man by this name recommended Garrett Vanderburgh for a tavern licence in Thorold in January 1829, and Willson was also selected to sit on the petit jury for the assizes in March 1833. The Sessions records also include lists of prisoners confined in the Niagara gaol; one of the prisoners was Andrew "Wilson" who was confined in September and October 1832 for an unspecified crime, but who was committed on the orders of Niagara merchant and magistrate John Alma for a second time on the charge of "enticing a soldier to desert." Wilson was confined to the gaol from Nov. 1834 until at least May 1835. The name "Andrew Willson" was not found in any of the subsequent decennial census returns for the Town of Niagara (Narhi 2006, files 3-10, 13-1, 14-14, 18-2, 18-15, 19-18, 20-1).

In February 1848, Catherine Fitzgerald ran an advertisement in the *Niagara Mail* newspaper for the sale of Lots 57, 58 and 59. In August 1848, Fitzgerald sold her interest in the remainder of the lot to Mary Ann McAuliff for £500. This property was 1.5 acres in extent (0.607 ha) and included parts of Lots 57, 58 and 59. In July 1850, Fitzgerald once again ran an advertisement in the newspapers for the lease of these lots "for building" which suggests that the property was vacant at the time. Fitzgerald must have acted in the capacity of agent for McAuliff (Niagara Memorial deeds #1553; *Niagara Mail*, Feb. 2, 1848 and July 31, 1850).

In June 1872, McAuliff sold this property to Peter Clarke and Henry Paffard for \$400 (Niagara Town deeds #426).

Clarke (b. ca. 1815) was a native of Ireland who settled in the Town of Niagara sometime before 1871. He was described in the property deed as a "gentleman." His and his wife Margaret were members of the Roman Catholic Church and appear to have been childless. The census returns showed that they employed one or two domestic servants. Margaret died on June 8, 1877 and was interred in St. Vincent de Paul Churchyard. Peter died sometime after 1881 (1871 Niagara Census, Centre Ward, division C, p. 24; Lovell 1871:559; 1881 Niagara Census, division A, p. 23; Clarke tombstone inscription, St. Vincent de Paul Cemetery).

Paffard (b. May 24, 1824) was a native of Portsmouth, England and the son of Thomas and Mary (Miall) Paffard. He immigrated to Canada with his family in 1850 and settled in the Town of Niagara where he



established himself in business as a druggist in the shop now known as the Niagara Apothecary. Paffard sold a variety of products, some of them with exotic names such as “Dr. Garden’s Worm Tea” and “Rose Hair Gloss.” His brother Frederick Paffard settled in St. Catharines where he also operated a drug store on St. Paul Street. The death of their father at the age of 80 in March 1860 was noted in the St. Catharines newspapers. Paffard was married to Hannah Eliza Wilson (1828-Feb. 10, 1899) ca. 1860. They raised a family of four children (one son, three daughters) who were born at Niagara between 1864 and 1869. Paffard was elected mayor of the town in 1871, and he also served as the treasurer for the Ontario and Erie Ship Canal Company. Paffard served for several years as the vice-president of the Niagara Historical Society. His wife died as the result of “typhoid pneumonia.” Paffard remained in Niagara for a few years following the death of his wife, but by 1906 he had moved to the Assiniboia District of Saskatchewan, and in 1911 he was a resident of Kootenay, British Columbia. Paffard died there on Jan. 3, 1912. His remains were brought back to Niagara for burial in St. Mark’s (Anglican) Churchyard (*St. Catharines Semi-Weekly Post*, June 22, 1855; *St. Catharines Journal*, Mar. 8, 1860; 1861 Niagara Census, division 2 p. 18; 1871 Niagara Census, Centre Ward division C p. 10; Lovell 1871:560; 1881 Niagara Census, division A p. 9; 1891 Niagara Census, division 2 p. 16; 1901 Niagara Census, division H2 p. 4; 1906 Saskatchewan/Assiniboia West Census, district 29A p. 9; 1911 British Columbia/ Kootenay Census, district 9, sub-district 25, p. 8; Ontario Vital Statistics, death registration #15731/1899; Niagara Historical Society pamphlets “List of Officers;” Paffard tombstone inscription, St. Mark’s Cemetery.)

Four months later, in early October 1872, Clarke and Paffard sold this lot and part of Lot 58 to Sarah Kirby Garrett for \$605. The property that Garrett purchased measured 150 feet (45.7 m) along Queen Street by the depth of the lot. This property was divided into three parcels each measuring 50 feet (15.24 m) in width (Niagara Town deeds #444, 445, 448).

Garrett (b. ca. 1817) was a native of New York and the wife of Henry A. Garrett (b. Jan. 1, 1813), who was a merchant in New York City. Henry was a native of Upper Canada, and the son of Alexander and Emelia Garrett. The 1850 and 1860 censuses for New York simply referred to Henry as a “merchant.” The 1870 census specified that Henry was an “importer of silks.” The Garrett household included their daughter, (Mary) Augusta (b. ca. 1844) and her husband, Franklin Martine (b. ca. 1843) who was also a silk importer. Augusta and Franklin were married at Manhattan in early October 1865. They had a young son, Henry J. Martine (b. ca. 1866.) The Garrett household employed four domestic servants. Sarah K. Garrett died at Manhattan on Dec. 23, 1874 and she was interred at Woodlawn Cemetery. By 1880, Henry Garrett and the Martine family had moved to the Town of Niagara. Martine did not remain in the area and had returned to New York with his family by the autumn of 1884. Henry Garrett was married at Niagara in January 1880 to Alice Hewgill (b. England, March 1851.) One of the witnesses at the marriage was the druggist Henry Paffard. Henry and Alice Garrett had one daughter named Mary Alice (b. Nov. 1880.) Garrett was described in the 1881 census for Niagara as a “gentleman,” but later censuses referred to him as a “wholesale merchant.” Henry died at Niagara as the result of “senile decay” on April 1, 1903 (1850 *New York, New York Census*, 1st District, Ward 7, p. 24; 1860 *New York, New York Census*, 1st District, Ward 21, p. 67/663; *New York Marriage Registers*, Oct. 4, 1865; 1870 *New York, New York Census*, ward 21, p. 23/581; *New York/Manhattan death register*, Dec. 1874; 1880 *New York, New York Census*, electoral district 289, p. 7/277; Ontario Vital Statistics, marriage registration #6169/1880; death registration #16338/1903; 1881 *Town of Niagara Census*, District A, p. 58; 1891 *Town of Niagara Census*, district 88, division 3, p. 6; 1901 *Town of Niagara Census*, division H3, p. 3).

In August 1874, Henry A. and Sarah Garrett sold this land to Richard Brown for \$125 (Niagara Town deeds #678).



Although Brown was described in the property deed as a “gentleman” of the Town of Niagara, his name could not be found in the census returns for Niagara from 1871 and 1881 under the spellings of “Brown” or “Browne.”

Two weeks later, Brown flipped this property and sold it to three spinsters named Mary Jane, Susan and Eliza Hall (Niagara Town deeds #683).

The Hall sisters were the daughters of John Hall (b. ca. 1815-Aug. 15, 1895) who was a native of Ireland. He joined the British army around 1830 and served as a Sergeant in the 1st Dragoon Guards. This regiment was transferred to Niagara in the summer of 1838. Hall settled in the Town of Niagara where he was employed as a customs officer and customs inspector beginning in 1845. He was married in Wales in Sept. 1835 to Jane Goodyere (1818-1874.) They raised a number of children including the sisters who owned this property. Mary Jane (b. Sept. 8, 1845) and Susan (b. Dec. 10, 1847) lived at home with their widowed father. Eliza (1854-Apr. 8, 1892) was married in August 1880 to a merchant named Michael Gartlan and they resided with their six children in Stayner. The Hall family belonged to the Roman Catholic Church although John Hall was sometimes identified as a member of the Church of England. Susan Hall died at the St. Catharines General Hospital on Mar. 10, 1915 from “senility,” and Mary Jane died at Stayner on Jan. 14, 1932 from “hemiplegia.” Susan was buried with her parents at St. Vincent de Paul Cemetery in the Town of Niagara, and Mary Jane and Eliza are both interred at St. Patrick’s (RC) Cemetery in Stayner (1851 *Town of Niagara Census*, division 1, p. 66/131; 1861 *Town of Niagara Census*, division 1, p. 14; 1871 *Town of Niagara Census*, division D “East Ward” p. 17; 1881 *Town of Niagara Census*, division A p. 12; 1891 *Town of Niagara Census*, district 88, division 1, p. 10; 1891 *Stayner Census*, division F, p. 16; Ontario Vital Statistics, death registrations #10082/1895; 19782/1915; 30110/1932; Hall family tombstone inscription, St. Vincent de Paul Cemetery; Gartlan family tombstone inscription, St. Patrick’s Cemetery, Stayner).

In August 1877, the Hall sisters sold part of this property to William John Campbell. In December 1882 and October 1884 Campbell purchased additional parcels. In June 1901 prior owner Henry Paffard executed a quit claim deed in favour of Campbell. This quit claim deed was probably registered in order to clear any outstanding clouds from the title to the land (Niagara Town deeds #801?, 1269, 1407, 2879).

Campbell (b. Jan. 6, 1848) was a native of the Town of Niagara and the son of Johnson and Ellen (Sagar) Campbell. William was trained as a blacksmith and pursued this occupation for more than thirty years. In the early 1900s until at least 1921, Campbell was employed as “house carpenter.” Campbell was married at Niagara in November 1872 to Barbara Jane Davidson (b. Jan. 9, 1848). She was a native of the Town of Niagara and the daughter of John and Isabella (Torrance) Davidson. John Davidson had settled in the Town of Niagara in 1846 as a “builder.” William and Barbara raised a family of at least eight children, four sons and four daughters, who were born between 1873 and 1891. A few of the children died during their infancy. Campbell was a member of the Church of England whereas his wife was a Presbyterian. Campbell suffered a fall and fractured his femur and died shortly thereafter on Dec. 11, 1932 from myocardial failure. He and his wife were interred in St. Andrew’s (Presbyterian) Churchyard in Niagara (1861 *Town of Niagara Census*, division 2, p. 22; 1871 *Town of Niagara Census*, division D “East Ward,” p. 16; Ontario Vital Statistics, Lincoln County Marriage Register 1872, p. 115; death registration #22111/1932; 1881 *Town of Niagara Census*, division A pp. 30-31; 1891 *Town of Niagara Census*, division 2, p. 15; 1901 *Town of Niagara Census*, district 85, sub-district 11-2, p. 2).

In December 1932 the title to this property fell into the possession of Barbara Jane Campbell through the estate of her late husband William John Campbell. Barbara Jane Campbell died on July 3, 1939 from “senility” (Ontario Vital Statistics, death registration #22794).



In July 1939 this land was inherited by Herbert Campbell through the estate of Barbara Jane Campbell. The legal description (“thirdly” in the deed) referred to the property as Lot 57 “save and except” a parcel previously sold which measured 48 x 95 feet in size (14.63 x 28.95 m) which commenced 70 feet (21.34 m) north of the intersection of Queen and Victoria Streets. This appears to be the land which William John Campbell sold to Sarah Jeffares (or Jefferies) in April 1901. The excepted parcel is situated directly behind the commercial block at the corner of Queen and Victoria (Bank of Montreal building) and which presently contains the business known as the “Pie-za Pizza” restaurant (Niagara Town deeds #2888A, 6655).

Lot 57 contained a two-storey, five-bay, frame dwelling house for many years (number 89 Queen Street) which was known as the “Garrett House.” This building was the residence of Herbert Campbell. Thought to have been built around 1826, it was once occupied by members of the John Crooks family and afterwards by Henry A. and Alice Garrett (Garrett was a wholesale merchant.) This house was originally located on town Lot 72 near the corner of Queen and Simcoe Streets. It was moved to the Queen Street site around 1915 but removed in 1975 in order to make way for the current commercial block which occupies the corner of Queen and Victoria Streets. This house still stands at its present location at 280 Dorchester Street.

Campbell (b. Nov. 11, 1883) was a native of the Town of Niagara and the son of William J. and Barbara J. Campbell referred to above. There is little information known about his upbringing. Herbert was employed (like his father) as a “house carpenter.” He lived at home with his parents and does not appear to have been married, yet he fathered one or two children (Roy, b. 1905 and Norman b. 1907.) Herbert was listed in various records such as the Federal Lists of Electors between 1935 and 1968. During his retirement he lived in a house at 89 Queen Street which was demolished and replaced by a commercial block at the corner of Queen and Victoria streets. Herbert died at Niagara on Aug. 11, 1972 and he was interred in the family plot at St. Andrew’s Church (*Ontario Vital Statistics*, birth registration #18311/1883; 1891 Town of Niagara Census, division 2, p. 15; 1901 Town of Niagara Census, district 85, sub-district 11-2 p. 2; 1911 Niagara-on-the-Lake Census, district 10, sub-district 2, p. 5; 1921 Niagara-on-the-Lake Census, district 100, sub-district 51, p. 12; 1968 Federal List of Electors, poll 6, p. 8804).

In August 1972 this land was inherited by Norman D. and Nellie A. Campbell through the estate of Herbert Campbell. The property was transferred to them by Jessie R. Gregory (widow) who was the executrix of Herbert Campbell. It includes the structure presently standing on the site and known municipally as 178 Victoria Street (Registry deeds #264298).

Norman Campbell (b. ca. 1907) was described in the census returns as being a native of British Columbia and was said to be the son of Herbert Campbell. He was raised and educated in the Town of Niagara-on-the-Lake and was employed as a bookkeeper in 1935. By the early 1950s he had moved to the City of Niagara Falls where he was employed as a salesman. He later owned a store on the Niagara Parkway (Niagara River Road) during the 1960s. After his retirement he moved to St. Catharines. He and his wife Nellie resided on Colton Avenue in Port Dalhousie during the 1970s and on Main Street during the 1980s and 1990s. Nellie Campbell died around 1989 and Norman died around 1997 (1935 Federal List of Electors, poll 56, p. 5018; 1953 Federal List of Electors, poll 3, p. 8775; 1963 Federal List of Electors, poll 4, p. 11328; 1965 Federal List of Electors, poll 4 p. 11955; 1972 Federal List of Electors, poll 292, p. 24176; Vernon’s St. Catharines city directories, 1985-1997).

In February 1975, Campbell sold this property to Paul J. F. Mortimer (Registry deeds #308097.) In July 1975, Mortimer flipped this land and sold it to Angela Strauss. The property was mortgaged by Strauss on four occasions between 1980 and 1983 for \$190,000 (Registry deeds #317666, 424304, 427681, 431116, 456291).



Angie Strauss was a native of Cyprus, the daughter of a British mother and a Greek/Cypriot father. She moved to London, England as a child and later studied to become a hair stylist. While she lived in England she worked as an extra in a number of feature films and was a hair model for Vidal Sassoon. Strauss moved to Toronto in the 1960s where she opened a hair salon on Yonge Street. She studied at the Ontario College of Art and at George Brown College where she specialized in ceramics. Strauss was forced to give up her work in ceramics due to an injury and switched to Impressionist painting instead. She established a successful business for herself, “Angie Strauss’ Garden Gallery,” which sold women’s wear, paper products, and home décor items, all based upon her own original art creations. She was married to her husband, Hartley Strauss, in 1969 who was the owner of a business known as “Hartley Strauss Environments Ltd.” They had a family of two children. They were long-time residents in the Town of Niagara-on-the-Lake, but now reside in Niagara Falls where Strauss has opened her “Angie Strauss Home Art Gallery.” She has been the recipient of various local awards such as “business woman of the year,” and “entrepreneur of the year.”

The records for this lot were automated in February 1998 as part of PINs 46397-0099 and -0106. The Land Registry “Block map” contains the notation: “the boundaries between properties 0099 and 0106 cannot be defined.” Any subsequent land ownership history from the time of automation to the present would require a PIN search.

Lot 58, Registered Plan 86

This one-half acre (0.202 ha) lot was originally granted to James Farquharson (or Farguharson) through a Land Board certificate issued to him on Feb. 8, 1794. He specifically petitioned the Board for a grant of this lot on Dec. 5, 1793. He was erroneously listed as the grantee of the lot in a list of owners dated May 11, 1795. The location for this lot was assigned (transferred) by Farquharson to James Fitzgerald on August 23, 1794, and a “description” for it was issued to Fitzgerald by the Surveyor General in the following year. Other early land related records suggest that Andrew Heron possessed some interest in part of this lot (Upper Canada Sundries, report from Thomas Ridout, Sept. 5, 1817, pp. 15953-15955; Niagara Town “Township Papers,” pp. 386-389, 478).

Farquharson had served as the Assistant or Deputy Commissary General at Fort Niagara between 1776 and 1796. He had previously been granted 500 acres (202.35 ha) of land on the Outawa River in Lower Canada in 1788, which he requested “be laid off for him where the 84th [Regiment] are to have their lands.” In November 1792 he petitioned for addition land in Upper Canada. His petition noted that he had received “an allowance of Captain in lodging, fuel, &c,” and “conceives himself entitled to a like proportion of lands.”⁸ The rear of the petition was endorsed with the terse notation “No More.” Farquharson petitioned for land on a second occasion, apparently in 1796, but that petition is no longer extant. Farquharson was believed by Lieut. Governor Simcoe to have possessed “a universal and most excellent character” but in late 1795 it came to the attention of the government that “great defalcations” had taken place in the quantities of flour, peas, rice and pork which were held in the King’s stores at Fort Niagara. Farquharson ran an advertisement in the Upper Canada Gazette in May and June 1795 calling for foodstuffs to be delivered to his department “for the use of the government at Niagara.” In particular the flour deficit amounted to 235,327 lbs. (106,744 kg) which in turn meant that there were shortages in the provisions which were forwarded to the garrison at Detroit. Farquharson explained these shortages as being due to bad weather and a poor harvest, which meant that the expected delivery of grain from the local farmers had not been received. Upon further investigation, it was discovered that similar shortages

⁸ Captains were originally entitled to receive 700 acres (283 ha) but this was later increased to 3,000 acres (1,214 ha.)



had been experienced as far back as 1787-88. In April 1796 Lord Dorchester ordered that Farquharson be immediately sent to Quebec “to be tried by a general Court Martial for having misapplied and embezzled the King’s stores entrusted to his care or upon such other charges as it shall be found expedient to bring against him.” Dorchester further ordered that Simcoe was to collect evidence such as receipts from the local farmers and merchants, and to establish a Board of Enquiry to “investigate the whole business.” On May 23, 1796, Simcoe reported back to Dorchester that Farquharson had been for some time “in so infirm a state of health that it appears doubtful whether it will be practicable for him to undertake the journey.” Farquharson died testate in 1796, and in May 1797 his executor George Forsyth (a prominent Niagara merchant) petitioned the government for the additional lands that had been requested by the deceased “for the benefit of his heirs.” The board was resolute and upheld their previous decision that Farquharson had received all the lands in Lower Canada that he was entitled to receive. “The Board consequently does not regard themselves at liberty to make any addition especially as the petitioner, James Farquharson, is since dead. The prayer of this petition is, of course, refused.” (Upper Canada Land Petitions, F1/42 [1792] and F2/39 [missing]; petition F3/65 [1797]; *Upper Canada Gazette*, June 10, 1795; Cruikshank 1926:242, 269-270, 273-274; Fraser 1929:41, 45; Fraser 1930:38; Fraser 1931:148).

This lot was subsequently patented by James Fitzgerald on May 6, 1796.

Part of this lot appears to have been sold by means of an unregistered deed which was in the possession of Matthew Dobie. In October 1839 Dobie mortgaged part of his property in favour of Richard Hiscott for £500. Hiscott is known to have owned part of the adjoining Lot 39. In February 1840 Dobie quit-claimed part of this property to John Fraser for £150. This land was described as a parcel 30x114 feet in size (9.144 x 34.74 m) fronting onto Queen Street (Niagara Town Memorial deeds #13012, 1507).

Dobie (b. ca. 1796) was a native of Scotland who settled in Niagara with his brother James sometime around the War of 1812. Both men were engaged in business as blacksmiths; James had a shop near Queenston and Matthew had his shop in the Town of Niagara by 1823-24. Matthew was frequently named in the records for the Niagara District Quarter Sessions between 1828 and 1837, for manufacturing various iron goods for the gaol (bolts, rings, chisels, shovels, shackles, chains, fetters, hand cuffs, grates, a “hoop for a man’s body” &c. Dobie served as a juror in July 1831, and recommended various men for tavern licences in 1832-33. Dobie was confined to the gaol for two days for an unnamed offence in early October 1836. He was assaulted by John Pinder in March 1833, and was charged with assault and battery in May 1833 by John Cornell and Joseph Wynn. In October 1831, Dobie charged a local black man, Joshua Strother (barber), with stealing two pigs valued at 10 shillings. In February 1837 Dobie brought charges against Peter Lawrence for the theft of horseshoes. Dobie was a member of the Niagara Fire brigade (Hook and Ladder Co.) between 1829 and 1834. He was enumerated in the census returns for the Town of Niagara in 1851 and 1861. He appears to have had a daughter or relative named Sarah (b. ca. 1834) who resided with him in 1851. His name was not found in the 1865 directory for the Town of Niagara, nor was he listed in the 1871 census which suggests that he died sometime during the early 1860s (1851 Town of Niagara Census, St. David’s Ward, division 1, p. 43/85; 1861 Town of Niagara Census, division 2, p. 22; Narhi 2006, files 2-1, 6-18, 10-19, 11-29, 14-29, 15-51, 19-15, 25-2, 28-17, 30-3, 35-16).

Hiscott (1790-Mar. 26, 1874) was a native of Wiltshire, England, and the son of Edward and Mary Hiscott. He was a veteran of the Peninsular War having served in the 76th Regiment of Foot. Hiscott settled as a farmer in Niagara Township during the early 1830s with his wife Mary and three children. He served as a juror in 1833 and again in 1839, and made recommendations to the magistrates at the Quarter Sessions for improvements to the conditions in the Niagara gaol. Hiscott was married for a second time in January 1865 to Eliza Ann Hiscock. He and Elizabeth later moved to a residence in the Town of Niagara where Richard died as the result of “old age.” He was interred in the family plot at St. Mark’s (Anglican)



Churchyard (1851 Niagara Township Census, division 2 p. 79; 1861 Niagara Township Census, division 4 p. 7/43; Lincoln County Marriage Register 1858-1869; 1871 Town of Niagara Census, Centre Ward, division C p. 4; Ontario Vital Statistics, death registration #5049/1874; Hiscott tombstone inscription, St. Mark's Anglican Churchyard; Narhi 2006, files 13-30, 14-29, 14-30, 35-20).

All prior interests in Lot 58 held by Dobie, Fraser and Hiscott appear to have been cut out. In order to provide a clear title to the property, a new patent was issued on May 20, 1846 to Mary Ann McAuliff (aka, McAuliffe) and Catherine Fitzgerald. These women were the “co-heiresses” of the late patentee James Fitzgerald.

In August 1848, Catherine Fitzgerald sold her interest in the remainder of the lot to Mary Ann McAuliff for £500. This property was 1.5 acres in extent (0.607 ha) and included parts of Lots 57 and 59 (Niagara Memorial deeds #1553).

The chain of title for this lot follows as described on part Lot 57 above (i.e., Peter Clarke and Henry Paffard, June 1872; Sarah Kirby Garrett, October 1872; Richard Brown, August 1874; Mary Jane, Susan and Elizabeth Hall, August 1874; and William John Campbell in August 1877).

Royal George Theatre Parcel (83 Queen Street)

In February 1914, William John Campbell sold that part of Lot 58 (the Royal George site) to Margaret R. Norris for \$625. This deed granted to Campbell and his wife the right during their lifetimes to “draw water from a pipe from the above described lands...from the artesian well located on said property.” Campbell was free to draw as much water as he wished for his personal use without charge from this well (Niagara Town deeds #4492).

Norris was described in the deed as a “married woman” of the Town of Niagara. No biographical data could be located with respect to her.

In September 1916 Norris sold this part lot to William A. Rogers for \$3,500 (Niagara Town deeds #4754).

Rogers was described in the deeds to this property as a Toronto “manufacturer.” His wife in the deed was named as Anna S. Rogers. This individual appears to have been the founder of William A. Rogers Ltd., later known as the Canadian William A. Rogers Ltd., located at 570 King Street West. This firm manufactured and exported “the highest-grade silver-plated flatware, cutlery, hollow ware &c.” The firm was later part of the Niagara Silver Co., and is now part of Oneida. Although the deed described Rogers as being “of Toronto,” the instrument was actually executed in the Bronx in New York City.

In November 1918, Rogers sold this property to Jessie Elizabeth Reid (Niagara Town deeds #4875).

Reid (b. Feb. 27, 1872 or 1873, 1875, 1876?) was a native of Niagara and the daughter of Albert and Frances A. (Goring) Ball. Little is known about her upbringing. Her Loyalist ancestors had lived in the Niagara area since the end of the American Revolutionary War—her great-great grandparents were Francis and Lucy (Secord) Goring, and Herman and Ann Newman (Kennedy) Hostetter. Her grandfather Edward Goring (ca.1815-1876) was a stone mason by profession. Jessie's father was not part of the Loyalist Ball family of Niagara, but rather part of another unrelated family from New York State that settled in Niagara in the 1850s. Jessie was married to George Reid sometime around 1893. Her husband (b. Mar. 27, 1872 or 1874, 1875?, d. Feb. 20, 1951) was a native of the Town of Niagara and the son of



Robert M. and Louisa E. (Kemsley) Reid. Records state that Robert was a native of Bermuda who had settled at Niagara sometime during the 1850s. He resided in later years at Fort George where he was employed as the “caretaker of government property.” The Reid family was connected by marriage to a few early Loyalist families including Clench and Crysler. George was employed in the Town of Niagara as a “house painter” and “electrician.” George and Jessie lived on Prideaux Street and raised three sons who were born between 1894 and 1903. Jessie died intestate as the result of “apoplexy” on June 7, 1927. She and George were interred in the family plot at St. Mark’s (Anglican) Churchyard in Niagara-on-the-Lake (1901 Town of Niagara Census, division H2, p. 3; 1911 Town of Niagara Census, district 2, sub-district 10, p. 6; 1921 Town of Niagara Census, district 100, sub-district 51, p. 13; Ontario Vital Statistics, death registration #20856/1927; Reid family tombstone, St. Mark’s Churchyard).

In September 1940, George Reid and others (as the heirs and executors of the estate of Jessie E. Reid) sold this land to John Samuel Allen for \$4,000 (Niagara Town deeds #6607).

Allen (originally Giovanni Serravalli, b. Sept. 21, 1896) was said to have been a native of Saint John, New Brunswick. Allen was of Italian ancestry, possibly the son of Salvatore Serravalli; the family originated in Cosenza, Italy. Allen may have been the individual named as “Giovanni (John Allen) Serravalli” who became a naturalized Canadian citizen in October 1926. This record noted that Giovanni was born in Italy and was in business as a merchant in Thorold. His wife, named Maria, became a citizen at that same date. There were several families in Thorold from the 1920s onward named “Serravalli” and “Serravelli” who may have been related to one another. Some records noted that Allen became a resident of Thorold in 1912. The Vernon’s directories referred to Allen as a “theatre manager” or “theatre proprietor” from the 1920s until 1955. He was described as being a “pioneer in the movie theatre business” in the Niagara district. He was the manager of the Tivoli Theatre in Thorold, which was reputed to have been the first theatre in the local area to screen “talkies” in the late 1920s. Allen also owned a theatre in Crystal Beach as well as the Royal George in Niagara-on-the-Lake. He also appears to have operated a billiard hall in Thorold during the early 1930s. Allen served as the president of the Theatre Manager’s Association of St. Catharines, was a director of the Motion Picture Theatre Association of Ontario, and was a member of the Theatre Association of Canada. Allen was active in the community, and was a member of Variety Village, of the Thorold Kiwanis Club, and the chairman of the local pool and carnival committees. Allen closed the Tivoli in Thorold in early 1958 due to “lack of patronage” and later declared bankruptcy. Allen was married to Maria or Mary Ferrara (b. April 14, 1900) and they raised a family of two sons. One of these sons (“Johnie,” 1941-1947) underwent surgery for protruding ears and died as the result of cardiac arrest caused by the cyclopropane gas anesthetic. Allen lived with his family for a time on Ormond Street North in Thorold before moving to Welland Street South. Allen died at the St. Catharines General Hospital on August 17, 1961. He was interred in his family plot at Lakeview Cemetery in Thorold (*Vernon’s Thorold Directories*, 1927-1962; *Canada Gazette* 1926-27, naturalization records, Oct. 26, 1926, p. 593; obituary, *St. Catharines Standard*, Aug. 18, 1961, p. 28; Allen family tombstone inscription, Lakeview Cemetery, Thorold).

In July 1962 the estate of John Allen made an assignment in bankruptcy. W.W. Pollock of St. Catharines was appointed “trustee” and four others were appointed “inspectors” of the estate. In October 1962 Pollock sold this property with the consent of the inspectors to Dewey Loring McCourt for \$7,500 (Niagara Town deeds #86767).

McCourt (b. Jan. 6, 1917) was a native of Monkton, in Elma Township (Perth County), and the son of Howard Dean and Susan McCourt. The family had lived as farmers in Elma Township since the nineteenth century. Dewey was described in border crossing records in June 1938 as having brown hair, blue eyes, standing 5’10” (177 cm) but weighing just 130 lbs. (58 kg.) This underweight was attributed by the physicians to sickness from possible exposure to tuberculosis as a child, and it was noted that it



affected his ability to earn a living. At the time he was employed as a “ticket seller.” Dewey was also employed as a taxi driver. Between ca. 1942 and 1945 Dewey lived on Westchester Avenue and on St. Paul Street in St. Catharines. During that period, he was the assistant manager and then the manager of the Palace Theatre near the corner of St. Paul and Carlisle Streets. By 1946 he had moved to Niagara-on-the-Lake where he managed the Royal George (Brock) Theatre for 26 years. He was a member of the Motion Picture Theatres Association of Ontario, a member of the Canadian Picture Pioneers, and a member of the Niagara Chamber of Commerce. In 1948 he established the Town Taxi Service in Niagara-on-the-Lake. In The family residence for many years was at nearby 277 Regent Street. Dewey was married in the 1940s to Marjorie Kathleen Taylor (June 1, 1920-Feb. 11, 2011) who was a native of Toronto. They had two children, a daughter named Hilary (1947-2001) Bald who later lived in Beamsville, and a son Howard. Dewey died on Mar. 4, 1971. He and Marjorie are interred in the Niagara Lakeshore Cemetery (1921 Elma Township Census, p. 15; 1938 Port Huron Border Crossing Records; Vernon’s St. Catharines Directories, 1940-1946; 1945 Federal List of Electors, poll 16, p. 6199; 1949 Federal List of Electors, poll 68, p. 6804; 1962 Federal List of Electors, poll 143, p. 9649; 1968 Federal List of Electors, poll 6, p. 8805; *St. Catharines Standard*, McCourt obituary, Mar. 5, 1971; McCourt tombstone inscription, Niagara Lakeshore Cemetery).

In November 1971, Marjorie McCourt (widow and executrix of Dewey) transferred ownership of the theatre property to herself. In November 1972, she sold this land to the Canadian Mime Theatre (Registry deeds #239394, 257752).

This land was mortgaged by the Canadian Mime Theatre on at least three occasions for a total of \$275,000 between November 1972 and May 1977. In March 1980 the Public Trustee transferred this land to the Court House Theatre Holding Foundation, and in April of the same year the Canadian Mime Theatre quit-claimed any interest held by it to the Court House Theatre (Registry deeds #415695, 415696).

Between August 1980 and March 1985 various agreements, Reference Plans and site plan agreements were registered on title to this property between the Shaw Festival and the Town of Niagara-on-the-Lake (Registry deeds #422546, 30R-4036, 493884).

The records for this lot were automated in February 1998 as part of PINs 46397-0102 and -0103. Any subsequent land ownership history from the time of automation to the present would require a PIN search.

79 Queen Street Parcel

In September 1874, Peter Clarke and Henry Paffard sold that part of Lot 58 containing 77-79 Queen Street to Mary Jane Stubbs for \$390 (Niagara Town deeds #442).

Stubbs (b. Oct. 22, 1838) was a native of Queenston and the daughter of William and Mary Jane (Miller) Mathews. Her father was a native of England and was a comb maker by profession. Mary Jane was married to William Stubbs on Sept. 15, 1858. William Stubbs (b. Mar. 14, 1836) was a native of Quebec and the son of George and Ann (Tipper) Stubbs. The census returns listed various occupations for William at Niagara, which included “trader,” “wagon maker,” “carriage builder” and “stage driver.” He and Mary Jane raised a family of twelve children (five sons and seven daughters) who were born between 1859 and 1886. The family belonged to the Wesleyan Methodist Church, and in 1871 they were the neighbours of mayor Henry Paffard. Their household included a younger sister, Charlotte Mathews, who resided with the family in the early 1870s. The family had left Niagara and had settled in Sarnia (Lambton Co.) by the early 1880s. William had purchased a farm there (Lot 15 Concession 6) where he took up



farming. William died on March 1, 1898 from stomach cancer, and Mary Jane died on Oct. 1, 1909 from heart failure and arteriosclerosis. They were interred in their family plot at Lakeview Cemetery in Sarnia (1851 Niagara Township Census, division 2, p. 39; 1861 Town of Niagara Census, division 2, p. 18; 1871 Town of Niagara Census, Centre Ward, division C, p. 10; Ontario Vital Statistics, death registrations #12464/1898 and 16259/1909; Stubbs family tombstone inscription, Lakeview Cemetery, Sarnia).

In April 1878 Stubbs sold this part lot to George Durand for \$600 (Niagara Town deeds #947).

George Godfrey Durand (b. Sept. 15, 1805) was a native of Upper Canada and the son of Capt. James Durand (1775-1833) by his first wife Helen Godfrey (d. 1806). James was a native of Wales who appears to have studied commercial law and was sent to Upper Canada in 1802 as the agent for a mercantile establishment. James took over the management of the Bridgewater Mills on the Chippawa Creek and then set about acquiring nearly 2,600 acres (1,052 ha) of land in his own name. James settled temporarily with his family at Long Point before taking up land in Ancaster. James became a prominent businessman at the Head of the Lake, as a merchant, miller, sawyer, land registrar and as a member of the Legislative Assembly for Upper Canada. Tragedy struck the young family in 1806 when Helen Durand was killed when she was thrown from her carriage while descending the escarpment near Hamilton. James was then married to Kezia Morrison who raised several children of her own in addition to her step-children. Little is known about George's early life although he appears to have assisted his father in the family business. There was an individual named "George Durand" recorded in the Thorold census as a "farmer" in 1842, and another Durand who lived in Toronto during the 1850s and early 1860s. The Toronto resident appears to have been a widower with two daughters. It is not clear whether these records referred to the same George Durand who was the Niagara land owner although they were of an identical age. Durand was married at Niagara in early January 1867 to Caroline Emily Hamilton (Jan. 4, 1835-Nov. 26, 1900.) She was a native of Queenston, and the daughter of Sheriff Alexander Hamilton (1790-1839) of Willowbank by his wife, Hannah Owen Jarvis (1797-1888). Caroline's grandparents were William Jarvis (the provincial secretary of Upper Canada) and Hannah (Peters) Jarvis. The Durand, Hamilton and Jarvis families were closely connected by marriage: George Durand's older sister Harriet (1802-1856) was married to Peter Hunter Hamilton, son of the Queenston merchant Robert Hamilton. Peter Hunter Hamilton (1800-1857) was therefore the uncle of George Durand's wife. George and Caroline raised a family of five daughters who were born between 1868 and 1874. George Durand died on Nov. 20, 1880 from "typho-malarial fever complicated by urinary calculi" (kidney stones.) Caroline died as the result of "progressive anemia." She was interred along with other members of her family in the Hamilton family burial ground near Willowbank. George Durand was not interred at Willowbank with his wife and children, but rather was buried with his parents in their family plot in the Anglican Cemetery at Ancaster (*St. Mark's* Anglican Church baptismal register October 1812; 1842 Thorold Census, division 9; 1851 Niagara Township Census, division 2 p. 33; 1861 Toronto Census, St. James' Ward, division 5, p. 1227; 1871 Niagara Township Census, division A2 p. 54; 1891 Niagara Township Census, division 1, p. 26; Chadwick 1894:146-148; Ontario Vital Statistics, death registrations #9025/1880, 16287/1900; Durand family tombstone inscriptions, Hamilton Family Burial Ground, Queenston; Durand family tombstone inscription, Ancaster Anglican Cemetery; Weaver 1981:42-49).

In March 1881, John A. Mackenzie and others (as executors of the Durand estate) sold this property to Martin Kearins for \$600 (Niagara Town deeds #1138).

Kearns (b. Jan. 12, 1844) was a native of the Town of Niagara and the son of Martin and Hannah (Cullan) Kearins. His father (whose name was variously listed as Kearns, Cairns, Kerrins) was born around 1804 in Ireland. Records show Martin had settled in the Town of Niagara around 1828. He was granted a tavern licence at the Quarter Sessions in January 1836 and he was appointed to serve as a constable for the Town of Niagara in April of the same year. Kearins served as a constable in 1837 but the records do not indicate



that he was reappointed to this position in 1838. In March 1839 the magistrates “admonished” him for his refusal to take the oath of allegiance to Her Majesty the Queen. His tavern licences were renewed each year until at least 1851. The census for 1851 specified that he was a “Temperance House keeper.” Kearins submitted a special account to the magistrates for his services in attending upon Aaron Seeley, a condemned man in the Niagara gaol who was awaiting execution. Kearins was named as a witness in a few criminal cases, and in February 1838 he was found to be in possession of a pair of stolen boots. One record in the Quarter Sessions in March 1838 referred to “Matthias” Kearns, but this was probably an error in the draft minutes for the Sessions. Later records show that Kearins was a “labourer.” He was married at Niagara on Mar. 20, 1829 to Hannah Cullen (aka, Cullin, Cullan, or Culley, 1808-May 10, 1889.) They raised a family of at least six children (four sons, two daughters) who were born between 1833 and 1848. The family belonged to the Roman Catholic Church. Martin Kearins Sr. died on Dec. 18, 1874. He and Hannah are buried with their children in the family plot at St. Vincent de Paul Churchyard in Niagara. Martin Kearins Jr. lived at home and never married. He established himself in business at Niagara as a baker, a profession from which he retired in 1913. His obituary noted that he served with the local militia in the defence of the province during the Fenian Raid of 1866. He died at the Lyndhurst Private Hospital in Toronto on March 25, 1914 as the result of an aortal aneurism and dilation of the heart. He was interred in the family plot at Niagara (St. Vincent De Paul, marriages, 1829; 1851 Town of Niagara Census, division 1 p. 50/99; 1861 Town of Niagara Census, division 3, p. 28; 1871 Town of Niagara Census, West Ward, division B p. 8; 1881 Town of Niagara Census, division A p. 55; 1891 Town of Niagara Census, division G3 p. 1; 1901 Town of Niagara Census, division H3 p. 1; Niagara Times, Mar. 27, 1914 p.5; Ontario Vital Statistics, death registration #2411/1914; Narhi 2006, files 31-1 and 31-10; Kearins family tombstone inscription, St. Vincent de Paul Cemetery).

In November 1907 Kearins severed his land and sold part of the property to Augustus H. Crosby for \$600. Three weeks later a correcting deed was registered on title to rectify the legal description of the land (Niagara Town deeds #3862, 3877).

Crosby (b. July 1844) was a native of Frankfort, in Herkimer County, New York (east of Utica), and was the son of John and Mary (McBride) Crosby. Crosby served as a private with the Union forces during the American Civil War in the New York 2nd Artillery Company “L,” in 1863-64. He returned to Frankfort where he was married to a woman named “Debra.” In 1870 his occupation was listed as “church sexton.” Crosby moved to Belleville, Ontario, in 1872 and became a naturalized Canadian in 1885. While in Belleville he owned a grocery store (1881), a “fancy goods” store (1891) and a sporting goods and fishing tackle store (1895-1899). He moved to the Town of Niagara where records described him as a “merchant,” but his obituary noted that he conducted a “successful confectionary business” on Queen Street for a period of six years. Other records such as property deeds simply described him as a “gentleman” of the Town of Niagara. He gave up his business on account of ill health, and he returned to Belleville with his fourth wife. Crosby was “deeply interested in church and town affairs, the firemen being the special object of his friendly regard.” The family belonged to the Methodist Church. Crosby was married to an English woman named Hellen or Ellen (1842-June 7, 1889), then around 1890 to a woman named Margaret Matheson (ca. 1869-1893), and finally in August 1894 to his fourth and last wife, Hannah Matilda VanWart (1876-1938), who was a native of Rednerville, Ontario. Crosby had one child by his third wife, a son named Augustus Matheson Crosby, who died in August 1891 aged 4 months from a bowel complaint. Augustus H. died in Belleville on Nov. 7, 1912 “following an illness of several months” and he was interred in his family plot at the Belleville Cemetery (1860 Frankfort/Herkimer Census, p. 33; 1870 Frankfort/Herkimer Census, p. 25; New York State Town Clerk’s Registers of Men who Served in the Civil War; 1881 Belleville/Hastings Census, division C4, p. 4; 1891 Belleville/Hastings Census, division A2, p. 3; 1899 Belleville Directory, p. 432; 1901 Town of Niagara Census, division H1, p. 3; Ontario Vital Statistics, birth registration #17803/1891; marriage registration #10524/1894; death registration #6443/1891, 17951/1938; *St. Catharines Standard*, Nov. 18, 1912 p. 2).



In October 1911, Crosby sold this land to Herbert Travis Currie for \$800. The deed described the property as containing 5,920 square feet (Niagara Town deeds #4275).

Currie (b. Mar. 29, 1862) was a native of Saint John, New Brunswick and the son of Frederick M. and Eliza (Perry) Currie. He had a twin brother named Bartlett Currie. His mother is thought to have been born at Youngstown, New York, and was a direct descendant of Edward Doty who arrived at Plymouth aboard the *Mayflower* in 1620. Little information is known about Currie's childhood, although by 1870 his family had moved to Porter, which is part of the Town of Ransomville in Niagara County, New York. His father died in 1872, and sometime thereafter the family moved to the Town of Niagara. Herbert and his siblings were listed in the 1881 census as farm labourers. Currie appears to have been listed twice in the 1891 census—once as part of his mother's household as a “baggage man,” and then with his wife and child in his own household as a “fruit dealer.” Some records simply described him as a “merchant.” The 1901 and 1911 census returns described Currie as a “gardener.” Later records referred to him as a “laborer” and “caretaker.” He was married to Olive B. Buckner (aka, Bucken) around 1885. She was born in New York City either in June 1866 or July 1867, and was the daughter of George and Olive (Elliott) Buckner. Olive settled in Ontario as a child in 1875. Herbert and Olive had just one son, named Herbert Sadler Currie (Feb. 6, 1886-Aug. 6, 1914). He was a “decorator” who died unmarried. Herbert and Olive lived either on Gate Street or Prideaux Street in 1921 where he was the proprietor of a restaurant. Herbert died from tuberculosis on Dec. 19, 1927, and Olive later died at the Niagara Cottage Hospital on Dec. 12, 1943 from “cardiac decompensation.” The Curries are interred in the family plot in the small Methodist-United Church Cemetery on Gate Street in Niagara (1870 Town of Porter/Niagara County, New York Census, p. 43; 1881 Town of Niagara Census, p. 18; 1891 Town of Niagara Census, division 3, pp. 8 & 14; Doty 1897:740; 1901 Town of Niagara Census, division H3, p. 5; 1911 Town of Niagara Census, division 3, sub-district 10, p. 7; 1921 Town of Niagara Census, district 100, sub-district 51, p. 27; Ontario Vital Statistics, death registrations #21123/1927 and 24818/1943; Currie family tombstone inscription, Methodist Cemetery, Niagara-on-the-Lake).

In October 1914, Currie sold this land to Mary Elizabeth Mulholland, the wife of James Thomas Mulholland, a Niagara merchant, for \$875 (Niagara Town deeds #4552).

Mary E. Mulholland (b. March 1869 or 1874?) was said to have been a native of St. Catharines and the daughter of Daniel and Ann (Greene) McLean. Little is known about her upbringing. She was married at St. Vincent de Paul Church in Niagara in July 1907 to James Thomas Mulholland. James (May 15, 1872-May 3, 1921) was a native of London, Ontario, and the son of Thomas and Sophia Ellen (Petley) Mulholland. Thomas died when James was a child, and the 1881 census showed the widow Mulholland and her son as residents in the Town of Niagara. Sophia operated a dry goods shop in the town. Their next-door neighbour was an elderly ship carpenter named William Petley who was undoubtedly related to Sophia. James assisted his mother in the family business, and later census returns described him as a “dry goods clerk” and “dry goods merchant.” James and Mary Eliza appear to have had just one child, a son named Joseph Thomas, who was born in Niagara on Oct. 16, 1908. James died in 1921 as the result of pulmonary tuberculosis. His widow continued to manage the dry goods business during the 1920s and '30s. Mary Mulholland died on March 15, 1952. Their son Joseph died unmarried. They are all interred in the family plot at St. Vincent de Paul (1881 Town of Niagara Census, division A p. 32; 1891 Town of Niagara Census, division 2, p. 6; 1901 Town of Niagara Census, division H2, p. 2; Ontario Vital Statistics, marriage registration #13608/1907 and death registration #20117/1921; 1911 Town of Niagara Census, district 93, sub-district 10-2, p. 3; 1921 Town of Niagara Census, district 100, sub-district 57, p. 12; Mulholland tombstone inscription, St. Vincent de Paul Cemetery; GR#9916).

In January 1942, the widow Mulholland transferred this property to Mary Eliza and Joseph Thomas Mulholland (Niagara Town deeds #6751).



In July 1959, Joseph T. Mulholland sold this property to Priscilla Tranter. In February 1973, she transferred this land to herself and her husband, Henry A. Tranter (Registry deeds #45527, 262614).

H.A. Tranter (Oct. 12, 1895-Feb. 10, 1976) was a native of Dover in Kent, England, and the son of Henry John and Annie Eliza (Lockhart) Tranter. Henry embarked from Southampton in June 1910 aboard the S.S. *Philadelphia* bound for New York. In 1917 he was employed as a “carbonizer” for the American Sales Book Co. in Niagara Falls, N.Y. His United States draft registration card described him as medium stature, slender build, with brown hair and eyes. This record also suggests that he was a naturalized American citizen at the time. Later in the year 1917 he crossed into Canada and moved to Bobcaygeon where he worked as a farmer. It was there that he met Priscilla Murdock (or Murdoch). Priscilla (Feb. 20, 1897-May 30, 1982) was a native of Harvey Township, and the daughter of James and Lusha J. Murdock. This family later moved to Verulam Township in Victoria County. They were married in April 1919, and afterwards moved to Niagara Falls, Ontario, where Henry found employment as a railway “boiler maker’s helper.” While in Niagara Falls the family resided on Kitchener Street. They had one son, Roy A. (b. 1920) who studied dentistry. Sometime after 1921 the family moved to Niagara-on-the-Lake where Henry established himself in business as a barber. Priscilla worked with him as a “hair dresser.” Henry and Priscilla lived at 77 Queen Street in Niagara, and their son lived nearby on Prideaux Street. Henry and Priscilla had retired by the late 1960s. They are both interred in St. Andrew’s (Presbyterian) Churchyard in Niagara-on-the-Lake (1901 Verulam Township/Victoria South Census, division G2, p. 1; United States WW1 Draft Cards, Niagara Falls, NY, Tranter #6905; Ontario Vital Statistics, birth registrations #34149/1897; marriage registration #2485/1919; 1921 Niagara Falls Census, district 138, sub-district 36, p. 14; 1935 Federal List of Electors, poll 56, p. 5019; 1958 Federal List of Electors, poll 128, p. 8754; 1968 Federal List of Electors, poll 6, p. 8806; 1974 Federal List of Electors, poll 15A, p. 11957; Tranter family tombstone inscription, St. Andrew’s Churchyard).

In January 1983, Roy Augustus Tranter of Chatham (as executor of the estate of Priscilla Tranter) sold this property to the Shaw Festival Theatre Foundation, Canada, for \$70,000 (Registry deeds #456178).

In July 1985, Shaw sold part of this property to Angela Strauss. The parcel was described as “part 1” on Reference Plan 30R-4161. In December 1997 the property was encumbered with a mortgage in the amount of \$200,000 in favour of Canada Trustco Mortgage Co. (Registry deeds #499528, 735934.) The records for this lot were automated in February 1998 as parts of PIN 46397-0103. Any subsequent land ownership history from that time to the present date will require a PIN search.

Remaindered Parcel (east of 178 Victoria)

This land (part Lot 58) follows the same chain of title from Campbell to Strauss. The records for this lot were automated in February 1998 as parts of PINS 46397-0099 and -0106. Any subsequent land ownership history from that time to the present would require a PIN search. The Land Registry Office “Block map” contains the notation: “the boundaries between properties 0099 and 0106 cannot be defined.”

Remaindered Parcel (behind the Royal George)

There is a small, “L” shaped parcel of land situated at the rear of the Royal George Theatre which is composed of part Lots 57 and 58. This parcel has been included within the metes and bounds description for the commercial block on Queen Street adjoining the Royal George theatre, and containing the Bank of Montreal and “Russell’s” (“Russell’s at Home”) boutique. This land measures 55.3 feet in width behind



the theatre by a depth of 19.75 feet (16.85 x 6.01 m.) It is linked to the commercial block by a narrow strip of land which abuts the westerly wall of the theatre.

In March 1973 Jessie Ruth Gregory (as executrix of the estate of Herbert Campbell) sold this land to Oscar Paul Johns for \$45,000. There were various mortgages, leases and other instruments registered on title to this property between 1974 and 1978 (Registry deeds #264347, 357359).

Johns (1914-1985) was a native of Toronto and the son of Oscar H. and Jessie Johns. His father was a native of Germany who settled in Canada in 1891 and was employed as a glassblower; he eventually opened his own firm, the "O.H. Johns Glass Co.," on Broadview Ave., "manufacturers of surgical and scientific glassware and neon supplies." The family resided for many years on Simpson Avenue. Oscar Paul trained as an artist and was employed during the mid-1930s by a commercial artist named Eric Aldwinckle and afterwards by E.S. and A. Robinson (manufacturers of paper products and printers). During the 1940s Johns worked as a display artist for the Robert Simpson Co., and as a commercial artist for McLaren Advertising. He appears to have moved to Port Credit by 1949, and then to the Town of Niagara-on-the-Lake by the early 1970s. He worked in Niagara as a full-time artist, sharing a residence and studio space at 28 Prideaux Street with a fellow artist named Ronald S. Gordon (1921-2004.) Neither man was married, and they interred beside each other in the Niagara Lakeshore Cemetery (1921 Toronto East Census, district 131, sub-district 19, p. 12; 1935 Toronto Directory, p. 649; 1938 Toronto Directory, p. 724; 1940 Toronto Directory, p. 709; 1945 Toronto Directory, p. 736; 1949 Toronto Directory, p. 916; 1972 Federal List of Electors, poll 15, p. 11037; 1974 Federal List of Electors, poll 15A, p. 11956; Johns-Gordon tombstone inscription, Niagara Lakeshore Cemetery).

In August 1978 Johns sold this land to Michael Weinberg Properties Ltd. of Toronto for \$235,000. The land was subject to a vendor's lien in the amount of \$40,000 (Registry deeds #383914).

Part of the land to the west was developed in 1979-80 for the commercial block containing the Bank of Montreal. In March 1985, Weinberg sold the remainder of the property to the Shaw Festival (Registry deeds #493760).

The records for this parcel were automated in February 1998 as part of PIN 46397-0103. Any subsequent land ownership history from that time to the present would require a PIN search.

Royal George Theatre

Construction on the Royal George Theatre commenced in 1915 while the land was owned by Margaret R. Norris. Contracts were tendered in March of that year and accepted around the middle of April.

Records show that excavations for the structure extended over a ten-day period under a work crew hired by Antonio R. DeConza of St. Catharines. This work was completed "on or before" May 1, 1915 at a cost of \$542.75. Part of this amount (\$350) was paid by Norris and DeConza registered a lien on title on May 3rd for the outstanding balance (Niagara Town deeds #4608).

Construction of the theatre was under the supervision of building contractor William Edwin Lee of the Town of Niagara between June 3rd and July 13th in the amount of \$2,877. The lien registered by Lee in the amount of \$1,138.41 itemized various items such as an extra beam, roofer's charges, bolts for the steel work, glass, work on the scenery loft, and freight charges (Niagara Town deeds #4621, 4633).



In June and July 1915 “Natco XXX Hollow Wall Title” was installed in the building by the National Fireproofing Co. of Canada Ltd.” at a cost of \$1,790. A lien was registered on title by the company for the outstanding balance of \$1,429.48 (Niagara Town deeds #4617).

The known costs for the construction of the theatre therefore amounted to a minimum of \$5,209.75 which did not include the cost of the land (\$625).

The theatre was constructed to serve as a “vaudeville house” for entertaining the troops stationed at Camp Niagara. It was originally referred to as the “Norris Theatre” and then in a display of patriotism it was named the “Kitchener Theatre.”⁹ Concert programs in the collections of the Niagara Historical Society Museum show that this building was known as the Kitchener Theatre until at least June 1918. It was later converted into a motion picture theatre and was known for many years as the “Brock Theatre.” It was later renamed as the “Royal George:”

The Royal George originally was a vaudeville house, in the twenties, before my day. Brian Doherty began a Sunday-night film series in the early sixties, doing art films, but when I was growing up here in the thirties it was a derelict. In the forties and fifties, a man by the name of Dewey McCourt, who ran the taxi here, renovated it and did movies. We saw Ben Hur there, and movies like that. Then it just sort of collapsed and was nothing for a while. Brian also founded the Canadian Mime Theatre, which Harold Mascow and the Potato People—what is that called now?—it's an offshoot of the Canadian Mime Theatre which played in the Royal George. It was usable but in pretty bad shape in those years. Then Walter Carson came along and put up the money to make it into a really nice theatre (Rand 1997).

The building is presently a three-bay, two-storey, Greek Revival style structure. It contains a wide, pedimented front gable, a frieze with a shallow Greek key motif. The 6/6 side windows are flanked by Ionic pilasters. The central window on the second floor is reminiscent of a Palladian window since it contains a single row of four sidelights or panes on either side of the main 6/6 window. This window is given additional visual interest by the use of a pedimented head, which echoes the gable above it, whereas the other windows are surmounted by simple, horizontal cornice heads. The main entrance is comprised of a set of triple doors each surmounted by a rectangular transom containing ten lights or panes of glass. The doors are flanked by Doric pilasters. Either end of the ground floor façade is given balance by the use of two glass cases which mimic the style and shape of the window openings directly above them on the second floor. These cases are used for displaying posters which advertise the current productions at the theatre. The front of the marquee contains the name “The Royal George” in gold lettering.

178 Victoria Street

The structure located at 178 Victoria Street is a 1½-storey, four bay, frame structure. The front façade of the building is asymmetrical, with the main entrance offset to one side. It is flanked by a pair of double hung, 2/2 paned windows on the left-hand side, and by a single window on the right-hand side. Each of the windows has shutters but it is not known whether these are original to the house. The main entrance is provided with some visual interest by a transom and sidelights. The front porch is supported by wooden columns and has been ornamented with the addition of gingerbread trim. The second floor of the house contains a gable directly above the main entrance which contains a window, and there is a single dormer above the ground floor windows facing Victoria Street. The north side or end wall of the house contains

⁹ Named in honour of Herbert Kitchener (1850-June 5, 1916) 1st Earl Kitchener, who served as the Secretary of State for War during the Great War. Kitchener died while on route to Russia to discuss munitions shortages, when his ship (the *HMS Hampshire*) struck a German mine.



two double hung 2/2 windows (one on each floor), and there is a dormer on the south side of the house. This building contains two brick chimneys at either end of the house which appear to be original. The roof has recently been covered in cedar shakes. The rear of the house contains a flat roofed, shed-style addition which appears to have been constructed at some later period, and was used as an art gallery and sales area. The north side of the house contains a covered car port, and a new garage on the south side of the house is connected to the main building by means of a covered breezeway.

The exact construction date for this house is a matter of debate. The file on this dwelling held by the heritage planner for the Town of Niagara-on-the-Lake ascribes a date of “ca. 1820” to it without any supporting evidence. The Niagara Historical Society files date the building as “pre-1860” but again without reference to any primary source material. Historical mapping (discussed below) clearly shows that there were no structures standing on Lot 57 between 1815 and 1833. A map from 1837 contained the notation “very closely built on” for Lots 57-58 but this may have been in reference to the Queen Street commercial frontage only. The building appears to be designed in a transitional style between the Classical and Gothic Revivals of the second half of the nineteenth century, and the Queen Anne style which became popular in Ontario during the fourth quarter of the century (see Blumenson [1990] for a discussion of the various styles).

The title search and other records have shown that the Fitzgerald heirs attempted to sell their property as building lots, and advertised them for lease during the late 1840s and early 1850s. Low purchase prices during the early 1870s suggest that there were no significant structures on the land at that time. William John Campbell purchased parts of Lot 57 under three deeds dated August 1877, December 1882 and October 1884. The consideration paid for these parcels (\$100, \$50, \$325) suggests that the property remained vacant and was bought and sold on speculation. A construction date between ca. 1877 and 1885 for this house, rather than a very early date, would be more likely based upon the historical mapping, land registry records, and its architectural style.

City Directories

There are very few directories for the Town of Niagara-on-the-Lake, and many of those that were published did not always include the street numbers for the various households listed and are therefore of limited usefulness. Families were normally listed as residents of “Victoria Street,” “Queen Street,” etc.

Listed or Designated Structures

In June 1987, the Town of Niagara-on-the-Lake passed a by-law (1667-86) which designated the Queen-Picton neighbourhood as a Heritage Conservation District. The HCD is bounded on the east by Wellington Street, on the south by Johnson Street, on the west by Gate Street, and on the north by Prideaux Street (Registry deeds #543965).

Part V of the Ontario Heritage Act gives municipalities the ability to designate heritage conservation districts. These districts are areas whose cultural heritage value contributes to a sense of place extending beyond their individual buildings, structures and landscapes. Once a heritage conservation district designation by-law is approved, property owners in the district require a permit from the municipality for any alteration that is not considered to be “minor,” as well as for demolitions or new construction within the boundaries of the HCD. Heritage value may be attributed to representative examples of architecture and does not require that they be outstanding or unique. Further, the value may be “associative” which is tied to historical persons or events, and is distinct from the built heritage of the district.



A map of the Queen-Picton HCD prepared by the Town of Niagara-on-the-Lake for the designation by-law includes the 1915 Royal George Theatre as one of the business or commercial structures within the district, and 178 Victoria Street is one of the residential structures within the HCD.

1.2.2 Historical Map Sources

A review of various map sources was completed in order to determine the presence of potential historical archaeological sites on the property¹⁰. Several maps are available from the 1790s to the present which illustrate the development of the Town of Niagara-on-the-Lake.

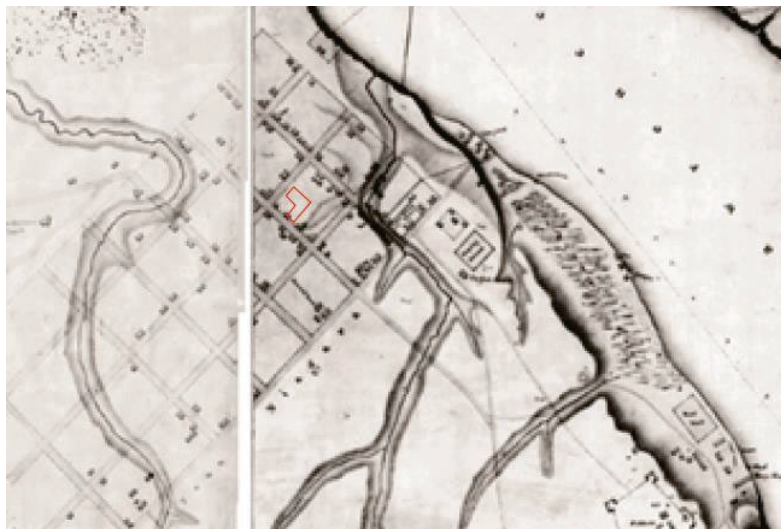
The earliest maps from the 1780s and 1790s show the Township of Niagara and the government reserve lying north of the East-West Line which extended from the Niagara River towards the Four Mile Creek. Part of this land was retained by the government for use as a Military Reserve, and the Town of Niagara was laid out opposite to the Garrison Reserve in 1790-91. The remainder of the reserve south and west of the town was occupied by prominent early settlers (Butler, Ball, Pickard, Secord, Servos and others) at an early date on large, irregularly shaped farm lots. Several of these early maps highlight the military fortifications and structures along the Niagara River (e.g., Fort George, Navy Hall, warehouses, etc) and show the baselines for the corner of the town (i.e., King and Front streets) but few other details. A number of the maps from the post-War of 1812 continue this trend, featuring just the military defences at Fort George and Fort Mississauga, as well as on the garrison common. Maps which include details of the town frequently show the street grid and lot numbers, but do not identify owners or show any standing structures (Jones 1790; untitled 1790; *Plan of Fort George* 1799; Mann 1802; *Plan of Ground on the West Side of Niagara River*; *Plan of a Fort* 1816; Phillipotts 1817; Vavasour and Walpole 1819; Shaw 1823; undated Thorburn; Chewett 1833; Chewett 1839; Phillipotts 1842; Town Incorporation Plan 1845; Vavasour & Pilkington 1850; Passmore 1853; Page 1876; Niven 1910).

An early, undated (ca. 1830s?) copy of a patent plan was compiled by J.G. Chewett. This plan (Plan 86) is one of the first to identify land owners within the town. Lot 39 is identified as the property of B. Cain; Lot 40 was the property of M. Kemp; the names of the original owners of Lots 57 and 58 are obscured on this plan when the name of Mary Ann McAuliffe was written over top of them in a later hand. This plan shows no structural footprints on the subject property.

¹⁰ Use of historic map sources to reconstruct/predict the location of former features within the modern landscape generally proceeds by using common reference points between the various sources. These sources are then georeferenced in order to provide the most accurate determination of the location of any property on historic mapping sources. The results of such exercises are often imprecise or even contradictory, as there are numerous potential sources of error inherent in such a process. These include the vagaries of map production (both past and present), the need to resolve differences of scale and resolution, and distortions introduced by reproduction of the sources. To a large degree, the significance of such margins of error is dependent on the size of the feature one is attempting to plot, the constancy of reference points, the distances between them, and the consistency with which both they and the target feature are depicted on the period mapping. It should be further noted that not all settlement features were depicted systematically in the compilation of these historical map sources



The first detailed maps to show structures within the Town of Niagara were produced by A. Gray in November and December 1810. These maps show the boundaries of the town, the streets, and existing structures. This map shows a house on the north-east end of Lot 39 on Prideaux Street but no structures on Lot 40. This is unusual since Matthew Kemp is known to have erected a dwelling on this lot ca. 1794. There is a single structure on Lot 57, located at the corner of Queen and Victoria (the Bank of Montreal site), and a single structure on Lot 58 which faced Queen Street. The latter building was undoubtedly the house/tavern constructed by James Fitzgerald around 1794 or by the tenants who subsequently occupied this property. The Gray map shows no structures (such as outbuildings) within the rear or interior portions of any of these lots (Gray 1810a, 1810b).



Detail of the Gray plan of 1810 and the approximate location of the subject property.

The structures which stood on Lots 39, 57 and 58 were destroyed by the retreating American forces on December 10, 1813. The Report of the Loyal and Patriotic Society for Upper Canada contains a list of the buildings in the Town of Niagara that were destroyed on that date, and it includes a house owned by the “Fitzgerald estate” which was valued at £100. No war losses claim appears to have been submitted by the Fitzgerald family for compensation for their loss (Narhi 2012:164).

In June 1815 a map was produced showing the Town of Niagara and the nearby fortifications and military reserves. This map shows that reconstruction had commenced there were a number of new structures within the town. Lots 39, 40, 57 and 58 appear to have contained no buildings (Phillpotts 1815).



Detail of the Phillpotts plan of 1815 and the approximate location of the subject property.

By May 1817, no new building activity had taken place on Lots 39, 57 and 58. There was a structure located near the southwest corner of Lot 40 (Vavasour and Willson 1817, updated 1823). Andrew Heron probably erected this building since he was the registered owner of the property at the time. This house was located on the land which he sold to John McBride in December 1830.

A plan of the Town produced in April 1833 shows a house on Lot 39 fronting onto Prideaux Street, as well as the Heron-McBride house noted above on Lot 40. Lots 57 and 58 remained as vacant building lots (Nicolls 1833).



Detail of the Nicolls plan of 1833 and the approximate location of the subject property.

A survey of the Town dated November 1837 does not show the location of any structures on the subject property. However, it contains specific notations on construction on many lots: Lot 39 “good brick dwelling;” Lot 40 “closely built;” Lots 57-58 “very closely built on” (Baddeley 1837).

Later mapping, such as that provided in the 1876 *Illustrated Historical Atlas of the Counties of Lincoln and Welland* (Figure 2-3) and early twentieth-century topographic maps (Figure 4) do not provide sufficient detail or resolution to materially contribute to the reconstruction of the development history of the property or the location of former structures.

1.2.3 Summary and Review of Historical Archaeological Potential

The first patentees of the lots making up the property, between 1793 and 1795, included Barney Cain, Matthew Kemp, James Fitzgerald and James Farquharson. These men were prominent members of local society at that time: Cain was a Loyalist and blacksmith at Fort George, Kemp was a Revolutionary War veteran and farmer, Farquharson was the assistant Commissary at Fort Niagara, until he was charged with embezzling from the King’s stores, and Fitzgerald was an early innkeeper who drowned at an early age. The Cain and Fitzgerald families were united by marriage, but tragedy struck in 1800 when Mrs. Cain was kicked to death by her own servant.

A narrow strip of Lots 39 and 40 is included within the boundaries of the subject property, but the title to this land appears to have been taken through “prescription” after years of unmolested occupancy. The historical mapping shows no structures within the interior portions of these lots during the nineteenth century. The south end of Lot 40 contained a structure, presumably a dwelling, which was built by Andrew Heron sometime between June 1815 and May 1817. It remained standing until at least the 1830s. It was located near the property line between Lots 40 and 57.

Lots 57 and 58 each contained structures that were erected prior to 1810 and destroyed when the Town of Niagara was burned by the retreating American forces in December 1813. The house owned by the Fitzgerald estate on Queen Street was valued at £100, but no war losses claim was ever submitted for the house. Any traces of the pre-war house on Lot 57 would have been obliterated during the construction of the Bank of Montreal at the corner of Queen and Victoria streets.

Lots 57 and 58 were owned by a number of prominent inhabitants in the town, including the Clench family (Lot 57) who lost the property through financial insolvency. Title reverted to the heiresses of the late James Fitzgerald who owned the property until the early 1870s and who tried unsuccessfully for a number of years to sell or lease the land as building lots. These lots were owned by various merchants and businessmen—such as Starkweather and Brown (druggists), Paffard (druggist and mayor), Garrett (wife of a New York silk importer), Kearns (baker), Crosby (confectioner) and many others. During the Garrett period, the lots were internally subdivided into building lots which ran the full depth of the lot. This was



later changed, and Lot 57 was subdivided into lots which ran the width of the lot and provided frontage to some owners on Queen Street and for others on Victoria Street.

The house at 178 Victoria Street was probably built around 1877-1885 by a carpenter/blacksmith named William John Campbell. His family retained ownership of this house until 1975. This property was later purchased by the well-known painter and businesswoman Angie Strauss. Surveys show that there was an old barn located at the rear of this address until at least the mid-1970s. It may have been used by Campbell in connection with his blacksmithing and carpentry business.

The Royal George Theatre property was acquired by Margaret Norris and the present structure was erected in 1915 as a vaudeville house to entertain the townsfolk and the troops who were stationed at Camp Niagara during the Great War. The theatre was known variously as the “Norris” “Kitchener” and “Brock” Theatre. The theatre was owned/managed for many years by members of the Reid family, by John S. Allen, and by Dewey McCourt. It was later home to the Canadian Mime Theatre, the Court House Theatre, and has been part of the Shaw Festival since the 1980s.

Documents found in the Land Registry Office state that an “artesian well” existed on the land at the rear of the Royal George, and that Campbell (at 178 Victoria) retained a life-time interest in drawing water in any quantity and at any time he and his wife desired from this well. This water right expired either upon Campbell’s death or when the family sold the property.

Part of the lot now occupied by “Russell’s” (beside the Bank of Montreal) contained a two-storey frame dwelling built in the 1830s which was moved to the site in 1915. It was the long-time residence of Herbert Campbell. The house was moved to a new location after Campbell’s death in order to allow that part of the property to be developed as a commercial block.

The Niagara District Court House was built between 1846-1848 at 26 Queen Street and was the third and only surviving court house erected for the former Niagara District. It is located 160 metres distant from the current subject property. It was designed by the prominent Toronto architect William Thomas, in the Neoclassical style. This project was part of a plan to maintain Niagara’s position as the political centre of the district. In 1863, however, the seat of judicial power was moved to St. Catharines. The building was designated by the Town of Niagara-on-the-Lake in 1980 under By-law 813-77 (*Canada’s Historic Places* n.d. [a]; Town of Niagara-on-the-Lake 2019).

The Niagara Apothecary is located east of the subject property, approximately 185 metres distant. The Apothecary opened its doors at this location in the late 1860s and operated for over 100 years until it closed in 1964. The apothecary contributes to the historic streetscape and stands out as an important example of confederation-era commercial architecture. The Apothecary was designated in 1970 under the By-law 1667-86 (*Canada’s Historic Places* n.d. [b]; Town of Niagara-on-the-Lake 2019).

Given the property’s location fronting Queen Street and Victoria Street, within the historical settlement centre of Niagara-on-the-Lake, and the proximity to multiple known historically significant structures, there is the potential for encountering both eighteenth and nineteenth-century historical resources, depending on the degree of recent land disturbances.



1.3 Archaeological Context

1.3.1 Registered Archaeological Sites

The Stage 1 Archaeological Assessment determined that 39 sites were registered within a one km radius of the subject property (ASI 2019). A search of the Ontario Archaeological Sites Database (OASD) for the Stage 2 assessment resulted in the addition of one archaeological site. All 40 sites are summarized in Table 1 below. The nearest site, AhGs-394, is approximately 60 metres distant.

Table 2: Registered Sites within a 1 km Radius of the Subject Property

| Borden No. | Name | Temporal/ Cultural Affiliation | Site Type |
|-------------------|--|---|------------------------------------|
| AhGs-1 | Fort George | Euro-Canadian | Fort |
| AhGs-2 | Fort Mississauga | Euro-Canadian | Fort |
| AhGs-3 | Navy Hall Wharf | Euro-Canadian | Homestead |
| AhGs-6 | Presbyterian Schoolhouse | Euro-Canadian | Homestead, School |
| AhGs-9 | Niagara Apothecary | Euro-Canadian | Apothecary |
| AhGs-17 | Pumphouse | Euro-Canadian | Manufacturing, Other – Building |
| AhGs-18 | Thomas Butler Homestead | Indeterminate Pre-Contact; Euro-Canadian | Campsite; Homestead |
| AhGs-22 | Ransom Jay | Middle Archaic | Campsite |
| AhGs-24 | King's Point | Early Archaic, Euro-Canadian | Campsite |
| AhGs-29 | NOTL Fire Hall | Euro-Canadian | Homestead |
| AhGs-30 | Brock/Addison | Euro-Canadian | Homestead |
| AhGs-31 | Fitzgibbon | Euro-Canadian | Homestead |
| AhGs-33 | Niagara-on-the-lake Golf Club Clubhouse | Euro-Canadian; Indeterminate Pre- contact | Homestead; Lithic scatter |
| AhGs-35 | Navy Hall Wreck | Euro-Canadian | Homestead |
| AhGs-38 | Stone Foundation | Afro-Canadian, Euro-Canadian | Homestead |
| AhGs-42 | Talbot | Euro-Canadian | Homestead |
| AhGs-43 | Sherlock | Euro-Canadian, Middle Archaic, Middle Woodland | Homestead, Lithic scatter |
| AhGs-46 | Victoria Meadows | Euro-Canadian, Middle Archaic, Middle Woodland | Homestead, Lithic scatter |
| AhGs-53 | Market Street | Euro-Canadian | Homestead |
| AhGs-54 | | Euro-Canadian | Homestead |
| AhGs-55 | | Euro-Canadian | Homestead |
| AhGs-57 | | Euro-Canadian | Homestead |
| AhGs-74 | Anne Street H2 | Euro-Canadian | Homestead |
| AhGs-75 | Anne Street H3 | Euro-Canadian | Homestead |
| AhGs-78 | | Late Woodland | Findspot |
| AhGs-79 | William Stewart | Euro-Canadian | |
| AhGs-82 | | Euro-Canadian | Farmstead |
| AhGs-83 | 105 Delater Street | Euro-Canadian | Homestead |
| AhGs-379 | | Euro-Canadian | Homestead |
| AhGs-381 | Cassady Site | Euro-Canadian | Homestead |
| AhGs-382 | Victoria H2 Site | Euro-Canadian | Homestead |
| AhGs-392 | | Euro-Canadian | Homestead |
| AhGs-393 | | Euro-Canadian | Homestead |



Table 2: Registered Sites within a 1 km Radius of the Subject Property

| Borden No. | Name | Temporal/ Cultural Affiliation | Site Type |
|-------------------|-------------|---|-------------------------|
| AhGs-394 | | Euro-Canadian | Stable, Other - Grocery |
| AhGs-395 | Sandham | Euro-Canadian | Indeterminate |
| AhGs-396 | Palatine | Indeterminate Pre-Contact | Campsite |
| AhGs-403 | | Euro-Canadian; Indeterminate Pre-contact | Homestead; Findspot |
| AhGs-404 | Elliot | Late Archaic | Lithic Scatter |
| AhGs-406 | | Euro-Canadian | Homestead |
| AhGs-415 | | Euro-Canadian | Meeting House |

1.3.2 Previous Assessments

Aside from the previous Stage 1 Archaeological Assessment, a number of archaeological assessments have been previously completed in the immediate (within 50 metres) vicinity of the subject property.

In 2008, Mayer Heritage Consultants Inc. (MHCI) conducted a Stage 1 and 2 Archaeological Assessment at 179 Regent Street under MTCS PIF P040-0287-2008. The rectangular study area is located approximately 50 metres east of the current subject property and was subject to a test pit survey at five metre intervals. The property was found to be completely disturbed by previous construction and leveling activities and no further work was recommended (MHCI 2008).

In 2015, Detritus Consulting Limited (DCL) conducted a Stage 1 and 2 Archaeological Assessment at 106 Queen Street under MTCS PIF P017-0455-2015. The rectangular study area is located approximately 50 metres southwest of the current subject property. During the course of the survey, the Euro-Canadian site AhGs-394 was encountered. Site AhGs-394 was associated with the early commercial development of Niagara-on-the-Lake, and a Stage 3 Archaeological Assessment was recommended (DCL 2016a). Detritus Consulting Ltd. conducted subsequent Stage 3 and 4 Archaeological Assessments of Euro-Canadian site AhGs-394 under MTCS PIF P017-0473-2016 and P017-0479-2016. During the Stage 3, a total of 10 test units were excavated in areas of high artifact yield and other areas of interest. Four subsurface features were also observed across the site, including a stone foundation. In total, the Stage 3 resulted in 2,563 artifacts being retained, most of which dated to the early-mid nineteenth century. The Stage 4 mitigation consisted of mechanical stripping of the overburden to expose the subsurface features. A series of small rubble foundations were encountered that may have supported partition walls of a small room associated with a nineteenth century store. Modern twentieth century infrastructure was observed throughout the property. Upon completion, site AhGs-394 had no further cultural heritage value or interest (DCL 2016b, 2016c).

In 2014, Fischer Archaeological Consulting (FAC) conducted a Stage 1 and 2 Archaeological Assessment at 78 Prideaux Street under MTCS PIF P359-0011-2014. The rectangular study area is located to the rear of the current subject property. During the test pit survey, the early-to-mid nineteenth century Euro-Canadian site AhGs-82 was encountered. The site was concentrated fronting Prideaux Street, where 1,300 artifacts were retained, as such, site AhGs-82 was recommended for a Stage 3 Archaeological assessment (FAC 2014). In 2016, Fischer Archaeological Consulting conducted a Stage 3 Archaeological Assessment on site AhGs-82 under MTCS PIF P042-0418-2014. The Stage 3 comprised five test units and resulted in the recovery of 11,651 artifacts and four features relating to two phases of occupation on the property. Phase I coincides with a structure dating ca. 1796-1828-1829, while Phase II coincides with a structure dating ca. 1829-1857. Accordingly, a Stage 4 Archaeological Assessment was recommended (FAC 2016a). Subsequent to the Stage 3, Fischer Archaeological Consulting began a Stage 4 mitigation of site



AhGs-82 under MTCS PIF P359-0021-2016. The Stage 4 resulted in the recovery of 3,000 artifacts and a stone foundation associated with a pre-1813 structure. Upon the discovery of the pre-1813 structure, work was halted at the request of the proponent (FAC 2016b). In 2016, Detritus Consulting Limited was retained to continue the Stage 4 mitigation on site AhGs-82 under MTCS PIF P017-0529-2016, where it was determined that the documented stone foundation was reminiscent of a carriage house. Recommendations in the report indicate no further cultural heritage value or interest for the proposed development of the study area. However, protection and avoidance measures were also recommended for areas where archaeological assessment had not taken place outside of the proposed development area, including archaeological monitoring (DCL 2017a).

In 2016, Detritus Consulting Limited conducted a Stage 1 and partial Stage 2 Archaeological Assessment at 65 Queen Street under MTCS PIF P017-0537-2016. The rectangular study area is located approximately 30 metres east of the current subject property. While no archaeological resources were encountered during the course of the test pit survey, the northeast portion of the property contained a concrete pad. Therefore, mechanical trenching was recommended before the subject property could be cleared of archaeological concern (DCL 2017b). In 2017, Detritus Consulting Limited conducted a Stage 2 Archaeological Assessment at 65 Queen Street under MTCS PIF P017-0644-2017. A trench was excavated through the middle of the concrete pad where all soils observed were determined to be disturbed. No further archaeological assessment was recommended (DCL 2018).

1.3.3 Physiography

The subject property lies within the Iroquois Plain physiographic region on Ontario (Chapman and Putnam 1984), which is the former bed of glacial Lake Iroquois. The Iroquois Plain physiographic region is a lowland region bordering Lake Ontario. This region is characteristically flat and formed by lacustrine deposits laid down by the inundation of Lake Iroquois, a body of water that existed during the late Pleistocene. This region extends from the Trent River and around the western part of Lake Ontario to the Niagara River, spanning a distance of 300 km (Chapman and Putnam 1984:190). The old shorelines of Lake Iroquois include cliffs, bars, beaches, and boulder pavements. The old sandbars in this region are good aquifers that supply water to farms and villages. The gravel bars are quarried for road and building material, while the clays of the old lakebed have been used for the manufacture of bricks (Chapman and Putnam 1984:196).

The subject property is located within the Lake Ontario watershed and is drained by a number of small creeks in the area, including One Mile Creek.

1.3.4 Summary and Review of Indigenous Archaeological Potential

Various mapping sources were reviewed to determine the nearest source of water to the subject property. Figure 1 indicates that One Mile Creek is approximately 300 metres west of the subject property, however, early historical mapping (see Section 1.2.3) show a former watercourse approximately 115 metres northeast of the subject property. The Niagara River is approximately 900 metres distant.

Although several pre-contact Indigenous sites have been registered in the general area, none are located in the immediate vicinity of the subject property. However, given the property's location relative to One Mile Creek and a former watercourse to the northeast, there may be potential for the identification of Indigenous archaeological remains within the subject property, depending on the degree of recent land disturbance or soil alterations.



1.3.5 Existing Conditions

The subject property is approximately 0.16 hectares in size and is bounded by Victoria Street to the west, Queen Street to the south, residential lots to the north, and a commercial lot to the east (Figure 5). The subject property consists of The Royal George Theatre at 79-83 Queen Street and a former dwelling, now used as a rehearsal and vocal studio, located at 178 Victoria Street. A fence has been erected to separate the public rear yard of the theatre and the private rear yard of the rehearsal and vocal studio.

2.0 FIELD METHODS

The Stage 1 assessment was completed under P449-0292-2019 (ASI 2019). It determined that approximately 20% of the subject property had potential for the presence of archaeological resources (ASI 2019).

The Stage 2 field assessment was conducted on June 24, 2019 in order to inventory, identify, and describe any archaeological resources extant on the subject property prior to development. All fieldwork was conducted under the field direction of Mr. Robb Bhardwaj (R449) and was carried out in accordance with the S & G. The weather conditions were appropriate for the completion of all fieldwork, permitting good visibility of the land features. Photo locations and field observations have been compiled on project mapping (Figure 6). Representative photos documenting the field conditions during the Stage 2 fieldwork are presented in Section 8.0 of this report.

2.1 Areas of No Potential

The Stage 1 assessment determined that approximately 80% of the property was disturbed. These areas included the existing building footprints, hardscaping and heavy landscaping found throughout the subject property. Accordingly, no Stage 2 assessment was recommended within these areas (ASI 2019).

2.2 Test Pit Survey

The balance of the property, consisting of approximately 20%, was assessed by means of a test pit survey at five metre intervals (Plates 1-2). In accordance with the S & G, Section 2.1.2, all test pits were hand-excavated by soil strata at least five cm into subsoil and all soil was screened through six mm wire mesh to facilitate artifact recovery. Test pits were examined for stratigraphy, cultural features, and evidence of fill. All test pits were at least 30 cm in diameter and excavated within one metre of all structures or disturbances. Test pits were backfilled upon completion of the survey.

Two distinct and disturbed soil profiles were encountered during the test pit survey. Profiles located to the rear of 79-83 Queen Street were found to comprise approximately five cm of dark greyish-brown (10YR 4/2) clay loam laid topsoil (Layer 1), over 25 cm of greyish-brown (10YR 5/2) clay loam fill mixed with asphalt and gravel (Layer 5), over yellowish-brown (10YR 7/6) clay C-horizon (Layer 4) (Plate 3). The average depth of the C-horizon was 30 cm below the surface on this portion of the property.

Profiles located to the rear of 178 Victoria Street were found to comprise approximately five cm of dark greyish-brown (10YR 4/2) clay loam laid topsoil (Layer 1), over 15-25 cm of reddish-yellow (5YR 6/8) clay fill with rocks (Layer 2), over 23-30 cm of very dark brown (10YR 2/2) clay loam fill (Layer 3), over



yellowish-brown (10YR 7/6) clay C-horizon (Layer 4) (Plate 4). The average depth of the C-horizon on this portion of the property was 50 cm below the surface.

Table 2 provides a master list of all stratigraphic layers documented throughout the test pit survey.

Table 3: Master List of Layers Across the Subject Property

| Layer | Composition | Munsell | Interpretation |
|-------|--|----------|----------------|
| 1 | Dark grayish brown clay loam | 10YR 4/2 | Laid topsoil |
| 2 | Reddish yellow clay with rocks | 5YR 6/8 | Fill |
| 3 | Very dark brown clay loam with nineteenth and twentieth century material | 10YR 2/2 | Fill |
| 4 | Yellowish brown clay | 10YR 7/6 | C-horizon |
| 5 | Grayish brown clay loam with asphalt and gravel | 10YR 5/2 | Fill |

2.3 Intensified Test Pit and Test Unit Excavation

During the test pit survey on the five-metre grid, two test pits located at the rear of 178 Victoria Street contained nineteenth and twentieth century cultural material. In order to fully document the artifact location, the test pitting was intensified.

In accordance with the S & G, Section 2.1.2, Standard 2 (Option A), intensification of the site involved the placement of additional test pits at intervals of 2.5 metres around all positive test pits, where permitted given the confined location of the site, and the excavation of one one-metre-square test unit (Plate 5). The intensification resulted in cultural material recovered from two additional positive test pits and the test unit.

To further evaluate the stratigraphic context of the materials recovered, and in accordance with the S & G, Section 3.2.2, the one-metre-square test unit was excavated stratigraphically by hand to a minimum of five cm into sterile subsoil and all soil was screened through six-mm mesh to facilitate artifact recovery. The profile and the subsoil floor were examined for the presence of undisturbed cultural strata and potential features, although no cultural features were encountered. All artifacts were retained separately according to provenience. Upon completion, the test unit was backfilled and leveled.

The additional test pits and test unit profile were consistent with other test pits in the artifact vicinity, comprising approximately five cm of Layer 1 clay loam laid topsoil, over 15-25 cm of Layer 2 clay fill with rocks, over 23-30 cm of Layer 3 clay loam fill, over Layer 4 clay C-horizon (Plate 6).

3.0 RECORD OF FINDS

During the course of the Stage 2 assessment, nineteenth and twentieth century cultural material was encountered within Layer 3 of four test pits and the test unit at the rear of 178 Victoria Street (Figure 7). Based on the profiles found throughout the property, it is clear that the original A- and B-horizon had been stripped from the property. Separate fill events then occurred on the 79-83 Queen Street and 178 Victoria Street portions of the property, followed by a thin layer of laid topsoil throughout, raising the elevation by 30-50 cm above the C-horizon.



A total of 404 artifacts was collected over a small area measuring 2.5 metres north-south by five metres east-west. The artifact bearing Layer 3 was also found to include a large quantity of drainage tile and concrete rubble which was not retained (Plate 6). The artifact deposit is located within a confined area, bordered by the existing former dwelling to the west, a recently constructed fence and the 79-83 Queen Street portion to the west, a filled in former pool to the north and the property limit to the south. A concrete walkway is also present in the artifact area.

Summaries of the recovered cultural material is presented below. However, given the absence of any intact A- or B-horizon within the subject property and the fact that all materials recovered during the assessment originate from comparatively recent cutting and filling redeposition events, the finds do not constitute an archaeological site and the summaries are provided solely for reference.

3.1 Inventory of Documentary and Material Record

The documentation and materials related to this project will be curated by ASI until such a 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(s), the Ontario Ministry of Tourism, Culture and Sport, and any other legitimate interest groups.

As per Sections 6.7 and 7.8.2.3 of the S & G, details pertaining to the documentary record are provided as follows:

| Document/Material | Location | Comments |
|---|---|--|
| Written Field Notes, Annotated Field Maps, GPS Logs, etc. | ASI, 528 Bathurst Street, Toronto, ON M5S 2P9 | Hard copy notes stored in ASI project folder 19PL-133; GPS and digital information stored on ASI network servers |
| Field Photography (Digital) | ASI, 528 Bathurst Street, Toronto, ON M5S 2P9 | Stored on ASI network servers and/or CD-ROM |
| Research/Analysis/Reporting Materials (Various Formats) | ASI, 528 Bathurst Street, Toronto, ON M5S 2P9 | Hard copy and/or digital files stored on ASI network servers and/or CD-ROM |
| Artifacts | ASI, 528 Bathurst Street, Toronto, ON M5S 2P9 | All artifacts collected are stored by class and provenience. Artifacts are stored in 12.7 cm x 20.32 cm plastic bags and further separated into 5.08 cm x 7.62 cm plastic bags. All material is housed in a standard banker's box (width 30 cm, depth 38 cm, height 25 cm). The artifact assemblage is stored in one box labeled: 19PL-133 Queen and Victoria, NOTL. |

3.2 Nineteenth and Twentieth Century Artifacts

Historical artifacts are dated by both the material from which they are made and by the type of decoration and motif which they feature; these ranges are organized as described in Table 3 below.



Table 4: Nineteenth-Century Artifact Date Ranges in Ontario

| Artifact Type | Before 1830 | 1830-1845 | 1845-1870 | 1870-1890 | After 1890 |
|-----------------------------------|--|--|--|----------------------------------|---|
| Nails | Wrought | Machine Cut | Machine Cut | Machine Cut | Wire |
| Ceramic Wares | Pearlware; Creamware | Refined White Earthenware (RWE) | Refined White Earthenware (RWE); Ironstone introduced | Ironstone common | Semi-porcelain introduced |
| Edge | Blue and Green scalloped | Mostly blue scalloped | Blue straight | Not common | Not common |
| Painted | All Blue or Early Palette* | Late Palette** | Late Palette | Not common | Not common |
| Sponged | Not found | Rare | Common | Becomes rare | Rare |
| Printed | Blue only | Blue, brown, black, red, purple or green | Blue, brown, black | Blue and browns popular in 1880s | Many colours; over glaze |
| Flow | Not found | Not found | Popular | Not common | Revival of Flow |
| Yellow Ware | Not found | Introduced in 1840's | Present | Present | Present |
| Guns | Flintlocks; Percussion invented in 1807 | Percussion; Flintlocks in decline | Percussion; rise of cartridge in 1860s | Cartridge | Cartridge |
| Glass Bottles: Bases | Pontil mark | Pontil mark | Pontil mark in cline | No pontil mark | No pontil mark |
| Glass Bottles: Manufacture | Cup mould, two-piece open mould, and three-piece mould | Cup mould, two piece-open mould, and three piece-mould | Cup mould, two-piece open mould, and three-piece mould | Seam from base to lip | Seam from base onto lip and over lip |
| Glass Bottles: Finish | | | | | "Crown" finish; threaded lips common |
| Other | | | | | U.S. McKinley tariff act of 1890 requires country of origin to be marked on goods |

Early Palette*= Mustard Yellow, Blue, Earthy Green, Orange, Brown
 Late Palette**= Bright Yellow, Blue, Bright Green, Pink, Black

Field Manual for Avocational Archaeologists.
 Derived from: Adams, Nick; 1993 OAS, London, Ontario

The “Classification System for Historical Collections” (Canadian Parks Service 1992) was used to organize the historical artifacts recovered during the Stage 2 assessment. The category of “Organic” was added to account for floral and faunal remains commonly found on historical sites. The artifacts recovered during the Stage 2 assessment were divided into seven artifact classes: architectural, furnishings, kitchen/food, personal, tools/equipment, organic and indeterminate.

The artifacts are summarized in Table 4 and samples are displayed in Section 8.0 (Plates 7-8). A detailed artifact catalogue is presented in Appendix A.



Table 5: Historical Artifact Counts by Functional Class

| Artifact Class | Quantity | % Total |
|-----------------------------|-----------------|----------------|
| <i>Architectural</i> | 144 | 35.64% |
| Nail, machine-cut | 4 | |
| Nail, wire | 7 | |
| Nail, indeterminate | 9 | |
| Window glass | 124 | |
| <i>Furnishings</i> | 3 | 0.74% |
| Figurine | 2 | |
| Arc Lamp | 1 | |
| <i>Kitchen/Food-Related</i> | 136 | 33.66% |
| Teaware | 13 | |
| Tableware | 97 | |
| Kitchenware | 19 | |
| Liner | 1 | |
| Tumber | 1 | |
| Container, liquor | 5 | |
| <i>Personal</i> | 9 | 2.23% |
| Button | 2 | |
| Container, medicine | 2 | |
| Smoking pipe | 5 | |
| <i>Tools/Equipment</i> | 7 | 1.73% |
| Drainage tile | 5 | |
| Horseshoe nail | 1 | |
| Strapping | 1 | |
| <i>Organic</i> | 57 | 14.11% |
| Faunal, mammal | 44 | |
| Faunal, avian | 6 | |
| Faunal, aquatic shell | 7 | |
| <i>Indeterminate</i> | 48 | 11.88% |
| Container, unidentifiable | 32 | |
| Scrap metal | 10 | |
| Unidentified | 6 | |
| Total Assemblage | 404 | 100% |

Over half of the assemblage belongs to the architectural (35.64%) and kitchen/food-related (33.66%) classes, which consist predominantly of diagnostic artifacts.

The architectural class is comprised mostly of window glass (n=124), with smaller quantities of machine cut nails (n=4), wire nails (n=7), and indeterminate nails (n=9) also collected. Machine cut nails were commonly used from 1830 to 1900, while wire nails replaced machine-cut nails in the early twentieth century (Wells 1998). The kitchen/food-related class is comprised predominantly by the ceramic collection (n=129). The ceramic wares and motifs are summarized in Table 5.



Table 6: Ceramic Counts by Ware & Motif

| Type | Ware | Motif | Quantity | |
|------------------------------|-------------------------------|--------------------------------|----------|------------|
| <i>Teaware and Tableware</i> | | | | |
| | Creamware | | | 6 |
| | | Factory slip, banded | 2 | |
| | | Undecorated | 4 | |
| | Pearlware | | | 20 |
| | | Hand painted, early palette | 3 | |
| | | Hand painted, monochrome blue | 2 | |
| | | Transfer print, general | 4 | |
| | | Undecorated | 10 | |
| | | Unidentified | 1 | |
| | RWE | | | 39 |
| | | Edgeware, evenly scalloped | 2 | |
| | | Edgeware, straight and moulded | 1 | |
| | | Factory slip, general | 2 | |
| | | Glazed | 1 | |
| | | Hand painted, late palette | 1 | |
| | | Transfer print, general | 15 | |
| | | Undecorated | 17 | |
| | Ironstone | | | 32 |
| | | Moulded, general | 2 | |
| | | Moulded, ribbed or panelled | 1 | |
| | | Transfer print, flow | 1 | |
| | | Transfer print, general | 10 | |
| | | Undecorated | 18 | |
| | Porcelain, English bone china | | | 5 |
| | | Gilt | 4 | |
| | | Undecorated | 1 | |
| | Semi-porcelain | | | 6 |
| | | Decalcomania | 1 | |
| | | Moulded, general | 1 | |
| | | Moulded, ribbed or panelled | 2 | |
| | | Slipped | 1 | |
| | | Undecorated | 1 | |
| | Dyed Body Earthenware | | | 1 |
| | | Undecorated | 1 | |
| | Vitrified Earthenware | | | 1 |
| | | Undecorated | 1 | |
| <i>Kitchenware</i> | | | | |
| | Buff Earthenware | | | 3 |
| | | Undecorated | 3 | |
| | Red earthenware, coarse | | | 8 |
| | | Glazed | 8 | |
| | Stoneware | | | 6 |
| | | Glazed | 4 | |
| | | Salt-glazed | 2 | |
| | Yellow ware | | | 2 |
| | | Factory slip, banded | 1 | |
| | | Undecorated | 1 | |
| Total Ceramic Sample | | | | 129 |

The ceramic assemblage includes teawares (n=13), tablewares (n=97) and kitchenwares (n=19). The assemblage is dominated by refined white earthenware (RWE), ironstone and pearlware, with smaller quantities of several other ware types, including twentieth century semi-porcelains.



The earliest ceramic ware types in the assemblage are creamware and pearlware, both of which began appearing in Ontario in the late eighteenth century and eventually fell out of common use by the 1830s (Jouppien 1980; Kenyon 1995). After which, RWE came into common use in Ontario by 1835 followed by ironstone which grew in popularity steadily during the late nineteenth century, peaking in the 1880s (Kenyon 1995). Other later ceramics in the assemblage include dyed body earthenware with a very narrow range of availability in Ontario from 1878 to 1893, semi-porcelain, which was the preferred ware for domestic use in the 1890s and was a familiar household item by the 1910s, and vitrified earthenware, which is characteristic of the twentieth century (ASI 2012; Kenyon 1995; Majewski and O'Brien 1987).

English bone china porcelain is also represented in the assemblage which began appearing in Ontario in the early nineteenth century (Jouppien 1980). However, given its continued availability in Ontario throughout the nineteenth and twentieth centuries, this ware type is not a reliable indicator of date range. Likewise, the remaining kitchenware ceramics are not typically a useful indicator of date range as they were also commonly available during the nineteenth century.

The personal use artifacts (n=9) collected from the deposit also include some identifiable diagnostic materials. These include a complete emerald green eight-sided Rumford Chemical Works medicine bottle and a complete prosser button. The bottle likely contained Horsford Acid Phosphate, which was one of this companies most popular products used as a treatment for mental and nervous exhaustion. This tonic was first patented in on March 10, 1868 however given the green colour of the bottle it suggests this item dates closer to the 1900s or later when the earlier clear and teal bottles were replaced with machine made light green and brilliant green colours (Wicker 2019). Prosser buttons are one of the best dateable common personal use items, having been first manufactured in 1840 (Sprague 2002).

Many of the remaining identifiable artifacts recovered during the assessment consist of domestic use items which are not particularly useful in providing a refined temporal range. These include furnishings (n=3), tools/equipment items (n=7), organic material (n=57), and indeterminate items.

In general, the artifacts are consistent with a domestic occupation spanning the nineteenth and twentieth centuries. However, given the disturbed context from which they were recovered, their origin and the association between them, if any, cannot be established.

4.0 ANALYSIS AND CONCLUSIONS

ASI was contracted by the Shaw Festival Theatre, Canada to undertake a Stage 2 Archaeological Assessment of the Royal George Theatre, 79-83 Queen Street and 178 Victoria Street, part of Lots 39, 40, 57 and 58, Registered Plan 86, in the Geographic Township of Niagara, County of Lincoln, now in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara. The subject property is approximately 0.16 hectares in size.

The previous Stage 1 background assessment, completed in early 2019, entailed consideration of the proximity of previously registered archaeological sites and the original environmental setting of the property, along with the nineteenth- and twentieth-century settlement history. This research concluded there was potential for encountering both Indigenous and Euro-Canadian archaeological materials on the subject property.

The Stage 2 field assessment was conducted by means of a test pit across approximately 20% of the property that had been identified as retaining archaeological potential. During the course of this work, cultural material was recovered from a small and confined area at the rear of the 178 Victoria Street



portion of the property. Based on the evaluation of the stratigraphy and soil formation processes, it is clear that the cultural material is out of context, and that the subject property has previously be subject to widespread disturbance, involving the removal of the original A- and B-horizons. As such, the nineteenth and twentieth century artifacts collected during the course of the Stage 2 assessment do not constitute an archaeological site.

5.0 RECOMMENDATIONS

In light of these results, the following recommendations are made:

1. No further archaeological assessment of the property be required.

Notwithstanding the results and recommendations presented in this study, ASI notes that no archaeological assessment, no matter how thorough or carefully completed, can necessarily predict, account for, or identify every form of isolated or deeply buried archaeological deposit. In the event that archaeological remains are found during subsequent construction activities, the consultant archaeologist, approval authority, and the Cultural Programs Unit of the Ministry of Tourism, Culture and Sport should be immediately notified.

6.0 ADVICE ON COMPLIANCE WITH LEGISLATION

ASI advises compliance with the following legislation:

- This report is submitted to the Minister of Tourism, Culture and Sport as a condition of licensing in accordance with Part VI of the *Ontario Heritage Act*, RSO 1990, c 0.18. The report is reviewed to ensure that it complies with the standards and guidelines that are issued by the Minister, and that the archaeological field work and report recommendations ensure the conservation, preservation and protection 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 Tourism and Culture and Sport, a letter will be issued by the ministry stating that there are no further concerns with regard to alterations to archaeological sites by the proposed development.
- It is an offence under Sections 48 and 69 of the *Ontario Heritage Act* for any party other than a licensed archaeologist to make any alteration to a known archaeological site or to remove any artifact or other physical evidence of past human use or activity from the site, until such time as a licensed archaeologist has completed archaeological field work on the site, submitted a report to the Minister stating that the site has no further cultural heritage value or interest, and the report has been filed in the Ontario Public Register of Archaeology Reports referred to in Section 65.1 of the *Ontario Heritage Act*.
- Should previously undocumented archaeological resources be discovered, they may be a new archaeological site and therefore subject to Section 48 (1) of the *Ontario Heritage Act*. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed consultant archaeologist to carry out archaeological fieldwork, in compliance with sec. 48 (1) of the *Ontario Heritage Act*.
- The Funeral, Burial and Cremation Services Act, 2002, S.O. 2002. c.33, requires that any person discovering or having knowledge of a burial site shall immediately notify the police or coroner. It is recommended that the Registrar of Cemeteries at the Ministry of Consumer Services is also immediately notified.



- Archaeological sites recommended for further archaeological field work or protection remain subject to Section 48(1) of the *Ontario Heritage Act* and may not be altered, nor may artifacts be removed from them, except by a person holding an archaeological license.

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1817 *No. 6 Plan of Forts George, Missisaga [sic] and Niagara, the Military Reserves, and the Town of Newark*. Plan dated May 2, 1817, and annotated C2073 tray 41. Shows streets and some structures. A second later copy exists for this plan, identical but with annotations dated Aug. 21 and Sept. 14, 1823. NMC15014.
- Vavasour, Capt. H., and Lieut. A. Walpole.
1819 *The Military Reserve at Fort George*. Plan dated Mar. 14, 1819, and annotated CS102, C2076. Plan shows the boundaries of the town, but no streets or buildings. NMC 0022531.
- Vavasour, Capt. H., and R. Pilkington.
1850 *No. 17, Niagara. Plan of the Military Reserve, Total Content Called 479 Acres*. Plan dated Oct. 26, 1850 and annotated C2035. Plan shows part of the town of Niagara, streets and some key structures.
- Weaver, J.
1981 "James Durand's Eventful Careers, 1802-1834. An Adventurous Englishman on the Upper Canada Frontier," *Wentworth Bygones* vol. 13, pp. 42-49.
- Wells, T.
1998 Nail Chronology: the use of technologically derived features. *Historical Archaeology* 32(2):79-99.
- Wicker, F
2019 Bottle Pickers: Rumford Chemical Works and its Bottles. < https://www.bottlepickers.com/bottle_articles186.htm>
- Wilson, B.G.
1987 "Ralfe Clench," *Dictionary of Canadian Biography*, vol. VI (1821-1835), pp. 153-154. University of Toronto Press, Toronto.



8.0 IMAGES



Plate 1: Test pit survey in progress at rear of 79-83 Queen Street.



Plate 2: Test pit survey in progress at rear of 178 Victoria Street.



Plate 3: Disturbed test pit at the rear of 79-83 Queen Street.



Plate 4: Disturbed test pit at the rear of 178 Victoria Street; artifact bearing Layer 3 present.

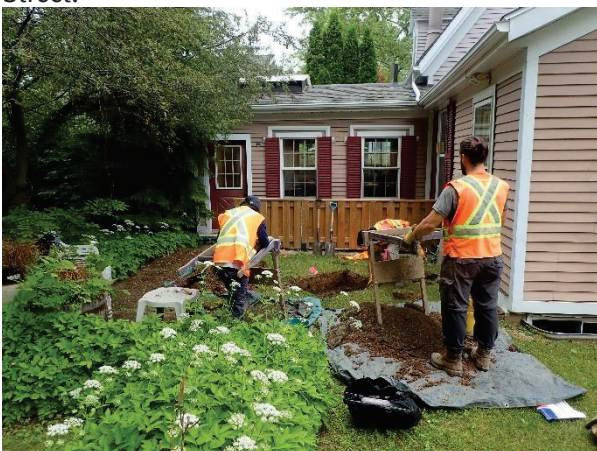


Plate 5: Test unit excavation at rear of 178 Victoria Avenue. Note confined intensification conditions.



Plate 6: Test unit profile at rear of 178 Victoria Street. Note large quantity of drainage tile and concrete encountered within the artifact bearing Layer 3.

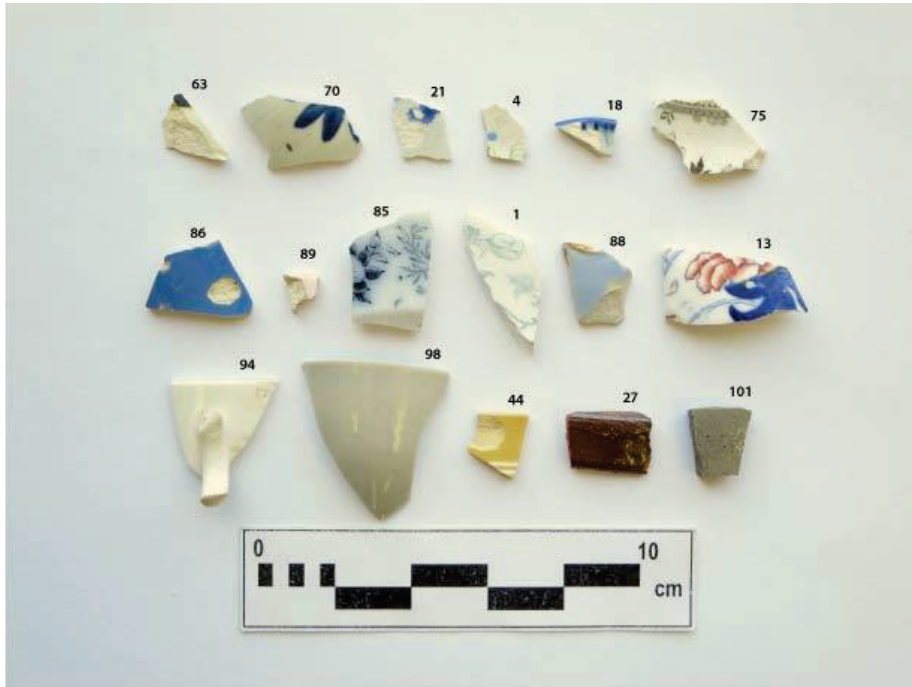


Plate 7: Selected ceramic artifacts collected from disturbed context.



Plate 8: Selected non-ceramic artifacts collected from disturbed context.

9.0 MAPS

See following pages for detailed assessment mapping and figures.

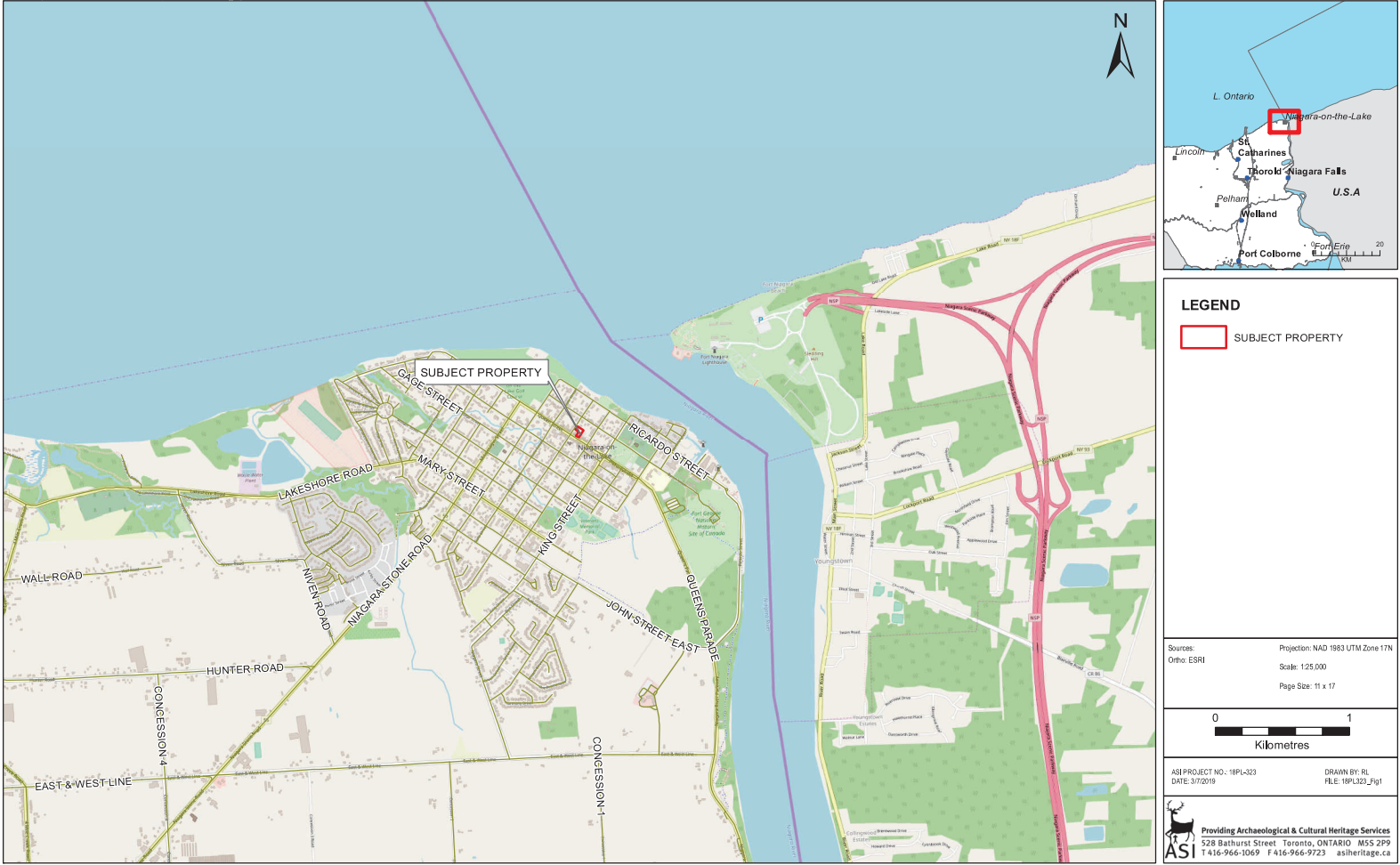


Figure 1: Location of Subject Property

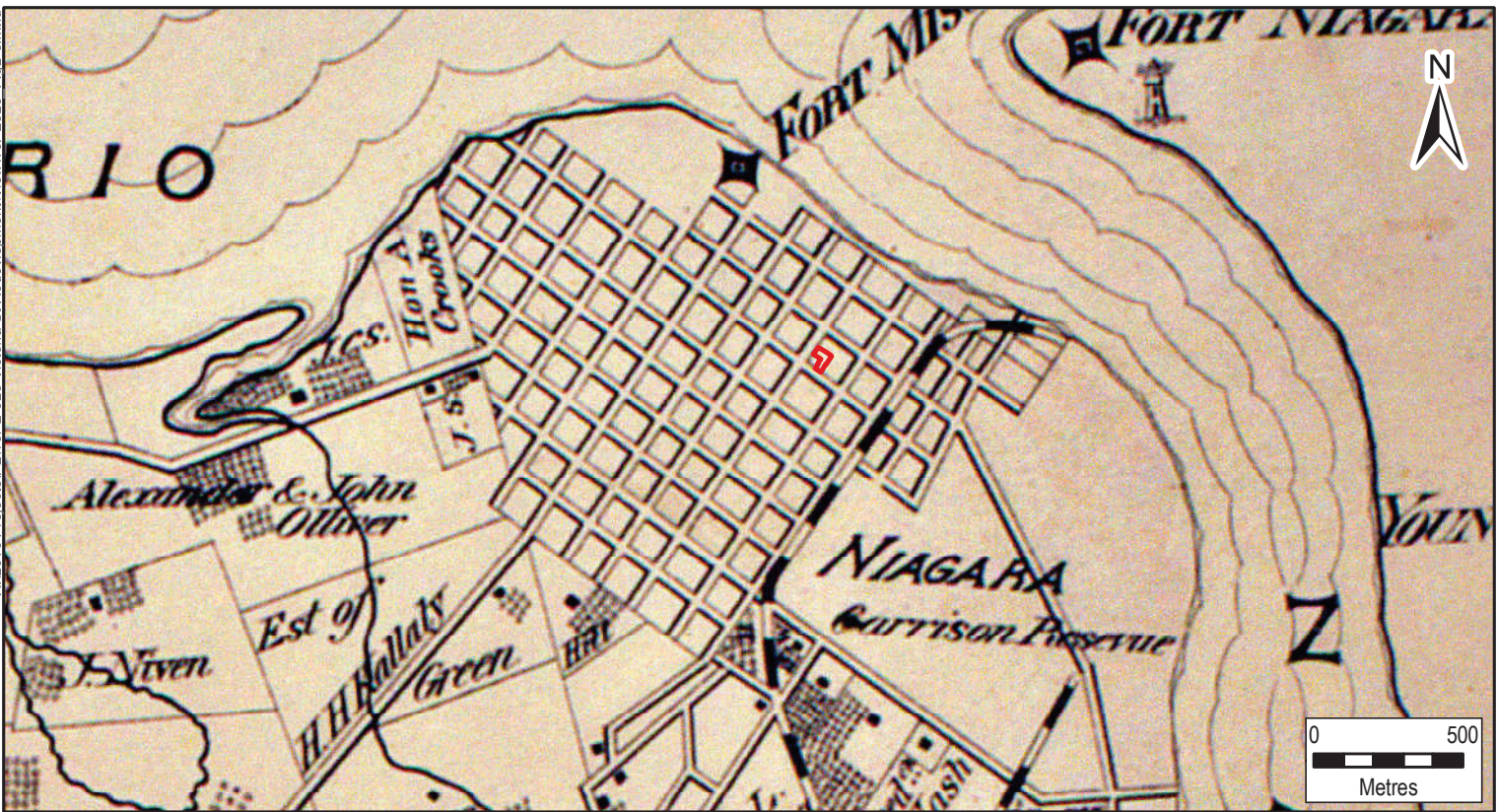


Figure 2: Subject Property located on 1876 Illustrated Historical Atlas of the Counties of Lincoln and Welland

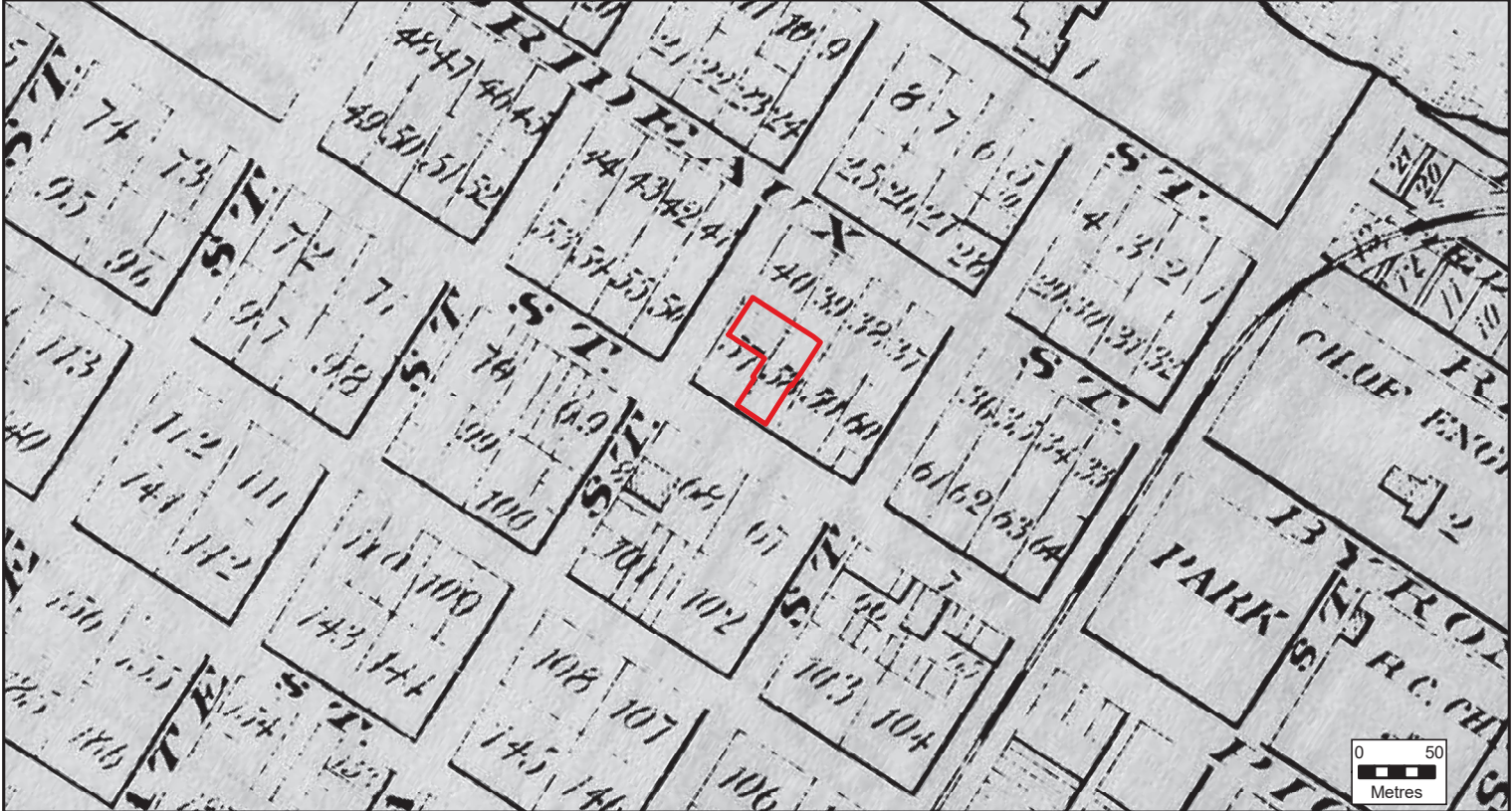


Figure 3: Subject Property located on the Village of Niagara from 1876 Illustrated Historical Atlas of the Counties of Lincoln and Welland

| | | | |
|---|------------------|--|---|
| | SUBJECT PROPERTY | Sources: Illustrated Historical Atlas of The Counties of Lincoln and Welland (1876) | ASI PROJECT NO.: 18PL-323 DATE: 2019-03-11 DRAWN BY: RL FILE: 18PL323_Fig2-3 |
| Projection: NAD 1983 UTM Zone 17N Scale: 25,000 Page Size: 8.5 x 11 | | | |



Figure 4: Subject Property located on 1905 NTS Sheet Niagara

X:\2018\Projects\21\18PL-323_Victoria_Si\Revelationment\view\18PL-323_Fig4.mxd



X:\2019 Projects\18PL-323 Victoria St. Redevelopment\Views\18PL-323_Fig5.mxd

| | | | | | | | |
|--|--|---|--|---------------------------|--------------|------------------|--------------------|
|  |  SUBJECT PROPERTY | Sources: Ortho: ESRI Projection: NAD 1983 UTM Zone 17N Scale: 1:600 Page Size: 8,5 x 11 | <div style="text-align: center;">  <p>0 15 Metres</p> </div> <div style="font-size: small;"> <table border="0" style="width: 100%;"> <tr> <td>ASI PROJECT NO.: 18PL-323</td> <td>DRAWN BY: RL</td> </tr> <tr> <td>DATE: 2019-03-11</td> <td>FILE: 18PL323_Fig5</td> </tr> </table> </div> | ASI PROJECT NO.: 18PL-323 | DRAWN BY: RL | DATE: 2019-03-11 | FILE: 18PL323_Fig5 |
| ASI PROJECT NO.: 18PL-323 | DRAWN BY: RL | | | | | | |
| DATE: 2019-03-11 | FILE: 18PL323_Fig5 | | | | | | |

Figure 5: Existing Conditions of Subject Property



Figure 6: Results of the Stage 2 Archaeological Assessment

APPENDIX A

Stage 2 Artifact Catalogue



Stage 2 Ceramic Catalogue

19PL-133

| Cat# | Qty | Context | Stratum | Ware | Motif | Form | Comments |
|------|-----|------------|---------|--------------------------|------------------------------|------------------|-------------------------------------|
| 1 | 3 | Test Pit 1 | Layer 3 | Ironstone | Transfer Print - General | Plate - Twiffler | Portion: Rim; Colour: Teal |
| 2 | 1 | Test Pit 1 | Layer 3 | Ironstone | Undecorated | Hollowware | Portion: Rim |
| 3 | 3 | Test Pit 1 | Layer 3 | Ironstone | Undecorated | Hollowware | Portion: Body |
| 4 | 1 | Test Pit 1 | Layer 3 | RWE | Hand Painted - Late Palette | Teacup | Portion: Body; Colour: Green, Blue |
| 5 | 1 | Test Pit 1 | Layer 3 | Ironstone | Transfer Print - General | Flatware | Portion: Rim; Colour: Red |
| 6 | 1 | Test Pit 1 | Layer 3 | RWE | Undecorated | Hollowware | Portion: Rim |
| 7 | 2 | Test Pit 1 | Layer 3 | RWE | Undecorated | Flatware | Portion: Rim |
| 8 | 3 | Test Pit 1 | Layer 3 | RWE | Undecorated | Hollowware | Portion: Body |
| 9 | 3 | Test Pit 1 | Layer 3 | RWE | Undecorated | Flatware | Portion: Body |
| 10 | 1 | Test Pit 1 | Layer 3 | RWE | Undecorated | Unidentifiable | Portion: Footring |
| 11 | 1 | Test Pit 1 | Layer 3 | Semi-porcelain | Slipped | Hollowware | Portion: Rim; Colour: Green |
| 12 | 1 | Test Pit 1 | Layer 3 | Semi-porcelain | Moulded - Ribbed or Panelled | Hollowware | Portion: Rim |
| 13 | 1 | Test Pit 1 | Layer 3 | Semi-porcelain | Decalcomania | Hollowware | Portion: Body; Colour: Blue, Orange |
| 14 | 1 | Test Pit 1 | Layer 3 | Semi-porcelain | Undecorated | Hollowware | Portion: Body |
| 15 | 1 | Test Pit 1 | Layer 3 | Ironstone | Moulded - Ribbed or Panelled | Hollowware | Portion: Body; Colour: Blue |
| 16 | 1 | Test Pit 1 | Layer 3 | Ironstone | Transfer Print - General | Flatware | Portion: Rim; Colour: Blue |
| 17 | 1 | Test Pit 1 | Layer 3 | Ironstone | Transfer Print - General | Flatware | Portion: Rim; Colour: Blue |
| 18 | 2 | Test Pit 1 | Layer 3 | RWE | Edgeware - Evenly Scalloped | Flatware | Portion: Rim; Colour: Blue |
| 19 | 1 | Test Pit 1 | Layer 3 | Pearlware | Transfer Print - General | Flatware | Portion: Body; Colour: Blue |
| 20 | 2 | Test Pit 1 | Layer 3 | RWE | Transfer Print - General | Flatware | Portion: Body; Colour: Blue |
| 21 | 1 | Test Pit 1 | Layer 3 | Pearlware | Transfer Print - General | Flatware | Portion: Body; Colour: Blue |
| 22 | 2 | Test Pit 1 | Layer 3 | Pearlware | Undecorated | Flatware | Portion: Body |
| 23 | 2 | Test Pit 1 | Layer 3 | Pearlware | Undecorated | Flatware | Portion: Rim |
| 24 | 1 | Test Pit 1 | Layer 3 | Creamware | Undecorated | Flatware | Portion: Body |
| 25 | 1 | Test Pit 1 | Layer 3 | Stoneware | Glazed | Hollowware | Portion: Body; Colour: Dark Brown |
| 26 | 3 | Test Pit 1 | Layer 3 | Red Earthenware - Coarse | Glazed | Hollowware | Portion: Body; Colour: Brown |
| 27 | 1 | Test Pit 1 | Layer 3 | Red Earthenware - Coarse | Glazed | Hollowware | Portion: Handle; Colour: Brown |
| 44 | 1 | Test Pit 2 | Layer 3 | Yellow Ware | Factory Slip - Banded | Hollowware | Portion: Rim; Colour: White |
| 45 | 2 | Test Pit 2 | Layer 3 | RWE | Transfer Print - General | Flatware | Portion: Body; Colour: Blue |
| 46 | 2 | Test Pit 2 | Layer 3 | Ironstone | Undecorated | Flatware | Portion: Body |

Stage 2 Ceramic Catalogue

19PL-133

| Cat# | Qty | Context | Stratum | Ware | Motif | Form | Comments |
|------|-----|-------------|---------|-----------|---------------------------------|-----------------|--|
| 47 | 2 | Test Pit 2 | Layer 3 | RWE | Undecorated | Unidentifiable | Portion: Body |
| 51 | 1 | Test Pit 3 | Layer 3 | RWE | Transfer Print - General | Flatware | Portion: Body; Colour: Brown |
| 52 | 1 | Test Pit 3 | Layer 3 | Ironstone | Transfer Print - General | Hollowware | Portion: Body; Colour: Blue |
| 53 | 1 | Test Pit 3 | Layer 3 | Ironstone | Moulded - General | Flatware | Portion: Brink |
| 54 | 1 | Test Pit 3 | Layer 3 | Ironstone | Undecorated | Flatware | Portion: Body |
| 55 | 1 | Test Pit 3 | Layer 3 | RWE | Undecorated | Flatware | Portion: Body |
| 60 | 2 | Test Pit 4 | Layer 3 | RWE | Undecorated | Hollowware | Portion: Body |
| 63 | 2 | Test Unit 1 | Layer 3 | Creamware | Factory Slip - Banded | Hollowware | Portion: Body; Colour: Dark Brown |
| 64 | 1 | Test Unit 1 | Layer 3 | Creamware | Undecorated | Flatware | Portion: Body |
| 65 | 2 | Test Unit 1 | Layer 3 | Creamware | Undecorated | Hollowware | Portion: Body |
| 66 | 3 | Test Unit 1 | Layer 3 | Pearlware | Undecorated | Flatware | Portion: Body |
| 67 | 1 | Test Unit 1 | Layer 3 | Ironstone | Undecorated | Flatware | Portion: Base |
| 68 | 2 | Test Unit 1 | Layer 3 | Pearlware | Undecorated | Hollowware | Portion: Body |
| 69 | 1 | Test Unit 1 | Layer 3 | Pearlware | Undecorated | Hollowware | Portion: Rim |
| 70 | 3 | Test Unit 1 | Layer 3 | Pearlware | Hand Painted - Early Palette | Teacup | Portion: Body; Colour: Blue, Green |
| 71 | 2 | Test Unit 1 | Layer 3 | Pearlware | Hand Painted - Monochrome Blue | Teacup | Portion: Body; Colour: Blue |
| 72 | 1 | Test Unit 1 | Layer 3 | Pearlware | Transfer Print - General | Hollowware | Portion: Rim; Colour: Blue |
| 73 | 1 | Test Unit 1 | Layer 3 | Pearlware | Transfer Print - General | Flatware | Portion: Rim; Colour: Blue |
| 74 | 1 | Test Unit 1 | Layer 3 | Pearlware | Unidentified | Hollowware | Portion: Body; Colour: Blue |
| 75 | 5 | Test Unit 1 | Layer 3 | RWE | Transfer Print - General | Hollowware | Portion: Body; Colour: Brown |
| 76 | 1 | Test Unit 1 | Layer 3 | RWE | Undecorated | Unidentifiable | Portion: Footring |
| 77 | 1 | Test Unit 1 | Layer 3 | RWE | Undecorated | Hollowware | Portion: Body |
| 78 | 1 | Test Unit 1 | Layer 3 | RWE | Edgeware - Straight and Moulded | Plate - General | Portion: Rim; Colour: Blue |
| 79 | 1 | Test Unit 1 | Layer 3 | RWE | Transfer Print - General | Saucer | Portion: Rim; Colour: Blue |
| 80 | 1 | Test Unit 1 | Layer 3 | RWE | Transfer Print - General | Flatware | Portion: Rim; Colour: Blue |
| 81 | 1 | Test Unit 1 | Layer 3 | Ironstone | Transfer Print - General | Hollowware | Portion: Body; Colour: Blue |
| 82 | 1 | Test Unit 1 | Layer 3 | RWE | Transfer Print - General | Flatware | Portion: Body; Colour: Blue |
| 83 | 2 | Test Unit 1 | Layer 3 | RWE | Transfer Print - General | Hollowware | Portion: Body; Colour: Blue |
| 84 | 2 | Test Unit 1 | Layer 3 | Ironstone | Transfer Print - General | Flatware | Portion: Rim; Colour: Teal |
| 85 | 1 | Test Unit 1 | Layer 3 | Ironstone | Transfer Print - Flow | Flatware | Portion: Brim; Colour: Mulberry (Flow Black) |

Stage 2 Ceramic Catalogue

19PL-133

| Cat# | Qty | Context | Stratum | Ware | Motif | Form | Comments |
|------|-----|-------------|---------|-----------------------------------|------------------------------|------------|---|
| 86 | 2 | Test Unit 1 | Layer 3 | RWE | Factory Slip - General | Hollowware | Portion: Body; Colour: Blue, White |
| 87 | 1 | Test Unit 1 | Layer 3 | Ironstone | Moulded - General | Flatware | Portion: Body |
| 88 | 1 | Test Unit 1 | Layer 3 | Dyed Body Earthenware | Undecorated | Hollowware | Portion: Body |
| 89 | 1 | Test Unit 1 | Layer 3 | RWE | Glazed | Hollowware | Portion: Rim; Colour: Pink |
| 90 | 1 | Test Unit 1 | Layer 3 | Ironstone | Undecorated | Teacup | Portion: Rim |
| 91 | 4 | Test Unit 1 | Layer 3 | Ironstone | Undecorated | Hollowware | Portion: Body |
| 92 | 4 | Test Unit 1 | Layer 3 | Ironstone | Undecorated | Flatware | Portion: Body |
| 93 | 1 | Test Unit 1 | Layer 3 | Ironstone | Undecorated | Hollowware | Portion: Body |
| 94 | 4 | Test Unit 1 | Layer 3 | Porcelain - English Bone China | Gilt | Teacup | Portion: Handle; Colour: Gilt |
| 95 | 1 | Test Unit 1 | Layer 3 | Porcelain - English Bone China | Undecorated | Teacup | Portion: Base |
| 96 | 1 | Test Unit 1 | Layer 3 | Semi-porcelain | Moulded - Ribbed or Panelled | Hollowware | Portion: Body |
| 97 | 1 | Test Unit 1 | Layer 3 | Semi-porcelain | Moulded - General | Hollowware | Portion: Base |
| 98 | 1 | Test Unit 1 | Layer 3 | Vitrified Earthenware | Undecorated | Hollowware | Portion: Rim |
| 99 | 1 | Test Unit 1 | Layer 3 | Yellow Ware | Undecorated | Hollowware | Portion: Body |
| 100 | 1 | Test Unit 1 | Layer 3 | Stoneware | Salt-glazed | Hollowware | Portion: Body; Colour: Tan, Dark Brown |
| 101 | 1 | Test Unit 1 | Layer 3 | Stoneware | Salt-glazed | Hollowware | Portion: Body; Colour: Grey, Dark Brown |
| 102 | 3 | Test Unit 1 | Layer 3 | Stoneware | Glazed | Hollowware | Portion: Body; Colour: Dark Brown |
| 103 | 1 | Test Unit 1 | Layer 3 | Red Earthenware - Coarse | Glazed | Hollowware | Portion: Rim; Colour: Brown |
| 104 | 3 | Test Unit 1 | Layer 3 | Red Earthenware - Coarse | Glazed | Hollowware | Portion: Body; Colour: Brown |
| 105 | 3 | Test Unit 1 | Layer 3 | Buff Earthenware | Undecorated | Hollowware | Portion: Rim |

Grand Total : 129 artifacts

Stage 2 Non-Ceramic Catalogue

19PL-133

| Cat# | Qty | Context | Stratum | Type | Material | Comments |
|------|-----|-------------|---------|----------------------------|--------------------|--|
| 28 | 21 | Test Pit 1 | Layer 3 | Window Glass | Glass | Manufacture: Unknown |
| 29 | 3 | Test Pit 1 | Layer 3 | Container - Liquor | Glass | Colour: Dark Olive Green; Manufacture: Unknown |
| 30 | 1 | Test Pit 1 | Layer 3 | Tumbler | Glass | Colour: Colourless; Manufacture: Unknown |
| 31 | 1 | Test Pit 1 | Layer 3 | Container - Unidentifiable | Glass | Colour: Light Aqua; Manufacture: Unknown |
| 32 | 5 | Test Pit 1 | Layer 3 | Container - Unidentifiable | Glass | Colour: Colourless; Manufacture: Unknown |
| 33 | 1 | Test Pit 1 | Layer 3 | Container - Medicine | Glass | Embossing: "RUMFORD CHEMICAL_WORKS"; "W" to the left of the name; a "6" or "9" embossed on bottom; Colour: Emerald Green; Finish: One Part; Lip: Patent Lip; Manufacture: 2/3/4 Piece Vertical Body Mould with Separate Base |
| 34 | 1 | Test Pit 1 | Layer 3 | Smoking Pipe | White Ball Clay | |
| 35 | 1 | Test Pit 1 | Layer 3 | Figurine | Porcellaneous Ware | |
| 36 | 1 | Test Pit 1 | Layer 3 | Nail - Machine Cut | Metal - Ferrous | |
| 37 | 2 | Test Pit 1 | Layer 3 | Nail - Indeterminate | Metal - Ferrous | |
| 38 | 2 | Test Pit 1 | Layer 3 | Nail - Machine Cut | Metal - Ferrous | |
| 39 | 1 | Test Pit 1 | Layer 3 | Scrap | Metal - Ferrous | |
| 40 | 5 | Test Pit 1 | Layer 3 | Faunal - Mammal | Bone | |
| 41 | 3 | Test Pit 1 | Layer 3 | Faunal - Mammal | Bone | |
| 42 | 3 | Test Pit 1 | Layer 3 | Faunal - Avian | Bone | |
| 43 | 4 | Test Pit 1 | Layer 3 | Faunal - Aquatic Shell | Shell | |
| 48 | 4 | Test Pit 2 | Layer 3 | Window Glass | Glass | Manufacture: Unknown |
| 49 | 1 | Test Pit 2 | Layer 3 | Container - Unidentifiable | Glass | Colour: Colourless; Manufacture: Unknown |
| 50 | 1 | Test Pit 2 | Layer 3 | Smoking Pipe | White Ball Clay | |
| 56 | 1 | Test Pit 3 | Layer 3 | Horse Shoe Nail | Metal - Ferrous | |
| 57 | 1 | Test Pit 3 | Layer 3 | Unidentified | Metal - Ferrous | |
| 58 | 1 | Test Pit 3 | Layer 3 | Faunal - Mammal | Bone | |
| 59 | 2 | Test Pit 3 | Layer 3 | Faunal - Mammal | Bone | |
| 61 | 1 | Test Pit 4 | Layer 3 | Drainage Tile | Clay | |
| 62 | 1 | Test Pit 4 | Layer 3 | Nail - Wire | Metal - Ferrous | |
| 106 | 99 | Test Unit 1 | Layer 3 | Window Glass | Glass | Manufacture: Unknown |
| 107 | 2 | Test Unit 1 | Layer 3 | Container - Liquor | Glass | Colour: Dark Olive Green; Manufacture: Unknown |
| 108 | 1 | Test Unit 1 | Layer 3 | Container - Unidentifiable | Glass | Colour: Aqua; Manufacture: Mouth Blown |
| 109 | 1 | Test Unit 1 | Layer 3 | Container - Unidentifiable | Glass | Embossing: "HEN_"; Colour: Light Aqua; Manufacture: Unknown |
| 110 | 1 | Test Unit 1 | Layer 3 | Container - Medicine | Glass | Colour: Colourless; Finish: One Part; Lip: Patent Lip; Manufacture: Machine Made |
| 111 | 1 | Test Unit 1 | Layer 3 | Container - Unidentifiable | Glass | Embossing: "R"; Colour: Colourless; Manufacture: Unknown |
| 112 | 1 | Test Unit 1 | Layer 3 | Container - Unidentifiable | Glass | Colour: Marbled; Manufacture: Unknown |

Stage 2 Non-Ceramic Catalogue

19PL-133

| Cat# | Qty | Context | Stratum | Type | Material | Comments |
|------|-----|-------------|---------|----------------------------|--------------------|--|
| 113 | 1 | Test Unit 1 | Layer 3 | Container - Unidentifiable | Glass | Colour: Colourless; Manufacture: Unknown |
| 114 | 4 | Test Unit 1 | Layer 3 | Container - Unidentifiable | Glass | Colour: Colourless; Manufacture: Unknown |
| 115 | 8 | Test Unit 1 | Layer 3 | Container - Unidentifiable | Glass | Colour: Colourless; Manufacture: Unknown |
| 116 | 1 | Test Unit 1 | Layer 3 | Container - Unidentifiable | Glass | Colour: Colourless; Manufacture: Unknown |
| 117 | 3 | Test Unit 1 | Layer 3 | Container - Unidentifiable | Glass | Colour: Light Aqua; Manufacture: Unknown |
| 118 | 1 | Test Unit 1 | Layer 3 | Container - Unidentifiable | Glass | Colour: Light Aqua; Rim: Rounded; Manufacture: Unknown |
| 119 | 1 | Test Unit 1 | Layer 3 | Liner | Glass | Colour: Aqua; Manufacture: Unknown |
| 120 | 3 | Test Unit 1 | Layer 3 | Container - Unidentifiable | Glass | Colour: Solarized; Manufacture: Unknown |
| 121 | 3 | Test Unit 1 | Layer 3 | Smoking Pipe | White Ball Clay | |
| 122 | 1 | Test Unit 1 | Layer 3 | Button | Metal - Cuprous | One Piece; Metal - Cuprous; Diameter: 20.28 mm |
| 123 | 1 | Test Unit 1 | Layer 3 | Button | Ceramic | One Piece; Ceramic; Diameter: 12.26 mm |
| 124 | 1 | Test Unit 1 | Layer 3 | Figurine | Porcellaneous Ware | |
| 125 | 1 | Test Unit 1 | Layer 3 | Unidentified | Rubber | |
| 126 | 4 | Test Unit 1 | Layer 3 | Drainage Tile | Clay | |
| 127 | 2 | Test Unit 1 | Layer 3 | Unidentified | Plastic | |
| 128 | 4 | Test Unit 1 | Layer 3 | Nail - Wire | Metal - Ferrous | |
| 129 | 7 | Test Unit 1 | Layer 3 | Nail - Indeterminate | Metal - Ferrous | |
| 130 | 2 | Test Unit 1 | Layer 3 | Nail - Wire | Metal - Ferrous | |
| 131 | 1 | Test Unit 1 | Layer 3 | Nail - Machine Cut | Metal - Ferrous | |
| 132 | 9 | Test Unit 1 | Layer 3 | Scrap | Metal - Ferrous | |
| 133 | 1 | Test Unit 1 | Layer 3 | Unidentified | Lead | |
| 134 | 2 | Test Unit 1 | Layer 3 | Unidentified | Metal - Other | |
| 135 | 1 | Test Unit 1 | Layer 3 | Strapping | Metal - Ferrous | |
| 136 | 12 | Test Unit 1 | Layer 3 | Faunal - Mammal | Bone | |
| 137 | 17 | Test Unit 1 | Layer 3 | Faunal - Mammal | Bone | |
| 138 | 1 | Test Unit 1 | Layer 3 | Faunal - Mammal | Bone | |
| 139 | 3 | Test Unit 1 | Layer 3 | Faunal - Aquatic Shell | Shell | |
| 140 | 3 | Test Unit 1 | Layer 3 | Faunal - Avian | Bone | |
| 141 | 3 | Test Unit 1 | Layer 3 | Faunal - Mammal | Bone | |

Grand Total : 275 artifacts

Ministry of Citizenship and Multiculturalism (MCM)

Archaeology Program Unit
Heritage Branch
Citizenship, Inclusion and Heritage Division
5th Floor, 400 University Ave.
Toronto ON M7A 2R9
Tel.: (416) 414-7787
Email: Jessica.Marr@ontario.ca

Ministère des Affaires civiles et du Multiculturalisme (MCM)

Unité des programme d'archéologie
Direction du patrimoine
Division de la citoyenneté, de l'inclusion et du patrimoine
5e étage, 400 ave. University
Toronto ON M7A 2R9
Tél. : (416) 414-7787
Email: Jessica.Marr@ontario.ca



Aug 8, 2023

Poorya Kashani (P1133)
ASI Archaeological and Cultural Heritage Services
409 - 17 Kenaston Gardens Toronto ON M2K0B9

RE: Entry into the Ontario Public Register of Archaeological Reports: Archaeological Assessment Report Entitled, "Stage 1 and 2 Archaeological Assessment of 188 Victoria Street, Part of Lot 57, Registered Plan 86, Geographic Township of Niagara, County of Lincoln, now in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara", Dated May 16, 2023, Filed with MCM Toronto Office on N/A, MCM Project Information Form Number P1133-0014-2023, MCM File Number 0018736

Dear Dr. Kashani:

The above-mentioned report, which has been submitted to this ministry as a condition of licensing in accordance with Part VI of the *Ontario Heritage Act*, R.S.O. 1990, c 0.18, has been entered into the Ontario Public Register of Archaeological Reports without technical review.¹

Please note that the ministry makes no representation or warranty as to the completeness, accuracy or quality of reports in the register.

Should you require further information, please do not hesitate to send your inquiry to Archaeology@Ontario.ca

cc. Archaeology Licensing Officer
Chuck Mewett, Shaw Festival Theatre, Canada
Rick Wilson, Town of Niagara-on-the-Lake
Pat Busnello, Niagara Region

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

APPENDIX K: ARBORIST REPORT

Twenty Valley Tree Service

2264 3513 Glen rd.

Jordan Station, ON L0R1S0

Tel: 9059419718

Email: twentyvalleytrees@gmail.com

Arborist Report

For the town of Niagara-on-the-Lake, ON.

Royal George Theater grounds

located at 85 Queen St. L0S1J0 (on the corner of Queen and Victoria st.)

Customer: Shaw Festival Theater

Contact: Chuck Mewett

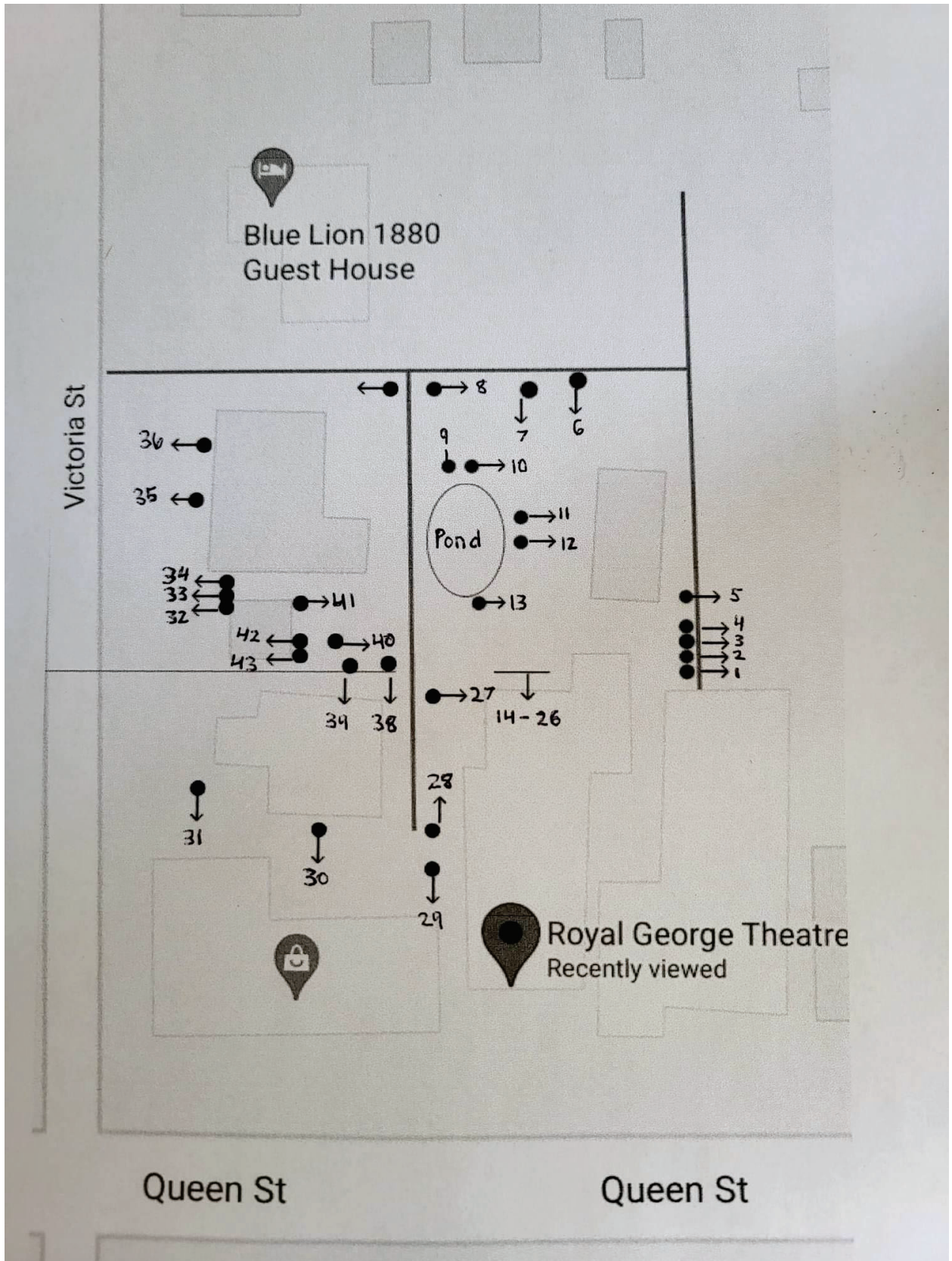
The purpose of this arborist report is to provide a tree inventory on the properties owned by Shaw Festival on Queen St. and Victoria St.

Table 1: Tree inventory

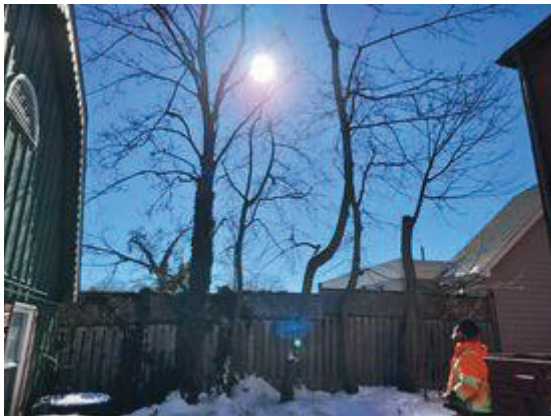
| Species | DBH | Condition of Tree |
|--------------------|------------|---|
| 1- Norway Maple | 26cm dbh | The tree has been compromised from previous storm damage, posing a potential risk |
| 2- Norway Maple | 19cm dbh | The tree is in good health |
| 3- Norway Maple | 21cm dbh | The tree is in good health |
| 4- Norway Maple | 16cm dbh | The tree is in good health |
| 5- Black Maple | 35cm dbh | The tree is in good health |
| 6- Norway Maple | 32cm dbh | The tree has visible rot, and could potentially become hazardous in the future |
| 7- White Spruce | 10cm dbh | The tree is in good health |
| 8- Black Spruce | 25cm dbh | The tree is in good health |
| 9- Blue Spruce | 22cm dbh | The tree is in good health |
| 10- Blue Spruce | 24cm dbh | The tree is in good health |
| 11- Beach | 7cm dbh | The tree is in good health |
| 12- Japanese Maple | 14cm dbh | The tree is in good health |
| 13- Beach | 36cm dbh | The tree is in good health |
| 14- Balsam Fir | 13cm dbh | The tree is in good health |
| 15- Balsam Fir | 17cm dbh | The tree is in good health |
| 16- White Birch | 19cm dbh | The tree is in good health |
| 17- White Elm | 10cm dbh | The tree is in good health |
| 18- White Elm | 13cm dbh | The tree is in good health |
| 19- White Birch | 11cm dbh | The tree is in good health |
| 20- Balsam Fir | 10cm dbh | The tree is in good health |
| 21- White Birch | 11cm dbh | The tree is in good health |
| 22- White Birch | 8cm dbh | The tree is in good health |
| 23- Balsam Fir | 9cm dbh | The tree is in good health |
| 24- White Birch | 8cm dbh | The tree is in good health |
| 25- White Pine 4x | 6cm dbh | 4x white pine trees all under 6cm dbh |
| 26- Balsam Fir 6x | 6cm dbh | 6x balsam fir trees all under 6cm dbh |
| 27- Silver Maple | 78cm dbh | The tree is in good health |
| 28- Mulberry | 34cm dbh | The tree is in good health |
| 29- Mulberry | 48cm dbh | The tree is in good health |
| 30- White Cedar | 13cm dbh | The tree is in good health |
| 31- Norway Spruce | 54cm dbh | The tree is in good health |
| 32- White Cedar | 10cm dbh | The tree is in good health |
| 33- White Cedar | 10cm dbh | The tree is in good health |
| 34- White Cedar | 10cm dbh | The tree is in good health |
| 35- Red bud | 12cm dbh | The tree is in good health |
| 36- Japanese Maple | 20cm dbh | The tree is in good health |
| 37- Cedar Bush | 6cm dbh | The tree is in good health |

| | | |
|------------------|----------|----------------------------|
| 38- Silver Maple | 50cm dbh | The tree is in good health |
| 39- Blue Spruce | 21cm dbh | The tree is in good health |
| 40- Crab Apple | 19cm dbh | The tree is in good health |
| 41- Balsam Fir | 21cm dbh | The tree is in good health |
| 42- Cedar | 9cm dbh | The tree is in good health |
| 43- Cedar | 4cm dbh | The tree is in good health |

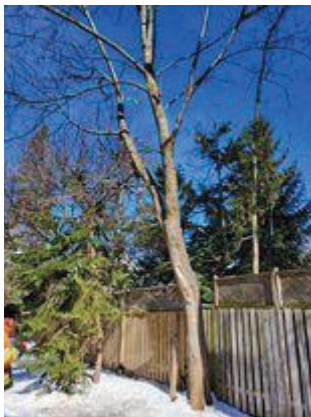
Below is a map of the grounds, with the trees numbered, to correspond with the table above.



I have further attached photos of the trees:



Trees 1-5 in order from left to right



Trees 6 & 7



Norway Maple



White Spruce



Trees 8, 9, 11 from back to front (black spruce, blue spruce, beach)



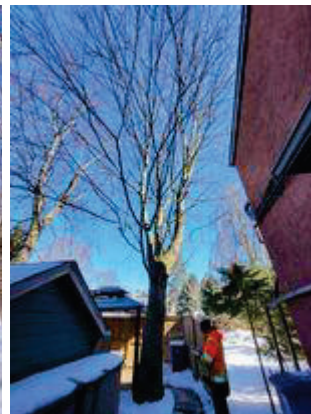
Trees 9 & 10 Blue spruce



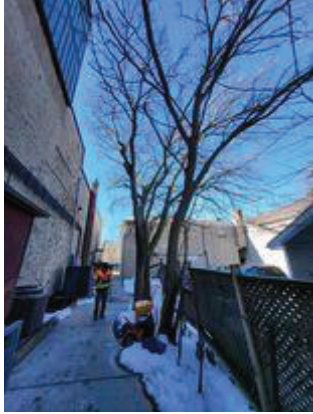
Tree 11 Beach



Trees 14-26



27 silver maple



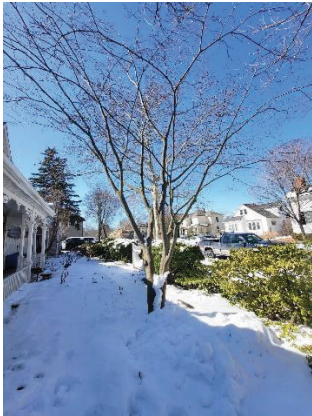
28 & 29 mulberry



31 Norway Spruce



Trees 32-34 Cedars



35 Redbud



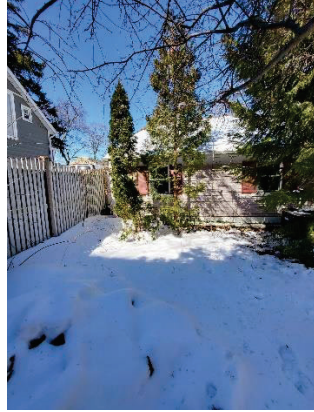
36 Japanese Maple



38 Silver Maple



39 Blue spruce



40-41 Crab apple & Balsam Fir 42 & 43 Cedars

March 16, 2023

Twenty Valley Tree Service

Authored by : Shelby Szymanski

Certified by: Mike Bowman

Cert ID: 13357810

APPENDIX L: STREETSCAPE STUDY



○ Unity

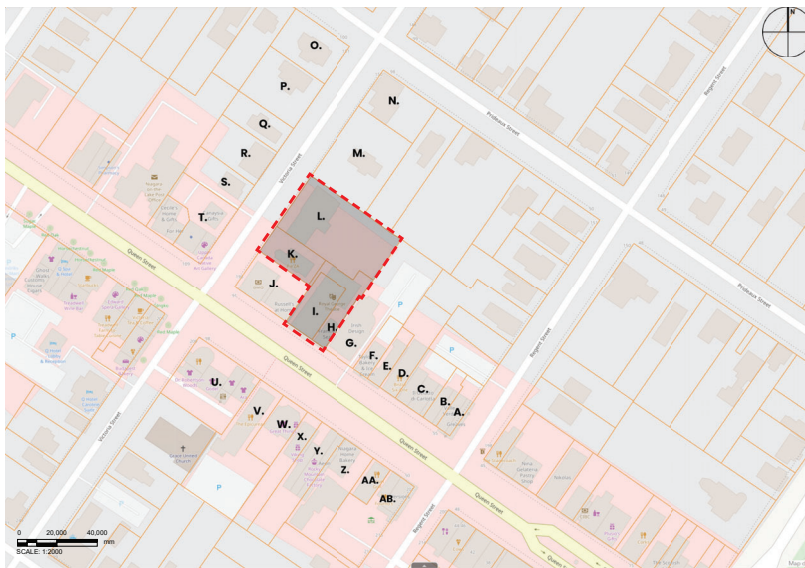
SHAW Festival
Royal George Theatre

Streetscape Study

May 5th, 2025

Streetscape Study

Study Area



Context Plan

| | MUNICIPAL ADDRESS | LEGAL TEXT | LOT AREA (sq. m) | LOT FRONTAGE (m) |
|-----------|------------------------|---|------------------|------------------|
| A | 55 Queen St | - | 249.7 | 8.13 |
| B | 57 Queen St | - | 220 | 7.76 |
| C | 59 Queen St | PLAN B6 PT LOT 59 PT LOT 60, RP 3067556 P | 489 | 16.6 |
| D | 61 Queen St | PLAN B6 PT LOT 59 | 590.7 | 9.24 |
| E | 65 Queen St | PLAN B6 PT LOT 59 | 221 | 7.33 |
| F | 69 Queen St | PLAN B6 PT LOT 59 RP 3063197, PART 2 | 260 | 8.61 |
| G | 75 Queen St | NIVEN PLAN B6 PTS LOT 58 59, 38 AND 39 RP | 1395 | 17.2 |
| H | 79 Queen St | - | 430 | 7.8 |
| I | 83 Queen St | PLAN B6 PT LOTS 39 57 AND 58, AND RP 3064 | 462 | 15.4 |
| J | 89 Queen St | PLAN B6 PT LOT 57 | 6545 | 30.4 |
| K | 188 Victoria St | PLAN B6 PT LOT 57 | 427 | 14.6 |
| L | 178 Victoria St | PLAN B6 PT LOT 39 PT LOT 40, PT LOT 57 PT | 1539 | 29.2 |
| M | 164 Victoria St | PLAN B6 PT LOT 40 | 1324.8 | 41.4 |
| N | 94 Prideaux St | PLAN B6 PT LOT 40 | 1004.7 | 21.3 |
| O | 153 Victoria St | PLAN B6 PT LOT 41 PT LOT 42, RP 3063519 P | 72.72 | 22.2 |
| P | 157 Victoria St | PLAN B6 PT LOTS 41 & 42 RP, 3063519 PARTS | 857.4 | 26.3 |
| Q | 169 Victoria St | PLAN B6 PT LOT 41 PT LOT 42, RP 3063519 P | 459.7 | 14.1 |
| R | 177 Victoria St | PLAN B6 PT LOT 41 PT LOT 42, PT LOT 55 PT | 633.8 | 19.5 |
| S | 183 Victoria St | PLAN B6 PT LOT 55 PT LOT 56, RP 3067609 P | 462.9 | 14.2 |
| T | 109 Victoria St | PLAN B6 PT LOT 56 RP, 30610502 PT PART 1 | 761.73 | 32.1 |
| U | 92 Queen St | PLAN B6 PT LOT 68 | 1197.9 | 36.3 |
| V | 84 Queen St | PLAN B6 PT LOT 68 | 1397.5 | 13.6 |
| W | 80 Queen St | PLAN B6 PT LOT 68 | 457.24 | 14.2 |
| X | 76 Queen St | PLAN B6 PT LOT 67 | 550.84 | 8.58 |
| Y | 68 Queen St | PLAN B6 PT LOTS 67 AND 102, RP 3063840 PA | 835.8 | 14.4 |
| Z | 66 Queen St | PLAN B6 PT LOT 67 | 970.5 | 16.8 |
| AA | 62 Queen St | PLAN B6 PT LOT 67 | 207.1 | 10.1 |
| AB | 58 Queen St | PLAN B6 PT LOT 67 | 951.8 | 14.4 |
| AC | 83 Queen St (Proposed) | - | 2854 | 23.1 |

* Site information indicated in red

Streetscape Study

Photographs



AB
58 Queen St.

AA
62 Queen St.

Z
66 Queen St.

Y
68 Queen St.

X
76 Queen St.

V
80 Queen St.

W
84 Queen St.

U
92 Queen St.



T
109 Queen St.

S
183 Victoria St.

R
177 Victoria St.

Q
169 Victoria St.

P
157 Victoria St.

O
153 Victoria St.



N
94 Prideaux St.

M
164 Victoria St.

L
178 Victoria St.

K
188 Victoria St.

J
89 Queen St.



J
89 Queen St.

I
83 Queen St.

H
79 Queen St.

G
75 Queen St.

F
69 Queen St.

E
65 Queen St.

D
61 Queen St.

C
59 Queen St.

B
57 Queen St.

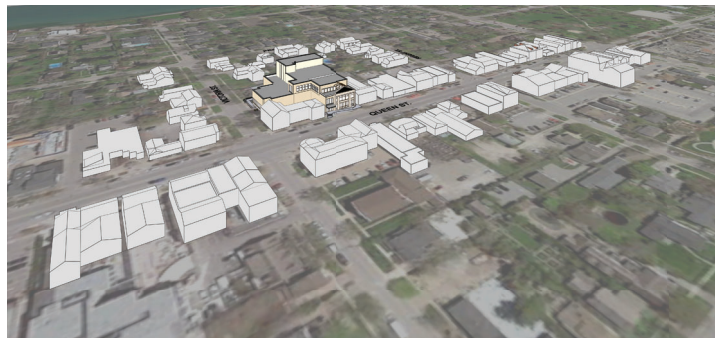
A
55 Queen St.

Streetscape Study

Aerial Images



Existing Aerial View



Proposed Aerial View

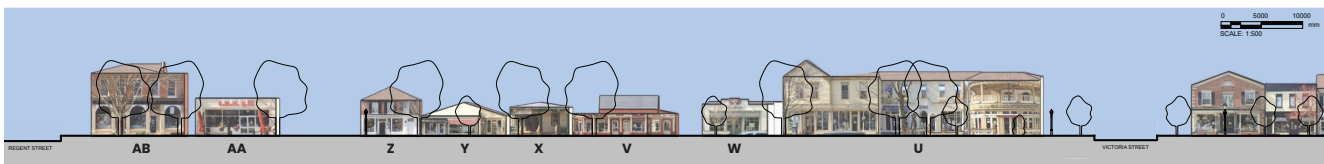


Existing Aerial Plan

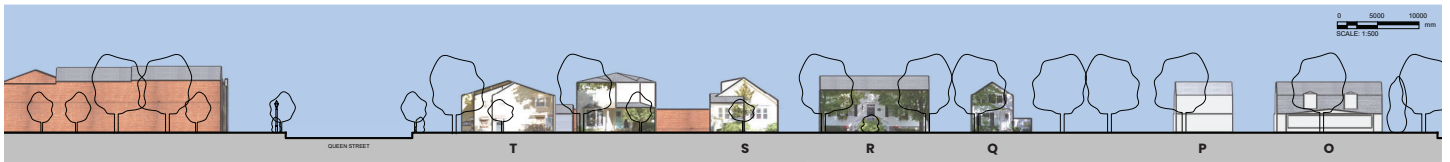


Proposed Aerial Plan

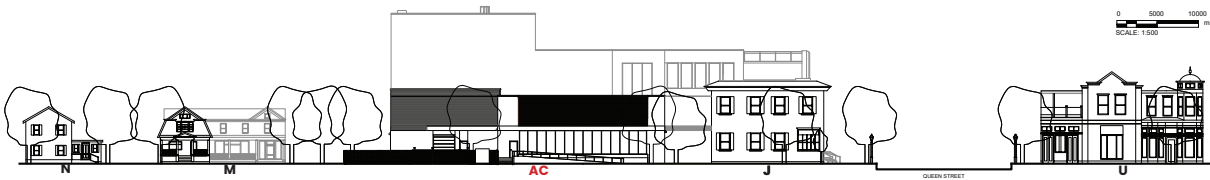
Streetscape Study
Elevations



Queen Street Elevation - South Side



Victoria Street Elevation - West Side



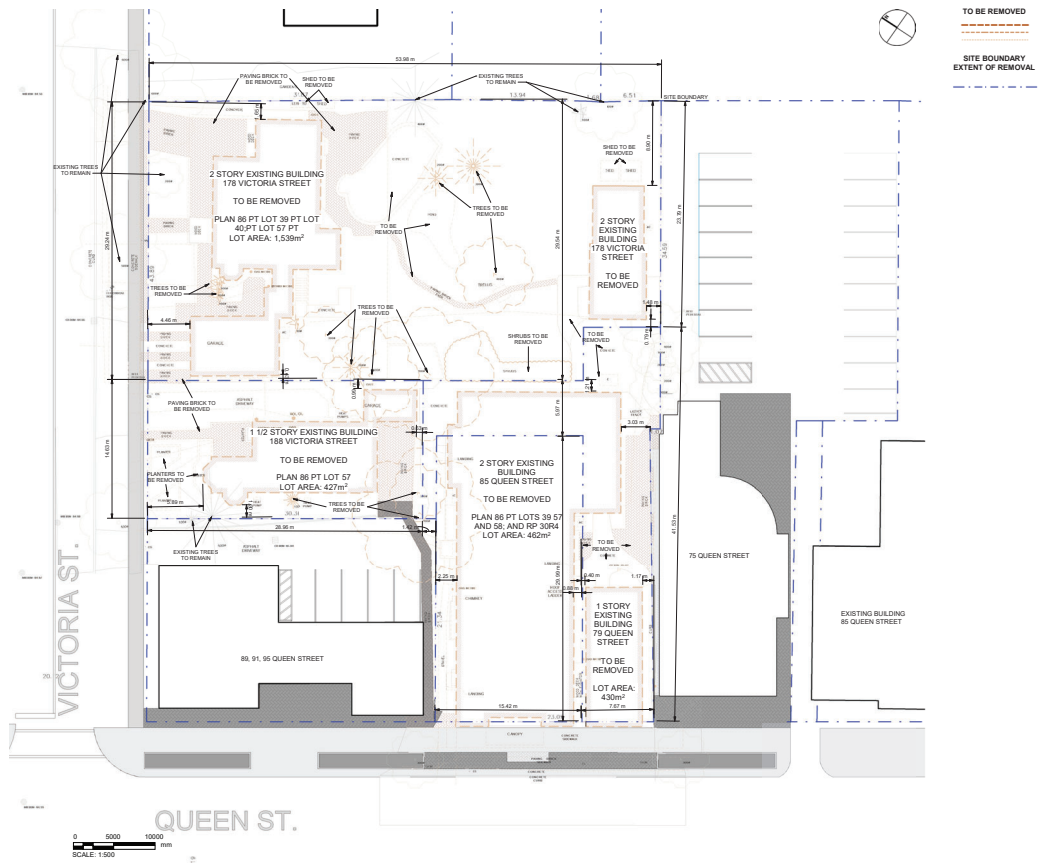
Victoria Street Elevation - East Side



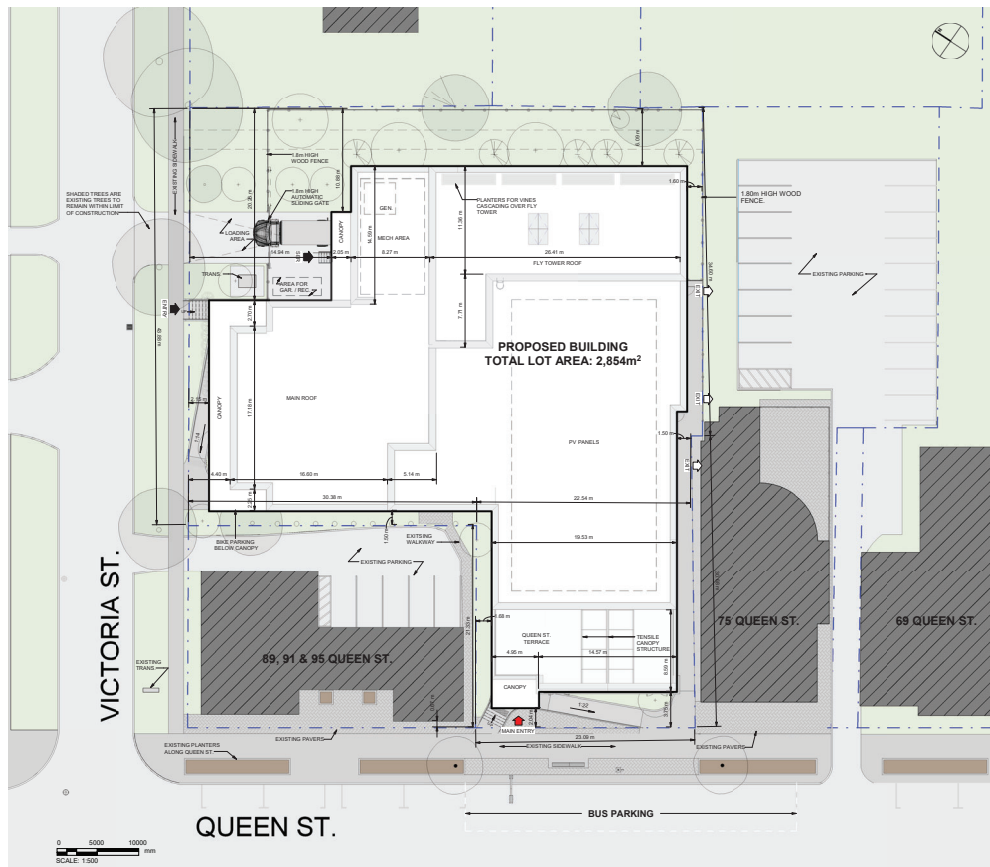
Queen Street Elevation - North Side

Streetscape Study

Site Plan - Demo



Streetscape Study
Site Plan - Proposed



Streetscape Study

Character Attribute Table

| | MUNICIPAL ADDRESS | LEGAL TEXT | LOT AREA (sq. m.) | LOT FRONTAGE (m) | SETBACKS | | | | | |
|-----------|------------------------|--|-------------------|------------------|----------------|---------------|--------------------|--------------------|---------------------|---------------------|
| | | | | | FRONT YARD (m) | REAR YARD (m) | WEST SIDE YARD (m) | EAST SIDE YARD (m) | NORTH SIDE YARD (m) | SOUTH SIDE YARD (m) |
| A | 55 Queen St | - | 249.7 | 8.13 | - | 8.12 | - | - | - | - |
| B | 57 Queen St | - | 220 | 7.76 | - | 8.68 | - | - | - | - |
| C | 59 Queen St | PLAN 86 PT LOT 59 PT LOT 60, RP 30K7556 P | 489 | 16.6 | - | 10.1 | - | - | - | - |
| D | 61 Queen St | PLAN 86 PT LOT 59 | 590.7 | 9.24 | - | 18.2 | - | - | - | - |
| E | 65 Queen St | PLAN 86 PT LOT 59 | 221 | 7.33 | - | 6.2 | - | - | - | - |
| F | 69 Queen St | PLAN 86 PT LOT 59 RP 30K3927 PART 2 | 260 | 8.61 | - | 13.6 | - | 1 | - | - |
| G | 75 Queen St | NWEN PLAN 86 PYS LOT 58 59, 38 AND 39 RP | 1395 | 17.2 | 3 | 31.5 | - | 3.4 | - | - |
| H | 79 Queen St | - | 430 | 7.8 | - | 1.2 | 0.4 | 1.2 | - | - |
| I | 83 Queen St | PLAN 86 PT LOTS 39 57 AND 58, LAND RP 30K4 | 462 | 15.4 | - | - | 2.25 | 0.9 | - | - |
| J | 89 Queen St | PLAN 86 PT LOT 57 | 654.5 | 30.4 | - | 4.5 | 1 | 1 | - | - |
| K | 188 Victoria St | PLAN 86 PT LOT 57 | 427 | 14.6 | 5.9 | 0.6 | - | - | 1 | 1.3 |
| L | 178 Victoria St | PLAN 86 PT LOT 39 PT LOT 40, PT LOT 57 PT | 1539 | 29.2 | 4.5 | 1.5 | - | - | 1.7 | 0.4 |
| M | 164 Victoria St | PLAN 86 PT LOT 40 | 1324.8 | 41.4 | 9.5 | 6.8 | - | - | 17 | 17.8 |
| N | 94 Prideaux St | PLAN 86 PT LOT 40 | 1004.7 | 21.3 | - | 16.7 | - | - | - | 0.6 |
| O | 153 Victoria St | PLAN 86 PT LOT 41 PT LOT 42, RP 30K3519 P | 72.72 | 22.2 | 7 | 8.7 | - | - | 5.8 | 4.8 |
| P | 157 Victoria St | PLAN 86 PT LOTS 41 & 42 RP 30K3519 PARTS | 857.4 | 26.3 | 7 | 9 | - | - | 0.6 | 13.2 |
| Q | 169 Victoria St | PLAN 86 PT LOT 41 PT LOT 42, RP 30K3519 P | 459.7 | 14.1 | 4.2 | 11.3 | - | - | 2.2 | 3.6 |
| R | 177 Victoria St | PLAN 86 PT LOT 41 PT LOT 42, PT LOT 55 PT | 633.8 | 19.5 | 0.8 | 20 | - | - | 3.8 | 0.7 |
| S | 183 Victoria St | PLAN 86 PT LOT 55 PT LOT 56, RP 30K7609 P | 462.9 | 14.2 | 4 | 16.4 | - | - | 1.5 | 4.8 |
| T | 109 Victoria St | PLAN 86 PT LOT 56 RP 30K10502 PT PART 1 | 761.73 | 32.1 | 4.9 & 1.7 | 18.5 | - | - | 3.4 | 2.1 |
| U | 92 Queen St | PLAN 86 PT LOT 68 | 1197.9 | 36.3 | - | 13.1 | 0.62 | 0.8 | - | - |
| V | 84 Queen St | PLAN 86 PT LOT 68 | 1397.5 | 13.6 | 2.6 | 23.4 | 12 | 3.8 | - | - |
| W | 80 Queen St | PLAN 86 PT LOT 68 | 457.24 | 14.2 | 2 | 14.5 | - | 0.3 | - | - |
| X | 76 Queen St | PLAN 86 PT LOT 67 | 550.84 | 8.58 | 3.3 | 41.7 | 0.5 | - | - | - |
| Y | 68 Queen St | PLAN 86 PT LOTS 67 AND 102, RP 30K3840 PA | 835.8 | 14.4 | 20 | 29.8 | 4.8 | - | - | - |
| Z | 66 Queen St | PLAN 86 PT LOT 67 | 970.5 | 16.8 | - | 1.8 | - | 0.3 | - | - |
| AA | 62 Queen St | PLAN 86 PT LOT 67 | 207.1 | 10.1 | - | 1 | 0.7 | 1 | - | - |
| AB | 58 Queen St | PLAN 86 PT LOT 67 | 951.8 | 14.4 | - | 25.2 | 0.6 | - | - | - |
| AC | 83 Queen St (Proposed) | - | 2854 | 23.1 | 3.8 | 6.1 | - | - | 1.5 | 1.7 |

* Site information indicated in red

Streetscape Study
Character Attributes Table

| | BUILDING HEIGHT (m) | ROOF PROFILE | DRIVEWAY LOCATIONS | GARAGE | | | | FRONT PORCH | FRONT YARD FENCE | LANDSCAPING | MAIN DOOR ORIENTATION |
|----|---------------------|----------------|--------------------|----------|-------------------------|-----------------------------|-----------|-------------|------------------|-------------|-----------------------|
| | | | | | ACCESS THROUGH DRIVEWAY | IN FRONT OF BUILDING FAÇADE | WIDTH (m) | | | | |
| A | 7.3 | Hip | Rear | - | - | - | - | - | - | Hardscaping | Front |
| B | 7.3 | Flat | Rear | - | - | - | - | - | - | Hardscaping | Front |
| C | 7.3 | Flat and Gable | Rear | - | - | - | - | - | - | Hardscaping | Front |
| D | 3.7 | Flat | Rear | - | - | - | - | - | - | Hardscaping | Front |
| E | 7.3 | Gable | Rear | - | - | - | - | - | - | Hardscaping | Front |
| F | 7.3 | Hip | West side | - | - | - | - | - | - | Hardscaping | Front |
| G | 6.7 | Gable | East side | - | - | - | - | - | - | Hardscaping | Front |
| H | 5.4 | Gable | - | - | - | - | - | - | - | Hardscaping | Front |
| I | 10.5 | Flat | - | - | - | - | - | - | - | Hardscaping | Front |
| J | 7.3 | Gable | Rear | - | - | - | - | - | - | Hardscaping | Front |
| K | 7.9 | Gable | South side | Attached | Yes | No | 3.5 | - | - | Softscaping | Front |
| L | 6.3 | Gable | North side | Attached | Yes | Yes | 7.5 | Covered | - | Hardscaping | Front |
| M | 8.5 | Gambrel | North side | Detached | Yes | No | 6 | Covered | Metal Fence | Softscaping | Front |
| N | 7.3 | Gable | South side | Attached | Yes | No | 3.5 | - | - | Softscaping | North side |
| O | 7.3 | Gambrel | Rear | - | - | - | - | Covered | Wooden Fence | Softscaping | Front |
| P | 7.3 | Gambrel | South side | Detached | Yes | No | 7 | - | - | Softscaping | Front |
| Q | 6.1 | Gable | North side | - | - | - | - | Covered | - | Softscaping | Front |
| R | 6.7 | Gable | South side | Detached | Yes | No | 5.5 | - | - | - | Front |
| S | 6.1 | Gable | South side | - | - | - | - | - | - | Hardscaping | South side |
| T | 8.5 & 7.3 | Gable | North side | - | - | - | - | Covered | - | Hardscaping | Front |
| U | 7.3 | Gable | Rear | - | - | - | - | - | Wooden Fence | Hardscaping | Front |
| V | 4.6 | Flat | East side | - | - | - | - | - | Wooden Fence | Hardscaping | Front |
| W | 3.7 | Flat | West side | - | - | - | - | - | - | Hardscaping | Front |
| X | 4.6 | Hip | Rear | - | - | - | - | Covered | - | Hardscaping | Front |
| Y | 3.7 | Flat | Rear | - | - | - | - | - | - | Hardscaping | Front |
| Z | 6.1 | Hip | Rear | - | - | - | - | - | - | Hardscaping | Front |
| AA | 3.7 | Flat | Rear | - | - | - | - | - | - | Hardscaping | Front |
| AB | 7.3 | Hip | Rear | - | - | - | - | - | - | Hardscaping | Front |
| AC | 19.1 | Flat | - | - | - | - | - | - | - | Hardscaping | Front |

* Site information indicated in red
* Unable to determine the driveway setbacks

 **Unity**

Certified

Corporation

Architecture for
the human spirit

Peterborough

138 Simcoe Street
Peterborough, ON, K9H 2H5

Collingwood

43A Hurontario Street
Collingwood, ON, L9Y 2L7

Kitchener

72 Victoria Street S, Suite B1
Kitchener, ON N2G 4Y9

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