Museum of Ontario Archaeology

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October 27, 2009

Ontario Ministry of Culture Culture Programs Unit 400 University Avenue TORONTO Ontario M7A 2R9

Attn: Administrative Coordinator

Re: Stage 1 Archaeological Assessment

Eagle Street Property, Newmarket [Whitchurch Township], Peel Region

for Millford Development Ltd.

PIF PO14-070 [2009]

Dear Sir,

We enclose for the review of the Archaeology Review Officer and for your files, three copies of our Stage 1 background study for this project.

Please note that although our report has concluded the subject property had archaeological potential, it is impossible to conduct a Stage 2 assessment since up to more than 3 metres of fill had been dumped on parts of the property [as outlined in our report].

We therefore recommend that the Ministry waive the requirement for a Stage 2 archaeological assessment and permit development of the property to proceed without the completion of a Stage 2 assessment.

Yours truly,

Robert J. Pearce Executive Director

cc: Ms. Angela Orsi, Millford Development Ltd., Newmarket

STAGE 1 ARCHAEOLOGICAL ASSESSMENT OF LANDS TO BE POTENTIALLY DEVELOPED AS A RESIDENTIAL SUBDIVISION, EAGLE STREET, NEWMARKET, REGIONAL MUNICIPALITY OF YORK, ONTARIO (Part Lot 93, Concession 1, formerly Whitchurch Township)

London Museum of Archaeology

An Affiliate of The University of Western Ontario



STAGE 1 ARCHAEOLOGICAL ASSESSMENT OF LANDS TO BE POTENTIALLY DEVELOPED AS A RESIDENTIAL SUBDIVISION, EAGLE STREET, NEWMARKET, REGIONAL MUNICIPALITY OF YORK, ONTARIO (Part Lot 93, Concession 1, formerly Whitchurch Township)

Prepared for:
Millford Development Limited
P.O. Box 215,
Newmarket, Ontario L3Y 4X1
Attention: Ms. Angela Orsi
Telephone: 905-778-1818; Fax: 905-778-0877

Prepared by:

Robert J. Pearce, Ph.D., Executive Director
The University of Western Ontario
Institute for Research in Ontario Archaeology at the
Museum of Ontario Archaeology

1600 Attawandaron Road, London Ontario N6G 3M6 Telephone: 519-473-1360 FAX: 519-473-1363

October 2009

Submitted to: Heritage & Libraries Branch, Ontario Ministry of Culture

Archaeological Consulting Licence PO14 Museum Project PO14-070 (2009)

PURPOSE OF THE PROJECT

The Stage 1 archaeological assessment was undertaken at the request of and on behalf of the client, who is also the landowner, concerning a 4.89 hectare (12.1 acre) parcel of land, part of which is to be developed as a residential subdivision in the Town of Newmarket, Regional Municipality of York. A watercourse (tributary of the East Branch Holland River) bisects the subject property and the proponent proposes to only impact and develop lands south of the southern top-of-bank of the watercourse, potentially affecting an area of about 2.0 hectare (5 acres).

The client provided the Museum with excerpts from the Town of Newmarket Official Plan 2006-2026, which specifies (page 81) that an archaeological assessment is required for all Official Plan Amendments, Zoning Bylaw Amendments and Draft Plans of Subdivisions. The specific policies for "Archaeological Resources" are outlined on page 52 of that document, as:

- 1. Disturbance of known archaeological sites is discouraged by this Plan. This Plan encourages mapping of inventories of all cultural heritage resources potential and sites, including built heritage and cultural heritage landscapes, within the Town of Newmarket, where feasible, in order to better determine where an archaeological resource assessment will need to be conducted by a licenced archaeologist.
- 2. Where a development may cause an impact to archaeological resources or areas of archaeological potential, an assessment by a qualified professional will be required in accordance with provincial standards and guidelines. Such an assessment shall be at the expense of the applicant. Archaeological resources that are located on a proposed development site will be conserved either through removal and documentation or on-site preservation. Only developments that maintain the heritage integrity of the site will be permitted where archaeological resources are preserved on-site.

The Stage 1 archaeological assessment was completed as per the regulations and guidelines of the Ontario Ministry of Culture to determine if there was any documentary evidence that any cultural heritage resources might potentially be impacted by the undertaking, and to determine the archaeological potential of the subject property (i.e. potential for the future discovery of a potentially significant pre-contact First Nations archaeological site or potentially significant 19th century historic site).

NATURE AND LOCATION OF THE SUBJECT PROPERTY

The Study Area as defined by the client and outlined in a Phase 1 Environmental Site Assessment completed for the client by Soils Engineers Ltd. (2009) is an irregular-shaped but roughly rectangular

block of land 4.89 hectares (12.1 acres) in size. It is situated north of Eagle Street and east of Yonge Street in the Town of Newmarket. The southern limit of the property is Eagle Street. Lands surrounding the property consist of a mixture of residential and commercial buildings.

The property occupies a portion of Lot 93, Concession1, formerly Whitchurch Township, York County, now Town of Newmarket, Regional Municipality of York.

The parcel registry is officially listed on Property Survey Plan 65R-27436 as: "PT Lots 2 & 3, PL 49 PTS 1, 2, 3 & 4, 65R27436, except PTS 1, 2, 3, 4, 5, 6, 7, 65R30328 Newmarket; Confirmed to southerly limit of PTS 1 & 2, 65R27436 BA236; S/T Ease over PT 2, 65R27436 as in B43023B."

The soils are clay loam and the property lies within the Schomberg Lake glacial plain.

The terrain is flat to slightly sloping to the east. A watercourse, being a small tributary of the Holland River (East Branch), bisects the property. This tributary originates on higher land to the west and flows in a general east-northeast direction through the centre of the property, then turns in a more northeasterly direction to join the Holland River (East Branch) north of Highway 9.

The subject property once had a house standing on it. The house had been built after 1900 and was still standing in the 1950s and 1960s, but was torn down by 1975 and the area where the house had stood was filled in. The remainder of the property was agricultural. The former farm land has been inactive for several years and most of the property is now overgrown with trees and scrub brush.

As noted above, a watercourse (tributary of the East Branch Holland Rive) bisects the subject property and the proponent proposes to only impact and develop lands south of the southern top-of-bank of the watercourse, potentially affecting an area of about 2.0 hectare (5 acres). At the time this report was prepared and submitted (October 2009), there was no formal or official "Draft Plan of Subdivision" for the subject property, and no subdivision "T" number. The client did, however, provide the Museum with a preliminary concept plan for development of the property, which includes a proposed 10 storey condominium building in the western one quarter of the lands south of the watercourse, 38 proposed townhouses in the central two quarters of the lands south of the watercourse, and a storm water management pond in the eastern quarter of the lands south of the watercourse.

Results of a soils investigation by Soil Engineers Limited of the lands to be developed are reviewed elsewhere in this report, as the boreholes indicated the presence of fill which negates the need for a Stage 2 archaeological assessment since the results demonstrate considerable previous disturbance to the property to be developed.

Six figures are included with this report showing the subject property [Figures 2 through 6 courtesy of Soil Engineers Limited, Newmarket]. Figure 5 shows the preliminary development plan of the property (condominium tower and townhouses), and Figure 6 shows the locations of the boreholes in relation to that plan.

ARCHIVAL RESEARCH - STAGE 1 BACKGROUND STUDY

The Stage 1 archaeological background study focused not only on the subject property itself, but an area encompassing a 2 km radius of the subject property (as per Ontario Ministry of Culture guidelines for Stage 1 archaeological background studies).

Consultation with the Archaeological Data Co-ordinator, Ontario Ministry of Culture, led to the determination that there were no known (registered) archaeological sites on the subject property but that there were 12 known (registered) archaeological sites within a 2 km radius of the subject property.

[Note, all sites registered in the provincial database have a "Borden Number", which consists of the Borden Block and a sequential number. A Borden Block refers to a rectangular block of land measuring 10 minutes latitude by 10 minutes longitude, identified by a unique set of four letters, two upper case and two lower case, in the form CcCc. The Study Area is situated near the west edge of Borden Block BaGu, and the very eastern edge of adjoining Borden Block BaGv comes to within 2 km of the subject property.]

Known archaeological sites in the vicinity of the subject property (11 in BaGu and one in BaGv) are as follows:

BaGu-018 Hicksite Meeting House site. Registered in 1988, historic documentation and archaeological assessment by Archaeological Services Inc. relating to a potentially significant 19th century meeting house and burial ground.

BaGu-037 Tempest site. Isolated findspot of one lithic artifact (Late Archaic or Early Woodland period projectile point/spear head) discovered in 1990 by Archaeological Services Inc. during assessment of proposed development property.

BaGu-038 Allegro site. Isolated findspot of one lithic artifact (chert scraper) discovered in 1990 by Archaeological Services Inc. during assessment of proposed development property.

BaGu-039 Adagio site. Isolated findspot of one lithic artifact (Archaic period projectile point/spear head fragment) discovered in 1990 by Archaeological Services Inc. during assessment of proposed development property.

BaGu-040 Garbutt site. Miscellaneous historic 19th century artifacts discovered in 1990 by Archaeological Services Inc. during assessment of proposed development property. The site was interpreted as insignificant.

BaGu-041 Augustus Rogers site. Miscellaneous historic 19th century artifacts discovered in 1990 by Archaeological Services Inc. during assessment of proposed development property. The site was interpreted as insignificant.

BaGu-062 Cook site. Miscellaneous historic 19th century artifacts discovered in 1993 by Archaeological Services Inc. during assessment of proposed development property. The site was interpreted as insignificant.

BaGu-065 Huntly site. Miscellaneous historic 19th century artifacts discovered in 1993 by Archaeological Services Inc. during assessment of proposed development property. The site location corresponded to historic documentation of a 19th century brickworks. Further archaeological fieldwork was recommended.

BaGu-078 Masonsong site. Series of historic 19th century artifacts discovered by Museum of Ontario Archaeology at 10 isolated locations during 1998 assessment of proposed development property.

BaGu-081 Southwest Newmarket #2 site. Isolated findspot of one Late Archaic period projectile point/arrowhead) discovered in 1999 by Museum of Ontario Archaeology during assessment of proposed development property. [Note: several other sites were also discovered by the Museum during this same assessment, but these sites lie just over 2 km from the subject property of the present report.]

BaGu-108 (no name assigned). Isolated findspot of one lithic artifact (chert scraper) discovered in 2004 during assessment by Archaeological Services Inc. of proposed development property.

BaGv-038 Upper Canada site. Isolated findspot of one lithic artifact (Middle Archaic period projectile point/spear head) discovered in 1993 by Archaeological Services Inc. During assessment of proposed development property.

Nineteenth Century History of the Property

The landowner and client had commissioned a Phase 1 Environmental Site Assessment of the subject property, which was undertaken in July 2009 by Soil Engineers Ltd. (Toronto). The client provided the Museum with a copy of this report. The report briefly outlined the cultural history of the subject property, noting that Soil Engineers Ltd. had completed a Land Title Search at the York Region Land Registry Office. They stated:

The earliest records show that the site was part of Lot 93, in the 1st Concession, patented by Joseph McMirtie by the Crown in 1802. All of the lot was sold to Timothy Rogers in 1802, and the property was subdivided, starting with 95 acres being sold to Elisha Beman in 1804, 50 acres to Isaac Derrose in 1806, and 6 acres to Benjamin Brooke in 1808.

A Historical Map drafted in 1878 was located at the Soil Engineers Ltd. reference library... showing the subject site was part of the estate owned by John Armitage. Given the size and shape of the estate, it appears to have been used as farmland at that time [Soil Engineers Ltd. 2009:4].

The aforementioned "Historical Map drafted in 1878" is the map of Whitchurch Township contained within the 1878 *Historical Atlas of York County*. The map clearly shows that the house associated with the Armitage land holding was situated in the extreme northwest corner of the lot, well outside of the limits of the subject property to be developed by Millford Development Ltd. We can therefore conclude that, based on the map of Whitchurch Township in the 1878 Historical Atlas, there is no evidence for a mid to late 19th century structure on the property. The Armitage family were well-established in Whitchurch Township and an Internet search revealed data about two different men named John Armitage. One was John Armitage 1822-1903 who married Carolyn Webb 1828-1858; this John was the son of Seth Armitage 1796-1877 and Anna Phillips 1797-1859. The other was John Armitage born 1828, son of Samuel Armitage and Hannah, who married in 1893 Rachel Harrington. Either of these two John Armitages may have been the one who had once owned the subject property.

The Soil Engineer Ltd. report also noted (page 10) that a house which had once stood on the subject property had been demolished by 1975 and the area where it had once stood had been filled in. Presumably this house had been built in the 20th century and is of no historical or heritage concern.

SUMMARY OF SOIL INVESTIGATION PREVIOUSLY COMPLETED ON THE PROPERTY

On behalf of the client, in September-October 2004 Soil Engineers Limited (Newmarket) completed a soils investigation of the property, involving the drilling and analysis of a series of boreholes across the entire area of land that might potentially be developed (i.e. all lands south of the top-of-bank of the watercourse and valley which bisects the property).

A total of 12 boreholes were drilled and analyzed, and evidence of prior to disturbance to the subject lands was encountered within five of those boreholes. We attached a figure from the Soil Engineers Ltd. 2004 report which pinpoints the locations of each of the boreholes (Figure 6).

Below is a summary of the results of the 12 boreholes, and the nature of the prior disturbance to the property found within five of those boreholes:

Borehole #1: 30 cm topsoil over compact/dense subsoil (sandy silt, till)

Borehole #2: 25 cm topsoil over dense to very dense subsoil (sandy silt, till)

Borehole #3: 30 cm topsoil over 90 cm hard silty clay over subsoil (sandy silt, till)

Borehole #4: 70 cm topsoil and **fill** over 60 cm charcoal remains over compact to very dense subsoil (sandy silt, till)

Borehole #5: 15 cm topsoil over 195 cm stiff silty clay over 80 cm compact sandy silt over dense subsoil (sandy silt, till)

Borehole #6: 15 cm topsoil over **345 cm layer of fill** and silty clay with occasional roots, plant materials and topsoil inclusions, over dense subsoil (silty sand, till)

Borehole #7: 25 cm topsoil over 335 cm layer of fill with occasional roots over 80 cm buried

topsoil horizon over subsoil (silty clay)

Borehole #8: 41 cm topsoil over subsoil of silty clay with traces of sand and gravel and occasional

sand lenses

Borehole #9: 25 cm topsoil over 185 cm stiff to hard silty clay over subsoil (sandy silt, till)

Borehole #10: 30 cm topsoil over dense subsoil (sandy silt, till)

Borehole #11: 15 cm topsoil over **275 cm layer of fill** with topsoil inclusions over **70 cm buried** topsoil horizon over subsoil (silty clay, till)

Borehole #12: 20 cm topsoil over **210 cm layer of fill** over **30 cm buried topsoil horizon** over subsoil (silty clay then silt)

The fact that there has been considerable prior disturbance to the subject property is confirmed by, among other things:

a) the variable thickness of the present topsoil horizon at surface, ranging from 15 cm at Boreholes #5, 6 and 11 to 41 cm at Borehole #8 to maximum of 70 cm at Borehole #4;

- b) the existence of 30 cm to 80 cm thick buried topsoil horizons in Boreholes #7, 11 and 12;
- c) the presence of fill layers below current topsoil in Boreholes # 4, 6, 7, 11 and 12.

As part of the work plan for this project we consulted with both the client/landowner [who have owned the property since 1967] and Town of Newmarket planner Jason Unger. Neither of them knew how or when the fill might have been dumped onto the property. Mr. Unger was informed by the Museum of the nature of the disturbance to the property and the conclusions and recommendations of this report, and he agreed with them.

CONCLUSIONS

A review of archaeological data has determined that there are currently no known (registered) archaeological sites (neither prehistoric nor historic) on the subject property, and that there are 12 registered archaeological sites within 2 km of the subject property.

A review of the historical data ascertained that in 1878 the subject property was part of the former land holdings of John Armitage. The house on the property of Armitage was located directly adjacent to Yonge Street outside of the northwest corner of the subject property to be developed, and thus is of no heritage or historical concern as part of the proposed residential development of the subject property.

A review of the data from soil boreholes drilled on the portion of the subject property that is proposed for future development indicates that there has been extensive prior disturbance (importing of foreign fill, in some places capping a thick buried original topsoil horizon).

ASSESSMENT OF ARCHAEOLOGICAL POTENTIAL

The subject property is assessed as having a high archaeological potential (i.e., potential for the future discovery of a potentially significant pre-contact First Nations archaeological site) due to the following factors:

- -high, well-drained soils in close proximity to a watercourse (tributary flowing through property)
- -presence of known archaeological sites in the vicinity
- -intact landscape that has not been extensively disturbed

Concurrently, the subject property is assessed as having a low potential for the future discovery of a potentially significant 19th century historic site, since documentary evidence suggests a pioneer homestead (19th century residence of landowner John Armitage) was located outside of the boundaries of the area of land to be developed for a residential subdivision, and since the map of Whitchurch Township in the 1878 Historical Atlas indicates no structures within the boundaries of the area of land to be developed for a residential subdivision.

RECOMMENDATIONS

Even though the subject property is assessed as having archaeological potential, the evidence for prior disturbance in the form of importation of foreign fill, sometimes capping a thick buried original topsoil horizon at depths of over 2-3 metres, negates the option of conducting a Stage 2 archaeological assessment.

Therefore, we recommend that the municipality and Ontario Ministry of Culture waive the requirement of completing a Stage 2 archaeological assessment and that they permit future development of the subject property without the completion of a Stage 2 archaeological assessment.

REFERENCES CITED

Soil Engineers Ltd.

- A Soil Investigation for Proposed Residential Development, Northeast of Yonge Street and Eagle Street, Town of Newmarket. Prepared for to Millford Development Limited, Newmarket. Soil Engineers Limited, Toronto. [Copy of report supplied to Museum by the landowner/client, September 2009.]
- 2009 Phase 1 Environmental Site Assessment, Proposed Residential Development north of Eagle Street and East of Yonge Street, Town of Newmarket. Prepared for to Millford Development Limited, Newmarket. Soil Engineers Limited, Toronto. [Copy of report supplied to Museum by the landowner/client, September 2009.]

OTHER SOURCES OF INFORMATION

Archaeological Sites Database, Ontario Ministry of Culture (data available to Museum for sites within vicinity of study area, updated September 2009).

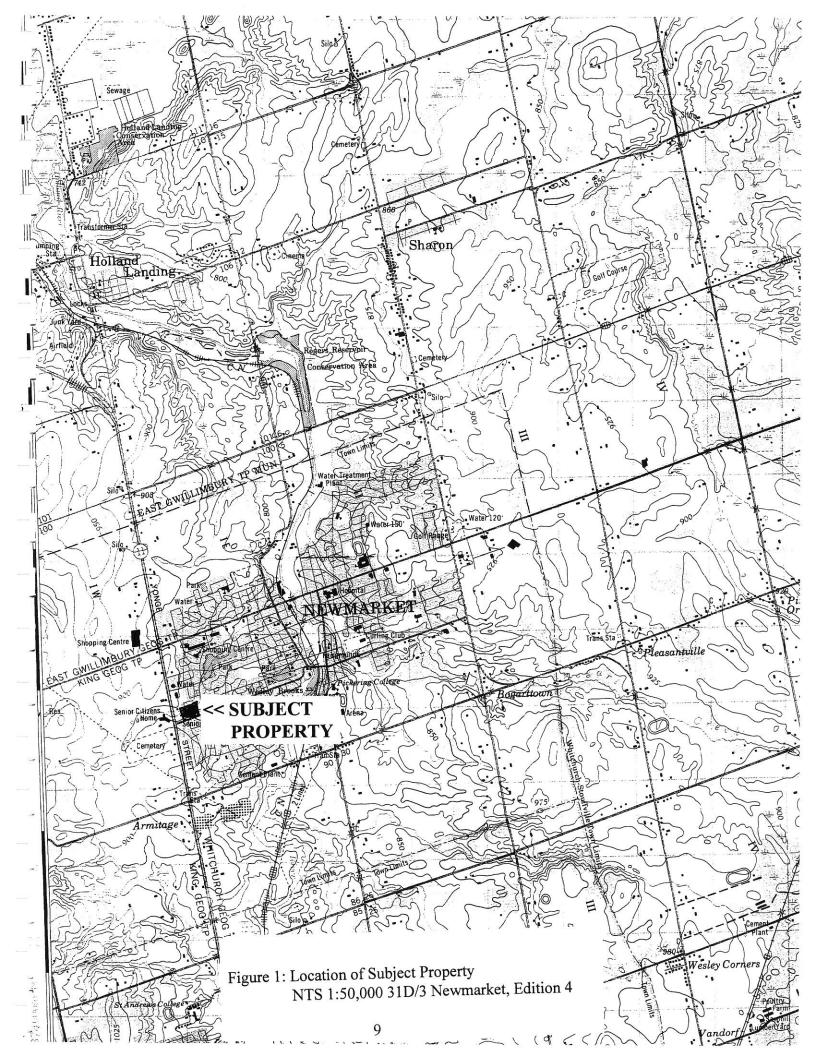
Topographic map NTS 1:50000, Newmarket 31D/3

Historical Atlas of York County, 1878.

Figures:

- 1. Location of Property, NTS 1,50000 Scale
- 2. Site Location Plan of Property in Newmarket
- 3. Property Index Map [showing limits of subject property]
- 4. Location of Property on 1878 Historical Atlas Map of Whitchurch Township
- 5. Preliminary Site Development Plan Locations of Condominium Tower and Townhouses
- 6. Locations of Boreholes

Note: Figures 2 to 6 courtesy of Soil Engineers Limited, Newmarket



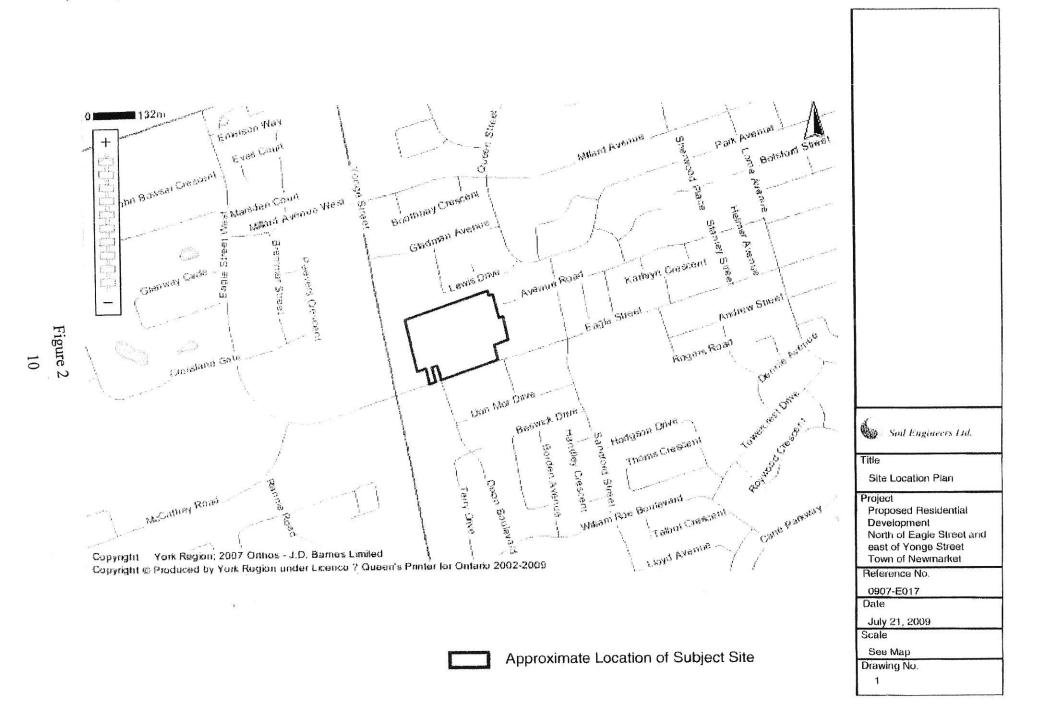
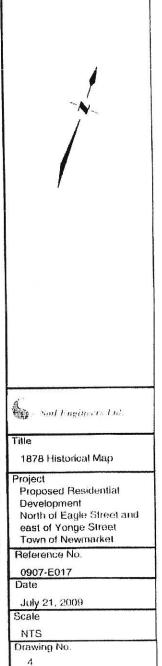


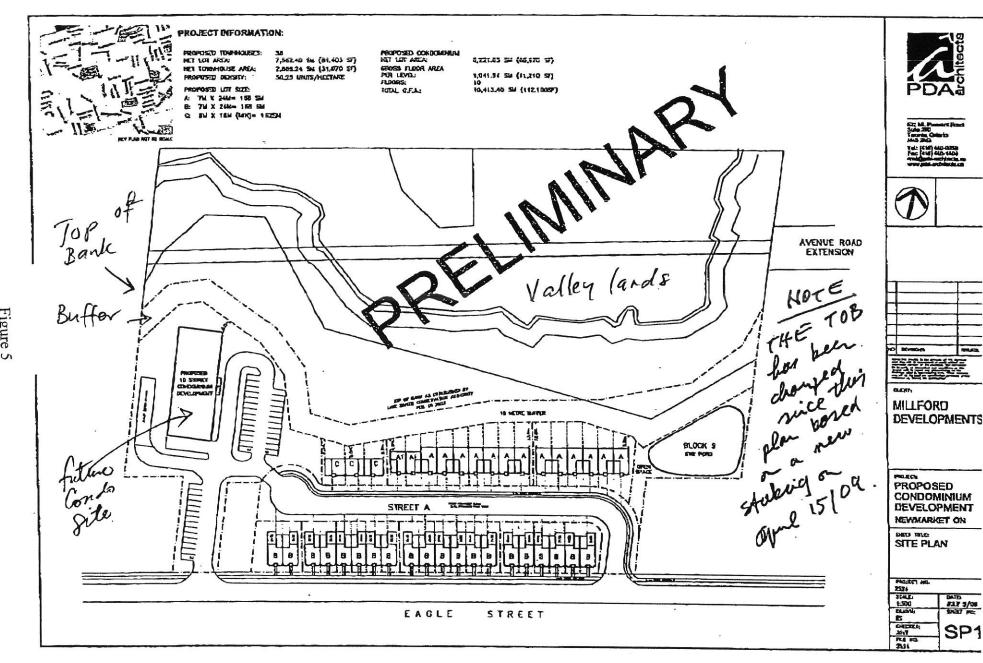
Figure 3



Approximate Location of Subject Site

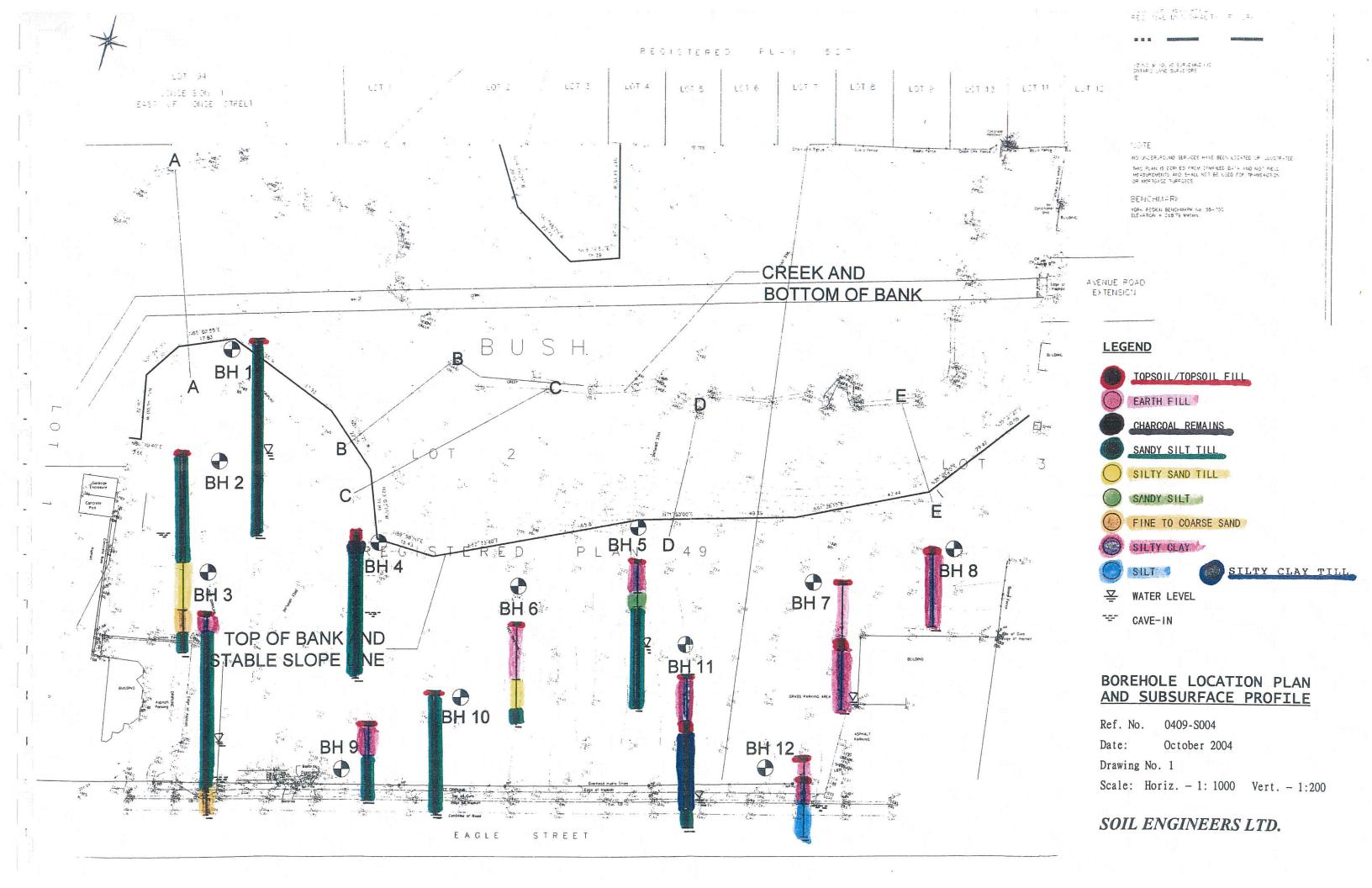


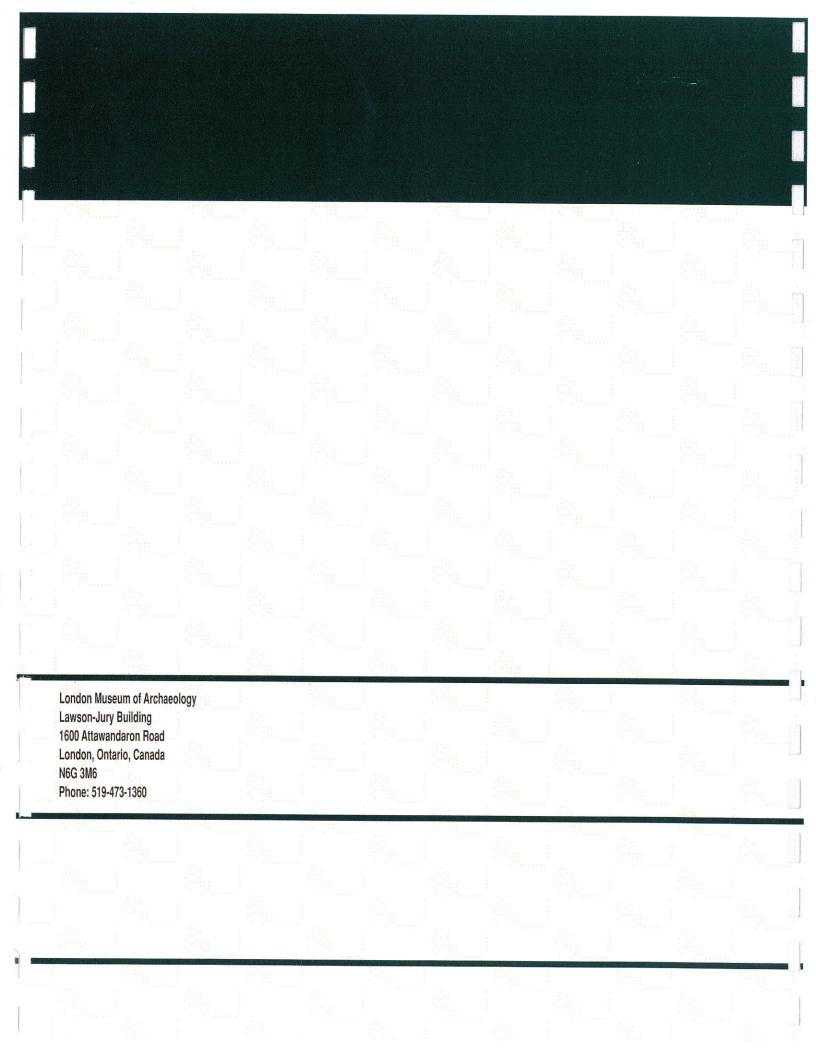
Source: Historical Map of Whitchurch © 1878



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DEVELOPMENTS

| PROJECT NO. 2524 | |
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| SCALE: 1:1000 | DATE: SEE REV. |
| DRAWN: RS | SHEET NO: |
| CHECKED: JdeV | C1 |
| FILE NO. 2524 | |

PROJECT INFORMATION:

PROPOSED TOWNHOUSES: NET LOT AREA:

NET TOWNHOUSE AREA: PROPOSED DENSITY:

PROPOSED LOT SIZE: A: 7M X 24M= 168 SM B: 7M X 24M= 168 SM C: 9M X 18M (MIN)= 162SM PROPOSED CONDOMINIUM NET LOT AREA:

GROSS FLOOR AREA PER LEVEL:

7,562.40 SM (81,405 SF)

2,886.24 SM (31,070 SF)

50.25 UNITS/HECTARE

FLOORS: TOTAL G.F.A.: 6,221.65 SM (66,970 SF)

1,041.34 SM (11,210 SF)

10,413.40 SM (112,100SF)



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NO: REVISIONS: ISSUED:

MILLFORD DEVELOPMENTS

PROPOSED CONDOMINIUM DEVELOPMENT

NEWMARKET ON

SHEET TITLE: SITE PLAN

| PROJECT NO. 2524 | |
|------------------|--------------------|
| SCALE: 1:500 | DATE: JULY 5/06 |
| DRAWN: RS | SHEET NO: |
| CHECKED: JdeV | SP1 |
| FILE NO. 2524 | |

