

# **Appendix C**

## **Designation By-Laws**

**THE CORPORATION OF LOYALIST TOWNSHIP**

**BY-LAW NO. 2001-16**

Being a By-law to designate the Neilson's Store located on Amherst Island, as an architectural and historical property pursuant to Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18.

**WHEREAS** Section 29 of the Ontario Heritage Act R.S.O. 1990, C. 0.18 as amended, authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of architectural and historical value; and

**WHEREAS** the Loyalist Township Heritage Committee has recommended to the Council that the Neilson's Store, be designated an architectural and historical property; and

**WHEREAS** the Council of the Corporation of Loyalist Township has caused to be served on the owner of the Neilson's Store and upon the Ontario Heritage Foundation, notice of intention to so designate the aforesaid real property and has caused such notice of intention to be published in the same newspapers having general circulation in the municipality; and


**WHEREAS** no notice of objection to the proposed designation has been served on the Clerk of the municipality;

**NOW THEREFORE** the Council of Loyalist Township enacts as follows:

- 1) The real property known as the Neilson's Store, more particularly described in Schedules 'A' and 'B' hereto, is hereby designated as being of architectural and historical value. The reasons for this designation are detailed on Schedule 'B' attached hereto.
- 2) The municipal solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule 'A' hereto in the proper land registry office.
- 3) The Clerk is hereby authorized to cause a copy of this by-law to be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and to cause notice of the passing of this by-law to be published in the same newspapers having general circulation in the municipality.

Approved this 9th day of April, 2001

CERTIFIED A TRUE COPY  
OF BY-LAW NUMBER 2001-16  
PASSED BY THE COUNCIL  
OF THE CORPORATION OF  
LOYALIST TOWNSHIP

THE 9<sup>th</sup> DAY OF April, 2001  
  
CLERK

  
REEVE

  
CLERK

## SCHEDULE 'A' TO BY-LAW 2001-16

### LEGAL DESCRIPTION

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in Loyalist Township (formerly Township of Amherst Island) in the County of Lennox and Addington and the Province of Ontario and being composed of part of Lot 3 in the North Shore Concession of the said Township, being more particularly described as follows:

PREMISING that all bearings herein referred to relate to the Easterly limit of Lot 3, taken as North 30 degrees 40 minutes West;

COMMENCING at a point in the northerly limit of the North Shore Travelled Road distant 587 feet westerly from the intersection of the East limit of Lot 3 with the North limit of said road;

THENCE North 29 degrees, 30 minutes West a distance of 50 feet more or less to the high water mark of Stella Bay;

THENCE Northerly and Westerly in and along the said high water mark of Stella Bay a distance of 275 feet;

THENCE South 13 degrees 29 minutes east 160 feet more or less to a point in the northerly limit of the said North Shore Travelled Road;

THENCE Easterly in and along the northerly limit of said North Shore Travelled Road 268 feet more or less to the point of commencement.

RESERVING THEREFROM a right-of-way in common with all others entitled thereto, 20 feet from the northerly limit of the said North Shore Travelled Road to the wharf at the northerly limit of the property herein conveyed being more particularly described as follows:

COMMENCING at a point in the northerly limit of the North Shore Travelled Road distant 20 feet easterly from the southwest corner of the parcel herein conveyed.

THENCE North 4 degrees 59 minutes West 141 feet to a point;

THENCE North 12 degrees 36 minutes East to the southerly limit of said wharf;

THENCE Easterly 20 feet in and along the southerly limit of said wharf to a point;

THENCE South 12 degrees 36 minutes West 38 feet to a point;

THENCE South 4 degrees 55 minutes East to a point in the northerly limit of the North Shore Travelled Road distance 20 feet easterly from the point of commencement;

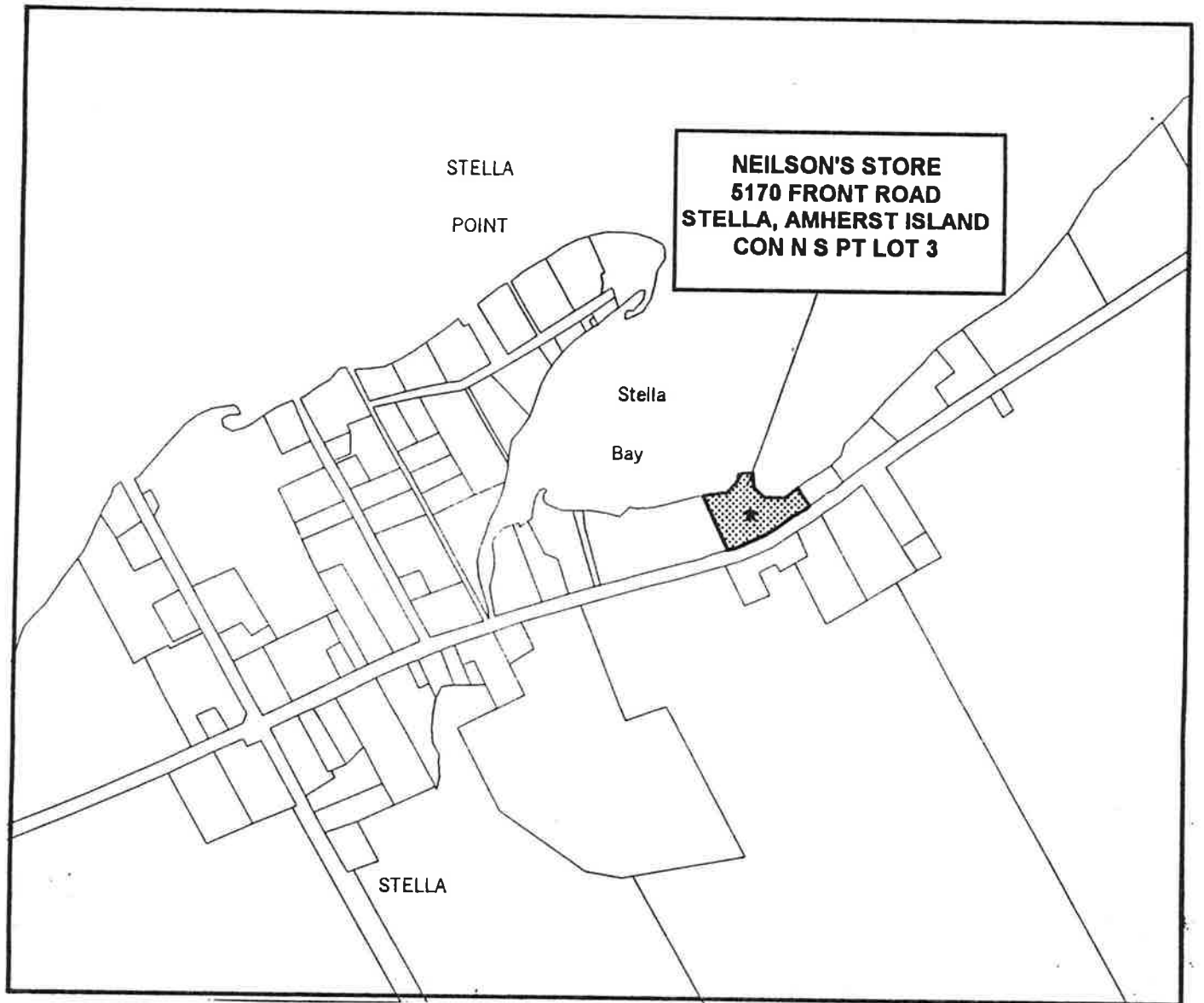
THENCE Westerly in and along the said northerly limit of the North Shore Travelled Road 20 feet more or less to the point of commencement.

SAID, right-of-way being shown coloured red on sketch attached to Registered Instrument No. 1295.

BEING THE SAME LAND AS DESCRIBED IN DEED # 156885.

**SCHEDULE 'A' TO BY-LAW 2001-16**

**LOCATION MAP**



**SCHEDULE 'B' TO BY-LAW 2001-16**

**REASONS FOR DESIGNATION**

The Neilson Store, built about 1883, is recommended for designation for historical reasons and its exterior features reflecting this original form are recommended for architectural reasons detailed below. This store built by James S. Neilson served its neighborhood on Amherst Island's north shore from 1883 until as late as 1976. The facade of this frame, clapboard-covered store retains its original display windows on either side of the recessed entrance and a bracket-supported porch roof at window-top height for the full width of the building. It is remembered for groceries, dry goods, post office, banking services, and socializing. The dock behind the store on the north shore originated for Neilson business but was the docking place for commercial vessels, including the first Amherst Island ferry between the Island and from Millhaven in 1929.

**HISTORICAL:**

- 1. In 1883, Neilson built this store as his second. The earlier, smaller store, where he had been conducting business since 1873, was moved to the waterside to serve as a coal shed.
- 2. Over the years, Neilson's store and dock became a focus of related activities of shipping, storing, and sales of coal and barley and of milling feed. Smaller steamers had regularly scheduled stops at the dock for passengers and freight.
- 3. When the Amherst Island ferry service began in 1929 between Millhaven and the island, the Neilson's dock served as the ferry dock. The ferry continues as an important symbol of Amherst Island's relationship to the mainland.

**ARCHITECTURAL:**

- 1. The well-defined features of the facade of Neilson's Store announce its commercial purpose within the rural economy surrounding it on the island. It also is a good companion building to link with the Timmerman Store in Odessa.

The facade of the store retains its large display windows on either side of a deep-set entrance doorway and porch roof bracket supports. The present door may not be the original, since a plain panel above suggests a measure to fill in the height of the doorway. There is evidence of hinges for double doors filling the full height (over 13 feet) of the entrance on the plane of the front windows.

- 2. The north gable end of the store, visible as the Island is approached by water, also retains its earlier character. The north wall retains earlier "cove-top" wood clapboards, above a skirting board with bevel top edge. The wood on this wall retains traces of color that should be a guide to any repainting of the building to suggest its earlier appearance. The siding is a hard-to-describe dark "buff" while the skirting board, head and sides of the window opening are a dark old red. The window sills appear to have been green.
- 3. The original openings on the west side appear to be a "chevron" faced door at the north end of the wall and a pair of side-by-side narrow, single pane, sash windows. On the east side wall are matching sash windows, which retain solid interior shutters.
- 4. Soffit on the north wall and wherever original on other walls is narrow, beaded tongue-and-groove boarding, running parallel with the roof eaves.
- 5. The facade porch roof shows a few wooden shingles under the covering metal. The ridge of the main roof retains two lightning rods with decorative glass finials.

**FEATURES NOT TO BE COVERED BY THE DESIGNATION:**

The major modification of this building was the introduction about 1975/76 of two gables in the west side of the roof and one in the east. These were to accommodate windows for an apartment being created by Rick Bedford on the second floor of the store building. Mr. Bedford provided this information in July 2000. The apartment was occupied until about 2 years ago.

On the west side, toward the south end of the wall, a doorway with small entrance platform and overhanging roof appears to be part of the "apartment"-era of the store building.

The second recent change to the building was the installation of pale blue vinyl siding to most of the facade, all of the west side, and the east side below the inserted gable. Finally, the roof has been covered by corrugated iron sheets.

The facade below the porch has been covered with vinyl siding only to the height of the top of the windows, so that painted wooden siding remains under the protection of the porch roof. This siding and the trim of the windows, brackets, doorway should be tested for sequences of earlier colors to see if the facade ever matched the colors found on the north wall or was painted differently for the street.

**THE CORPORATION OF LOYALIST TOWNSHIP**

**BY-LAW NO. 2005-98**

Being a By-law to designate Trinity United Church (presently known as the Ferry Office) located in Part of Lot 1, Concession North Shore, and addressed as 5555 Front Road, as an architectural and historical property pursuant to Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18.

**WHEREAS** Section 29 of the Ontario Heritage Act R.S.O. 1990, C. 0.18 as amended, authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of architectural and historical value; and

**WHEREAS** the Loyalist Township Heritage Committee has recommended to the Council that the former Trinity United Church be designated as an historical and cultural property; and

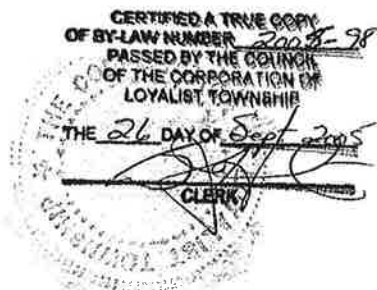
**WHEREAS** the Council of The Corporation of Loyalist Township has caused to be served on the owner of the former Trinity United Church and upon the Ontario Heritage Foundation, notice of intention to so designate the aforesaid real property and has caused such notice of intention to be published in the same newspapers having general circulation in the municipality; and


**WHEREAS** no notice of objection to the proposed designation has been served on the Clerk of the municipality;

**NOW THEREFORE** the Council of Loyalist Township enacts as follows:

- 1) The real property formerly known as the Trinity United Church (presently known as the Ferry Office), more particularly described in Schedules 'A' and 'B' hereto, is hereby designated under Part IV of the Ontario Heritage Act as being of historical and cultural value. The reasons for this designation are detailed on Schedule 'B' attached hereto.
- 2) The municipal solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule 'A' hereto in the proper land registry office.
- 3) The Clerk is hereby authorized to cause a copy of this by-law to be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and to cause notice of the passing of this by-law to be published in the same newspapers having general circulation in the municipality.

Enacted and Passed day of September 26, 2005



  
REEVE

  
TOWNSHIP CLERK

**SCHEDULE 'A'**  
**TO BY-LAW 2005-98**

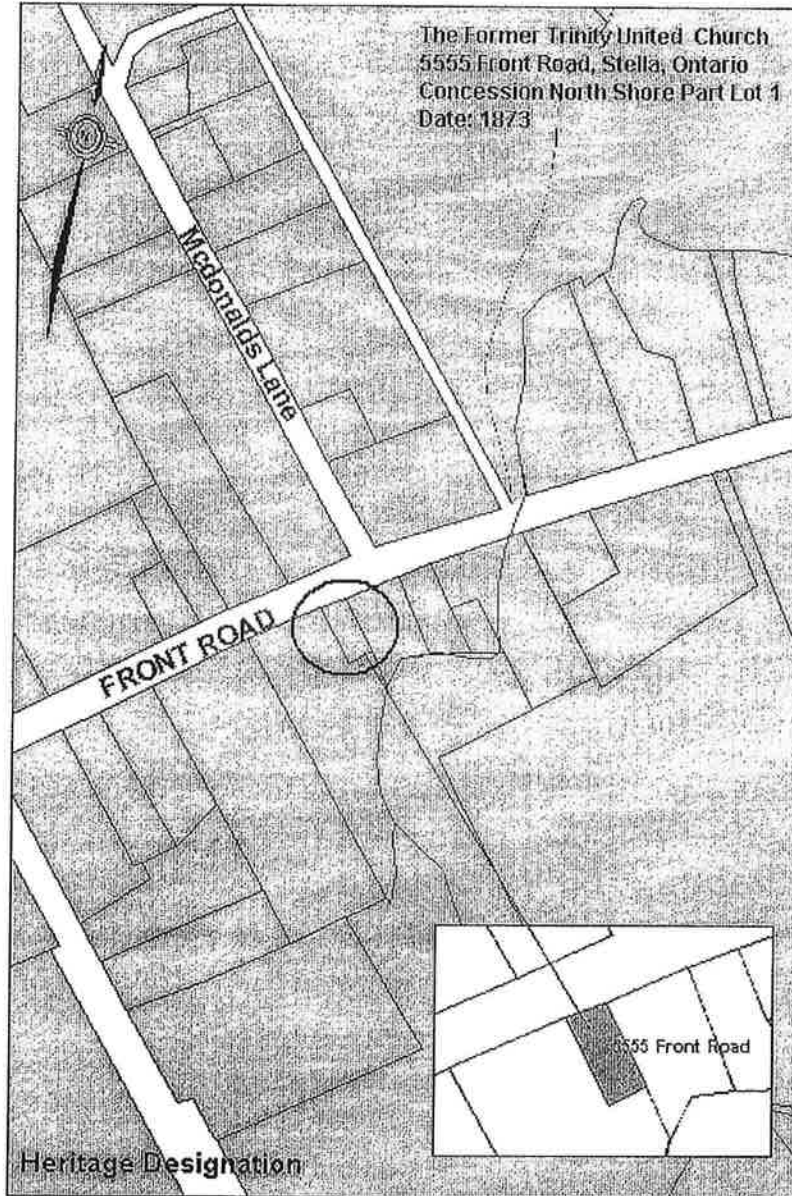
**LEGAL DESCRIPTION**

The property involved is described as being in Loyalist Township (formerly geographically known as Amherst Island) in the County of Lennox and Addington and the Province of Ontario, and being composed of Part of Lot 1, Concession North Shore more particularly described as being Parts 1, and 2 of Plan 29R- 2875.



**SCHEDULE 'B'  
TO BY-LAW 2005-98**

**LOCATION MAP**



## **SCHEDULE 'C' TO BY-LAW 2005-98**

### **REASONS FOR DESIGNATION**

The former Trinity United Church (also formerly known as the Wesley Methodist Church) was in service from 1873 until the 1960's. The former church represents the religious heritage of some of the original forefathers of Amherst Island.

### **HISTORICAL AND CULTURAL SIGNIFICANCE**

The former Trinity United Church (also formerly known as the Wesley Methodist Church), established in 1873, was the first Methodist church on Amherst Island. The Methodists held the first preaching services in 1872 when Christian laymen from Bath and vicinity held services weekly in the old No.1 School House. Later services were held in the Orange Hall located in Stella not far from the location of the church. The zealous loyalty of the small congregation to the visiting preachers helped establish a permanent following on the island with the first Methodist minister being sent to the island in 1872. He was Rev. John Ferguson, a native of Prince Edward County, who formed the first congregation of fifteen members, which included early resident families of Amherst Island such as the Pollys, Flemings, Girvins and Pattersons. The small congregation converted an additional 30 members in the fall of 1872. The church was under construction in 1873 and completed in February of 1874. The construction costs of the church totalled \$1500 dollars.

An important change occurred in the history of the church in 1918, when cooperation between the Methodist and Presbyterian churches began. In 1925 through consummation of Union, the name of the church changed from that of Wesley Methodist Church to Trinity United Church, as it was known until the late 1960's. The church served as a municipal office and local library for the community of Amherst Island from the early 1970's. It is presently used, and known as, the Ferry Office and Stella library.

### **ARCHITECTURAL SIGNIFICANCE**

The building is a rectangular shaped one-storey structure. The roof is medium gabled with projecting verges and purlins exposed. The building is a white clapboard sided structure with a sheet metal covered roof. The façade is three bays across including the central entrance porch with double leafed carved wood door. Centered in the gable is a blind window with a date inscription. The east and west ends are also three bays across, with centered windows.

### **FEATURES TO BE COVERED BY THE DESIGNATION**

The entire exterior of the building is to be designated, excluding the modern single leaf metal door, roof, eavestrough, foundation and wheelchair access ramp located on the east end.

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THE CORPORATION OF LOYALIST TOWNSHIP

BY-LAW NO. 2007-116



Being a By-law to amend the Pentland Cemetery designation located in Part of Lot 16, North Shore Concession, which fronts on Front Road, as an architectural and historical property pursuant to Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18.

**WHEREAS** Section 29 of the Ontario Heritage Act R.S.O. 1990, C. 0.18 as amended, authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of architectural and historical value; and

**WHEREAS** the Council of The Corporation of Loyalist Township designated the Pentland Cemetery under By-law 2007-116, as a site of historic and/or architectural interest under Section 29 of the Ontario Heritage Act; and

**WHEREAS** the Loyalist Township Heritage Committee has recommended to the Council that the Pentland Cemetery designation be amended to correct the description of designated further elements pursuant to Section 30.1 of the Ontario Heritage Act;

**NOW THEREFORE** the Council of Loyalist Township enacts as follows:

- 1) The designation pertaining to Pentland Cemetery is hereby amended under Section 30.1 of the Ontario Heritage Act as being of historical and cultural value. The modified reasons for this designation are detailed on Schedule 'B' attached hereto.
- 2) The municipal solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule 'A' hereto in the proper land registry office.
- 3) The Clerk is hereby authorized to cause a copy of this by-law to be served on the owner of the aforesaid property and on the Ontario Heritage Foundation.

Enacted and Passed this 10<sup>th</sup> day of December 2007

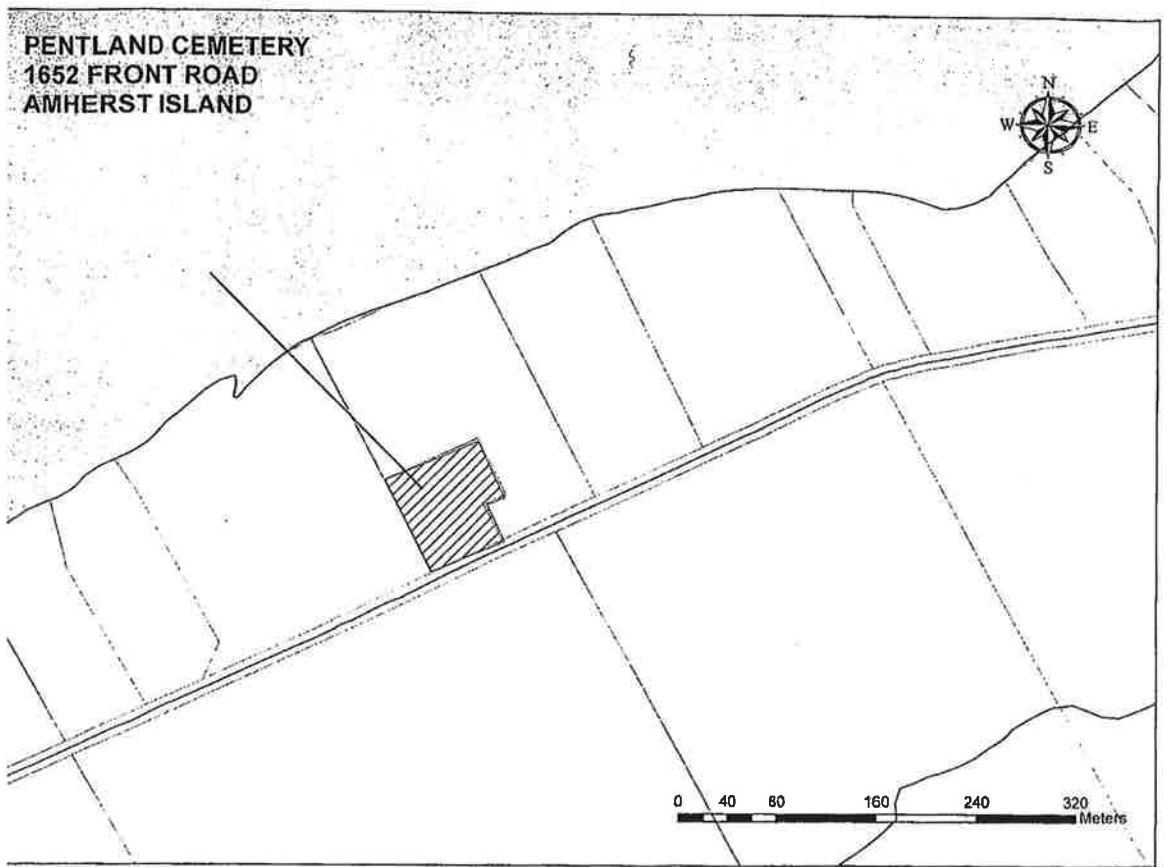
  
Deputy REEVE

  
TOWNSHIP CLERK

304

2  
**SCHEDULE 'A'**  
**TO BY-LAW 2007-116**

**LOCATION MAP**



**LEGAL DESCRIPTION**

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in Loyalist Township (formerly Township of Amherst Island), in the County of Lennox and Addington and Province of Ontario and being composed of 1.18 acres of land, between Front Road and Lake Ontario, North Shore Concession, Part of Lot 16, Part 1 and 2, RP 29R-8823.

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**SCHEDULE 'B'  
TO BY-LAW 2007-116**

**AMENDMENT TO FEATURES COVERED BY THE DESIGNATION**

The amendment is depicted in bold front.

The entire property is designated. The original tree growth including spruce and cedar species are to be preserved and protected, unless disease or natural disaster takes place, and the unique Irish stone fencing built by John Crowe bordering the **east, west, south and north sides**.

**THE CORPORATION OF LOYALIST TOWNSHIP**

**BY-LAW NO. 2005-41**

Being a By-law to designate the Pentland Cemetery located on Part of Lot 16, North Shore Concession, which fronts onto Front Road, as an architectural and historical property pursuant to Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18.

**WHEREAS** Section 29 of the Ontario Heritage Act R.S.O. 1990, C. 0.18 as amended, authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of architectural and historical value; and

**WHEREAS** the Loyalist Township Heritage Committee has recommended to the Council that the Pentland Cemetery, be designated an Historical and Cultural property; and

**WHEREAS** the Council of the Corporation of Loyalist Township has caused to be served on the owner of the Pentland Cemetery and upon the Ontario Heritage Foundation, notice of intention to so designate the aforesaid real property and has caused such notice of intention to be published in the same newspapers having general circulation in the municipality; and

**WHEREAS** no notice of objection to the proposed designation has been served on the Clerk of the municipality;

**NOW THEREFORE** the Council of Loyalist Township enacts as follows:


- 1) The real property known as the Pentland Cemetery, more particularly described in Schedules 'A' and 'B' hereto, is hereby designated under Part IV of the Ontario Heritage Act as being of historical and cultural value. The reasons for this designation are detailed on Schedule 'B' attached hereto.
- 2) The municipal solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule 'A' hereto in the proper land registry office.
- 3) The Clerk is hereby authorized to cause a copy of this by-law to be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and to cause notice of the passing of this by-law to be published in the same newspapers having general circulation in the municipality.

Enacted and Passed day of May 9, 2005

CERTIFIED A TRUE COPY  
OF BY-LAW NUMBER 2005-41  
PASSED BY THE COUNCIL  
OF THE CORPORATION OF  
LOYALIST TOWNSHIP.

THE 9 DAY OF May, 2005  
  
CLERK

  
REEVE

  
CLERK

## **SCHEDULE 'B' TO BY-LAW 2005-41**

### **REASONS FOR DESIGNATION**

The Pentland Cemetery, in service from 1831 to 2001, is designated for historical and cultural reasons detailed below. This cemetery represents a history of original families and forefathers of Amherst Island. The cemetery occupies 1.29 acres of land, between Front Road and Lake Ontario, North Shore Concession, Part of Lot 16 donated by two neighbouring farms one being known as the Towerine farm which was owned by the Pentlands who lived east of the cemetery. Within the cemetery, there are at least 156 remaining headstones and family monuments. The last person buried in the cemetery was Arthur Scott in 1954 and in 2001 the ashes of Anita Fowler were placed in her family plot. Family names on the tombstones represent some original Amherst Island families, and their descendants are still living on the island.

Notable parts of this cemetery are some finely detailed carved headstones dating back as early as the 1830's. Unique Irish stone fencing which reveals past downsizing and expansion of the site borders the east and west sides. Famous artist Daniel Fowler whose paintings are displayed in national galleries and abroad was laid to rest in 1894. Original tree growth including, spruce and cedar species, complements the cemetery.

### **HISTORICAL AND CULTURAL**

The Pentland cemetery was a public burial ground used by all denominations. Farmers residing on each side of the site donated the cemetery lands. In 1831 Samuel Pentleton was the first person buried. The headstone is still decipherable in the cemetery.

Daniel Fowler, who died in 1894, emigrated from England, settling on Amherst Island for the last forty years of his life. The artist built a home known as 'The Cedars', a heritage designated site west of Barrys Point on Front Road. His work is displayed in the National Art Gallery of Canada, Royal Ontario Museum and many other galleries in Ontario and London, England. Upon entering the grounds of the cemetery, a cluster of cedar trees planted by Fowler envelops the yard. Daniel Fowler was the first to donate monies to the cemetery in the sum of two hundred dollars for general upkeep.

Originally from Ards Peninsula, Ireland, a man named John Crowe built the Irish fence that delineates the borders of the cemetery. Mr. Crowe built a rod a day charging a dollar a rod. The fencing is made of fieldstone stacked upon one another for the body of the fencing, with the top of the fence using fieldstone standing on end giving a unique architectural and ornate appearance.

Another Heritage attribute of the cemetery is the detailed headstones located throughout and wrought iron fencing bordering some family plots. One of the most interesting headstones has the vessel Schooner Star of Hope carved with a description about a young sailor by the name of Robert Stanley Burleigh aged twenty-four who fell from the topmast of the vessel to his death.

### **FEATURES TO BE COVERED BY THE DESIGNATION**

The entire property is designated. The original tree growth including spruce and cedar species are to be preserved and protected, unless disease or natural disaster takes place, and the unique Irish stone fencing built by John Crowe bordering the east and west sides.

**SCHEDULE 'A' TO BY-LAW 2005-41**

**LEGAL DESCRIPTION**

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in Loyalist Township (formerly Township of Amherst Island), in the County of Lennox and Addington and Province of Ontario and being composed of 1.18 acres of land, between Front Road and Lake Ontario, North Shore Concession, Part of Lot 16, Part 1 and 2, RP 29R-8823.