

# **APPENDIX B**

## **Designation By-Laws**



**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**

**BY-LAW NO. 2007-23**

**A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS PART OF LOT 24 AND PART OF LOT 25, CONCESSION 4, 1639 ROSEDENE ROAD, FORMER TOWNSHIP OF GAINSBOROUGH, TOWNSHIP OF WEST LINCOLN AS BEING THE SITE OF THE COMFORT BARN (C. 1870) AS A PROPERTY OF ARCHITECTURAL, HISTORICAL AND/OR CONTEXTUAL VALUE OR INTEREST.**

**WHEREAS** Section 29 of The Ontario Heritage Act, R.S.O. 1990, Chapter 0.18 as amended, authorizes the Council of a municipality to enact by-laws to designate a property to be of cultural value or interest;

**AND WHEREAS** the Council of the Corporation of the Township of West Lincoln has caused to be served on the owners of the lands and premises known as Part of Lot 24 and Part Lot 25, Concession 4, 1639 Rosedene Road, Former Township of Gainsborough, Township of West Lincoln and upon the Ontario Heritage Foundation, notice of intention to so designate the aforesaid property and has caused such notice of intention to designate to be published in West Niagara News, a newspaper having general circulation in the municipality in its publication of January 12, 2007;

**AND WHEREAS** the reasons for the designation are set out in Schedule "B" attached hereto and forming part of this by-law;

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

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN ENACTS AS FOLLOWS:**

1. There is designated as being of architectural, historical and/or contextual value or interest, the property known as 1639 Rosedene Road, Part of Lot 24 and Part of Lot 25, Concession 4, Former Township of Gainsborough, Township of West Lincoln, as being a place of architectural, historical and/or contextual value or interest, more particularly described on the attached Schedule "A" and for the reasons as described in Schedule "B" attached hereto and forming part of this by-law.
2. For greater certainty, this designation shall recognize the architectural, historical and/or contextual value or interest of the Comfort Barn (c.1870) erected thereupon.
3. The Municipal Solicitor is hereby authorized to cause a copy of this by-law to be registered against the property as outlined in Schedule "A" attached hereto and forming part of this by-law.
4. The Clerk is hereby authorized to serve a copy of this by-law on the owner of the aforesaid property and on the Ontario Heritage Foundation and to publish notice of the passing of this by-law, once, in the newspaper having general circulation in the municipality.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
26<sup>TH</sup> DAY OF MARCH, 2007.**

  
MAYOR KATIE TROMBETTA

  
CAROLYN LANGLEY, CLERK

**SCHEDULE "A"**  
**To By-law 2007-23**

1639 Rosedene Road, being Part of Lot 24 and Part of Lot 25, Concession 4, Former Township of Gainsborough, Township of West Lincoln.  
Property Assessment Roll # 260202000502900 0000

**SCHEDULE "B"**  
**To By-law 2007-23**

**REASONS FOR DESIGNATION**

**Property**

To designate the Comfort Barn, located at 1639 Rosedene Road, Part Lot 24 and Part Lot 25, Concession 4, Former Township of Gainsborough, Township of West Lincoln (attached as Schedule A)

**Setting**

The Comfort Barn was constructed circa 1870. This barn is representative of West Lincoln's strong agricultural community for a period of over 100 years and of particular interest is the fact that this is still a working mixed farming operation. The work of the restoration and repair is on-going and being done in a manner that maintains the original structure.

**Architecture**

The barn, which is 54 feet long and 48 feet wide, has a heavy timber frame construction with mortise and tenon connections. The barn was remodeled in 1898 using 12" by 12" hand hewn pine timbers in the main frame along with a number of 12" by 12" hand hewn oak timbers salvaged from another area barn. The main pine timbers run the full width of the barn. Most of the pine timbers came from trees harvested in the area.

The barn rests on a limestone foundation. Typical of area farms, livestock were housed in the lower level and feed for the livestock was stored above the livestock. The barn is known as a bank barn; the bank is an earthen ramp that allowed a team of horses to draw wagons loads of feed up on to the main floor for unloading. The gambrel type of roof provided additional storage space for loose hay in the large mows on either side of the central alley. The barn has a roofed entrance over the bank. Inside the barn is a wagon rack lifter which was used to raise the wagon rack and its load of hay up high enough so that the hay could pitched into the mow.

**History**

The property is linked to the Crowe family name which is noted as being one of the early settlers of Rosedene, in the former Township of Gainsborough.

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2008-141

**A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS 2663 MOOTE ROAD, PART OF LOT 4, PART ROAD ALLOWANCE BETWEEN LOTS 3 & 4, CONCESSION 6 FORMER TOWNSHIP OF GAINSBOROUGH, TOWNSHIP OF WEST LINCOLN**

**WHEREAS** Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 as amended, authorizes the Council of a municipality to enact by-laws to designate a property to be of cultural value or interest;

**AND WHEREAS** the Council of the Corporation of the Township of West Lincoln has caused to be served on the owners of the lands and premises known as Part of Lot 4, Part Road Allowance between Lots 3 & 4, Concession 6, 2663 Moote Road, Former Township of Gainsborough, Township of West Lincoln and upon the Ontario Heritage Foundation, notice of intention to so designate the aforesaid property and has caused such notice of intention to designate to be published in West Niagara News, a newspaper having general circulation in the Township in its publication of September 26, 2008;

**AND WHEREAS** the reasons for the designation are set out in Schedule "B" attached hereto and forming part of this by-law;

**AND WHEREAS** no notice of objection to the proposed designation has been served on the Clerk of the Township:

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN ENACTS AS FOLLOWS:**

1. There is designated as being of architectural, historical and/or contextual value or interest, the property known as 2663 Moote Road, Part of Lot 4, Part Road Allowance between Lots 3 & 4, Concession 6, Former Township of Gainsborough, Township of West Lincoln, as being a place of architectural, historical and/or contextual value or interest, more particularly described on the attached Schedule "A" and for the reasons as described in Schedule "B" attached hereto and forming part of this by-law.
2. For greater certainty, this designation shall recognize the architectural, historical and/or contextual value or interest of the former Veloris and Theda Moot farmhouse and barn on "Brandywine Farm" (c.1860) erected thereupon.
3. The Municipal Solicitor is hereby authorized to cause a copy of this by-law to be registered against the property as outlined in Schedule "A" attached hereto and forming part of this by-law.
3. The Clerk is hereby authorized to serve a copy of this by-law on the owner of the aforesaid property and on the Ontario Heritage Foundation and to publish notice of the passing of this by-law, once, in the newspaper having general circulation in the Township.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
24<sup>th</sup> DAY OF NOVEMBER, 2008.**

  
MAYOR KATIE TROMBETTA

  
CAROLYN LANGLEY, CLERK

**SCHEDULE "A"**  
**To By-law 2008-141**

A by-law to designate the property known municipally as 2663 Mootie Road, Part of Lot 4, Part Road Allowance between Lots 3 & 4, Concession 6 Former Township of Gainsborough, Township of West Lincoln.

**SCHEDULE "B"**  
**To By-law 2008-141**

**REASONS FOR DESIGNATION**

**Property**

To designate the former Veloris and Theda Moot house and barn, "Brandywine Farm", the property known municipally as 2663 Moot Road, Part of Lot 4, Part Road allowance between Lots 3 & 4, Concession 6 Former Township of Gainsborough, Township of West Lincoln (attached as Schedule A)

**Setting**

The house on Brandywine Farm was constructed sometime between 1857 and 1860, with the barn being constructed a number of years prior to the construction of the house. The house is an excellent example of Gothic Revival construction. The barn is representative of West Lincoln's strong agricultural community for a period of over 150 years. The work of the restoration and repair is on-going and being done in a manner that maintains the original structure.

**Architecture**

The house features steep Gothic Revival gables and two Gothic fancy sunburst bargeboards with spindles and spoolwork. There are three porches on the dwelling which also exhibit the Gothic Revival style. The original features of the house have been maintained and preserved in their original state. The interior of the house features an original built-in Mennonite corner cupboard, original butternut trim and wainscoting, original plank floors, mouldings and knobs and most of the windows contain the original sand-cast glass.

The barn is three storeys resting on a thick fieldstone foundation laid with mortar, original posts and beams with axe marks visible on them, wooden wheel and pulley system to raise the hay wagon for unloading and a lifter with wooden sprocket.

**History**

Veloris Moot is noted as the property owner on the Historical Atlas of Lincoln and Welland, circa 1876.



A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS 62 MOUNTAIN ST., BEAMSVILLE, BEING LOT 269, CORPORATION PLAN 3, AS BEING OF ARCHITECTURAL AND HISTORICAL VALUE AND INTEREST.

WHEREAS Section 29 of The Ontario Heritage Act, 1974, authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of architectural or historic value or interest;

AND WHEREAS the Council of the Corporation of The Town of Lincoln has caused to be served on the owners of the lands and premises known Municipally as 62 Mountain Street, Beamsville, 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 newspaper having general circulation in the Municipality once for each of three consecutive weeks;

AND WHEREAS no notice of objection to the proposed designation has been served on the Clerk of the Municipality;

NOW, THEREFORE, the Council of the Corporation of the Town of Lincoln enacts as follows:

1. THERE IS designated as being of architectural and historical value and interest the real property known as the Lincoln Public Library, Central Facility, and the Masonic Lodge, AF and AM, Beamsville, and known Municipally as 62 Mountain Street, Beamsville, and more particularly described as follows:

"All of Lot 269 of Corporation Plan No. 3 of the former Village of Beamsville, then the Town of Beamsville, and now in the Town of Lincoln, in the Regional Municipality of Niagara."

2. THE Municipal Solicitor is hereby authorized to cause a copy of this By-law to be registered against the property described herein in the Niagara North 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 newspaper having general circulation in the Municipality once for each of three consecutive weeks.

PASSED this 17th day of September, 1979.

  
MAYOR

  
CLERK

A-6 Have you or your organization carried out other projects similar to the one that is now proposed? If so, please describe.\*

nil history of similar projects in the past but the structure was the subject of some restoration work four years ago and received a \$12,000 contribution under this program.

A-7 Enclose a copy of your organization's latest financial statement, indicating sources of funding.

## Section B Heritage Aspects

B-1 (a) Is the property designated under The Ontario Heritage Act, 1974?

Yes Bylaw No. 79-85  No (if 'no' complete B-1)

B-1 (b) If not now designated, will you seek to have property designated under The Ontario Heritage Act, 1974?

Yes  No (if 'no' explain) n/a

B-2 (a) Outline briefly the history of the property including the date of building construction and architect if known.\*

Constructed in 1851 as a Township Hall for Clinton Township. The upper storey was leased by <sup>the</sup> Township Council to the Sons of Temperance. The architect is unknown. The contractor was Henry Mihell who apparently completed the building in September of 1851 and in the following years was used as a Township meeting place, and for a variety of other community uses. On May 23, 1856, John B. Osborne, a local businessman and benefactor paid the Township of Clinton 150 pounds to lease "forever" the upper storey of the building and after the Sons of Temperance had faded away, in 1871 he assigned the lease to the Masonic Lodge. The lodge has occupied the upper floor of the building since that time, and the lower floor has continued in Municipal uses to the present. Please refer to the attached excerpts from the Lincoln History which provide more details on the interesting history of this building.

B-2

(b) Indicate the documentary sources for the above information.\*

The information provided above is contained in the "Lincoln History" by W.F. Rannie, a local writer and the facts given are supported by records of by-laws and meetings, that survived the years.

B-3 Enclose recent photos of the project building's exterior, showing each elevation and the setting and any noteworthy interior features. These must be black and white, minimum 5" x 7".

\*Note: If more writing space is required, please attach extra page.

2.

THE CORPORATION OF THE TOWN OF LINCOLN

BY-LAW NO. 95-58

A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS THE MARLATT FARMSTEAD, 5499 PHILP ROAD, PART OF LOTS 20 AND 21, IN CONCESSIONS 5 & 6, OF THE FORMER TOWNSHIP OF CLINTON, NOW TOWN OF LINCOLN, AS BEING A STRUCTURE OF ARCHITECTURAL AND HISTORICAL VALUE OR INTEREST

WHEREAS:

1. Section 29 of the Ontario Heritage Act, Chapter 0.18, R.S.O.1990, authorizes the Council of the municipality to enact by-laws to designate real property including all buildings and structures thereon to be of architectural or historical value or interest.

2. The Council of the Corporation of the Town of Lincoln has caused to be served on the owners of the lands and premises known as 5499 Philp Road, in the Town of Lincoln, 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 Lincoln Post Express, a newspaper having general circulation in the municipality once for each of the three consecutive weeks in its publications of November 23rd, 30th and December 7th, 1994.

3. The reasons for the designation are set out in Schedule "B" attached hereto, and forming part of this by-law.

4. No notice of objection to the proposed designation has been served on the Clerk of the municipality.

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF LINCOLN ENACTS AS FOLLOWS:

1. There is designated as being of architectural and historical value or interest the real property known as the Marlatt Farmstead, 5499 Philp Road, part of Lots 20 & 21, in Concessions 5 & 6 of the former Township of Clinton, now Town of Lincoln, more particularly described in Schedule "A" attached hereto, for the reasons as described in Schedule "B" attached hereto and forming part of this by-law.

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" attached hereto and forming part of this by-law.

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 Lincoln Post Express, a newspaper having general circulation in the municipality, once for each of three consecutive weeks.

BY-LAW read a FIRST time this 18th day of April, 1995  
BY-LAW read a SECOND time this 18th day of April, 1995  
BY-LAW read a THIRD time and FINALLY PASSED this 18th day of April, 1995

  
MAYOR: RAY A. KONKLE

  
CLERK: KYLE S. KRUGER

SCHEDULE "A"

IN THE Town of Lincoln, in the Regional Municipality of Niagara, formerly in the Township of Clinton, County of Lincoln, being part of Lots 20 & 21, in Concession 5, and part of Lot 21, Concession 6, and part of the road allowance between Concessions 5 & 6 and part of the road allowance between Lots 20 & 21 designated as Part 3 on Plan 30R-1292.

SCHEDULE "B"

REASONS FOR DESIGNATION

The house and farm buildings are situated on land originally deeded by Crown Patent to John Campbell. This land was purchased in 1810 by Abraham Marlatt who owned Lots 20 & 21, Concession 6.

This house was the third built on the farm, the second having been dismantled in the late 1800's, and the first (believed to be the original Campbell homestead) still existing as a workshop of hand-hewn post and beam construction.

The present house, of neoclassic vernacular design, dates to approximately 1850 and utilizes hand-hewn beams and flemish and triple brick construction. Some of the unique features are the five bay facade with original doors and windows, the front door being flanked with sidelights and overhead transom. Among the remaining buildings and of particular interest is the Main Barn, a good unaltered example of an early 1800's Loyalist Barn in the English three bay style.

This farm was owned by the Marlatt family from about 1788 to 1923, then by the Philp family for over 50 years. The present owners are Paul and Irene Scott.

2

THE CORPORATION OF THE TOWN OF LINCOLN

BY-LAW NO. 95-59

A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS THE DURHAM-DEVRIES HOME, 5567 FLY ROAD, PART OF LOT 22, CONCESSION 6, FORMER TOWNSHIP OF CLINTON, NOW TOWN OF LINCOLN, AS BEING A STRUCTURE OF ARCHITECTURAL AND HISTORICAL VALUE OR INTEREST

WHEREAS:

1. Section 29 of the Ontario Heritage Act, Chapter 0.18, R.S.O.1990, authorizes the Council of the municipality to enact by-laws to designate real property including all buildings and structures thereon to be of architectural or historical value or interest.
2. The Council of the Corporation of the Town of Lincoln has caused to be served on the owners of the lands and premises known as 5567 Fly Road, in the Town of Lincoln, 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 Lincoln Post Express, a newspaper having general circulation in the municipality once for each of the three consecutive weeks in its publications of November 23rd, 30th and December 7th, 1994.
3. The reasons for the designation are set out in Schedule "B" attached hereto, and forming part of this by-law.
4. No notice of objection to the proposed designation has been served on the Clerk of the municipality.

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF LINCOLN ENACTS AS FOLLOWS:

1. There is designated as being of architectural and historical value or interest the real property known as the Durham-DeVries Home, 5567 Fly Road, part of Lot 22, Concession 6, former Township of Clinton, now Town of Lincoln, more particularly described in Schedule "A" attached hereto, for the reasons as described in Schedule "B" attached hereto and forming part of this by-law.
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" attached hereto and forming part of this by-law.
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 Lincoln Post Express, a newspaper having general circulation in the municipality, once for each of three consecutive weeks.

BY-LAW read a FIRST time this 18th day of April, 1995  
BY-LAW read a SECOND time this 18th day of April, 1995  
BY-LAW read a THIRD time and FINALLY PASSED this 18th day of April, 1995

  
MAYOR: RAY A. KONKLE

  
CLERK: KYLE S. KRUGER

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Town of Lincoln, in the Regional Municipality of Niagara and Province of Ontario, formerly in the Township of Clinton and the County of Lincoln, and being composed of Part of Lot 22, in Concession 6 of the said Township of Clinton, and being more particularly described as follows:

COMMENCING at a point in the westerly limit of the said Lot 22 distant therein South 01 degree, 39 minutes East, 2279.4 feet from the Northwest angle thereof;

THENCE North 84 degrees, 47 minutes East, 600.0 feet;

THENCE North 01 degree, 39 minutes West, 600.0 feet;

THENCE North 84 degrees, 47 minutes East in the fence defining the line between the North and South halves of said Lot 22, 729.88 feet to the line between Lots 21 & 22;

THENCE South 01 degree, 50 minutes East in the line between Lots 21 & 22, 1,660.98 feet to the Southeast angle of the said Lot 22;

THENCE South 84 degrees, 28 minutes and 30 seconds West in the Northerly limit of the road allowance between Concession 6 & 7, 1,335.57 feet to the Southwest angle of the said Lot 22;

THENCE North 01 degree, 39 minutes West in the Easterly limit of the road allowance between Lots 22 & 23, 1,068.45 feet more or less to the point of commencement.

PREMISING that the Easterly limit of the road allowance between Lots 22 & 23 has an assumed astronomic bearing of North 01 degree, 39 minutes West and all bearings herein are referred thereto, as previously described in Instrument #303128.

4

SCHEDULE "B"

REASONS FOR DESIGNATION

The property on which the house sits was originally a Crown Grant to Paul Marlatt in 1796 - later registered in 1805. (The Marlatts were originally part of the Huguenot migration from France to Virginia in the late 17th Century. They later moved to this area in the 1780's -90's) The property was bought by Jacob Book in July of 1807 and later sold to James Durham in ~~1820~~ 1830.

The house was built for James Durham in 1832. In 1974, present owners Harry and Francisca DeVries bought the house from the last owner Clayton Thompson. Of white stucco, 2 storey construction, the home features multiple-paned 12/12 windows and sidelights flanking either side of the front door. The interior features an arched ceiling above the doorway and entrance hall, plus original entry hall and side hall doors. There are original red pine floors, baseboards and hand-hewn beams throughout parts of the house. Of interest is a single 2"x8"x7' beam (artifact) with the inscription, "Bruce Tallman, Brian Patterson, August 12, 1832" (possibly the builders) taken from an inside wall and preserved by the present owner.

The present owners are Harry and Francisca DeVries.



|  |  |
|--|--|
| <p style="text-align: center; font-size: 24px; margin: 0;">0695822</p> <p style="margin: 5px 0;">CERTIFICATE OF REGISTRATION<br/>NIAGARA N. (30) ST. CATHARINES<br/>LAND REGISTRAR</p> <p style="margin: 5px 0;">95 MAY 15 PM 12 20</p> <p style="margin: 5px 0;"><i>R. J. Ellis</i></p> <p style="margin: 5px 0;">New Property Identifiers <span style="float: right;">Additional:<br/>See Schedule <input type="checkbox"/></span></p> <p style="margin: 5px 0;">Executions <span style="float: right;">Additional:<br/>See Schedule <input type="checkbox"/></span></p> | <p>(1) Registry <input checked="" type="checkbox"/> Land Titles <input type="checkbox"/> (2) Page 1 of 4 pages</p>   |
|  | <p>(3) Property Identifier(s) Block Property Additional: See Schedule <input type="checkbox"/></p>   |
|  | <p>(4) Nature of Document<br/>By-law 95-59</p>   |
|  | <p>(5) Consideration<br/><br/>Dollars \$</p>   |
|  | <p>(6) Description<br/><br/>Part of Lot 22, Concession 6, formerly Township of Clinton, County of Lincoln, now Town of Lincoln, Regional Municipality of Niagara.<br/><br/>See Schedule.<br/><br/>As previously described in Instrument No. 303128</p>         |
|  | <p>(7) This Document Contains: (a) Redescription New Easement Plan/Sketch <input type="checkbox"/> (b) Schedule for: Description <input checked="" type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input checked="" type="checkbox"/></p> |
|  | <p>FOR OFFICE USE ONLY</p>   |

This Document provides as follows:

See Schedules

Continued on Schedule

(9) This Document relates to instrument number(s)

| (10) Party(ies) (Set out Status or Interest) |                     |                            |
|--|---------------------|----------------------------|
| Name(s)                                      | Signature(s)        | Date of Signature<br>Y M D |
| THE CORPORATION OF THE TOWN OF LINCOLN       |                     |                            |
| by its solicitor                             |                     |                            |
| Stuart Ellis                                 | <i>Stuart Ellis</i> | 1995 05 01                 |

(11) Address for Service 4800 South Service Road, Beamsville, Ontario LOR 1B1

| (12) Party(ies) (Set out Status or Interest) |              |                            |
|--|--------------|----------------------------|
| Name(s)                                      | Signature(s) | Date of Signature<br>Y M D |
|  |              |                            |
|  |              |                            |
|  |              |                            |

Address for Service

| <p>(14) Municipal Address of Property<br/>5567 Fly Road<br/>Beamsville, Ontario</p> | <p>(15) Document Prepared by:<br/>Stuart Ellis<br/>LAMPARD, ELLIS &amp; WALSH<br/>Barristers &amp; Solicitors<br/>51 Queen St., P.O. Box 338<br/>St. Catharines, Ontario<br/>L2R 6V5</p> | <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">Fees and Tax</th> </tr> <tr> <td style="width:50%;">Registration Fee</td> <td></td> </tr> <tr> <td> </td> <td></td> </tr> <tr> <td> </td> <td></td> </tr> <tr> <td><b>Total</b></td> <td></td> </tr> </table> | Fees and Tax |  | Registration Fee |  |  |  |  |  | <b>Total</b> |  |
|---|--|--|--------------|--|------------------|--|--|--|--|--|--------------|--|
| Fees and Tax  |  |  |              |  |                  |  |  |  |  |  |              |  |
| Registration Fee  |  |  |              |  |                  |  |  |  |  |  |              |  |
|   |  |  |              |  |                  |  |  |  |  |  |              |  |
|   |  |  |              |  |                  |  |  |  |  |  |              |  |
| <b>Total</b>  |  |  |              |  |                  |  |  |  |  |  |              |  |

THE CORPORATION OF THE TOWN OF LINCOLN

BY-LAW NO. 97-19

A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS THE BEAM - BARNES HOUSE, 5053 KING STREET, IN LOT 33, ON CORPORATION PLAN NO.3, FORMER TOWN OF BEAMSVILLE, NOW TOWN OF LINCOLN, AS BEING A STRUCTURE OF ARCHITECTURAL AND HISTORICAL VALUE OR INTEREST


WHEREAS:

1. Section 29 of the Ontario Heritage Act, R.S.O.1990, Chapter O.18, authorizes the Council of the municipality to enact by-laws to designate real property including all buildings and structures thereon to be of architectural or historical value or interest.
2. The Council of the Corporation of the Town of Lincoln has caused to be served on the owners of the lands and premises known as 5053 King Street, in the Town of Lincoln, 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 Lincoln Post Express, a newspaper having general circulation in the municipality once its publication of January 8, 1997.
3. The reasons for the designation are set out in Schedule "B" attached hereto, and forming part of this by-law.
4. No notice of objection to the proposed designation has been served on the Clerk of the municipality.

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF LINCOLN ENACTS AS FOLLOWS:

1. There is designated as being of architectural and historical value or interest the real property known as the Beam - Barnes House, 5053 King Street, Lot 33, on Plan C.P.3, former Town of Beamsville, now Town of Lincoln, more particularly described in Schedule "A" attached hereto, for the reasons as described in Schedule "B" attached hereto and forming part of this by-law.
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" attached hereto and forming part of this by-law.
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 Lincoln Post Express, a newspaper having general circulation in the municipality.

BY-LAW read a FIRST time this 17 day of February, 1997.  
BY-LAW read a SECOND time this 17 day of February, 1997.  
BY-LAW read a THIRD time and FINALLY PASSED this 17 day of February, 1997.

  
MAYOR: RAY A. KONKLE

  
CLERK: KYLE S. KRUGER

SCHEDULE "A"

Lot 33, Corporation Plan No.3, in the former Town of Beamsville,  
now in the Town of Lincoln, Regional Municipality of Niagara.

SCHEDULE "B"

**REASONS FOR DESIGNATION**

The property on which the house sits was originally granted by the Crown to Samuel Corwin in 1803. His wife was Anna Beam, daughter to Loyalist pioneer Jacob Beam. Her brother, Jacob Beam Jr, built the house some time between 1852 and 1855. It was sold to carriage maker James D. Bennett in 1870 and then later resold to his son-in-law William Fairbrother in 1895. Mr. Fairbrother was a goaltender for the Beamsville Senior Hockey team and is credited with using the first hockey goal nets in Canada in 1898. The house is presently owned by Robert and Linda Barnes.

The frame house is an early version of the Gothic Revival style, most probably inspired by plans found in Brown's "The Carpenter's Assistant", a book published in 1851. Notable features are sharply pitched gabled roofs and carved finials and cutout quatrefoils worked into the bargeboard on both the front facade and east wing. A simple, square-columned veranda covers the south-east enclave and front door which has a paned transom and sidelights. The tops of the slender, but widely framed windows are surrounded with shaped lintels and decorative keystones. These details, as well as those found in the interior woodwork of the front entry hall, staircase, study or bedroom and main parlour can be traced to a book by Oliver P. Smith called "The Domestic Architect", first published in Buffalo, NY, in 1852 and very popular in western New York and southern Ontario during the period that followed.

THE CORPORATION OF THE TOWN OF LINCOLN

BY-LAW NO. 01-38

A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS THE HOWARD HOUSE, 4271 QUEEN STREET, IN LOT 284, CORPORATION PLAN NO. 3, NOW TOWN OF LINCOLN AS BEING A STRUCTURE OF ARCHITECTURAL AND HISTORICAL VALUE OR INTEREST

WHEREAS:

1. Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, authorizes the Council of the municipality to enact by-laws to designate real property including all buildings and structures thereon to be of architectural or historical value or interest.
2. The Council of the Corporation of the Town of Lincoln has caused to be served on the owners of the lands and premises known as 4271 Queen Street, in the Town of Lincoln, 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 Grimsby/Lincoln News, a newspaper having general circulation in the municipality in its publication of March 28th, 2001.
3. The reasons for the designation are set out in Schedule "B" attached hereto, and forming part of this by-law.
4. No notice of objection to the proposed designation has been served on the Clerk of the municipality.

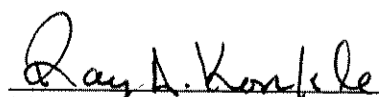
NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF LINCOLN ENACTS AS FOLLOWS:

1. There is designated as being of architectural and historical value or interest the real property known as The Howard House, 4271 Queen Street, Beamsville, Lot 284, C.P. #3, now Town of Lincoln, more particularly described in Schedule "A" attached hereto, for the reasons as described in Schedule "B" attached hereto and forming part of this by-law.
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" attached hereto and forming part of this by-law.
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 Grimsby/Lincoln News, a newspaper having general circulation in the municipality.

BY-LAW read a FIRST time this 7th day of May, 2001.

BY-LAW read a SECOND time this 7th day of May, 2001.

BY-LAW read a THIRD time and FINALLY PASSED this 7th day of May, 2001.

  
MAYOR: RAY A. KONKLE

  
CLERK: TROY J. MCHARG

SCHEDULE "A" TO BY-LAW NO. 01-38

Lot 284, Corporation Plan No. 3, now in the Town of Lincoln, Regional Municipality of Niagara.

**REASONS FOR DESIGNATION**

The property on which the house sits was originally granted by The Crown to Samuel Crowine in 1803. It was sold to Jacob Beam Jr, who in turn sold it in 1847 for Five Pounds a quarter acre, more or less, to the Niagara District Council "In trust for the use of a Common School in and for School Section No. 3 in the Township of Clinton". In subsequent transactions, the property was described as 'the old brick schoolhouse' until 1859 when the school population had increased beyond the one-room capacity. For many years the house was occupied by the Ryckman family until 1935 when it was bought by local merchant Walter Howard, who lived there until 1977. Mr. Howard and his first wife, Olive (who died in 1974) raised three children, Murray, Mariam and Greg in the house. Their son Greg continued to live there until 1988 when the house was sold to the Town of Lincoln. It is currently being used as the Adult Learning & Resource Centre for West Niagara.

Originally built as a school in 1847, the house is supported by a rubblestone foundation and hand-hewn beams. The exterior is composed of red bricks with common 6th course headers, a pitched gable roof, and large double-hung windows topped with segmented bricks and shutters on all sides. Two pairs of smaller windows can be found in both the front and back gables. Inside, there are hardwood floors and some of the original moldings, such as the 6 1/2" wide window sills and 9 1/2" baseboards. A summer kitchen was later added, closing in the back east wall.

THE CORPORATION OF THE TOWN OF LINCOLN

BY-LAW NO. 01-40

A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS THE WILLIAM D.KITCHEN HOUSE, LOTS 22 AND 23, CONCESSION 2, FORMER CLINTON TOWNSHIP, NOW TOWN OF LINCOLN AS BEING A STRUCTURE OF ARCHITECTURAL AND HISTORICAL VALUE OR INTEREST

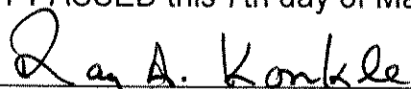
WHEREAS:

1. Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, authorizes the Council of the municipality to enact by-laws to designate real property including all buildings and structures thereon to be of architectural or historical value or interest.
2. The Council of the Corporation of the Town of Lincoln has caused to be served on the owners of the lands and premises known as 5600 King Street W, in the Town of Lincoln, 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 Grimsby/Lincoln News, a newspaper having general circulation in the municipality in its publication of March 21st, 2001.
3. The reasons for the designation are set out in Schedule "B" attached hereto, and forming part of this by-law.
4. No notice of objection to the proposed designation has been served on the Clerk of the municipality.

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF LINCOLN ENACTS AS FOLLOWS:

1. There is designated as being of architectural and historical value or interest the real property known as The William D.Kitchen House, 5600 King Street W, Beamsville, Lots 22 and 23, Concession 2, former Clinton Township, now Town of Lincoln, more particularly described in Schedule "A" attached hereto, for the reasons as described in Schedule "B" attached hereto and forming part of this by-law.
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" attached hereto and forming part of this by-law.
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 Grimsby/Lincoln News, a newspaper having general circulation in the municipality.

BY-LAW read a FIRST time this 7th day of May, 2001.  
BY-LAW read a SECOND time this 7th day of May, 2001.  
BY-LAW read a THIRD time and FINALLY PASSED this 7th day of May, 2001.

  
MAYOR RAY A.KONKLE

  
CLERK: TROY J.McHARG



SCHEDULE "A" TO BY-LAW NO. 01-40

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In the Town of Lincoln, in the Regional Municipality of Niagara (formerly in the Township of Clinton) being composed of:

FIRSTLY: Part of Lot No. 23 in the Second Concession of the said Township, described as follows:

COMMENCING at the southwest angle of said Lot No. 23;  
THENCE North 00 degrees, 23 minutes West in the Westerly limit of Lot No. 23, 439.5 feet to the stump of a maple tree;  
THENCE North 27 degrees, 37 minutes East, 2354.0 feet to an iron pin;  
THENCE North 51 degrees, 53 minutes West, 60.0 feet to an iron pin;  
THENCE North 26 degrees, 15 minutes East, 736.8 feet to an iron pin in the Easterly limit of said Lot No. 23 distant therein 57.9 feet on a course South 00 degrees, 27 minutes West from the Southerly boundary of King's Highway No. 8 as shown on Highway plan No. 116;  
THENCE South 00 degrees, 27 minutes West in the said Easterly limit of Lot No. 23, 851.4 feet to an iron pin;  
THENCE South 32 degrees, 38 minutes West, 322.1 feet to an iron pin;  
THENCE South 14 degrees, 33 minutes West, 2098.8 feet to a point in the Southerly boundary of said Lot No. 23;  
THENCE South 84 degrees, 10 minutes West, 660.4 feet to the place of beginning.

SECONDLY: part of Lot No. 23 in the Second Concession of the said Township, described as follows:

COMMENCING at the Southwest angle of said Lot No. 23;  
THENCE North 84 degrees, 10 minutes East in the Southerly boundary of said Lot No. 23, 660.4 feet to the place of beginning of the herein described property;  
THENCE North 84 degrees, 10 minutes East continuing in said last mentioned boundary, 483.4 feet more or less to an iron pin in the Westerly boundary of the Thirty Mountain Road;  
THENCE North 28 degrees, 12 minutes East, 73.6 feet to a point;  
THENCE North 21 degrees, 14 minutes East, 206.1 feet to a point;  
THENCE North 39 degrees, 43 minutes East, 153.3 feet to a point in the Easterly boundary of said Lot No. 23;  
THENCE North 0 degrees, 27 minutes East in the Easterly boundary of Lot No. 23, 1880.6 feet to an iron pin;  
THENCE South 32 degrees, 38 minutes West, 322.1 feet to an iron pin;  
THENCE South 14 degrees, 33 minutes West, 2098.8 feet more or less to the place of beginning

Firstly and Secondly as previously described in No. 752418.

THIRDLY: Part of the road allowance between Township Lots 22 & 23, Concession 2 of former Township of Clinton designated as Part 1 30R-9551.

FOURTHLY: Part of Lot 22, Concession 2 Clinton designated as Part 2 30R-5252.

FIFTHLY: Part of road allowance between Township Lots 22 & 23, Concession 2 Clinton designated as Part 1 30R-9863.

**REASONS FOR DESIGNATION**

The property on which the house sits was a Crown Grant of 52 acres to a loyalist from New Jersey named William W.Kitchen around 1790. He married Alice Beam and together they had nine children. William and Alice's youngest son, Jacob married Jane Dennis. Their only son, William Dennis Kitchen married Margaret Henry and built the house in 1885 on the bench of the escarpment, just west of Thirty Mile Creek. Purchased by the Longwell family in the 1920's, Doug and Jean Longwell continued to live there until the 1980's. Since 1999, the house has been owned and restored by Norman and Sherry Beal, who have transformed the property into an estate winery.

The house was built in the Queen Anne style with red bricks-running bond at front, common 6th course flemish header at back. There is an impressive turret with square and rounded cedar singles, topped with a finial on the northeast side, two tall corbeled chimneys, and a hipped roof with flat belvedere. The gables have carved brackets and bargeboard with tall bay windows, all topped with segmental arches and decorative keystones. The front porch has an overhead balcony, and like the side porches, features turned posts, balustrades, spandrels and brackets.

The front interior foyer features a pair of french doors with beveled glass in the upper sash, a glassed-in pocket door, a cherrywood staircase with carved stringer decorations, turned balusters, newel post and cap, corner balustrades and a curved handrail. Throughout the home are grained red pine floors, baseboards, fluted window and door frames with corner rosettes.