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# NOTICE OF PASSING OF DESIGNATING BY-LAW 164-15



**DATE: NOVEMBER 5, 2015**

**CONTACT PERSON** is Marcus Davidson 519-442-6324 ext. 3018 Fax: 519-442-3461 to view the application, supporting documents and draft by-law. Email: [marcus.davidson@brant.ca](mailto:marcus.davidson@brant.ca)

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The Municipality of the County of Brant hereby gives notice of passing of by-law 164-15 to designate a Camperdown Elm (also known as an *Ulmus glabra camperdownii*) on a property located at 19 Beverly Street, Plan 81, Blk E, Part lot 19, Geographic Township of South Dumfries, County of Brant, Ontario under Part IV of the Ontario Heritage Act.

**AND WHEREAS** the Notice of Intention to designate a tree located at 19 Beverly Street in the geographic Township of St. George, County of Brant was served on the owner of the property, the Ontario Heritage Trust, and was published in the Brant News as required by the Ontario Heritage Act;

No notice of objection was filed within the 30-day period under subsection (6), the council of the municipality of the proposed designating by-law described in subsection. 2005, c. 6, s. 20 (5).

Notice of passing of the by-law was published in the Brantford Expositor on November 5, 2015, a copy of the by-law and the notice were then forwarded to the Ontario Heritage Trust and to the owner of the property.

**BY-LAW NUMBER 164-15**

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**THE CORPORATION OF THE COUNTY OF BRANT**

To designate a Camperdown Elm also known as a *Ulmus glabra camperdownii*, on a property located at 19 Beverly Street East, St. George, Geographic Township of South Dumfries, County of Brant, Ontario under Part IV of the Ontario Heritage Act.

**WHEREAS** a request was received by The County of Brant Heritage Committee from the owners of the land described as, Plan 81, Block E, Part Lot 19, in the Geographic Township of South Dumfries, County of Brant, to designate a Camperdown Elm (*Ulmus glabra camperdownii*) located at 19 Beverly St., St. George, under Part IV of the Ontario Heritage Act.

**AND WHEREAS** the Ontario Heritage Act empowers a Council of a municipality to pass by-laws to designate trees of significant age, size, species, rarity or historical connection under Part IV of the Ontario Heritage Act.

**AND WHEREAS** the Notice of Intention to designate a Camperdown Elm (*Ulmus glabra camperdownii*) located at 19 Beverly Street, St. George, in the geographic Township of South Dumfries, County of Brant was served on the owner of the property, the Ontario Heritage Trust, and was published in the Brant News as required by the Ontario Heritage Act;

**AND WHEREAS** the reasons for designation are attached as Schedule "A" to the by-law;

**AND WHEREAS** no objection to the notice of designation has been received by the Clerk or the Municipality;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE COUNTY OF BRANT HEREBY ENACTS** as follows:

1. **THAT** the identified Camperdown Elm (*Ulmus glabra camperdownii*) located at 19 Beverly Street, St. George geographic Township of South Dumfries, PIN 32035-0483 County of Brant, be designated under Part IV of the Ontario Heritage Act as an Camperdown Elm with significant size and age as described under Schedule "A" attached to this by-law;
2. **THAT** a copy of this by-law, together with its Schedule be registered against the title of the lands in the Land Registry Office for the County of Brant and shall serve a copy of the by-law together with its schedules to the owner of the land and the Ontario Heritage Trust and to publish a notice of the passing of this by-law in the Brant News.

**READ** a first and second time, this 27<sup>th</sup> day of October, 2015.

**READ** a third time and finally passed in Council, this 27<sup>th</sup> day of October, 2015.

**THE CORPORATION OF THE COUNTY OF BRANT**

**CERTIFIED TO BE  
A TRUE COPY**

Heather Boyd  
Clerk  
COUNTY OF BRANT

Date: October 28, 2015

R.E. Eddy  
R.E. Eddy, Mayor

Heather Boyd  
Heather Boyd, Clerk

BY-LAW NUMBER 164-15

Schedule A

Reasons for Designation

The identified Camperdown Elm tree (*Ulmus glabra camperdownii*) located at 19 Beverly Street, Plan 81, Blk. E, Part Lot 19, St. George, Geographic Township of South Dumfries, County of Brant, Ontario is a rare example of a cultivar (a race or variety of a plant that has been created or selected intentionally and maintained through cultivation) and can only be created by grafting two species together and cannot reproduce from seed. Although more common now, trees of this age, which is believed to be in excess of 145 years, are thought to have come from the original seedlings developed by the head forester David Taylor at Camperdown House near Dundee Scotland in the 1800's. Taylor discovered a mutant contorted branch growing along the ground in the forest at Camperdown House. Taylor grafted part of the branch to the trunk of a Wych Elm (*Ulmus glabra*) although Dutch Elm, Siberian Elm and English Elm can also be used. Of the original 1,000 trees, a few made their way to the North American continent via sailing ships bringing immigrants from the United Kingdom. Because of Dutch Elm disease, which decimated the species in mid-century, many of them did not survive to reach this age.