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THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 2172 (2000)

Being a by-law to designate the Comfort Maple Tree
in the Town of Pelham, of historic or architectural
value or interest.

WHEREAS the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, authorizes the Council of a municipality to enact by-laws to designate real property, including all the buildings and structures thereon, to be of historic or architectural value or interest;

AND WHEREAS the Council of the Corporation of the Town of Pelham has caused to be served upon the owner of the lands premises municipally known as 1732 Cream Street, commonly known as the Comfort Maple, 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 a newspaper, having general circulation in the municipality.

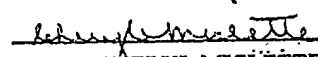
AND WHEREAS no Notice of Objection to the proposed designation was served on the Clerk of the Town of Pelham;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

- (1) That the real property, more particularly described in Schedule "A" attached hereto and forming part of this by-law, known as the Comfort Maple, in the Town of Pelham, be designated as being of historic or architectural value or interest.
- (2) That the said designation shall not prevent the Niagara Peninsula Conservation Authority from performing normal maintenance of the tree and grounds in accordance with the agreement dated April 17, 1961 between Edna Eleanor Comfort and The Niagara Peninsula Conservation Authority, registered on title on August 16, 1961 as Instrument No. 58937A.
- (3) The Clerk is hereby authorized to cause a copy of this by-law to be served upon the owner of the aforesaid property and upon the Ontario Heritage Foundation and to cause notice of this By-law to be published in a newspaper having general circulation in the Town of Pelham.
- (4) The Town's Solicitor is hereby authorized to cause a copy of this by-law, together with the reasons for the designation attached hereto as Schedule "B" and forming part of this by-law, to be registered against the property described in said Schedule "A" attached hereto in the proper Land Registry Office.

READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED BY COUNCIL THIS
5TH DAY OF JUNE, 2000


MAYOR RALPH BEAMER


CLERK CHERYL MICLETTE

SCHEDULE "A"

LEGAL DESCRIPTION

Part of Lot 12, Concession 6,
designated as Part 2 on Plan 59R-4007, being Part of PIN 64035-0092(R)
Town of Pelham, formerly Township of Pelham, Regional Municipality of Niagara

SCHEDULE " B "

REASON FOR THE DESIGNATION

The Town of Pelham is indeed fortunate to have a tree such as the Comfort Maple in our community. It has strong historical significance and is believed to be the oldest and largest sugar maple tree in Canada. The Comfort Maple has been on the Honour Roll of Trees of the Ontario Forestry Association for more than 20 years. In 1974 the tree was recognized by the International Shade Tree Growers Association, who also commended the N.P.C.A. for their vision and foresight in preserving the Comfort Maple for posterity.

The Comfort Maple is a Pelham Landmark; its importance and significance have been recognized through its use on the front of Pelham's tourism brochure for 1999 and has been incorporated into the Coat of Arms for the Town of Pelham since 1979 as a symbolic emblem of Pelham's place in Canada.

The Comfort family owned the land where the Comfort Maple stands since 1816. Robert Comfort was a UEL (United Empire Loyalist); originally the land belonged to Major David Secord of St. David's, brother-in-law of Laura Secord, and the Comfort Maple was part of a 100 acre Crown Grant to Secord in 1808.

The tree is a source of pride for the Comfort family, the citizens of Pelham, the Niagara Region and beyond. The designation of this tree is an opportunity for the Town of Pelham to officially recognize the contributions of volunteer groups and individuals such as the Niagara Peninsula Conservation Authority, the Comfort family, and the current owner of the Comfort Maple, Dr. Paul Coyne, who have given so much to the community.