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CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

Provincial Heritage Registrar

Ontario Heritage Trust
10 Adelaide Street East
Toronto, Ontario
M5C 1J3

August 22, 2024

RECEIVED
2024/08/22
(YYYY/MM/DD)
Ontario Heritage Trust

RE: **Notice of Passing of Designation By-Laws for Eleven (11) Properties within the Town of Essex under Section 29 of the Ontario Heritage Act**

At their regular meeting on Monday August 12, the Council for the Corporation of the Town of Essex passed the following By-Laws to designate eleven (11) properties under section 29 of the Ontario Heritage Act. The following is a list of those By-laws:

1. By-Law Number 2350 to Designate 190 Bagot Street (Colchester Christ Church)
2. By-Law Number 2351 to Designate 0 Sullivan Street (Colchester Christ Church Cemetery)
3. By-Law Number 2352 to Designate 179 County Road 50 (John Snider House)
4. By-Law Number 2353 to Designate 120 Talbot Street North (Grace Baptist Church)
5. By-Law Number 2355 to Designate 54 Talbot Street South (Dr. Robert B. Potts House)
6. By-Law Number 2356 to Designate 138 Albert Street (Charles Roberts House)
7. By-Law Number 2357 to Designate the Africa Methodist Episcopal/New Canaan Cemetery
8. By-Law Number 2359 to Designate 4005 County Road 11 (Central Grove African Methodist Episcopal Church)
9. By-Law Number 2360 to Designate 11 King Street West (E.F. Darby's Drugstore)
10. By-law Number 2361 to Designate 3 King Street West (John McAfee's General Store)
11. By-Law Number 2362 to Designate 44 King Street East (Former Harrow Municipal Building)

The By-Laws including the Statement of Cultural Heritage Value and Interest are attached.

Objection to the Designation By-Law

Any person who objects to the by-law may appeal to the Ontario Land Tribunal by giving the Tribunal and the clerk of the municipality, by **Monday September 30**, a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee charged by the Tribunal.

Please feel free to contact the undersigned should you have any questions.

Yours truly,

Rita Jabbour

Rita Jabbour, RPP



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33 Talbot Street South, Essex, Ontario, N8M 1A8

p: 519.776.7336 f: 519.776.8811 | essex.ca

Manager, Planning Services

rjabbour@essex.ca

519.776.7336 ext. 1112

c.c. Joseph A. Malandruccolo, Director, Legal and Legislative Services/Clerk

jmalandruccolo@essex.ca

519.776.7336 ext. 1132

The Corporation of the Town of Essex

By-Law Number 2351

Being a By-Law to designate the Christ Church Cemetery located on Sullivan Street in Colchester, more particularly described as PLAN 18 LOTS 3&4 PT LOT 2 E/S BAGOT PT LOTS 2 TO 4 & W/S CLITHEROW, as being of cultural heritage value or interest under the provisions of the Ontario Heritage Act, R.S.O. 1990, c.O.18.

WHEREAS Section 29 of the Ontario Heritage Act, R.S.O., Chapter O.18, authorizes the Council of a municipality to enact By-Laws to designate real property within the municipality, including all buildings and structures thereof, to be of cultural heritage value or interest;

AND WHEREAS the Council of the Corporation of the Town of Essex deems it desirable to designate the Chirt Church Cemetery located on Sullivan Street in Colchester, more particularly described as PLAN 18 LOTS 3&4 PT LOT 2 E/S BAGOT PT LOTS 2 TO 4 & W/S CLITHEROW, as being of cultural heritage value and interest;

AND WHEREAS Notice of Intention to Designate the Christ Church Cemetery has been served on the owner of the property and on the Ontario Heritage Trust and such notice was published in the Essex Free Press and Harrow News, newspapers having general circulation in the municipality;

AND WHEREAS the reasons for designation are set out in Schedule 'B' attached to 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 be it resolved that the Council of The Corporation of the Town of Essex hereby enacts as follows:

1. **That** the real property known as the Christ Church Cemetery located on Sullivan Street in Colchester, more particularly described as PLAN 18 LOTS 3&4 PT LOT 2 E/S BAGOT PT LOTS 2 TO 4 & W/S CLITHEROW, is hereby designated as being of cultural heritage value and interest.
2. **That** the Clerk is hereby authorized and instructed to register a copy of this By-Law against the property described in Schedule 'A', attached hereto, in the local Land Registry Office.
3. **That** the Clerk/or his/her designate, is hereby authorized to cause a copy of the By-Law to be served on the owner of the aforesaid property and on the Ontario Heritage Trust and to cause Notice of this By-law to be published in the Essex Free Press and in the Harrow News.
4. **That** the effective date of this By-Law shall be the date of final passage thereof.

Read a first, a second and a third time and finally passed on August 12, 2024.

Mayor

Clerk

SCHEDULE 'A' TO BY-LAW 2351

**Christ Church cemetery
0 Sullivan Street, Colchester, Ontario**

Legal Description

PLAN 18 LOTS 3&4 PT LOT 2 E/S BAGOT PT LOTS 2 TO 4 & W/S CLITHEROW

SCHEDULE 'B' TO BY-LAW 2351

Reasons for Designation Under the Ontario Heritage Act, R.S.O. 1990, Chapter O.18

Christ Church Cemetery

General Description of Property

0 Sullivan Street is located on the southern side of Sullivan Street, opposite Christ Church (190 Bagot Street), at the intersection of Bagot Street and Sullivan Street, in the Hamlet of Colchester, in the Town of Essex.

Description of Property that has Cultural Heritage Value or Interest

The area of the property that demonstrates cultural heritage value or interest is the area that includes the cemetery and the 1957 Christ Church Memorial Chapel.

Statement of Cultural Heritage Value or Interest

Historical/Associative Value

The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.

The Christ Church Cemetery is the final resting place of Colchester's earliest settlers and settler families with the earliest headstone dating back to the early 19th century. Alongside this, the Christ Church cemetery has direct associations with the Christ Church, having been the site of the original Christ Church built in 1820 and dedicated in 1821. Christ Church is a significant spiritual pillar for the Community of Colchester. The Christ Church cemetery includes a replica chapel of the original Church that was lost to erosion in the late 19th century. The replica was built in 1957 using limestone from the ruins of the original church. An engraved stone marks the location of the original church on the cemetery lands.

The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture

The Christ Church cemetery yields and has the potential to yield information that contributes to an understanding of the Colchester and Harrow communities. Interred at the cemetery are members of the area's earliest families including, but not limited to, the Levergood, Brush, Pardo, Wright, and Adams families. This site is representative of the relationships that were present between the early settler families. It also has the potential to yield information about the types of burials and headstones that were common throughout the decades, and past members of the Christ Church congregation.

Contextual Value

The property has contextual value because it is important in defining, maintaining or supporting the character of an area.

The Christ Church cemetery is located within the area of the Christ Church (Built in 1876) and the Colchester Schoolhouse (built in 1881). Together, these buildings and cultural landscapes comprise the location of the area's earliest spiritual and educational institutions. The location of the Christ Church cemetery helps maintain and define the historical character of the area.

The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings and because it has

The Christ Church cemetery retains its contextual value because it is historically, functionally, and visually linked to its surroundings, specifically with the Christ Church located at 190 Bagot Street (built in 1876); the Colchester Schoolhouse (built in 1881); and, Lake Erie. It still serves as an active cemetery for members of the Christ Church congregation and helps preserve the history of some of the areas earliest settler families.

Description of Heritage Attributes

The key heritage attributes that contribute to the historical/associative value that has direct associations with the institution of Christ Church and persons interred at the cemetery which have significance to the community, includes:

- The Cemetery's location at the southern side of Sullivan Street and parallel to the banks of Lake Erie; and,
- The 1957 limestone Christ Church Chapel existing on the cemetery lands, including the chapel's roof line, window openings, limestone brickwork, and large cross carving on the eastern wall of the chapel above the entrance.

The key heritage attributes that contribute to the historical and associative value which yield, or has the potential to yield, information that contributes to the understanding of the Colchester community and culture, includes:

- All existing burials and headstones.

The key heritage attributes that has contextual value that is important in defining, maintaining and supporting the character of the area includes:

- Its location adjacent the Christ Church at 190 Bagot Street and the Colchester Schoolhouse at 195 Bagot Street.

The key heritage attributes that contribute to the contextual value of the Christ Church Cemetery that are physically, functionally, visually or historically linked to its surroundings includes:

- The location of the cemetery adjacent to the Christ Church at 190 Bagot Street
- The grave markers identifying the final resting place of Colchester's earliest settlers and their families
- Shared burial pattern symbolic of collaboration between Colchester's settler families and of a large religious community
- Location, mass, form, and style of the limestone 1957 replica chapel
- Location of all existing burials and headstones.