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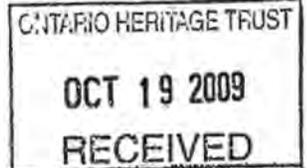
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Legal & Legislative Services



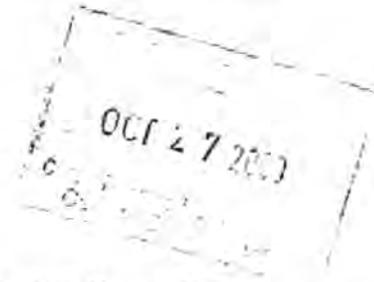
October 14, 2009
File No. 310701

VIA REGULAR MAIL
(and Email to: Amanda.Dench@heritagetrust.on.ca)

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

Attention: Amanda Dench, Executive Secretary

Dear Ms. Dench:



**Re: Notice of Intention to Designate under the *Ontario Heritage Act*
1550 Point Abino Road South - Point Abino Lighthouse Keeper's Dwelling**

Further to our letter dated September 9, 2009, please be advised that at the Regular Council meeting held on September 13, 2009, the Municipal Council of the Town of Fort Erie passed By-law No. 133-09 to designate the Point Abino Lighthouse Keeper's Dwelling under Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18, as amended as being of cultural heritage value or interest for its historical and contextual value. A copy of the said By-law is enclosed for your records, and will be registered on the title to the property.

Thank you for your attention in this matter.

Yours very truly,

Carolyn J. Kett, A.M.C.T.

Town Clerk

ckett@forterie.on.ca

CJK/cs

Enclosure

cc: Dave Heyworth, Senior Policy Planner

Our Focus: Your Future

Mailing Address:

The Corporation of the Town of Fort Erie
Municipal Centre, 1 Municipal Centre Drive
Fort Erie, Ontario, Canada L2A 2S6

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**The Municipal Corporation of the
Town of Fort Erie**

BY-LAW NO. 133-09

**BEING A BY-LAW TO DESIGNATE 1550 POINT ABINO ROAD
SOUTH (POINT ABINO LIGHTHOUSE KEEPER'S DWELLING) AS
BEING OF CULTURAL HERITAGE VALUE OR INTEREST**

WHEREAS Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, as amended, authorizes the council of a municipality to pass a by-law to designate a property within the municipality to be of cultural heritage value or interest, and

WHEREAS the Corporation of the Town of Fort Erie is the registered owner of the Point Abino Lighthouse Keeper's Dwelling, municipally known as 1550 Point Abino Road, (the "property"), and

WHEREAS at the Council-in-Committee meeting held on August 10, 2009, the Municipal Council of the Town of Fort Erie approved the Museum and Cultural Heritage Committee's request through Report No. CDS-052-09 to designate the property as being of cultural heritage value or interest for its historical and contextual value, under the *Act*, and

WHEREAS notice of intention to designate the property as required under Section 29(3) of the aforesaid *Act* was served on the Ontario Heritage Trust, and was published in *The Times*, a newspaper having general circulation in the Town of Fort Erie, on September 12, 2009, and

WHEREAS no notice of objection to the proposed designation has been served on the Clerk of the Municipality, and

WHEREAS it is deemed desirable to designate the property as being of cultural heritage value or interest for its historical and contextual value, under the *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, as amended;

NOW THEREFORE the Municipal Council of The Corporation of the Town of Fort Erie hereby enacts as follows:

1. **THAT** the Point Abino Lighthouse Keeper's Dwelling and property municipally known as 1550 Point Abino Road South, in the Town of Fort Erie, and legally described as Part of Lot 32, Broken Front Concession Lake Erie, former Township of Bertie, now in the Town of Fort Erie, designated as Part 1, 59R-11548, being all of PIN 64177-0273 (R) is hereby designated as being of cultural heritage value or interest for its historical and contextual value, under the *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, as amended, for the reasons set out in the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Schedule "A" and forming part of this by-law.
2. **THAT** the Clerk shall comply with Section 29(6)(a) of the *Act* with respect to the giving and publishing of notice of the passage of this by-law, and registration of the by-law against the property in the proper land registry office.

3. **THAT** pursuant to the provisions of Sections 23.1 to 23.5 inclusive of the Municipal Act, 2001, as amended, the Clerk of the Town of Fort Erie is hereby authorized to effect any minor modifications or corrections solely of an administrative, numerical, grammatical, semantical or descriptive nature or kind to this by-law or its schedules as such may be determined to be necessary after the passage of this by-law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 13th DAY OF OCTOBER, 2009.



MAYOR



CLERK

I, the Clerk, Carolyn J. Kett, of The Corporation of the Town of Fort Erie hereby certify the foregoing to be a true certified copy of By-law No. 133-09 of the said Town. Given under my hand and the seal of the said Corporation this day of _____, 2009.

SCHEDULE "A"
TO BY-LAW NO. 133-09

Statement of Cultural Heritage Value or Interest

The Point Abino Lighthouse Keeper's Dwelling's cultural heritage value lies in its historical and contextual value due to its construction in association with the Point Abino Lighthouse National Historical Site of Canada on Lake Erie, and its occupation by keepers responsible for the operation of the Lighthouse from 1918 until the Lighthouse was decommissioned in 1995.

The Point Abino Lighthouse and Keeper's Dwelling, which comprises the Light Station, is intimately associated with the maritime history of Canada. The Great Storm of 1913 and the loss of the lightship LV82 (the U.S. Buffalo) and six crew members led directly to the construction of the Light Station. The Light Station is closely tied to the development of the Great Lakes transportation corridor and the growth of the shipping industry, which in turn led to major development in the Niagara Region and points west.

The Lighthouse Keeper's Dwelling was sited in close proximity to the Point Abino Lighthouse to give the keepers who resided in the dwelling an unobstructed view of the Lighthouse and Lake Erie, by means of strategically placed windows and the open yard area around the dwelling. It was built in the Arts and Crafts style and designed specifically to be sympathetic to the design of the lighthouse while fitting in with the upscale nature of the neighbourhood. It was a federal requirement that all Light Stations fly the Canadian flag. The flag pole remains, as does the original shore wall constructed by the Keeper in 1939 to protect the dwelling and the property.

Description of Heritage Attributes

Key exterior attributes that embody the historical and contextual value of the Point Abino Lighthouse Keeper's Dwelling to the Point Abino Lighthouse National Historic Site include:

- low-slung, interpenetrating rooflines
- exposed wooden rafters and wooden brackets supporting the rooflines and oriel windows
- different shaped and sized multi-paned windows and window groupings
- original multi-paned windows
- original exterior doors
- grey pebble-dash stucco exterior
- brick chimney with concrete cap
- covered front entrance
- original interior lake side porch

Key interior attributes that embody the historical and contextual value include:

- regular and coved red unglazed brick fireplace surround
- original interior windows

Other attributes on the property that embody the historical and contextual value include:

- stone retaining wall constructed along the beach by the Keeper in 1939
- flagpole
- open yard area around the dwelling