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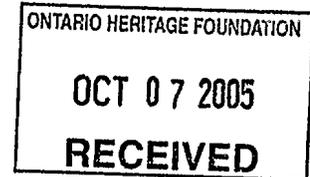
# CORPORATION OF THE TOWN OF KINGSVILLE

2021 Division Road North  
Kingsville, Ontario N9Y 2Y9

Phone: (519) 733-2305

FAX: (519) 733-8108

October 4, 2005



Ontario Heritage Trust  
3<sup>rd</sup> Floor  
10 Adelaide St. East  
TORONTO, ON M5C 1J3

Dear Sirs:

**RE: Ontario Heritage Act  
Heritage Designation—Negro Cemetery, Kingsville**

In accordance with the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, enclosed please find certified copy of By-law 83-2005 of the Town of Kingsville, which is being served upon you in accordance with Section 29(6) of the said Act.

Yours truly,

Linda Burling, Clerk  
LB/sjk

Encl.

**BY REGISTERED MAIL**

CERTIFICATE

I hereby certify the following to be a true and correct copy of By-law 83-2005 of The Corporation of the Town of Kingsville, the same having been compared by me with the original.  
DATED at Kingsville, Ontario this 30th day of September, 2005.

  
Linda Burling, Clerk  
The Corporation of the Town of Kingsville

**THE CORPORATION OF THE TOWN OF KINGSVILLE**

**BY-LAW 83 - 2005**

*Being a by-law to designate a certain property,  
known as the Negro Cemetery, as being of  
cultural heritage value or interest under the  
provisions of the Ontario Heritage Act, R.S.O.  
1990, c.O.18 as amended*

**WHEREAS** Section 29 of the *Ontario Heritage Act* authorizes the council of a municipality to enact by-laws to designate real property, including all the buildings and structures located thereon, to be of cultural heritage value or interest;

**AND WHEREAS** the Council for The Corporation of the Town of Kingsville has consulted with the Kingsville Municipal Heritage Advisory Committee with respect to the designation of the Negro Cemetery as being of cultural heritage value or interest;

**AND WHEREAS** authority was granted by Council to designate such property;

**AND WHEREAS** the Council for The Corporation of the Town of Kingsville has caused to be served upon the owners of the lands known as the Negro Cemetery and upon the Ontario Heritage Foundation, Notice of Intention to designate the property and has caused the Notice of Intention to be published in a newspaper having general circulation in the municipality as required by the *Ontario Heritage Act*;

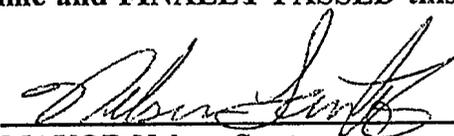
**AND WHEREAS** the reasons for designation are set out in Schedule "A" to this By-law;

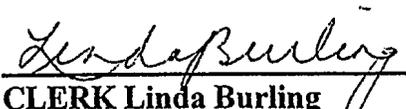
**AND WHEREAS** no notice of objection to the proposed designation has been served on the Clerk for The Corporation of the Town of Kingsville.

**NOW THEREFORE** the Council for The Corporation of the Town of Kingsville enacts as follows:

1. That the property known as the Negro Cemetery, more particularly described in Schedule "B" and shown on Schedule "C" attached to this by-law is hereby designated as being of cultural heritage value or interest under Part IV of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as amended.
2. That the municipality's solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule "B" to this by-law in the proper Land Registry Office;
3. That the Clerk of The Corporation of the Town of Kingsville is hereby authorized to cause a copy of this by-law to be served upon the owners 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 Corporation of the Town of Kingsville as required by the *Ontario Heritage Act*.
4. That Schedules "A", "B" and "C" form an integral part of this by-law.

**READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 12<sup>th</sup> day of September, 2005.**

  
MAYOR Nelson Santos

  
CLERK Linda Burling

**Schedule "A" to By-law 83-2005 of  
The Corporation of the Town of Kingsville**

**Reasons for Designation**

**Negro Cemetery  
Division Road North, Town of Kingsville**

The property described as Part of Lot L, Concession 3, Town of Kingsville, being a physical remnant of the early Black community, is the only known African-Canadian Cemetery in the Town of Kingsville. Typical of Ontario farm pioneer burial grounds, the Negro Cemetery is associated with the defunct Shiloh Baptist Church on Concession 3 West of Division Road North. This cemetery has historical significance internationally in that it was associated with the underground railroad that brought fugitive slaves from the southern United States to freedom in Canada.

Among the Black pioneers interred here is George Ryers, who died in 1901 at age 80. He came to Canada from the Southern United States slave states. His son, Joseph, who died in 1924 is also buried here. Other Black pioneers, including members of the Williams, Henderson, Lyons, Dennis and Chapman families, are also buried here.

In 1837, the land was purchased by John W. Williams, the first Black landowner in Gosfield, as the area now encompassed by the Town of Kingsville was known. Williams purchased the property in 1837 from Reverend Richard Herrington, a preacher who founded the Baptist faith in the local area.

Abutting landowners have always been careful not to work the land, but oral history has it that pigs from a neighbouring farm got loose one day and toppled the headstones that once marked the graves.

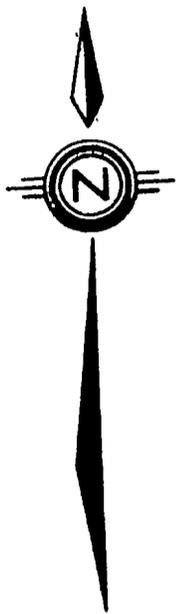
The heritage attributes of the property consist of:

The 35-foot x 59-foot cemetery site nestled between tracts of farmland has fieldstone placed around its perimeter to delineate it from surrounding lands. The cemetery site, the headstones belonging to the cemetery and the remains of those headstones located thereon, the newly-placed granite monument marker identifying the known burials, the existing wood fence posts and/or holes of removed fence posts, and the fieldstone, all should remain protected and undisturbed in their current location, disinterments should be strictly prohibited, and the maintenance of the grounds should serve to forever document the historical significance of this important site. The laneway making the cemetery accessible from Division Road North was restored in June 2005.

**Schedule "B" to By-law 83-2005 of  
The Corporation of the Town of Kingsville**

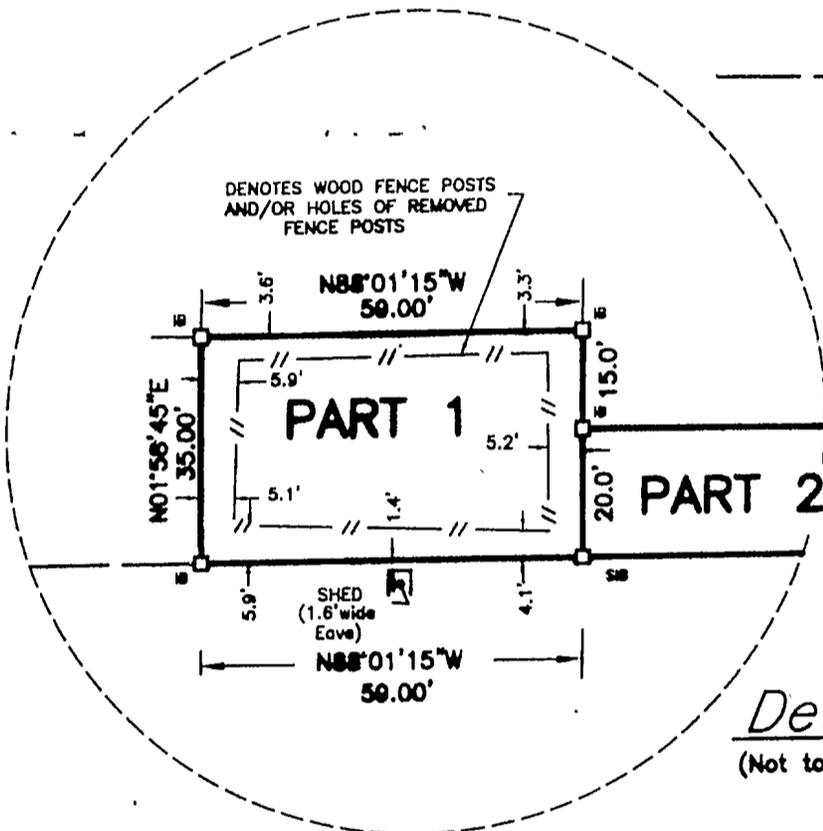
**Description:**

Part of Lot L, Concession 3, Western Division, Geographic Township of Gosfield South, now in the Town of Kingsville, in the County of Essex and Province of Ontario and now designated as Part 1 on a plan of survey deposited in the Land Registry Office for the Land Titles Division of Essex (12) as Plan 12R-22076.

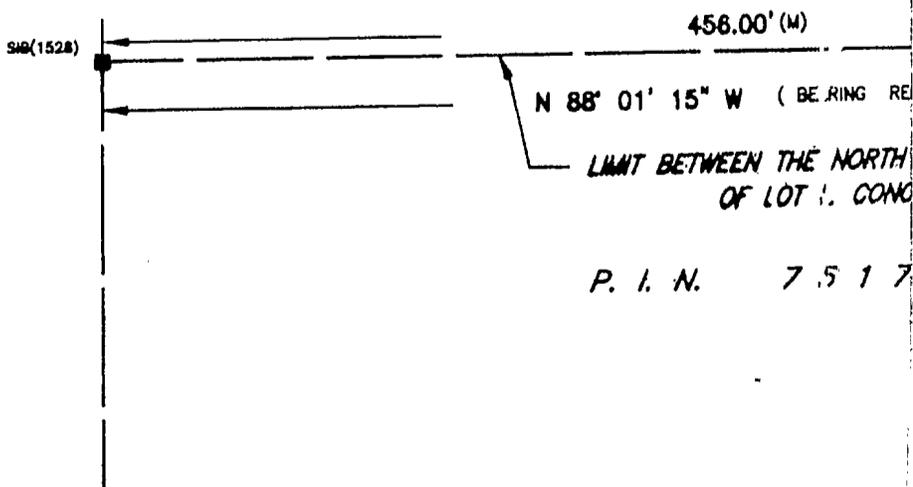


**BEARING REFERENCE**

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERN LANDS DESIGNATED AS PART 1 AS SHOWN ON PLAN 12R-410 AND BEARING OF N 88° 01' 15" W.



*Detail*  
(Not to Scale)



**"IMPERIAL"** DISTANCES SHOWN ON THIS PLAN ARE IN FEET AND CAN BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048

ESSEX COUNTY  
(ROAD ALLOWANCE BETWEEN)

WESTERN LIMIT OF  
CONCESSION 3 AND HAVING A

Southern Limit of Essex County  
as widened by Instrument

Concession 3, Western

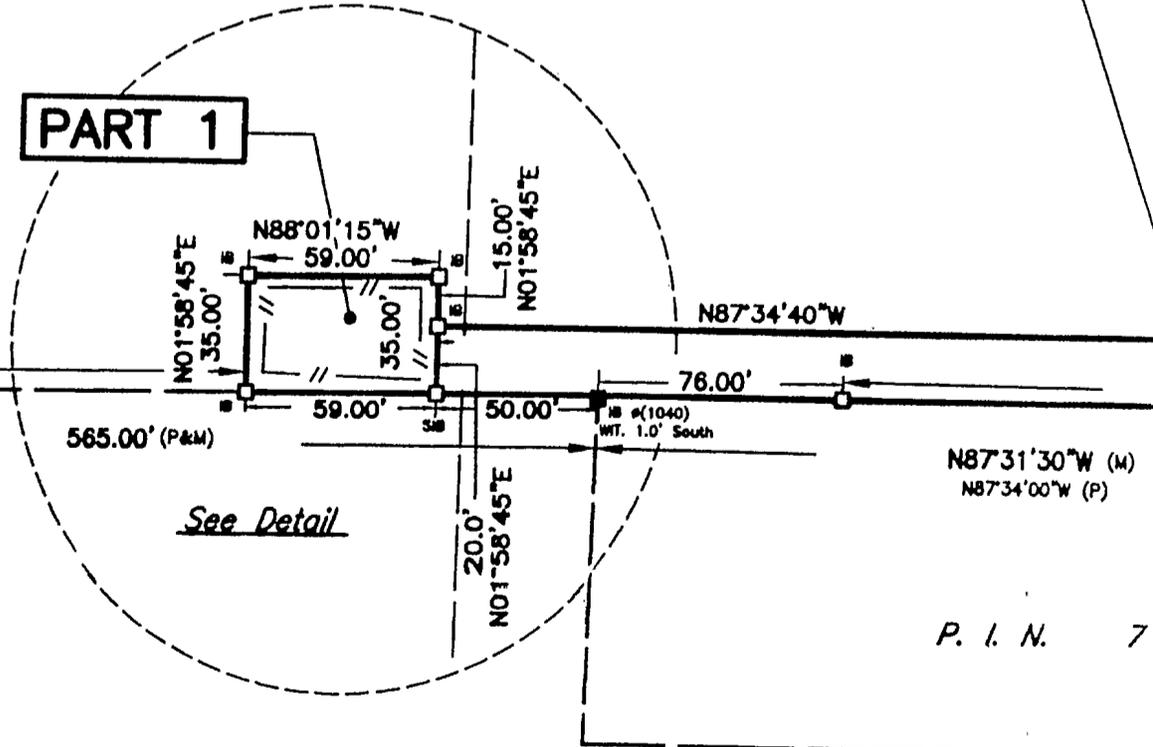
Lot L

Lot

P. I. N. 75170 - 0050 (LT)

Part 1, Plan 12R - 14356

**PART 1**



REFERENCE )  
NORTH HALF AND SOUTH HALF  
CONCESSION 3

70 - 0086 (LT)

P. I. N. 7

Part 1, Plan 12R - 8410

ROAD 18  
 CONCESSIONS 3 & 4)

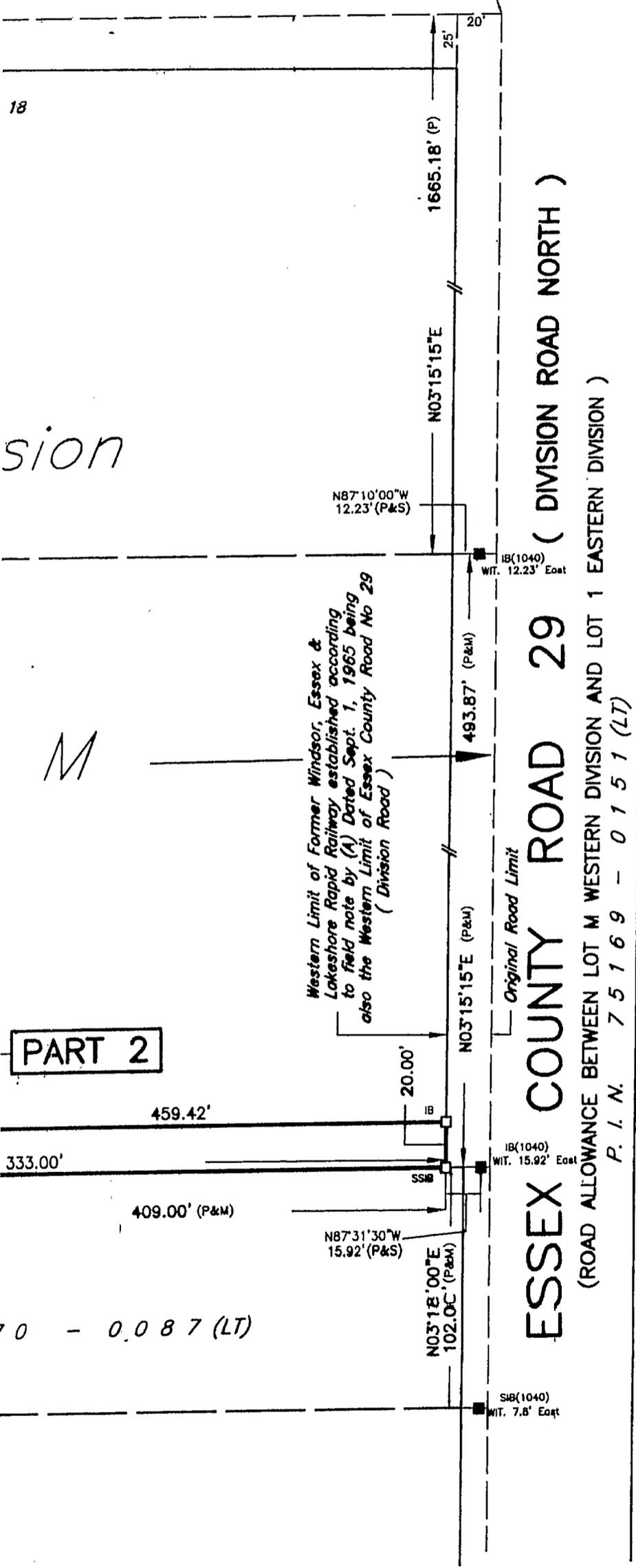
Northeast Corner of  
 Lot M, Concession 3

18

cession

M

PART 2



Western Limit of Former Windsor, Essex &  
 Lakeshore Rapid Railway established according  
 to field note by (A) Dated Sept. 1, 1965 being  
 also the Western Limit of Essex County Road No 29  
 ( Division Road )

ESSEX COUNTY ROAD 29 ( DIVISION ROAD NORTH )

( ROAD ALLOWANCE BETWEEN LOT M WESTERN DIVISION AND LOT 1 EASTERN DIVISION )

P. I. N. 7 5 1 6 9 - 0 1 5 1 (LT)

0 - 0.087 (LT)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

PLAN 12R-22076

RECEIVED AND DEPOSITED

DATE June 1, 2005

DATE 2005-06-15

Andrew S. Mantha  
ANDREW S. MANTHA  
ONTARIO LAND SURVEYOR

Robert Barichello  
AN ASSISTANT DEPUTY LAND REGISTRAR FOR THE LAND TITLES DIVISION OF ESSEX (12)

### PARTS SCHEDULE

PART	AREA	DESCRIPTION	P.I.N.
1	0.047 Acres	PART OF LOT L, CONCESSION 3, WESTERN DIVISION) (Geographic Township of Gosfield South)	PART OF 75170-0050
2	0.210 Acres	PART OF LOTS L AND M, CONCESSION 3, WESTERN DIVISION) (Geographic Township of Gosfield South)	

PLAN OF SURVEY OF  
PART OF LOTS L and M,  
CONCESSION 3, WESTERN DIVISION  
GEOGRAPHIC TOWNSHIP OF GOSFIELD SOUTH  
NOW IN THE  
TOWN OF KINGSVILLE  
COUNTY OF ESSEX, ONTARIO  
VERHAEGEN • STUBBERFIELD • HARTLEY • BREWER • BEZAIRE INC.

SCALE : 1"=60'



#### LEGEND

- SIB DENOTES 1" X 1" X 4'-0" STANDARD IRON BAR
- SSIB DENOTES 1" X 1" X 2'-0" SHORT STANDARD IRON BAR
- IB DENOTES 5/8" X 5/8" X 2'-0" IRON BAR
- IB ϕ DENOTES 3/4" diameter X 2'-0" ROUND IRON BAR
- CC DENOTES CUT-CROSS
- N/W DENOTES SURVEY NAIL WITH WASHER MARKED (1528)
- MAG N DENOTES SURVEY MAGNETIC NAIL - NO WASHER
- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET AND MARKED 1528
- WIT. DENOTES WITNESS (I) DENOTES PERPENDICULAR
- (S) DENOTES SET (M) DENOTES MEASURED (D) DENOTES DEED
- (S/P) DENOTES SET PROPORTIONALLY (OU) DENOTES ORIGIN UNKNOWN
- (P) DENOTES PLAN 12R-14356
- (1528) DENOTES VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZAIRE INC., O.L.S.
- (1040) DENOTES WILLIAM J. SETTERINGTON, O.L.S.

#### SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THIS SURVEY WAS COMPLETED ON THE 19th DAY OF MAY, 2005

DATE MAY 31, 2005

Andrew S. Mantha  
ANDREW S. MANTHA  
ONTARIO LAND SURVEYOR  
for VERHAEGEN • STUBBERFIELD • HARTLEY  
BREWER • BEZAIRE INC.

WINDSOR  
475 Devonshire Road, Suite 200  
N8Y 2L5  
Ph: (519)258-1772  
Fax: (519)258-1791



VERHAEGEN  
STUBBERFIELD  
HARTLEY  
BREWER  
BEZAIRE  
INC.

LEAMINGTON  
187 Talbot Street East  
N8H 1L8  
Ph: (519)322-2375  
Fax: (519)322-2675

ONTARIO LAND SURVEYORS

www.vshbbsurveys.com

DRAWN BY: N.M.G. CAD DATE: JUN/15/2005 9:06AM  
CHECKED BY: A.S.M. CAD FILE NO.: K:\5100\51000000.DWG

WORK ORDER: 5-1060L FILE NO.: 5-GOS. SOUTH-3.00 PLAN FILE NO.: 2-230A

19cm x 36cm ( 0.3 m<sup>2</sup> )  
35.0" x 14.0" ( 3.4 ft<sup>2</sup> )