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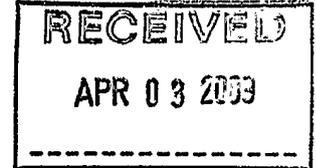
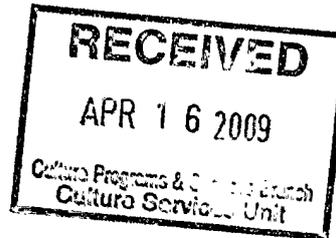
PLANNING SERVICES DEPARTMENT

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April 1, 2009

Rose Cemetery 1790
County of Prince Edward

Re: Rose Cemetery 1790
96 Cemetery Lane
Lot 15 & 16, Concession West Cape Vesey
Ward 8, North Marysburgh



In accordance with the requirements of the Ontario Heritage Act, I am enclosing a copy of the "Notice of Passing". I am also enclosing a copy of the "Designating By-law No. 2370, which was passed by Council March 23, 2009, for the above noted property. The County's Solicitor has been instructed to register this by-law against the title of the subject property.

The property will be added to the Prince Edward Heritage Advisory Committee Designation Register (a copy is attached). This completes the designation process.

Yours truly,

Ryan Leary, BES RPP
Senior Planner & PEHAC Staff Liaison

Encl.
Cc Marc Seguin, PEHAC Chair
Ontario Heritage Trust

NOTICE OF PASSING OF A BY-LAW



IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER 0.18 AND IN THE MATTER OF THE LANDS AND PREMISES AT THE FOLLOWING ADDRESS IN THE COUNTY OF PRINCE EDWARD IN THE PROVINCE OF ONTARIO.

TAKE NOTICE THAT the Council of the Corporation of the County of Prince Edward passed By-law 2370-2009 on the 23rd day of March, 2009 under Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18., designating the following properties.

- Rose Cemetery 1790 – 96 Cemetery Lane
Lot 15 & 16, Concession Lakeside West of Cape Vesey,
Ward of North Marysburgh
Designating By-law #2370-2009

The Rose Cemetery 1790 has historical and associative value as it exists as part of the first German-speaking/Hessian (Palatine Germans were a subset of UELs) settlement in Upper Canada. A Lutheran Church was established just west of the Rose House Museum in 1790. The Rose Cemetery is referenced and has been active since this date. It still forms an integral part of the identity of the community.

The Rose Cemetery possesses the following Cultural Heritage Attributes:

- Simple markers and monuments reflecting the early, rural settlement;
- The variety of styles, materials and symbolism represented in the markers and monuments;
- The UEL settlers on the markers and monuments;
- Unique geographical setting: built on a sand dune with its proximity to Lake Ontario;
- The serene setting: ½ mile off road, forested on three sides with the lake on the other;
- Oldest gravesites oriented east toward the rising sun following earlier customs;
- Very early unmarked graves recently located; and
- The side gate of unknown date with blacksmith-made hinges and rods.

Prepared and dated at the County of Prince Edward this 31st day of March, 2009.

Ryan Leary, Senior Planner
Corporation of the County of Prince Edward
280 Main Street, Edward Building, 2nd Floor
Mailing Address: 332 Main Street, Picton, ON K0K 2T0

THE CORPORATION OF THE COUNTY OF PRINCE EDWARD

BY-LAW NO. 2370 2009

A BY-LAW TO DESIGNATE THE ROSE CEMETERY TO BE OF CULTURAL HISTORIC VALUE AND INTEREST PURSUANT TO PART IV OF THE ONTARIO HERITAGE ACT.

WHEREAS pursuant to the Ontario Heritage Act, R.S.O. 1990 c.0.18 the Council of a municipality may by by-law designate a property including buildings and structures thereon to be of cultural historic value and interest;

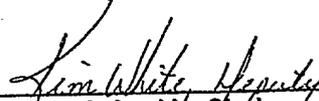
AND WHEREAS the County Planning Committee, at their March 3, 2009 meeting recommended to County Council to designate the Rose Cemetery as a property of cultural historic value and interest;

AND WHEREAS Notice of Intention to designate the property known as the Rose Cemetery has been published and served in accordance with the provisions of the Ontario Heritage Act, R.S.O. 1990 and no notice of objection to the proposed designation has been received;

NOW THEREFORE, UNDER THE AUTHORITY OF SECTION 29 OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, THE COUNCIL OF THE CORPORATION OF THE COUNTY OF PRINCE EDWARD ENACTS AS FOLLOWS:

1. THAT the property known as the Rose Cemetery and more particularly described in Schedule 'A' attached hereto and forming part of this by-law is hereby designated as being of cultural historic value and interest for the reasons set out in Schedule 'B' attached hereto and forming part of this by-law.
2. THAT the County Solicitor is hereby authorized to confirm and ensure that the Corporation of the County of Prince Edward is the sole owner of the property described in Schedule 'A' attached hereto.
3. THAT the Clerk is hereby authorized to cause a copy of this By-law to be served on the owner of the property, the Corporation of the County of Prince Edward and on the Ontario Heritage Trust.
4. THAT the property be added to the Municipal Register referred to in Section 27(1) of the Ontario Heritage Act, R.S.O. 1990.
5. THAT notice of this By-law be published in a newspaper having general circulation in the municipality.
6. THAT the County Solicitor is hereby authorized to register a copy of this By-law against the real property as described in the foregoing in the Land Registry Office.
7. THAT the provisions of this by-law shall come into force and effect on the day of final passing thereof.

THIS BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23rd DAY OF March, 2009.


Victoria Leskie, Clerk


Leo Finnegan, Mayor

Kim White
Deputy Clerk
County of Prince Edward

this 25 day of March, 2009

Certified A True Copy

SCHEDULE 'A' TO BY-LAW NO. 2370-2009

Property Description:

The subject lands are described as Part of Lots 15 and 16, Lakeside Concession West of Cape Vesey, civic address 96 Cemetery Lane, Ward of North Marysburgh, in the Municipality of the County of Prince Edward.

SCHEDULE 'B' TO BY-LAW NO. 2370-2009

Reasons for Designation:

Cultural Heritage Value

The Rose Cemetery has historical and associative value as it exists as part of the first German-speaking/Hessian (Palatine Germans were a subset of United Empire Loyalists) settlement in Upper Canada. A Lutheran Church was established just west of the Rose House Museum in 1790. The Rose Cemetery is referenced and has been active since this date. It still forms an integral part of the identity of the community.

There are several unmarked gravesites scattered throughout the cemetery, with a concentration in the oldest quadrant. A 2007 scientific study carried out by a Queen's University research team found twenty of these. It is certain that further archeological study would provide the identities of those buried in the unmarked graves.

Cultural Heritage Attributes

- The simple markers and monuments reflecting the early, rural settlement
- The variety of styles, materials and symbolism represented in the markers & monuments
- The names of United Empire Loyalist settlers on the markers & monuments
- The unique geographical setting: built on a sand dune with its proximity to Lake Ontario
- The serene setting: ½ mile off the road, forested on three sides with the lake on the other side
- The oldest gravesites oriented east toward the rising sun following earlier customs
- The very early unmarked graves recently located
- The side gate of unknown date with blacksmith-made hinges & rods