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(file)

cf: Tamara Anson-Cartwright
Lennox-Addington 123

18-05-2005

THE CORPORATION OF LOYALIST TOWNSHIP

BY-LAW NO. 2005-41

Being a By-law to designate the Pentland Cemetery located on Part of Lot 16, North Shore Concession, which fronts onto Front Road, as an architectural and historical property pursuant to Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18.

WHEREAS Section 29 of the Ontario Heritage Act R.S.O. 1990, C. 0.18 as amended, authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of architectural and historical value; and

WHEREAS the Loyalist Township Heritage Committee has recommended to the Council that the Pentland Cemetery, be designated an Historical and Cultural property; and

WHEREAS the Council of the Corporation of Loyalist Township has caused to be served on the owner of the Pentland Cemetery 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 the same newspapers having general circulation in the municipality; and

WHEREAS no notice of objection to the proposed designation has been served on the Clerk of the municipality;

NOW THEREFORE the Council of Loyalist Township enacts as follows:

- 1) The real property known as the Pentland Cemetery, more particularly described in Schedules 'A' and 'B' hereto, is hereby designated under Part IV of the Ontario Heritage Act as being of historical and cultural value. The reasons for this designation are detailed on Schedule 'B' attached hereto.
- 2) The municipal solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule 'A' hereto in the proper land registry office.
- 3) The Clerk is hereby authorized to cause a copy of this by-law to be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and to cause notice of the passing of this by-law to be published in the same newspapers having general circulation in the municipality.

Enacted and Passed day of May 9, 2005

CERTIFIED A TRUE COPY
 OF BY-LAW NUMBER 2005-41
 PASSED BY THE COUNCIL
 OF THE CORPORATION OF
 LOYALIST TOWNSHIP
 THE 9 DAY OF May 2005
 CLERK

A. Dryden
REEVE

Deirdre
CLERK

8/12/05
RD

entered

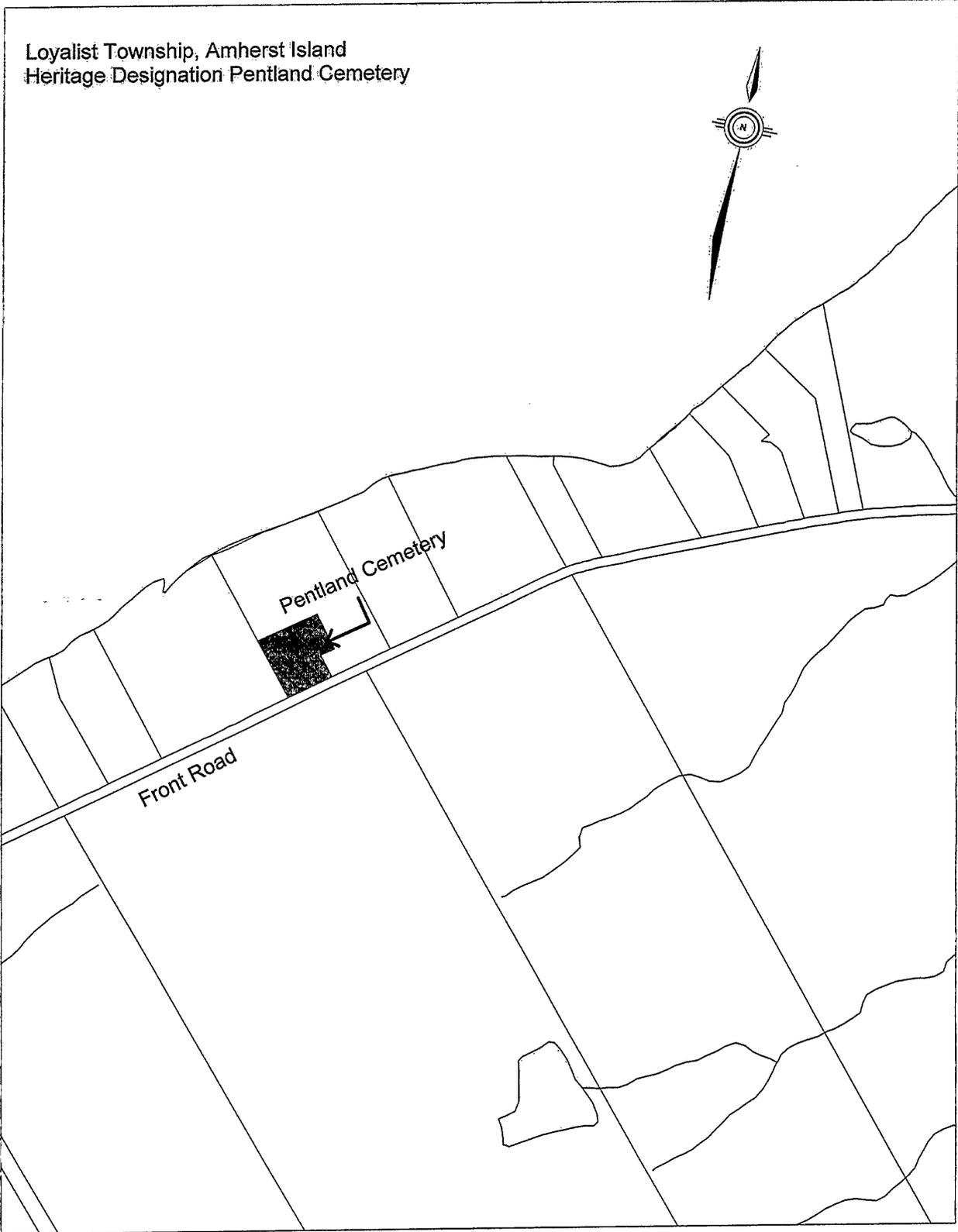
SCHEDULE 'A' TO BY-LAW 2005-41

LEGAL DESCRIPTION

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in Loyalist Township (formerly Township of Amherst Island), in the County of Lennox and Addington and Province of Ontario and being composed of 1.18 acres of land, between Front Road and Lake Ontario, North Shore Concession, Part of Lot 16, Part 1 and 2, RP 29R-8823.

SCHEDULE 'A' TO BY-LAW 2005-41

LOCATION MAP



SCHEDULE 'B' TO BY-LAW 2005-41

REASONS FOR DESIGNATION

The Pentland Cemetery, in service from 1831 to 2001, is designated for historical and cultural reasons detailed below. This cemetery represents a history of original families and forefathers of Amherst Island. The cemetery occupies 1.29 acres of land, between Front Road and Lake Ontario, North Shore Concession, Part of Lot 16 donated by two neighbouring farms one being known as the Towerine farm which was owned by the Pentlands who lived east of the cemetery. Within the cemetery, there are at least 156 remaining headstones and family monuments. The last person buried in the cemetery was Arthur Scott in 1954 and in 2001 the ashes of Anita Fowler were placed in her family plot. Family names on the tombstones represent some original Amherst Island families, and their descendants are still living on the island.

Notable parts of this cemetery are some finely detailed carved headstones dating back as early as the 1830's. Unique Irish stone fencing which reveals past downsizing and expansion of the site borders the east and west sides. Famous artist Daniel Fowler whose paintings are displayed in national galleries and abroad was laid to rest in 1894. Original tree growth including, spruce and cedar species, complements the cemetery.

HISTORICAL AND CULTURAL

The Pentland cemetery was a public burial ground used by all denominations. Farmers residing on each side of the site donated the cemetery lands. In 1831 Samuel Pentleton was the first person buried. The headstone is still decipherable in the cemetery.

Daniel Fowler, who died in 1894, emigrated from England, settling on Amherst Island for the last forty years of his life. The artist built a home known as 'The Cedars', a heritage designated site west of Barrys Point on Front Road. His work is displayed in the National Art Gallery of Canada, Royal Ontario Museum and many other galleries in Ontario and London, England. Upon entering the grounds of the cemetery, a cluster of cedar trees planted by Fowler envelops the yard. Daniel Fowler was the first to donate monies to the cemetery in the sum of two hundred dollars for general upkeep.

Originally from Ards Peninsula, Ireland, a man named John Crowe built the Irish fence that delineates the borders of the cemetery. Mr. Crowe built a rod a day charging a dollar a rod. The fencing is made of fieldstone stacked upon one another for the body of the fencing, with the top of the fence using fieldstone standing on end giving a unique architectural and ornate appearance.

Another Heritage attribute of the cemetery is the detailed headstones located throughout and wrought iron fencing bordering some family plots. One of the most interesting headstones has the vessel Schooner Star of Hope carved with a description about a young sailor by the name of Robert Stanley Burleigh aged twenty-four who fell from the topmast of the vessel to his death.

FEATURES TO BE COVERED BY THE DESIGNATION

The entire property is designated. The original tree growth including spruce and cedar species are to be preserved and protected, unless disease or natural disaster takes place, and the unique Irish stone fencing built by John Crowe bordering the east and west sides.