

**THE CORPORATION OF THE
TOWNSHIP OF WAINFLEET**

BY-LAW NO. 002-2004

Being a by-law to designate the Rathfon Inn
at 8L5 Lakeshore Road as being of
architectural and historical value or interest.

WHEREAS Section 29 of the Ontario Heritage Act R.S.O. 1990 Chapter 0.18 authorize the Council of a Municipality to enact by-laws to designate a property within the Municipality including buildings and structures thereon to be of architectural or historic value or interest;

AND WHEREAS Council has served the Notice of Intention upon the Ontario Heritage Foundation providing Notice of Intention to designate the original stone walls of the house and limestone wall that surround the property as being of architectural and historic value and has caused such Notice of Intention to be published in the Welland Tribune, a newspaper having general circulation in the Municipality, on the 26th day of November in the year 2003;

AND WHEREAS no notice of objection to the proposed designation has been received by the Township;

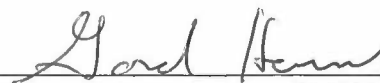
NOW THEREFORE the Council of the Corporation of the Township of Wainfleet **ENACTS AS FOLLOWS:**

- (1) **THAT** the original stone walls of the building known locally as the Rathfon Inn, formerly known as Graybiel House, and the limestone wall surrounding the property located on lands described in Schedule A, attached to and forming part of this by-law are designated as being of architectural and historic value and interest.
- (2) **THAT** the Municipal Solicitor is hereby authorized to cause a copy of this by-law, and a copy of the reasons for designation as stated in Schedule B to this by-law, to be registered on title to the lands at the Registry Office for the Registry Division of Niagara South at Welland.
- (3) **THAT** the Clerk of the Township is hereby authorized to cause a copy of this by-law to be served upon the Ontario Heritage Foundation and to cause notice of the passing of this by-law to be published in a newspaper having general circulation in the Township.


BY-LAW READ A FIRST TIME THIS 28TH DAY OF JANUARY 2004.

BY-LAW READ A SECOND TIME THIS 28TH DAY OF JANUARY 2004.

BY-LAW READ A THIRD TIME AND FINALLY PASSED THIS 28TH DAY OF JANUARY 2004.



Gord Harry, MAYOR



A. C. Guiler, CLERK

SCHEDULE A

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Township of Wainfleet, in the Regional Municipality of Niagara, more particularly described as follows:

Lot 18 to 30 inclusive and 76 to 84 inclusive, according to Registered Plan 20 for the Township of Wainfleet, now known as Plan 747, together with that part of Lot 84A, according to said Plan more particularly described as follows:

COMMENCING at the northeast angle of said lot 84A which is also the southeast angle of Lot 28 according to said Plan 20;

THENCE westerly in and along the south limits of lots 28, 27, 26, 25, 24, 23, 22, 21, 20, 19 and 18, 546 feet more or less to the southwest angle of lot 18 according to said Plan 20;

THENCE southerly in and along the production southerly of the west limit of lot 18, 33 feet more or less to the centre line of lot 84A;

THENCE easterly in and along the centre line of lot 84A, 50.02 feet to the point of intersection of the northerly production of the westerly limit of lot 84 according to said plan;

THENCE southerly in and along the production northerly of the west limit of lot 84, 33 feet more or less to the northwest angle of lot 84;

THENCE easterly in and along the northerly limits of lots 84, 83, 82, 81, 80, 79, 78, 77 and 76, 496 feet more or less to the northeast angle of lot 76 which is also the southeast angle of lot 84A;

THENCE northerly in and along the east limit of lot 84A, 66 feet more or less to the place of beginning.

As in Instrument No. 422706.

SCHEDULE B

NOTICE OF INTENTION TO DESIGNATE

IN THE MATTER OF THE ONTARIO HERITAGE ACT R.S.O. 1990, CHAPTER 0.18 AND
IN THE MATTER OF THE LANDS AT THE FOLLOWING LOCATION IN THE TOWNSHIP OF
WAINFLEET IN THE PROVINCE OF ONTARIO.

TAKE NOTICE that the Council of the Corporation of the Township of Wainfleet intends to designate the former Rathfon Inn located at 8L5 Lakeshore Road as a property of architectural and historical value or interest under Part IV of the Ontario Heritage Act R.S.O. 1990 Chapter 0.18 Section 29.

SHORT STATEMENT OF THE REASONS FOR THE PROPOSED DESIGNATION

RATHFON INN
8L5 Lakeshore Road
Part of Lot 8, Concession 1
Township of Wainfleet

HISTORICAL:

The property on which the original house is located was deeded from the Crown to Casper Ramey on May 16, 1798. A little more than 182 acres was sold to Michael Graybiel in 1804. Dates of construction for the original house vary from 1777 through 1805. Techniques used to build the house are consistent with a very early date. The stone house remained in the Graybiel family until 1874.

The Graybiels were politically well-connected in Upper Canada. During the early 19th century the house was associated with three men who were important in the history of Niagara, Ontario and Canada. The tradition that John Graves Simcoe, during his tenure as Lieutenant Governor of Upper Canada, visited the farm regularly to collect revenue from local tax collector, Michael Graybiel, has been reported in the Graybiel family history, newspaper articles about the Rathfon and promotional material for the Inn.

There is evidence linking the house to William Hamilton Merritt, founder of the first Welland Canal, and Governor General James Bruce, Lord Elgin, who is remembered as the Father of Responsible Government in Canada.

John Graybiel (Michael's son) was a Niagara District Magistrate and member of the District Municipal Council and had served Wainfleet Township over 25 years in various capacities of assessor, collector, commissioner and warden.

ARCHITECTURAL:

The style of the original stone house at the west end of the Rathfon building, while basically Georgian, is more that of a typical Pennsylvania Dutch (German) farmhouse of the area around Lancaster, Penna. The stonewalls are two feet thick and the structure is supported by huge white logs and attic beams joined with pegs.

The limestone wall, which surrounds the property with the exception of the lake side, was built by Bernard Hyman c. 1925-26 and has become a landmark in the area. The thick wall was set on a deep foundation and stones were hauled in, some by horse and wagon, to complete it.

Any person may object to the proposed designation within thirty days after the date of the publication of the Notice of Intention by severing on the Clerk of the Corporation of the Township of Wainfleet a notice of objecting setting out the reasons for the objection and all relevant facts. The last day for filing objections will be December 28, 2003. All objections received within the aforementioned time period will be referred to the Heritage Conservation Review Board for a hearing and report.

Dated at the Township of Wainfleet this 28th day of November, 2003.


A.C. GUILER, DIRECTOR OF CORPORATE SERVICES/CLERK

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