

THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE

BY-LAW NO. 3723-03
(Roll No.26-27-010-005-176)

A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS THE WILLIAM STEWART HOMESTEAD, 507 BUTLER STREET, IN THE TOWN OF NIAGARA-ON-THE-LAKE, IN THE PROVINCE OF ONTARIO, AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST.

WHEREAS Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18, authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage value or interest;

AND WHEREAS the Council of the Corporation of the Town of Niagara-on-the-Lake has caused to be served on the owner of the lands and premises known as the William Stewart Homestead at 507 Butler Street, in the Town of Niagara-on-the-Lake in the Province of Ontario 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 a newspaper having general circulation in the municipality;

AND WHEREAS the reasons for designation are set out in Schedule 'B' attached hereto;

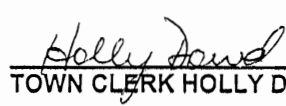
AND WHEREAS no notice of objection to the proposed designation has been served on the clerk of the municipality.

THEREFORE the Council of the Corporation of the Town of Niagara-on-the-Lake enacts as follows:

1. There is designated as being of cultural heritage value or interest the real property known as the William Stewart Homestead at 507 Butler Street in the Town of Niagara-on-the-Lake in the Province of Ontario, more particularly described in Schedule 'A' 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.
3. The Clerk is hereby authorized to cause copy of this By-law to be served on the owners 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 a newspaper having general circulation.

READ A FIRST, SECOND AND THIRD TIME AND PASSED ON THIS 12th
DAY OF MAY, 2003.


LORD MAYOR GARY BURROUGHS


TOWN CLERK HOLLY DOWD

SCHEDULE A
BY-LAW 3723-03
507 BUTLER STREET DESIGNATION BY-LAW

Part of Lot 337, Township Plan 86, as in RO163436, Town of Niagara-on-the-Lake, Regional Municipality of Niagara

PIN #46392-0369 (R)

All and Singular that certain parcel or tract of land and premises situate, lying and being in the Town of Niagara, in the County of Lincoln and Province of Ontario, and being composed of Part of Lot No. 337, as shown on Niven Plan, registered in the Registry Office for the Registry Division of the County of Lincoln as Plan No. 86 for the said Town, more particularly described as follows:
COMMENCING at the most Easterly angle of said Lot 337;
THENCE North 55 degrees, 16 minutes West along the North-easterly boundary of said Lot, 90.0 feet;
THENCE South 34 degrees, 44 minutes West, 84.2 feet;
THENCE South 55 degrees, 16 minutes East, 90.0 feet to the South-easterly boundary of said Lot;
THENCE North 34 degrees, 44 minutes East along said South-easterly boundary, 84.2 feet more or less to the point of commencement.

SCHEDULE 'B'

REASONS FOR DESIGNATION

**The William Stewart Homestead, c.1835 – Part Lot 337, Plan 86
507 Butler Street, Niagara-on-the-Lake**

The William Stewart Homestead is recommended for designation primarily for historical reasons.

It is historically significant as one of the few surviving intact examples of houses built by and for Niagara-on-the-Lake's early Black settlers. William Stewart, a black teamster/yeoman was one of 17 Black men who signed a petition in 1837 asking that an escaped Black slave not be returned to the United States. The property is also associated with Andrew Butler, son of Colonel John Butler and with John Oliver, a pro-abolitionist farmer whose land became the site of the Black Baptist Church.

Architecturally, the house is best described as Neo-Classical in the simple vernacular style of the early 19th century, unpretentious, small and with a few characteristic but basic details of its period. It reflects the simpler dignified structures of the early Town and resembles other early house such as the Dover-Daly House on Platoff Street and the early part of the MacMonigle-Craik House on Gate Street.

Site

The house occupies a spacious lot on the west side of Butler Street just south of John Street. The building sits close to the street on the extreme northeast corner of the lot. A simple wooden outbuilding and gardens occupy the rest of the property.

Historical Background

The property, originally granted in 1802 to Andrew Butler, son of Lieutenant-Colonel John Butler, is located on the way to Butler's Burial Ground, straddling the John and Butler Street rights-of-way, sitting more off the lot than on it, but also partly on Lot 337, one of the original lots of the Town Plot.

In 1828, Andrew Butler's son, Joseph Walter Butler, sold the one acre lot to Niagara merchant Lewis Clement and in 1834 Clement sold the land to William Stewart, newly arrived in Niagara in the Fall of that year. Records indicate that Stewart, who was a black teamster/yeoman, was able to writ his name and that he was one of the 17 Black men who signed a petition in 1837, asking that Solomon Moseby, an escaped slave, not be returned to the United States.

It is probably that Stewart hired Robert Baxter, a Black carpenter who had just purchased a ½ acre lot on Butler Street from Thomas Butler, to help him build his house. He sold half of his lot to Baxter after the house was finished. Tax assessment records indicate that William Stewart lived in the house until 1847 when he sold his lot to John Oliver, a neighbouring pro-abolitionist farmer whose land eventually became the site of the Black Baptist Church. John Oliver's son, Matthew, inherited the house in 1867 and sold it to his son, Alex, the following year. Later owners include Henry Knapp (1870-74), Charles Hoag and descendants (1874-1949) and, finally, Peggy Anderson. It is currently owned and is being rehabilitated by the Niagara Foundation.

Architectural Features

Original surviving details on the ground floor include main room finishes and trim including the chair rail, baseboard and architraves to openings; enclosure, stringers and cupboard doors for the stairway; 6 panel front door; chimney complete with fireplace; the stovepipe thimble in the west wall; and the floor deck and structure.

Page 2 – Schedule B 507 Butler Street, Designation By-law

Original surviving details on the second floor include the floor; the beaded board partition and small board and cleat door; the 6 paned sash and frame of the north end window and the frames of the south end windows.

Designation

This designation applies to the entire exterior façade and structure of the house including the exterior portion of the chimney.



Document General

Form 4 — Land Registration Reform Act

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File 29,953-RCS

D

FOR OFFICE USE ONLY 0810835 CERTIFICATE OF REGISTRATION NIAGARA II (30) ST. CATHARINES 03 MAY 27 AM 11 52 R. D. Sheddin LAND REGISTRAR	(1) Registry <input checked="" type="checkbox"/> Land Titles <input type="checkbox"/>	(2) Page 1 of 6 pages
	(3) Property Identifier(s) Block 46392 - Property 0369 (R)	Additional: See Schedule <input type="checkbox"/>
	(4) Nature of Document BY-LAW NO. 3723 - 03	
	(5) Consideration Dollars \$	
	(6) Description Part of Lot 337, Township Plan 86 As in R0163436 Town of Niagara on the Lake Regional Municipality of Niagara Niagara North (No. 30) As described in the Schedule attached	
New Property Identifiers	Additional: See Schedule <input type="checkbox"/>	
Executions	Additional: See Schedule <input type="checkbox"/>	
(7) This Document Contains:	(a) Redescription New Easement Plan/Sketch <input type="checkbox"/>	(b) Schedule for: Description <input type="checkbox"/> Parties <input type="checkbox"/> Other <input checked="" type="checkbox"/>

(8) This Document provides as follows:

See By-Law 3723 - 03 to Designate the property known municipally as the William Stewart Homestead, 507 Butler Street, in the Town of Niagara-on-the-Lake, in the Province of Ontario, as being of cultural heritage value or interest attached.

Continued on Schedule ☐

(9) This Document relates to instrument number(s)

(10) Party(ies) (Set out Status or Interest)

Name(s)

Signature(s)

Date of Signature

Y M D
2003 05 26

THE CORPORATION OF THE TOWN OF NIAGARA ON THE LAKE by their solicitors, DANIEL, BLACK, HILL, TIDUS DELORENZO, SHEDDEN, DONOHUE & SHEPPARD

Per:
Name: Callum Shedden

I have authority to bind the Corporation

(11) Address for Service

1593 Creek Road, Box 100, Virgil, Ontario L0S 1T0

(12) Party(ies) (Set out Status or Interest)

Name(s)

Signature(s)

Date of Signature

Y M D

(13) Address for Service

(14) Municipal Address of Property

507 Butler Street
Niagara-on-the-Lake

(15) Document Prepared by:

Callum Shedden
DANIEL, BLACK, HILL, TIDUS,
DELORENZO SHEDDEN et al
Box 24022
39 Queen Street
St.Catharines, Ontario L2R 7P7

Fees and Tax

Registration Fee

Total

2

SCHEDULE A
BY-LAW 3723-03
507 BUTLER STREET DESIGNATION BY-LAW

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