



Town of Niagara-on-the-Lake

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REPORT #: CDS-25-067

COMMITTEE DATE: N/A

DUE IN COUNCIL: 2025-04-29

REPORT TO: Council

SUBJECT: Authorization to Execute Ordnance Boundary Stone Restoration Agreements

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 Council **ENACT** the By-law, attached as **Appendix II**, to authorize the Director of Community and Development Services to sign the Restoration Agreements with registered property owners for Ordnance Boundary Stones located on private property.

2. EXECUTIVE SUMMARY

- The purpose of this report is to authorize a by-law to provide Council with information on the agreements prepared to facilitate the restoration of the Ordnance Boundary Stones (the "OBS").
- The Municipal Heritage Committee (the "MHC"), in collaboration with Dr. Ted Rumble, initiated a plan in 2021 to restore the OBS located in the Town. Council has supported these efforts through budget commitments in 2023, 2024 and 2025.
- Following careful review and consultation, the work for restoration can now commence. Part of the restoration work includes the installation of fencing around the restored stone, along with a plaque to obtain more information.
- Staff has prepared an agreement to facilitate the restoration of the OBS that are located on private properties. The agreement would be signed with registered property owners and the Town of Niagara-on-the-Lake to clearly outline the roles and responsibilities.
- Staff has been working with community members and the MHC to start the restoration of the first five OBS.

3. PURPOSE

The purpose of this report is to authorize presentation of a by-law and provide Council with information on the agreements prepared to facilitate the restoration of the OBS and request authorization for the Director of Community and Development Services (the "CDS") to sign these agreements.

4. BACKGROUND

The Town of Niagara-on-the-Lake was originally founded as a British military town. The British military maintained their presence in Town through the early to mid-1800s. During this time, four parcels of land were reserved for military use, and a total of 37 OBS were installed to mark these reserves. Military reserve lands included Simcoe Park, Queen's Royal Park, the Niagara-on-the-Lake Golf Course, several (now) residential lots, and the Commons. Of these 37 stones, 19 have since been discovered, and 18 are currently missing.

The MHC, in collaboration with Dr. Ted Rumble, initiated a plan in 2021 to restore the OBS located in the Town. As a result of the coordinated efforts of Town Staff, Ted Rumble and Alexander Topps, the project is ready to undertake the restoration of the first five OBS. These include:

1. OBS 32, located in Simcoe Park at the corner of King Street and Byron Street
2. OBS 25, located at the Charles Inn at the corner of Queen Street and Simcoe Street
3. OBS 26, located at the Charles Inn at the corner of Queen Street and Simcoe Street
4. OBS 33, located at the corner of Queen Street and Dorchester Street
5. OBS 36, located at the corner of Queen Street and Nassau Street

The Larocque Group of Surveyors have volunteered their time for the project and to produce locates for the OBS.

*Further information on the process and the work completed to date to facilitate the restoration of the OBS can be found in the Staff Reports attached as **Appendix III** to this report.*

5. DISCUSSION / ANALYSIS

To ensure that restored OBS, fencing, and plaques are conserved and maintained effectively in the future, the Town is signing agreements with the property owners where the stones are located on private property. Informal permissions have been acquired from the property owners for the restoration of stones and the installation of fences.

Under the provisions of Section 37(1) of the *Ontario Heritage Act* ("OHA"), the Town may enter into covenant agreements with property owners for the conservation of heritage of cultural heritage value and interest.

Staff has consulted the Town's legal counsel in preparing the document. The agreement is attached as **Appendix I**. The by-law to execute the agreement is attached as **Appendix II**.

6. STRATEGIC PLAN

The content of this report supports the following Strategic Plan initiatives:

Pillar

1. Vibrant & Complete Community

Priority

- 1.2 Economic Development & Community Partnerships

Action

- 1.2 b) Community Partnership

7. OPTIONS

- 7.1 Option 1: Provide authorization to the Director of CDS to sign the agreements to facilitate the restoration of OBS. (**Recommended**)
- 7.2 Option 2: The authorization of signing these Agreements be given to the Lord Mayor and Clerk and a by-law be passed each time an agreement is required. (Not Recommended)

8. FINANCIAL IMPLICATIONS

A request for budget was approved by Town Council in 2023, 2024 and 2025 to initiate the restoration program for the OBS. A total budget of \$15,500 has been approved to date.

9. ENVIRONMENTAL IMPLICATIONS

Not applicable.

10. COMMUNICATIONS

Staff has been consulting with the property owners where OBS are identified for restoration on private property.

11. CONCLUSION

Passing the by-law to delegate the signing and approval of these Agreements to the Director of CDS will streamline the process and ensure more efficient timelines for the restoration of the OBS.

As next steps, Heritage Staff have also initiated discussions with Operations Staff about the planning required for the restoration of the next set of Ordnance Boundary Stones that are located on Town's property as well as private property.

12. PREVIOUS REPORTS

Not applicable.

13. APPENDICES

- **Appendix I** – Restoration of Ordnance Boundary Stones Agreement – Template
- **Appendix II** – Authorizing By-law for Covenant Agreements
- **Appendix III** – Reports prepared for Ordnance Boundary Stone Restoration project

Respectfully submitted:

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