

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 4831-15**

(46 Paxton Lane Street, Roll No. 2627-020-025-00600-0000)

A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALY AS, PAXTON HOUSE, 46 PAXTON LANE, 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 Paxton House, 46 Paxton Lane, in the Town of Niagara-on-the-Lake in the Province of Ontario and upon the Ontario Heritage Trust, 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' 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 Paxton House, 46 Paxton Lane 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 21ST DAY OF SEPTEMBER, 2015.



LORD MAYOR PAT DARTE



TOWN CLERK HOLLY DOWD

SCHEDULE 'A'

PIN: 46374 – 0031 (LT)

Legal Description:

Part Township Lot 90 Niagara, being Part 1, 30R-3213 Except Part 2, 30R-1960;
NIAGARA-ON-THE-LAKE

SCHEDULE 'B'

46 Paxton Lane

Description of Property

46 Paxton Lane is a two-storey residence, which sits upon a large lot at the farthest end of Paxton Lane, in the Village of St. Davids, Niagara-on-the-Lake.

Statement of Cultural Heritage Value or Interest

The cultural heritage value of 46 Paxton Lane lies mainly in its historical associations. The property can be traced back to a Crown Patent granted to Peter Secord Sr. in 1798, one of the earliest settlers in the area. It was originally to be part of the 600 acre grant promised to Secord by General Powell at Fort Niagara in 1780. In the end, as a result of contested treaty rights Secord did not receive the entire parcel. Secord cleared the land he did receive in 1780, and lived nearby with his wife and large family. He built a mill on the creek and prospered. David Secord, his relation, was a Major in the local militia and namesake of the current community of St. Davids. David purchased the land in 1799 and built the existing dwelling on the property. He lived there until his death in 1844. Interestingly, it was oral tradition in the Paxton family that Laura Secord rested at the house on her way to Beaverdams to warn Lieutenant Fitzgibbon of the impending American attack. Generals De Rottenburg and Drummond may also have used the house as a headquarters.

The cultural heritage value of 46 Paxton Lane also lies in the fact that it is one of only two extant buildings in the area which pre-dates the War of 1812. The house managed to survive the incendiary American attack on the village in 1814.

Riall and Elijah Secord inherited the land from David, and it was owned by Flotyes Secord in 1873, when he sold it to David Hanniwells. The Hanniwells owned the land until 1915, when they sold to Gardner S. Paxton and his wife Lucinda. Their descendants owned the house until around 2008. The long history of the home is well documented in paintings and photographs.

Description of Key Heritage Attributes

Key attributes that embody the heritage value of 46 Paxton Lane as one of the best examples, and a rare example, of a pre-War of 1812 dwelling in Niagara-on-the-Lake include its:

- Fieldstone masonry, harled surface rendered in limestone
- Original window opening locations and sizes
- Very early wooden beams in the basement which appear hand-hewn, and still have bark on them. Documents indicate that these pre-date the War of 1812
- Location on a large naturally vegetated lot with the front façade facing Four Mile Creek
- 1.5 storey original, simple Georgian form of the building with 5 bay façade
- Narrow Georgian door

N.B. Documentation indicates that this house pre-dates the War of 1812. A house belonging to David Secord, and matching the measurements and description of the Paxton House, is mentioned in a war claim for the damages caused in 1814 after an American attack.