

1914

c 51 Queenston Heights Park Act

Ontario

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Queenston Heights Park Act, RSO 1914, c 51

Repository Citation

Ontario (1914) "c 51 Queenston Heights Park Act," *Ontario: Revised Statutes*: Vol. 1914: Iss. 1, Article 54.

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CHAPTER 51.

An Act respecting The Queenston Heights Park.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Queenston Heights Park* short title. Act. 8 Edw. VII. c. 32, s. 1.

2. The parcels of land following:—

Park established.

(a) The ordnance land surrounding Brock's Monument at Queenston in the Township of Niagara, in the County of Lincoln, containing by admeasurement thirty-one acres, be the same more or less as described in Letters Patent under the Great Seal of Canada, dated 5th May, 1896.

(b) The parcel of land in the Village of Queenston in the Township of Niagara and County of Lincoln, containing by admeasurement 236-1,000 of an acre, be the same, more or less, which land was on 21st August, 1896, conveyed by deed to the Commissioners for the Queen Victoria Niagara Falls Park, registered in the office of the Registrar for the County of Lincoln as Number 3,435 at 10 a.m. of the 28th August, 1896;

(c) The parcel or tract of land, in the township and county aforesaid, being composed of part of lot number three in the broken front concession, and part of that portion of the Military Reserve purchased by Messrs. Gzowski and Company, from the War Department, containing twelve acres and one-half be the same more or less adjacent to the above mentioned monument land on the south;

(d) The parcel or tract of land in the township and county aforesaid, being composed of part of lot number four in such township containing ten acres more or less adjacent to the monument lands on the north, save and except thereout a strip of land sixty-six feet wide, for the right of way of the International Railway Company, the centre line of which right of way may be described as follows: Beginning at a point on the southerly side of York Street at a distance westerly from the

northwest corner of the land above described of five chains ten links more or less, thence on a curve of 200 feet radius to a point on the southerly limit of the lands described distant seven chains and seventy-five links more or less from the southwesterly corner thereof, which land have been approved by the Lieutenant-Governor, and marked upon the map of the Park and submitted to the Lieutenant-Governor and approved in Council and copies whereof duly certified and authenticated are filed and deposited in the office of the Minister of Lands, Forests and Mines, and in the office of the Registrar for the County of Lincoln;

are set apart as a public park to be known as "The Queenston Heights Park," and the said land and the control and management thereof is vested in the Commissioners for the Queen Victoria Niagara Falls Park as trustees for Ontario, subject to the provisions of this Act. 8 Edw. VII. c. 32, s. 2.

Vested in
Q. V. N. F. P.
Commission.

Power of
Commissioners
to hold
certain
other lands.

3. Subject to the consent of the Lieutenant-Governor in Council the Commissioners of the Queen Victoria Niagara Falls Park may acquire and hold for the purposes hereinbefore mentioned, any ordnance or Admiralty land of Canada adjacent to the Niagara River or within three miles thereof which the Governor-General in Council may vest in them, by lease or otherwise, and the Commissioners shall thereby acquire the same right as any other lessee or licensee under like tenure to protect the said land against waste, spoil or destruction to, of or upon the said lands. 8 Edw. VII. c. 32, s. 3.

Power to
acquire
certain
other lands.

4.—(1) The Commissioners, with the approval of the Lieutenant-Governor in Council, may from time to time acquire such lands adjacent to or in the vicinity of the land hereinbefore mentioned in which any historic or public interest is deemed to attach, and shall hold the same in trust for Ontario subject to any trust declared in the deed or other instrument under which such lands are acquired and subject to the provisions of this Act.

Application
of Rev. Stat.
c. 69.

(2) Sections 9, 10, 13, 14, 15, 17 and 27 of *The Queen Victoria Niagara Falls Park Act* shall extend and apply to the Queenston Heights Park. 8 Edw. VII. c. 32, s. 4, part.

Park to be
open to public.

5. The Park shall be open to the public subject to any rules and regulations as to management made by the Commissioners and approved of by the Lieutenant-Governor in Council. 8 Edw. VII. c. 32, s. 5.

Nuisances.

6. The Commissioners shall not carry on or allow to be carried on in the Park or upon any of the lands so acquired

by them, any noisome or offensive trade or business whatever.
8 Edw. VII. c. 32, s. 6.

7. An offence against any by-law made by the Commissioners of the Queen Victoria Niagara Falls Park shall be punishable upon summary conviction, and *The Ontario Summary Convictions Act* shall apply thereto in the same manner as to an offence against any Act of Ontario punishable under the said Act. 8 Edw. VII. c. 32, s. 7.

8. The jurisdiction of the police magistrate of the City of Niagara Falls in accordance with the provisions of *The Niagara Falls Magistrate's Act* shall apply over all offences cognizable by this Act committed on the Queenston Heights Park or the land which the Commissioners may acquire and hold under this Act.