

THE CORPORATION OF THE TOWNSHIP OF KING

BY-LAW NUMBER 2009-108

**A BY-LAW TO DESIGNATE
THE TEMPERANCEVILLE PRESBYTERIAN CEMETERY
AS A HERITAGE SITE UNDER THE
ONTARIO HERITAGE ACT**

WHEREAS Part IV, Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as amended authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of cultural value or interest,

AND WHEREAS the Council ('Council') of the Corporation of the Township of King ('Township') has determined that The Temperanceville Presbyterian Cemetery located on lands described as Concession 2, Part Lot 5, and municipally known as 12990 Bathurst St., in the Village of King City in the Township of King in the Regional Municipality of York (the 'Lands') shall be designated as a property of cultural heritage value or interest pursuant to Section IV of the *Ontario Heritage Act*, 1990, c.O.18;

AND WHEREAS Council has caused to be served on the Ontario Heritage Trust notice of intention to so designate The Temperanceville Presbyterian Cemetery for the reasons set out in Appendix "A" attached to this By-law, and has caused such notice of the intention to be published in the local newspaper having general circulation in the municipality;

AND WHEREAS no notice of objection to the proposed designation has been served on the Clerk of the Municipality;

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

1. The property known as The Temperanceville Presbyterian Cemetery located on lands described as Concession 2, Part Lot 5, in the Village of King City, Township of King in the Regional Municipality of York is designated pursuant to Part IV of the *Ontario Heritage Act* as a property of cultural heritage value or interest.

2. The Township Solicitor is authorized to cause a copy of this By-law to be registered against the Lands as described in Clause 1 above in the proper Land Registry Office.
3. The Clerk is authorized and directed to cause a copy of this By-law to be served on the *Ontario Heritage Trust* and to cause notice of passing of this By-law to be published in the local newspaper having general circulation in the municipality.

READ a FIRST and SECOND time this 30th day of November, 2009

READ a THIRD time and **FINALLY PASSED** this 30th day of November, 2009


Margaret Black, Mayor


Chris Somerville, Clerk

APPENDIX 'A' TO BY-LAW NUMBER 2009-108

THE TEMPERANCEVILLE PRESBYTERIAN CEMETERY, TOWNSHIP OF KING

REASONS FOR DESIGNATION:

Property Name: The Temperanceville Presbyterian Cemetery
Street Address: 12990 Bathurst Street
Location: Concession 2, Part Lot 5
Municipality: Township of King, Regional Municipality of York
Assessment Roll: #012 340 **Property Owner:** Township of King

The Township of King Heritage Committee wishes to advise King Township council the property known municipally as the Temperanceville Presbyterian Cemetery is recommended for designation for its cultural heritage value or interest under Part IV of the *Ontario Heritage Act*. It meets criteria for municipal designation prescribed by *Ontario Regulation 9/06* under the three categories of design/physical value, historical/associative value and contextual value.

Description of Property

The Temperanceville Presbyterian Cemetery is an inactive, small, mid to late 19th-century community cemetery located at 775 King Road on the southwest corner of King Road and Bathurst Street. Measuring 3876 square feet, it is situated at the northeast of the east half of Lot 5 Concession 2, three kilometres east of the village of King City.

Statement of Cultural Heritage Value or Interest

The cultural heritage value of the Temperanceville Presbyterian Cemetery is related to its design/physical value as a typical small, mid to late 19th-century, local community cemetery situated in a rural setting. The style and material used in its markers, ranging from the plain sandstone and limestone slabs to more elaborate stone columns, in a seemingly unstructured layout on a gentle slope demonstrates the calm setting intended for the dead.

The cultural heritage value of the Temperanceville Presbyterian Cemetery is related to its historical/ associative value as the burial site of members of the Stewart family of the one time community of Love's Corners, later known as Temperanceville. Established in 1854 on land donated by James Stewart to the trustees of the Presbyterian Church, the cemetery's burials range from Henry Stewart who died September 19, 1854 to 1898. Closed in 1912, all 23 headstones and monuments in the cemetery mark the burials of Henry and Agnes Stewart, their descendants and their in-laws. The property was also the site of the 1858 -1912 Temperanceville Presbyterian Church, moved in 1971.

The cultural value of Temperanceville Presbyterian Cemetery also relates to its contextual value for its more than 154 years influence on the continued rural character of the immediate landscape and the nearby King City community. Its pastoral setting located at a major intersection serves as a spiritual landmark and important reminder of the rural past to the community.

Description of Heritage Attributes

The heritage attributes of the Temperanceville Presbyterian Cemetery related to its cultural heritage value as a small, rural burial site of a local family, and its influence on the rural character of and spiritual value to the community are portrayed by:

- the variety of styles and material of its original markers and monuments, with their surviving inscriptions
- its placement of the original markers and monuments
- the original placement of gravesites
- the mature trees along the western fence line
- its location and dimensions
- the park like setting
- the grassy gentle slope

Reference: Clerks Department Report CL-2009-35, October 19th, 2009.