

THE CORPORATION OF THE TOWNSHIP OF KING

BY-LAW NUMBER 2009-97

**A BY-LAW TO DESIGNATE
THE CHAMBERLAIN BURYING GROUND
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 Chamberlain Burying Ground located on lands described as Concession 10, Part Lot 8, and municipally known as 13340 – 10th Concession in the Village of Nobleton 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 Chamberlain Burying Ground 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 Chamberlain Burying Ground located on lands described as Concession 10, Part Lot 8, in the Village of Nobleton, 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 2009-97

THE CHAMBERLAIN BURYING GROUND, KING CITY, TOWNSHIP OF KING

REASONS FOR DESIGNATION:

Property Name: Chamberlain Burying Ground
Street Address: 13340 10th Concession
Location: Concession 10, Part Lot 8
Municipality: Township of King, Regional Municipality of York
Assessment Roll: #072 255 **Property Owner:** Township of King

The Township of King Heritage Committee wishes to advise King Township council the property known municipally as the Chamberlain Burying Ground 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 Chamberlain Burying Ground is an inactive, small, rural, mid 19th-century family cemetery located at 13340 10th Concession. Measuring 39,204 square feet, it is situated on the west side of the 10th Concession, south of the 15th Sideroad, in the southeast corner of the Concession 10 Lot 8, one kilometre west of the village of Nobleton.

Statement of Cultural Heritage Value or Interest

The cultural heritage value of the Chamberlain Burying Ground is related to its design/physical value as a rare example of an inactive, small, rural, mid 19th-century, family cemetery. It's few remaining markers, limestone and granite slabs and columns displayed within an open setting, bear the inscriptions and carvings that perpetuate the memory of the burial sites of the long dead of a family.

The cultural heritage value of the Chamberlain Burying Ground is related to its historical/ associative value as the burial site of members of an early settler family of the area. Established in 1847 by English immigrant John Chamberlain on his 100 acre farm as a family burying ground few of its one time markers and monuments remain. Dating from 1847 to 1891, the 10 markers list the names of 15 adults and children, one as young as 18 months. The cemetery is the known burial site of John Chamberlain Jr., his wife Nancy Taylor and her parents, and 3 of their young children who died of diphtheria within a period of 2 weeks.

The cultural value of the Chamberlain Burying Ground also relates to its contextual value for its more than 111 years influence on the continued rural character of the immediate landscape. Its simple, open park like setting with few mature trees serves as a spiritual and visual landmark and is an important reminder of an early settler family and the past to the community.

Description of Heritage Attributes

The heritage attributes of the Chamberlain Burying Ground related to its cultural heritage value as an inactive, small, rural, mid 19th-century family burial site of early settlers and its spiritual and visual landmark value to the community are portrayed by:

- the variety of styles and material of its original markers and monuments, with their surviving inscriptions
- the original placement of gravesites
- the gently sloping, park like setting
- the grassy landscape
- its location and dimensions

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