

**THE CORPORATION OF THE TOWNSHIP OF KING**

**BY-LAW NUMBER 2009-105**

**A BY-LAW TO DESIGNATE  
ST. ANDREW'S PRESBYTERIAN CEMETERY (EVERSLEY)  
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 St. Andrew's Presbyterian Cemetery (Eversley) located on lands described as Concession 3, Part Lot 9, and municipally known as 13470 Dufferin 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 St. Andrew's Presbyterian Cemetery (Eversley) 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;

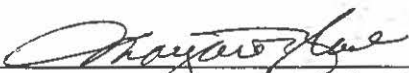
**NOW THEREFORE** the Council of the Corporation of the Township of King **HEREBY ENACTS AS FOLLOWS:**

1. The property known as the St. Andrew's Presbyterian Cemetery (Eversley) located on lands described as Concession 3, Part Lot 9, 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 2009-105

### ST. ANDREW'S PRESBYTERIAN CEMETERY, KING CITY, TOWNSHIP OF KING

#### REASONS FOR DESIGNATION:

**Property Name:** St. Andrew's Presbyterian Cemetery, Eversley  
**Street Address:** 13470 Dufferin Street  
**Location:** Concession 3, Part Lot 9  
**Municipality:** Township of King, Regional Municipality of York  
**Assessment Roll:** #023 070                      **Property Owner:** Township of King

The Township of King Heritage Committee wishes to advise King Township council the property known municipally as St. Andrew's Presbyterian Cemetery, Eversley 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

St. Andrew's Presbyterian Cemetery, Eversley is an inactive, small, mid 19<sup>th</sup> to early 20<sup>th</sup>-century community cemetery located at 13456 Dufferin Street. Measuring 55.62 by 133.5 feet, it is situated to the north and the rear of the adjacent St. Andrew's Presbyterian Church, on the west side of Dufferin Street, south of the 15<sup>th</sup> Concession on part of the east half of Lot 9 Concession 3, in the one time community of Eversley.

#### Statement of Cultural Heritage Value or Interest

The cultural heritage value of St. Andrew's Presbyterian Cemetery, Eversley is related to its design/physical value as a good example of a small, mid 19<sup>th</sup>-century, local community cemetery situated in a rural setting. While most markers are simple limestone and sandstone, several monuments are more elaborate granite and include decorative fencing. The parallel layout of markers and gravesites in a setting of mature trees serve as reminder of the orderly, peaceful setting intended for the dead and the visiting loved ones left behind.

The cultural heritage value of St. Andrew's Presbyterian Cemetery, Eversley is related to its historical/associative value as the burial site of many of the early settlers of the one time community of Eversley. The cemetery was established in 1834 on land later purchased from Joseph Wells in 1843. The original property includes the 1848 St. Andrew's Presbyterian Church. The approximately 48 headstones and monuments date from 1838 to 1910 and include the 1851 tombstone, engraved with a score of music, of Henry Frost the originator of music education in Ontario schools, the 1877 tombstone of the Reverend John Tawse who preached here for 23 years, and of his 3 wives. Closed in 1958 the cemetery was purchased in 1960 by Lady Flora McCrae Eaton who in 1967 donated it to the York Pioneer and Historical Society.

The cultural value of St. Andrew's Presbyterian Cemetery, Eversley also relates to its contextual value for its more than 160 years influence on the continued rural character of the immediate landscape. Its pastoral treed setting adjacent to St. Andrew's Presbyterian Church serves as a spiritual and visual landmark and important reminder of the rural past to the community.

#### Description of Heritage Attributes

The heritage attributes of St. Andrew's Presbyterian Cemetery, Eversley related to its cultural heritage value as a small, 19<sup>th</sup>-century, rural burial site of early settlers of the one time community of Eversley, its influence on the rural character of the landscape, 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
- its decorative fencing surrounding monuments
- its placement of the original markers and monuments
- the original placement of gravesites
- the mature trees
- the mature cedar hedgerow along the northern fence line
- the park like setting
- the grassy landscape
- its location and dimensions

- the wooden picket fence along the eastern boundary
- its proximity to St. Andrew's Presbyterian Church

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