

THE CORPORATION OF THE TOWNSHIP OF KING

BY-LAW NUMBER 2009-101

**A BY-LAW TO DESIGNATE
THE PRIMITIVE METHODIST 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 Primitive Methodist Cemetery (Hammertown) located on lands described as Concession 12, Part Lot 22, and municipally known as 15576-12th Concession 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 Primitive Methodist 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 Primitive Methodist Cemetery located on lands described as Concession 12, Part Lot 22, in the 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 2009-101

PRIMITIVE METHODIST CEMETERY, HAMMERTOWN, TOWNSHIP OF KING

REASONS FOR DESIGNATION:

Property Name: Primitive Methodist Cemetery, Hammertown
Street Address: 15576 12th Concession
Location: Concession 12, Part Lot 22
Municipality: Township of King, Regional Municipality of York
Assessment Roll: #081 930 **Property Owner:** Township of King

The Township of King Heritage Committee wishes to advise King Township council the property known municipally as the Primitive Methodist Cemetery, Hammertown 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 Primitive Methodist Cemetery, Hammertown is an inactive, small, mid to late 19th-century rural cemetery located at 15576 12th Concession, on the west side, north of the 17th Sideroad. Measuring 1.01 acre at 200 ft wide by 221.48 ft deep, it is situated at the southeast corner of Concession 12 Lot 22, in the one time community of Hammertown.

Statement of Cultural Heritage Value or Interest

The cultural heritage value of the Primitive Methodist Cemetery, Hammertown is related to its design/physical value as a typical small, mid to late 19th-century cemetery situated in a rural setting. Situated in a gently rolling, open landscape including several lilac trees, its remaining markers and monuments arranged in 4 clusters consist of simple limestone and sandstone slabs and upright granite and marble columns. This planned arrangement in a tranquil setting, with its western vista speaks of the intent to comfort the living while providing a peaceful setting for their dead. The memory of the one time Hammertown Primitive Methodist Church, later known as McKinley United Church, is preserved by the remains of its foundation at the northeast of the property.

The cultural heritage value of the Primitive Methodist Cemetery, Hammertown is related to its historical/associative value as the burial site of the early settlers, predominately Scottish, of the one time community of Hammertown. Farmer and local property owner John McKinley, an Irish immigrant, set aside the land circa 1865 for a Methodist church, later demolished, and cemetery to serve the local community. Closed sometime after 1898, the approximately 10 markers and headstones with inscriptions dating between 1868 and 1890 commemorate the approximately 18 burials of the adult, children and infant members of the local families that once settled the community of Hammertown.

The cultural value of the Primitive Methodist Cemetery, Hammertown also relates to its contextual value for its more than 140 years influence on the continued rural character of the immediate landscape. Situated on a hill overlooking the roadside, its lightly treed, open rolling setting serves as an important tie to the rural past and as a spiritual and visual landmark to the community.

Description of Heritage Attributes

The heritage attributes of the Primitive Methodist Cemetery, Hammertown related to its cultural heritage value as a small, rural 19th-century burial site of early settlers in the area 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
- its location and dimensions
- its gently rolling landscape
- its hillside locale
- its lilac trees
- its bushes and trees on the south property edge and the east frontage
- its unpaved access lane on the north boundary

- the foundation remains of the one time Hammertown Primitive Methodist Church at the northeast of the lot

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