

THE CORPORATION OF THE TOWNSHIP OF STONE MILLS BY-LAW 2007-369

WHEREAS the Ontario Heritage Act, R.S.O. 1990 Section 29 provides that "The council of a municipality may, by by-law, designate a property within the municipality to be of cultural heritage value or interest if where criteria for determining whether property is of cultural heritage value or interest have been prescribed by regulation, the property meets the prescribed criteria; and the designation is made in accordance with the process set out in this section and

WHEREAS notice of this By-law has been served on the owner of the property and on the Ontario Heritage Trust; and published in a newspaper having general circulation in the municipality and no objections have been received in respect to this notice; and

WHEREAS the Council for the Township of Stone Mills has held a public meeting at which time all persons were provided the opportunity to explain any prejudicial affect this by-law may have on their lands or other concerns respecting this by-law and

WHEREAS it is deemed in the interest of the Corporation of the Township of Stone Mills, that certain property be designated in accordance with the Ontario Heritage Act, R.S.O. 1990;

NOW THEREFORE the Council of The Corporation Of The Township of Stone Mills enacts as follows:

- 1 The property subject to this By-law is described as: Part of Lot 17 and 18, Concession 1 of the Township of Stone Mills, formerly comprising the Village of Newburgh and more commonly referred to as Section "A" of the Newburgh United Church Cemetery and located at 2157 County Road 1.
- 2 The cultural heritage value or interest of the above described property is as follows:
 - a) The Cemetery was granted to the Newburgh Methodist Episcopal Church in 1857 which in later years became the United Church of Canada following the uniting of the Methodist Episcopal Church with the Wesleyan Methodist Church; and
 - b) The cemetery is representative of the early settlers of the area who farmed and worked in the early factories in Newburgh and contains monuments that record the death of persons born as early as 1796
- 3 The heritage attributes of the property are as follows:
 - a) Ham Mausoleum erected prior 1868
 - b) Two other Mausoleums erected in 1878
 - c) Numerous interments and monuments placed prior to 1900
- 4 That the Clerk is hereby directed to:
 - a) Record in the Register for those properties that have been identified as being of cultural heritage value or interest, the property as herein described,
 - b) Cause a copy of this By-law together with a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property to be served on the owner of the property and on the Ontario Heritage Trust and to be registered against the property affected in the proper land registry office
 - c) Publish notice of the adoption of this By-law in a newspaper having general circulation in the municipality.
- 5 No owner of property designated in accordance with this By-law shall alter the property or permit the alteration of the property if the alteration is likely to affect the property's heritage attributes as set out in the description of the property's heritage attributes unless the owner applies to the Council of the Township of Stone Mills and receives consent in writing to the alteration.

- 6 No owner of property designated in accordance with this By-law shall demolish or remove a building or structure on the property or permit the demolition or removal of a building or structure on the property unless the owner applies to the Council of the Township of Stone Mills and receives consent in writing to the demolition or removal.
- 7 In all respects, the provisions provided for pursuant to the Ontario Heritage Act, R.S.O. 1990 as amended from time to time or such other legislation that may replace this Act shall prevail.

Read a first, second and third time and finally passed this 19th day of February 2007.

The original bylaw signed on this date by:

Deb Thompson, Reeve, and
Darlene Plumley, CAO/Clerk