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City Clerk's Office

Secretariat
Brad Bartlett
Etobicoke Civic Centre
Main Floor, South Block
399 The West Mall
Toronto, Ontario M9C 2Y2

RECEIVED

MAR 02 2009

Ulli S. Watkiss
City Clerk

Tel: 416-394-5606
Fax: 416-394-5600
e-mail: bbartle@toronto.ca
Web: www.toronto.ca

IN THE MATTER OF THE ONTARIO HERITAGE ACT
R.S.O. 1990 CHAPTER 0.18 AND
329 ROYAL YORK ROAD
CITY OF TORONTO, PROVINCE OF ONTARIO

NOTICE OF PASSING OF BY-LAW

RECEIVED

MAR 11 2009

City of Toronto
Cultural Heritage Unit


Registered Mail

Incorporated Synod Diocese of Toronto
Christ Church
329 Royal York Road
Etobicoke, ON M8Y 2P8

Ontario Heritage Trust
10 Adelaide Street East
Toronto ON M5C 1J3

Take notice that the Council of the City of Toronto has passed By-law No. 94-2009 to designate 329 Royal York Road (Christ Church Mimico Cemetery) as being of cultural heritage value or interest.

Dated at Toronto this 4th day of March, 2009.

 Ulli S. Watkiss
City Clerk

Authority: Etobicoke York Community Council Item 4.34,
as adopted by City of Toronto Council on April 23 and 24, 2007
Enacted by Council: January 28, 2009

CITY OF TORONTO

BY-LAW No. 94-2009

**To designate the property at 329 Royal York Road (Christ Church Mimico Cemetery)
as being of cultural heritage value or interest.**

WHEREAS authority was granted by Council to designate the property at 329 Royal York Road (Christ Church Mimico Cemetery) as being of cultural heritage value or interest; and

WHEREAS the *Ontario Heritage Act* authorizes the Council of a municipality to enact by-laws to designate real property, including all the buildings and structures thereon, to be of cultural heritage value or interest; and

WHEREAS the Council of the City of Toronto has caused to be served upon the owners of the land and premises known as 329 Royal York Road and upon the Ontario Heritage Trust, Notice of Intention to designate the property and has caused the Notice of Intention to be posted on the City's web site for a period of 30 days in accordance with Municipal Code Chapter 162, Notice, Public, Article II, § 162-4, Notice requirements under the *Ontario Heritage Act*; and

WHEREAS the reasons for designation are set out in Schedule "A" to this by-law; and

WHEREAS no notice of objection was served upon the Clerk of the municipality;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The property at 329 Royal York Road, more particularly described in Schedule "B" and shown on Schedule "C" attached to this by-law, is designated as being of cultural heritage value or interest.
2. The City Solicitor is authorized to cause a copy of this by-law to be registered against the property described in Schedule "B" to this by-law in the proper Land Registry Office.
3. The City Clerk is authorized to cause a copy of this by-law to be served upon the owners of the property at 329 Royal York Road and upon the Ontario Heritage Trust and to cause notice of this by-law to be posted on the City's web site for a period of 30 days in accordance with Municipal Code Chapter 162, Notice, Public, Article II, § 162-4, Notice requirements under the *Ontario Heritage Act*.

ENACTED AND PASSED this 28th day of January, A.D. 2009.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE "A"**REASONS FOR DESIGNATION**Description

The property at 329 Royal York Road is worthy of designation under Part IV of the *Ontario Heritage Act* for its cultural heritage value or interest, and meets the criteria prescribed for municipal designation by the Province of Ontario under the three categories of design or physical value, historical or associative value, and contextual value. Located on the west side of Royal York Road, south of the Gardiner Expressway, Christ Church Mimico Cemetery was opened in 1832. According to historical sources compiled by Etobicoke historian, Randall Reid, the property encompasses approximately 500 burials and over 100 grave markers.

Statement of Cultural Heritage Value**Design or Physical Value:**

With the demolition in 2006 of the third Christ Church Mimico (dating to 1956), the gravestones in the cemetery are the remaining physical reminders of the use of the property for over 175 years. In 1989, the Toronto Branch of the Ontario Genealogical Society documented 124 markers. The first recorded gravestone identified the resting places of John McKay, a native of Scotland, and his wife, Barbara Murray McKay, who both died in 1832.

Historical or Associative Value:

Historically, Christ Church Mimico Cemetery reflects the earliest period of settlement at the south end of Etobicoke. The cemetery is an important historical reflection of the parish of Christ Church Mimico, which was founded in 1827 as the third in the Anglican Diocese of Toronto and the eighth oldest in the province. John William Gamble, a prominent miller and one of the first settlers in the district, used his political connections with Upper Canada's ruling elite to secure land for a church and adjoining cemetery in the former King's Mills Reserve along the west bank of the Humber River. Farmers, mill labourers and former soldiers comprised the founding members of the congregation, which expanded in 1852 when the arrival of the Toronto and Hamilton Railway attracted new residents and parishioners. In 1857, Sir James Lukin Robinson, son of the Chief Justice of Upper Canada, donated additional land to enlarge the churchyard. As the community of Mimico grew around the intersection of the railway line and present-day Royal York Road, Christ Church Mimico and its graveyard remained a well-established local landmark.

Christ Church Mimico Cemetery contains the graves of many prominent Etobicoke residents associated with the founding and development of the community. John William Gamble was buried in the cemetery in 1873. A later burial in 1910, Daniel Fisher Horner was a noted Etobicoke realtor, inventor, businessman and politician who resided in a house named "Ashfield" at 183 Beta Avenue, a property that is recognized on the City's heritage inventory. Among the notable local families whose members were buried at Christ Church Mimico Cemetery are the names Appleby, Duck, Hicks, Tremayne and Van Every.

Contextual Value:

Placed in a parklike setting with grave markers adjoining an alley of mature trees, Christ Church Mimico Cemetery is a landmark in south Etobicoke.

Heritage Attributes:

The heritage attributes of Christ Church Mimico Cemetery consist of the collection of granite, marble and limestone monuments that identify many of the plots and represent tablet, block and obelisk styles of grave markers.

SCHEDULE "B"

In the City of Toronto (former City of Etobicoke) and Province of Ontario, in the Land Titles Division of the Toronto Registry Office (No. 66), being composed of:

FIRSTLY:

PIN 07617-0275 (LT)
PT LT D, RANGE D, AS IN MI7474

SECONDLY:

PIN 07617-0049 (LT)
LT 162A, PL 164

The hereinbefore described land being delineated by heavy outline on Sketch No. PS-2007-197 dated July 27, 2007, as set out in Schedule "C".

SCHEDULE "C"

