

THE CORPORATION OF THE TOWN OF OAKVILLE
BY-LAW 1987-295

NO. N4167

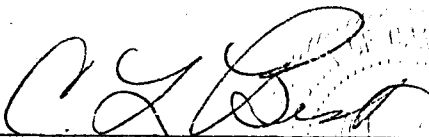
A by-law to designate certain property as a
property of historic and architectural value and
interest (Oakville/St. Mary's Cemetery)

THE COUNCIL ENACTS AS FOLLOWS:

1. The property known as Oakville/St. Mary's Cemetery is hereby designated as property of historic and architectural value and interest pursuant to The Ontario Heritage Act, for the reason set out in Schedule "A" to this by-law.
2. The property designated by this by-law is the property described in Schedule "B" attached to this by-law.

PASSED by the Council this 5th day of November, 1987


MAYOR


CLERK

SCHEDULE "A"
to By-Law 1987-295

REASON FOR DESIGNATION

The approximately 5 acres that comprise Oakville/St. Mary's Cemetery was donated by George K. Chisholm (1815-1874) to the Town in 1858. Chisholm was the first mayor of the Town of Oakville.

Chisholm, anticipating further growth at that time, suggested that the Cemetery on Reynolds Street north of Palmer Avenue be moved, in order to accommodate a new school to be built on that site.

The following is an excerpt from a letter written by Chisholm to Council on March 15, 1858:

"I propose to give the Town a plot of ground of about five acres, situated in front of the second concession, on the bank where the road crosses the Sixteen Mile Creek, for a public cemetery. The present one to be removed there as soon as practicable, and the site appropriated for the purposes of a Public School to be erected by the Town, one that would be an ornament to the place and of sufficient dimensions, to meet the educational requirements of the Town for many years to come."

Although the plan to build the new schoolhouse was not carried out, Council accepted Chisholm's offer for a new cemetery and the site was surveyed by George C. Tremaine, whose "Map of Halton County, Canada West" appeared that same year in 1858.

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The founder of Oakville, Colonel William Chisholm (1788-1842) is interred in the burial grounds along with many other members of the Chisholm family.

An interesting feature of a number of burial areas in the cemetery is the decorative wrought iron fencing delineating family plots.

SCHEDULE "B"

to By-Law 1987-295

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ALL AND SINGULAR that certain parcel or tract of land situate, lying, and being in the Town of Oakville, in the Regional Municipality of Halton, and being composed of Parts of Lot Nos. 15 and 16, and part of the unopened road allowance between Lot Nos. 15 and 16, in the Third Concession, South of Dundas Street, in the Township of Trafalgar (now in the Town of Oakville), and more particularly described as follows:

COMMENCING at a stake planted in the Southeast limit of the road allowance between the Second and Third Concessions, S.D.S., in the said Township of Trafalgar where it is intersected by the production Northwesterly of the present existing fence marking the Southwest limit of the Protestant Cemetery, said stake being distant Two Hundred and twenty feet (220') measured on a course of South Thirty-eight degrees West ($S\ 38^{\circ}\ W$) along the aforesaid Southeast limit of the road allowance between the Second and Third Concessions, S.D.S. from the Southwest limit of the road allowance between Lot Nos. 15 and 16.

THENCE following the present existing fence marking the Southwest and Southeast boundaries of the Protestant Cemetery and the Roman Catholic Cemetery and also marking the top of the Northeast bank of the ravine on the following courses and distances: South Fifty-nine degrees Fifty minutes East ($S\ 59^{\circ}\ 50'\ E$) One hundred and seventy-seven feet three inches (177' 3"), thence South Forty-eight degrees twenty-two minutes East ($S\ 48^{\circ}\ 22'\ E$), Eighty-two feet nine inches (82' 9"), thence South Forty degrees thirty-four minutes East ($S\ 40^{\circ}\ 34'\ E$), Seventy-three feet (73'), thence South Thirty-five degrees thirty-nine minutes East ($S\ 35^{\circ}\ 39'\ E$), Two hundred and fifteen feet five inches (215' 5"), thence South Thirty-one degrees forty-two minutes East ($S\ 31^{\circ}\ 42'\ E$), One hundred and eighty-one feet (181'), thence South Twenty-seven degrees three

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minutes East (S 27° 3' E), Two Hundred and seventy feet (270'), thence South Forty-nine degrees sixteen minutes East (S 49° 16' E), Nineteen feet six inches (19' 6"), thence South Seventy degrees thirty-three minutes East (S 70° 33' E), Sixty-one feet five inches (61' 5"), thence North Seventy-nine degrees nineteen minutes East (N 79° 19' E), Twenty-seven feet (27') and North Fifty-eight degrees fifty minutes East (N 58° 50' E), One hundred and twenty-two feet (122'), to the present existing fence post marking the Southeast angle of the Roman Catholic Cemetery;

THENCE North Fifty-seven degrees forty-six minutes East (N 57° 46' E), Two hundred and thirty-three feet six inches (233' 6") to a stake planted in the centre of the present existing dam at its most Westerly stone wall;

THENCE North Eighty-one degrees thirty-eight minutes East (N 81° 38' E), along the centre of the said present existing dam and the production thereof Northeasterly Three hundred and forty-one feet two inches (341' 2") to a stake planted on the brow of the Eastern bank of the ravine;

THENCE South Nine degrees forty-nine minutes East (S 9° 49' E), along the top of the said Eastern bank of said ravine Ninety-one feet three inches (91' 3") to a stake planted in the Northwest limit of the right-of-way lands of The Toronto Niagara Power Company;

THENCE South Thirty-six degrees West (S 36° W), along the said Northwestern limit of the right-of-way lands of The Toronto Niagara Power Company Six hundred and eighty-eight feet (688') to a present existing post standing at high water mark on the Southwest bank of the Sixteen Mile Creek;

THENCE South Eighty-seven degrees forty-five minutes West (S 87° 45' W), along the high water mark of said Creek Ninety-five feet (95') more or less to a stake planted in a line drawn parallel with the aforesaid Northwestern limit of the

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right-of-way land of The Toronto Niagara Power Company and distant Seventy-five feet (75') measured Northwesterly parallel with the Northeastern limit of Kerr Street from said limit of said right-of-way;

THENCE South Thirty-six degrees West ($S 36^{\circ} W$), and parallel with the Northwest limit of the right-of-way lands of The Toronto Niagara Power Company One Hundred and thirty-six feet (136') more or less to a stake planted in the Northeastern limit of Kerr Street, said stake being distant Seventy-five feet (75') measured Northwesterly along the Northeast limit of Kerr Street from the Northwest limit of the right-of-way lands of The Toronto Niagara Power Company;

THENCE in a northwesterly direction along the Northeastern limit of Kerr Street as at present fenced the following general courses and distances: North Sixty-eight degrees fifty-one minutes West ($N 68^{\circ} 51' W$), Three hundred and seventy-four feet (374'), North Forty-six degrees twenty-one minutes West ($N 46^{\circ} 21' W$), Four hundred and eighty-seven feet (487'), North Sixty-two degrees fifty-nine minutes West ($N 62^{\circ} 59' W$), Six hundred and three feet (603') more or less to an intersection with the aforesaid Southeastern limit of the road allowance between the Second and Third Concessions, S.D.S.;

THENCE North Thirty-eight degrees East ($N 38^{\circ} E$), along the said Southeastern limit of the road allowance between Concessions 2 and 3, S.D.S., Seven hundred and thirty-five feet (735') more or less to the place of beginning, the above described parcel of land containing by measurement Twenty-two (22) acres to be the same more or less.

SAVING AND EXCEPTING thereout and therefrom those parts of the said land taken for the public purposes of The Province of Ontario and shown on the plans deposited in The Registry Office for the Registry Division of the County of Halton on the 17th day of February 1937 and on the 21st day of May 1937 respectively as Plan Nos. 276 and 280, as in Instrument No. 21452.