
HALDIMAND COUNTY

Report CDP-22-2024 Application for Designation of the Street Cemetery as a Heritage Property - 664 Haldimand Road 32, Canfield



For Consideration by Council in Committee on October 29, 2024

OBJECTIVE:

To seek Council approval to designate the property known as the Street Cemetery, 664 Haldimand Road 32, Canfield pursuant to the *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, Section 29.

RECOMMENDATIONS:

1. THAT Report CDP-22-2024 Application for Designation of the Street Cemetery as a Heritage Property - 664 Haldimand Road 32, Canfield, be received;
2. AND THAT Council state its intention to designate the property known as the Street Cemetery, located at 664 Haldimand Road 32, Canfield (N ½ lot 12 Part 5, Concession 1 North Cayuga), pursuant to Part IV of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, section 29 (as amended);
3. AND THAT following public notification of the intention to designate in accordance with Section 29 of the *Ontario Heritage Act*, if there are no objections to the designation a by-law, be presented to Council to designate the property located at 664 Haldimand Road 32, Canfield, being North ½ lot 12 Part 5, Concession 1 North Cayuga;
4. AND THAT if there are objections in accordance with Section 29 of the *Ontario Heritage Act* to the designation of the property located at 664 Haldimand Road 32, Canfield being North ½ lot 12 Part 5, Concession 1 North Cayuga, staff be authorized and directed to take the necessary action to refer the matter to Haldimand County Council in accordance with the legislation;
5. AND THAT the costs associated with Report CDP-22-2024 be approved, and incorporated into the 2025 Tax Supported Operating Budget as a one-time Council Approved Initiative;
6. AND THAT the by-law attached to Report CDP-22-2024 be approved at a future Council meeting.

Prepared by: Anne Unyi, Supervisor, Heritage & Culture

Reviewed by: Katrina Schmitz, Manager, Community Development & Partnerships

Respectfully submitted: Mike Evers, MCIP, RPP, BES, General Manager, Community & Development Services

Approved: Cathy Case, Chief Administrative Officer

EXECUTIVE SUMMARY:

Heritage Haldimand is formally requesting that the burial ground, known as the Street Cemetery, 664 Haldimand Road 32, Canfield, ON, be designated under Part IV of the *Ontario Heritage Act* (Attachments 1 and 2).

This heritage cemetery—located on private property—was acquired by Haldimand County in June 2023 through the requirements of the Bereavement Authority of Ontario associated with caring for abandoned cemeteries. In accepting that responsibility, Council also approved \$100,000 towards the clean-up of the site to make it safe for limited access. This first phase of work included removal of old fencing, clearing debris and creating a pathway from the Haldimand Road 32 to the cemetery. A second phase of work includes the County working with a Community Stakeholder Committee—comprised of descendants of individuals buried in the Street Cemetery and other community members interested in preserving the history of these local Black settlers—to determine future restoration and rehabilitation efforts of the site.

Staff and Heritage Haldimand have referenced both the Heritage Haldimand Designation Criteria and Sub-Criteria (Policy 2003-06) and Ontario Regulation 9/06 (Attachment 3) and recommend that this cemetery, as it satisfies the criteria, be designated under the *Ontario Heritage Act* to reflect its significant heritage value.

BACKGROUND:

Heritage Haldimand was established to advise and assist Council on all heritage designation matters relating to Parts IV and V of the *Ontario Heritage Act*. These parts relate to the formal designation of property to identify it as having historical, architectural or contextual value under this legislation.

Part IV of the *Ontario Heritage Act* states, with reference to “Designation by municipal by-law”:

29. (1) *The council of a municipality may, by by-law, designate a property within the municipality to be of cultural heritage value or interest if,*
- (a) *where criteria for determining whether property is of cultural heritage value or interest have been prescribed by regulation, the property meets the prescribed criteria.*

Heritage Haldimand, along with County staff, are recommending the designation by municipal by-law of the Street Cemetery given its historical significance and compliance with both provincial regulation and County criteria for same.

ANALYSIS:

The *Ontario Heritage Act* (Act) provides for the conservation, protection and preservation of historical and architectural heritage properties. Through the formation of municipal heritage committees, municipalities are able to leverage the Act in their heritage conservation programs.

Heritage Haldimand is formally requesting Haldimand County Council designate the subject lands – the Street Cemetery - as a significant heritage resource under Part IV of the *Ontario Heritage Act* to ensure its protection for the benefit of current and future generations. The entire property (Attachment 1) is to be designated, which will ensure the heritage attributes outlined below (Attachment 4) have added protection, in that, any proposed alteration to the burial ground must be approved by a future Council. Heritage Haldimand considers this property to be a worthy candidate for the requested heritage designation.

The conclusion and recommendation to designate is based upon criteria set out in:

- Ontario Regulation 9/06 (Attachment 3); specifically, the property has historical value or associative value because it (a) has direct associations with a person that is significant to a community, (b) yields, or has the potential to yield, information that contributes to an understanding of a community; the property has contextual value because it (a) is important in

defining, maintaining or supporting the character of an area; (b) is historically linked to its surroundings and (c) is a landmark; and,

- Heritage Haldimand Designation Criteria and Sub-Criteria; Policy No. 2003-03, which guides the Committee through decision-making:

Criteria:

- (1) Having a documented history of being part of an original settlement and/or natural history of the County. For example:
 - A person, family or community may have built or occupied a building, structure or property that had contributed to the history of the local community and/or County, etc. through industry, trade, culture, military or politics.

And

Sub-Criteria:

- (A) Having a “visual point of reference”. A designation-worthy feature must have a major portion of the original structure/architecture/form visible and intact.

The recommendation to designate the Street Cemetery, Canfield supports that this property meets the above-noted criteria based upon the following:

- The Street Cemetery is integral to Haldimand County’s collective heritage and is one of the few remaining markers of Black history in the County;
- The Street Cemetery was established in the early 1840s and is the final resting place for members of the Street and Barnes families and their descendants who came from the U.S. to Canfield through the Underground Railroad;
- There are 11 identifiable burials, however research indicates that there may be up to 26 burials in total. The first interment, two-year old Maryann Street, daughter of Stepney and Lucy, took place in September 1846 and the last was William Andrew Barnes, who died February 18, 1943. The cemetery is also the final resting place for William’s wife Carrie Barnes, who was the niece of famed Underground Railway conductor and abolitionist, Harriet Tubman.
- The remaining markers, made of soft granite and limestone, preserve the memory of the individuals interred within the small area; and,
- Its quiet and peaceful setting also contributes to its natural landscape.

FINANCIAL/LEGAL IMPLICATIONS:

Should Council pass a resolution indicating its intent to pursue the request for heritage designation, the required notification processes set out under Section 29 of the *Ontario Heritage Act*, as noted below, will be undertaken. Costs related to registering the designation on title (approximately \$100) and purchase of a recognition plaque (approximately \$900) will be included in the 2025 Tax Supported Operating Budget as a one-time Council Approved Initiative.

Any interest from the Street Cemetery Community Stakeholder Committee for future rehabilitation, restoration or enhancement of the site would be assessed through the County’s Community Partnership Program, which provides up to 35% grant funding for any capital work with an expectation that the community group raise the remaining 65%.

STAKEHOLDER IMPACTS:

Notice of the proposed Intention to Designate is required to be served on the:

- (a) The Ontario Heritage Trust (November 5, 2024); and,
- (b) Published in local media for a period of 30 days (November 5 to December 5, 2024).

If no objections are received, the by-law would go before Council (January 14, 2025) following the process as stated above. If no objections are filed, the by-law will be registered on title February 14, 2025.

If an objection to the designation is filed with the municipality within the 30-day period, the Council of the municipality shall consider the objection and make a decision whether or not to withdraw the notice of intention to designate the property within 90 days after the end of the 30-day period under section 29 (5).

REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: Yes

Policy: No

REFERENCES:

1. [Policy No. 2006-03 Heritage Haldimand Designation Criteria and Sub-Criteria.](#)

ATTACHMENTS:

1. Application to Designate 664 Haldimand Road 32, Canfield.
2. Location Map.
3. Ontario Regulation 9/06.
4. Key Attributes for Designation.
5. Images (2005).
6. Draft By-law.
7. Presentation.