

Town of Whitby

Staff Report

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Report Title: Proposed name change of the Pioneer Baptist Cemetery to the Dryden Cemetery

Report to: Committee of the Whole

Date of meeting: September 25, 2023

Report Number: FS 21-23

Department(s) Responsible:

Financial Services Department

Submitted by:

Fuwing Wong, Commissioner, Financial Services/Treasurer

**Acknowledged by M. Gaskell,
Chief Administrative Officer**

For additional information, contact:

Fuwing Wong, Commissioner of
Financial Services/Treasurer

1. Recommendation:

1. That the Groveside Cemetery Board's recommendation to change the name of the Pioneer Baptist Cemetery to the Dryden Cemetery be received and approved;
2. That Staff provide public notice of the proposed cemetery name change and how written objections may be provided to the Town by way of signage posted at the, current, Pioneer Baptist Cemetery site and other advertisements as noted in Report FS 21-23; and,
3. That, subject no objection being received in connection with the proposed cemetery name change, staff be authorized initiate the name change with the Bereavement Authority of Ontario and execute all documents to implement the cemetery name change.

2. Highlights:

- The Groveside Cemetery Board recommends changing the name of the Pioneer Baptist Cemetery to the Dryden Cemetery.

- The Town will provide public notice of the proposed cemetery name change, by way of signage at the, current, Pioneer Baptist Church site and through advertisements.
- Members of the public will have the opportunity to provide written objections to the proposed name change for a period of 60 days.
- Objections, if any, will be provided to the Groveside Cemetery Board to consider and address before reporting back to Town of Whitby Council.
- If there are no written objections received, Town staff will initiate the name change with the Bereavement Authority of Ontario.

3. Background:

Pioneer Baptist Cemetery

The Pioneer Baptist Cemetery is located near to the South-East corner of Columbus Road and Thickson Road. The cemetery was established around 1843 by Rev. William Marsh, the first Baptist Minister in Whitby Township. The church connected to this cemetery closed in 1884 and the Church building was relocated. The Dryden family assumed responsibility for the cemetery and ran it for many years before negotiating for the Town to take it over.

Notably, Mr. James Dryden immigrated to Whitby Township around 1820 and, over the years, became a successful farmer of a 200-acre (later expanded to 420 acres) property, known as the Maple Shade Farm, located on the north side of the 7th Concession and east of Thickson Road (near the Village of Winchester (Brooklin), at the time). At least two generations of Dryden's served the community as Reeve and Deputy Reeve for the Township, Secretary-Treasurer of the Whitby School Board, President of the Port Whitby and Port Perry Railway, and Director of the Ontario Bank. Family member, John Dryden was Ontario's first Minister of Agriculture. William A. Dryden was a founder of the Royal Agricultural Winter Fair. Both gentlemen and other members of the Dryden and Marsh families are buried in the cemetery.

The Groveside Cemetery Board

The Groveside Cemetery Board (the "**Board**") is an advisory committee created by Council. The Board is governed by the Funeral, Burial, and Cremation Services Act, 2002. Currently, the Board is comprised of seven (7) citizen appointments*, one (1) Member of Council, and one (1) staff liaison. The Board's mandate, based on the Terms of Reference for this advisory committee is as follows:

1. Ensure the effective operation, maintenance and beautification of the Groveside Cemetery, Pioneer Baptist Cemetery, Myrtle Cemetery, Hubbell Cemetery, the Hemingway Monument, and other cemeteries that fall within the responsibility of the Town of Whitby;

2. To supervise and manage the business and administrative matters of the Groveside Cemetery Board; and,
3. Ensure that all operations and proceedings of the Groveside Cemetery Board comply with the *Funeral, Burial and Cremation Services Act, 2002*, as amended.

*Only the citizen appointment Board members may vote on Groveside Cemetery Board matters.

The Bereavement Authority of Ontario

The Bereavement Authority of Ontario (the “**BAO**”) was established as a Delegated Administrative Authority on January 16, 2016, under the *Safety and Consumer Statutes Administration Act, 1996*. The BAO administers provisions of the *Funeral, Burial and Cremation Services Act, 2002* which is consumer protection legislation respecting funerals, burials, cremations, and related services within the province of Ontario.

4. Discussion:

The Groveside Cemetery Board recommends a name change to the Pioneer Baptist Cemetery to the Dryden Cemetery reflect the history of the area and a more inclusive/non-denominational name. There are approximately 132 plots still available at this cemetery and the proposed name change may appeal to the broader public.

The Groveside Cemetery Board Chair consulted with the Heritage Committee on the proposed name change for the cemetery earlier this year and Dryden was a preferred name.

Prior to initiating a cemetery name change with the Bereavement Authority of Ontario, staff propose advertising the proposed name change and a public feedback period of 60-days to obtain feedback from the public, including potentially comments from the next of kin of people currently interred at the Pioneer Baptist Cemetery.

Subject to Council approval of this report, staff will post a sign on the, current, Pioneer Baptist Cemetery site for a period of 60 days as public notice of the proposed cemetery name change. The sign will also provide information that any person may submit objection, in writing within the 60-day period, to Town staff of the proposed name change. Such written objection is to include the person's name, address, and reason(s) for objecting. Over the 60 days, staff will also provide notice via advertisements with the same information.

Any written objections will be provided to the Groveside Cemetery Board to consider and address, if applicable, before reporting back to Council on next steps. Should there be no written objections received within the 60 day period, staff will initiate the name change with the BAO.

5. Financial Considerations:

Public notice costs (e.g., signage and advertising costs) are projected to be \$3,000 to \$4,000 and will be paid for from the Financial Services department's operating budget.

The Groveside Cemetery Board will budget for and pay for all signage, registration, and other administrative costs associated with a name change from the Pioneer Baptist Cemetery to the Dryden Cemetery.

6. Communication and Public Engagement:

The plan for public notice and a 60-day period for the public to provide written objections is noted in the Discussion section of this report.

7. Input from Departments/Sources:

This report was prepared in consultation with the Groveside Cemetery Board Chair. The Chair consulted with the Town's Heritage Committee about the proposed cemetery name change earlier this year.

8. Strategic Priorities:

N/A

9. Attachments:

None