



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 383-2006

To designate the property of Brampton Pioneer Cemetery, Main Street North as being of cultural heritage value or interest.

WHEREAS Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter O. 18 (as amended) 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;

WHEREAS the Brampton Heritage Board supports the designation of the properties described herein;

WHEREAS a Notice of Intention to Designate has been published and served in accordance with the Act, and there has been no Notice of Objection served on the Clerk;

NOW THEREFORE the Council of the Corporation of the City of Brampton HEREBY ENACTS as follows:

- 1. The property of Brampton Pioneer Cemetery, Main Street North more particularly described in Schedule "A" is hereby designated as being of cultural heritage value or interest pursuant to Part IV of the Ontario Heritage Act.
2. The City Clerk shall cause a copy of this by-law to be registered against the property described in Schedule "A" to this by-law in the proper Land Registry Office.
3. The City Clerk shall cause a copy of this by-law to be served upon the owners of the property of Brampton Pioneer Cemetery, Main Street North and upon the Ontario Heritage Trust and to cause notice of this by-law to be published in a newspaper having general circulation in the City of Brampton as required by the Ontario Heritage Act.
4. The City Clerk shall serve and provide notice of this by-law in accordance with the Act.
5. The short statement of the reason for the designation of the property, including a description of the heritage attributes are set out in Schedule "B" to this by-law.
6. The affidavit of Kathryn Zammit attached, as Schedule "C" hereto shall form part of this by-law.

READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL THIS 13th DAY OF DECEMBER, 2006.

Approved as to form C. Hird 07 12 06

Susan Fennell - Mayor

Kathryn Zammit - Clerk

Approved as to Content: Karl Walsh

Karl Walsh, Director, Community Design, Parks Planning and Development

SCHEDULE "A" TO BY-LAW **383-2006**

**LEGAL DESCRIPTION**

BURYING GROUND PL BR12 ; BRAMPTON.

14129-0095 (LT)

## SCHEDULE "B" TO BY-LAW 383 - 2006

### SHORT STATEMENT OF THE REASON FOR THE DESIGNATION OF BRAMPTON PIONEER CEMETERY, MAIN STREET NORTH

Heritage designation of Brampton Pioneer Cemetery, under Part IV of the Ontario Heritage Act, is recommended for architectural, historical and contextual reasons. The property is a historic Euro-Canadian cemetery established about 1825. It is among the oldest cemeteries in Peel Region and is certainly the oldest public cemetery in Brampton. It remained active until the Brampton Cemetery opened in 1863.

In 1938 the Town of Brampton assumed management of the site after years of neglect. At that time all of the visible grave markers were gathered in a pile. Town workers under direction of R.B. Martin, Cemetery Superintendent, arranged the stones in horizontal rows assigned to the appropriate grave sites.

The cemetery has a square shape and comprises 0.5 acres. The frontage is 136 feet, facing Main Street North.

Many very prominent early settlers are buried in this cemetery. Perhaps the most significant is John Elliott (died 1871) who was among the very first settlers. Elliott is credited with naming Brampton. He also had the town lots surveyed in 1834. His grave marker reads: "He was born in Bewcastle, Cumberland, England; in the year 1794 and emigrated to Canada in March 1821." Also buried in this cemetery is: John Scott (1775-1858) who built the first grain mill and ashery in Brampton; Peter Chisholm, who built what is now the Bovaird House Museum; Joseph Wright (died 1866); Joseph Hunter (died 1860); along with members of the Buffy, Lundy and Haggert families.

The Cemetery holds several original, hand carved tombstones and markers displaying well executed and beautiful motifs, symbols and inscriptions. The markers are of the slab and obelisk form and are made of principally of marble and limestone.

The setting and landscaping elements form an interesting and prominent urban green space. The landscaping elements are significant and contain mature shade trees and some evergreens.

The property, and the burials it contains, hold significant spiritual importance as the 'final resting place' of several 19th century citizens of Brampton, including its earliest Euro-Canadian settlers.

The many heritage attributes in the cemetery are a deep and meaningful symbol of the early inhabitants who helped shape the character and development of Brampton.

The short statement of reason for the designation, including a description of the heritage attributes along with all other components of the full Heritage Report: Statement of Reason for Heritage Designation, constitute the "reason for heritage

designation" required under the Ontario Heritage Act. The full Heritage Report is available for viewing in the City Clerk's office at City Hall, during regular business hours.

**DESCRIPTION OF HERITAGE ATTRIBUTES (CHARACTER DEFINING ELEMENTS):**

Unless otherwise indicated, the reason for designation apply generally to all exterior elevations, facades, foundation, markers, construction materials and their related building techniques; all burials, the grounds generally including all landscaping elements, hedgerows, groupings of trees, and shrubs, vistas, fences and all other natural and structural elements found on the subject property. Specific heritage attributes of significance include:

**Exterior Architectural Heritage Attributes:**

Several original, hand carved tombstones and markers displaying well executed and beautiful motifs, symbols and inscriptions. The markers are of the slab and obelisk form and are made of principally of marble and limestone.

**Contextual Heritage Attributes:**

Setting and landscaping elements form an interesting urban green space; the landscaping elements are significance and contain mature shade trees and some evergreens.

**Historical /Cultural Heritage Attributes:**

Many very prominent early settlers are buried in this cemetery; it is a vivid symbol of the early inhabitants who helped shape the character and development of Brampton; is the oldest cemetery in Brampton; the property has significant spiritual importance as the 'final resting place' of several 19th century citizens of Brampton.

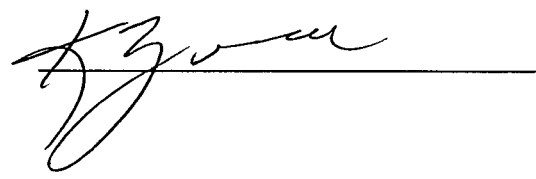
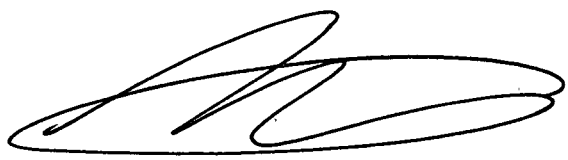
SCHEDULE "C" TO BY-LAW 383-2006

AFFIDAVIT OF KATHRYN ZAMMIT

I, KATHRYN ZAMMIT, of the Town of Caledon in the Region of Peel, MAKE OATH AND SAY:

1. I am the Clerk for the Corporation of the City of Brampton and as such I have knowledge of the facts therein contained.
2. The public notice of intention to designate "Brampton Pioneer Cemetery, Main Street North" was served on the owner of the property and was advertised, in the form attached as Exhibit A to this my affidavit, in the Brampton Guardian, a newspaper having general circulation in the City of Brampton, on *November 10* 2006.
4. The by-law to designate the "Brampton Pioneer Cemetery, Main Street North" came before City Council at a Council meeting on *December 13* 2006 and was approved.
5. A copy of the by-law, including a short statement of the reason for the designation has been served upon the owner of the property and the Ontario Heritage Trust and notice of such by-law was published in the Brampton Guardian on *June 29* 2006.

SWORN before me at the City     )  
of Brampton, in the Region     )  
of Peel, this                     )  
day of *3rd July 2007*     )



A Commissioner for Taking Affidavits, etc.

**NOTICE**

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O. 18, AND THE MATTER OF THE LANDS AND PREMISES KNOWN AS THE BRAMPTON PIONEER CEMETERY, LOCATED AT MAIN STREET NORTH (BURYING GROUND PL BR12) IN THE CITY OF BRAMPTON, IN THE PROVINCE OF ONTARIO:

**NOTICE OF INTENTION TO DESIGNATE**

TAKE NOTICE that the Council of the City of Brampton intends to designate property, being the Brampton Pioneer Cemetery and lands upon which the cemetery is situated, at Main Street North in the City of Brampton, in the Province of Ontario, as a property of cultural heritage value or interest under Part IV of the Ontario Heritage Act, R.S.O. c. O. 18.

**SHORT STATEMENT OF THE REASON FOR THE DESIGNATION**

Heritage designation of Brampton Pioneer Cemetery, under Part IV of the Ontario Heritage Act, is recommended for architectural, historical and contextual reasons.

The property is a historic Euro-Canadian cemetery established about 1825. It is among the oldest cemeteries in Peel Region and is certainly the oldest public cemetery in Brampton. It remained active until the Brampton Cemetery opened in 1863.

In 1938 the Town of Brampton assumed management of the site after years of neglect. At that time all of the visible grave markers were gathered in a pile. Town workers under direction of R.B. Martin, Cemetery Superintendent, arranged the stones in horizontal rows assigned to the appropriate grave sites.

The cemetery has a square shape and comprises 0.5 acres. The frontage is 136 feet, facing Main Street North.

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The Cemetery holds several original, hand carved tombstones and markers displaying well executed and beautiful motifs, symbols and inscriptions. The markers are of the slab and obelisk form and are made of principally of marble and limestone.

The setting and landscaping elements form an interesting and prominent urban green space. The landscaping elements are significant and contain mature shade trees and some evergreens.

The property, and the burials it contains, hold significant spiritual importance as the 'final resting place' of several 19th century citizens of Brampton, including its earliest Euro-Canadian settlers.

The many heritage attributes in the cemetery are a deep and meaningful symbol of the early inhabitants who helped shape the character and development of Brampton.

**DESCRIPTION OF HERITAGE ATTRIBUTES**

Unless otherwise indicated, the reason for designation apply generally to all exterior elevations, facades, foundation, markers, construction materials and their related building techniques, all burials, the grounds generally including all landscaping elements, hedgerows, groupings of trees, and shrubs, vistas, fences and all other natural and structural elements found on the subject property

The short statement of reason for the designation, including a description of the heritage attributes along with all other components of the detailed Heritage Report: Statement of Reason for Heritage Designation, constitute the "reason for heritage designation" required under the *Ontario Heritage Act*.

Please contact Jim Leonard, Heritage Coordinator in Urban Design Section, Planning, Design and Development Department at (905) 874-3825 to view this document, and for further information.

Notice of objections to the proposed designation may be served on the Clerk no later than 4:30 p.m. on December 11, 2006 (within 30 days of the publication of this notice).

Dated at the City of Brampton on this 10<sup>th</sup> day of November 2006.

Kathryn Zammit, City Clerk, City of Brampton

## We need to find ways to slow down development

Continued from pg. 11

across the way is a green carpet of young corn.

In a few short years, all this and thousands more acres of Canada's finest food-growing land is going to be 'industrial and residential' and the people who come to occupy the area will have no clue as to what has been destroyed to accommodate them.

Even if all the local and even provincial politicians magically went green overnight, there is little likelihood the scourge of urbanization could be stopped in the near future; but, there is opportunity to at least mitigate some of the damage.

Any law whose intent was to stop development would be litigated into oblivion in no time, but 'reasonable' building bylaws, those which required something less than state-of-the-art technology before a development permit was issued, might stand at least a ghost of a chance against the combined assault of lawyers and lobbyists.

For a start, any conversion of land from agricultural to non-agricultural use must be at least energy and carbon neutral.

For instance, all the electricity needed by a new industrial development must come from local renewable generation. The footprint of even the largest wind turbine is not large and what little noise the spinning blades make would be small in relation to the general hubbub associated with manufacturing and transportation.

### Support green development

The acres of flat heat-absorbing and heat-leaking roofs must be either 'green'—covered with a thick layer of water retaining growing medium which will support selected vegetation—to delay run-off and improve thermal efficiency, or they must support arrays of photovoltaics to supply electricity.

Heating and air conditioning must also tap local CO2 free supplies like ground source heating. If existing trees have to be cut down, then an equivalent acreage must be shown to have been planted and endowed for at least the lifetime of the development.

As for new residential building, the same principles of self sufficiency must be required and no permit should be issued for any design that does not incorporate the most up-to-date proven methods of thermal conservation.

In any new sub-division, all houses should be oriented so as to take maximum advantage of solar energy and some minimum percentage of every roof area should be designated for photovoltaic panels or supplementary hot water heating. If sufficient power cannot be reasonably generated on site, then a covenant on the property must ensure that imported power come only from renewable, carbon-free, sources.

Will it cost the new inhabitants more? Probably yes—at least initially until the capital costs are amortized.

Will it affect development? It certainly won't stop it, but it might slow things down for a few months until all the screaming is reduced to a dull roar and developers adjust to the new reality.

Is it 'reasonable'? Time alone will tell.

# Brampton

### NOTICE

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O. 18, AND THE MATTER OF THE LANDS AND PREMISES KNOWN AS THE PARK ROYAL APARTMENT, LOCATED AT 8 WELLINGTON STREET WEST IN THE CITY OF BRAMPTON, IN THE PROVINCE OF ONTARIO:

### NOTICE OF INTENTION TO DESIGNATE

TAKE NOTICE that the Council of the City of Brampton intends to designate property, being the Park Royal Apartment and lands upon which the building is situated, at 8 Wellington Street West in the City of Brampton, in the Province of Ontario, as a property of cultural heritage value or interest under Part IV of the Ontario Heritage Act, R.S.O. c. O. 18.

### SHORT STATEMENT OF THE REASON FOR THE DESIGNATION

The Park Royal Apartment at 8 Wellington Street West is a noteworthy and unique landmark property in downtown Brampton. It was built in 1939 as the first "purpose built" apartment complex in the City of Brampton.

The Park Royal Apartment is historically associated with several prominent individuals. The apartment was built for Dr. Robert James Hiscox. Hiscox was the owner and publisher of the Peel Gazette, an influential weekly newspaper in Peel County. Hiscox also practiced dentistry in Brampton and was a Liberal candidate in the 1948 provincial election.

The architect was Robert W. Hall, a respected architect in Peel County prior to the Second World War. Hall also designed several local schools including the original Peel County High School and the Peel Memorial Hospital.

The building is an excellent example of the construction work of Harry Hergaarden, Sr. one of Brampton's most important 20th century building contractors. Hergaarden also built several commercial buildings and houses including the home of the Hon. William G. Davis on Main Street South.

The Park Royal Apartment building is an extremely rare example of the streamlined Art Moderne style, a major architectural design stemming from the Art Deco period. The Park Royal is essentially a "one of a kind" in Brampton in terms of the Art Deco/Moderne style being applied to an apartment building. The owner and architect made a concerted effort to ensure their building was "in vogue" and thoroughly "modern".

The building design features several evocative Art Moderne elements including: a rectangular plan with distinctive rounded buff brick walls on all four sides, a flat uninterrupted roof without any cornice details, smooth curving surfaces and horizontal fenestration. The Park Royal is among the most important early modern buildings in Peel Region.

As a cultural heritage landscape the entire property is significant. It is situated on a conspicuous corner lot at Wellington Street West and George Street. The low-rise apartment building, surrounded by generous lawns and open space, complements and blends into its immediate surroundings, which include late Victorian and Edwardian homes and Gage Park, located directly to the south. The property actually presents a critically important transitional buffer between Gage Park and the contemporary, less sympathetic commercial and office buildings now running along George Street. It is also one of many important landmark buildings in the immediate vicinity including the Peel County Courthouse, Alderlea and the historic houses

along Main Street South. The Park Royal Apartment building at 8 Wellington Street West holds cultural heritage value.

Heritage designation, under Part IV of the Ontario Heritage Act, is recommended for architectural, historical and contextual reasons.

### DESCRIPTION OF HERITAGE ATTRIBUTES

Unless otherwise indicated, the reason for designation apply generally to all exterior elevations, facades, foundation, roof and roof trim, all doors, windows, other structural openings and associated trim, all architectural detailing, construction materials of wood, stone, brick, plaster parging, metal and glazing and related building techniques, fencing, all trees, shrubs, hedges, other vegetation and the grounds and vistas generally.

The short statement of reason for the designation, including a description of the heritage attributes along with all other components of the detailed Heritage Report: Statement of Reason for Heritage Designation, constitute the "reason for heritage designation" required under the Ontario Heritage Act.

Please contact Jim Leonard, Heritage Coordinator in Urban Design Section, Planning, Design and Development Department at (905) 874-3825 to view this document, and for further information. Notice of objections to the proposed designation may be served on the Clerk no later than 4:30 p.m. on July 30th, 2007 (within 30 days of the publication of this notice).

Dated at the City of Brampton on this 29th day of June 2007.

Kathryn Zammit, City Clerk, City of Brampton

### NOTICE OF PASSING OF BY-LAW

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O. 18, AND IN THE MATTER OF THE LANDS AND PREMISES KNOWN MUNICIPALLY AS THOMAS DALE HOUSE, 250 MAIN STREET NORTH IN THE CITY OF BRAMPTON, IN THE PROVINCE OF ONTARIO.

TAKE NOTICE that the Council of the Corporation of the City of Brampton enacted By-law Number 379-2006 on the 13th day of December, 2006, to designate Thomas Dale House, 250 Main Street North in the City of Brampton as being of cultural heritage value or interest under Part IV subsection 29(1) of the Ontario Heritage Act, R.S.O. c. O. 18. Dated at the City of Brampton on this 26th, day of June 2007.

Kathryn Zammit, City Clerk, City of Brampton.

### NOTICE OF PASSING OF BY-LAW

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O. 18, AND IN THE MATTER OF THE LANDS AND PREMISES KNOWN MUNICIPALLY AS ALLOA CEMETERY, WANLESS DRIVE AND CREDITVIEW ROAD IN THE CITY OF BRAMPTON, IN THE PROVINCE OF ONTARIO.

TAKE NOTICE that the Council of the Corporation of the City of Brampton enacted By-law Number 382-2006 on the 13th day of December, 2006, to designate Aloa Cemetery, Wanless Drive and Creditview Road in the City of Brampton as being of cultural heritage value or interest under Part IV subsection 29(1) of the Ontario Heritage Act, R.S.O. c. O. 18. Dated at the City of Brampton on this 26th, day of June 2007.

Kathryn Zammit, City Clerk, City of Brampton.

### NOTICE OF PASSING OF BY-LAW

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O. 18, AND IN THE MATTER OF THE LANDS AND PREMISES KNOWN MUNICIPALLY AS HILLTOP-GORE CEMETERY, THE GORE ROAD IN THE CITY OF BRAMPTON, IN THE PROVINCE OF ONTARIO.

TAKE NOTICE that the Council of the Corporation of the City of Brampton enacted By-law Number 384-2006 on the 13th day of December, 2006, to designate Hilltop-Gore Cemetery, The Gore Road, in the City of Brampton as being of cultural heritage value or interest under Part IV subsection 29(1) of the Ontario Heritage Act, R.S.O. c. O. 18. Dated at the City of Brampton on this 26th, day of June 2007.

Kathryn Zammit, City Clerk, City of Brampton.

### NOTICE OF PASSING OF BY-LAW

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O. 18, AND IN THE MATTER OF THE LANDS AND PREMISES KNOWN MUNICIPALLY AS HUTTONVILLE CEMETERY, MISSISSAUGA ROAD IN THE CITY OF BRAMPTON, IN THE PROVINCE OF ONTARIO.

TAKE NOTICE that the Council of the Corporation of the City of Brampton enacted By-law Number 385-2006 on the 13th day of December, 2006, to designate Huttonville Cemetery, Mississauga Road in the City of Brampton as being of cultural heritage value or interest under Part IV subsection 29(1) of the Ontario Heritage Act, R.S.O. c. O. 18. Dated at the City of Brampton on this 26th, day of June 2007.

Kathryn Zammit, City Clerk, City of Brampton

### NOTICE OF PASSING OF BY-LAW

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O. 18, AND IN THE MATTER OF THE LANDS AND PREMISES KNOWN MUNICIPALLY AS BRAMPTON PIONEER CEMETERY, MAIN STREET NORTH IN THE CITY OF BRAMPTON, IN THE PROVINCE OF ONTARIO.

TAKE NOTICE that the Council of the Corporation of the City of Brampton enacted By-law Number 383-2006 on the 13th day of December, 2006, to designate Brampton Pioneer Cemetery, Main Street North in the City of Brampton as being of cultural heritage value or interest under Part IV subsection 29(1) of the Ontario Heritage Act, R.S.O. c. O. 18. Dated at the City of Brampton on this 26th, day of June 2007.

Kathryn Zammit, City Clerk, City of Brampton.

### NOTICE OF PASSING OF BY-LAW

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O. 18, AND IN THE MATTER OF THE LANDS AND PREMISES KNOWN MUNICIPALLY AS MCVAN FARM SITE, MCVAN DRIVE IN THE CITY OF BRAMPTON, IN THE PROVINCE OF ONTARIO.

TAKE NOTICE that the Council of the Corporation of the City of Brampton enacted By-law Number 380-2006 on the 13th day of December, 2006, to designate McVean Farm Site, McVean Drive in the City of Brampton as being of cultural heritage value or interest under Part IV subsection 29(1) of the Ontario Heritage Act, R.S.O. c. O. 18. Dated at the City of Brampton on this 26th, day of June 2007.

Kathryn Zammit, City Clerk, City of Brampton.

A reminder from Peel Regional Police and Canadians for Safe and Sober Driving / ADD

**DON'T DRINK AND DRIVE!**