



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 69-2009

To designate the property at the rear of Peel Manor at 525 Main Street North (Eventide Cemetery) 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 at the rear of Peel Manor at 525 Main Street North (Eventide Cemetery) 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 at the rear of Peel Manor at 525 Main Street North (Eventide Cemetery) 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 Peter Fay 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 11<sup>th</sup> DAY OF March 2009.

|                     |
|---------------------|
| Approved as to form |
| <u>q3</u>           |
| <u>Feb 12/09</u>    |

SUSAN FENNELL  
SUSAN FENNELL - MAYOR

PETER FAY  
PETER FAY - CLERK

Karl Walsh  
Approved as to content

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

**SCHEDULE "A" TO BY-LAW *69.2009***

**LEGAL DESCRIPTION**

PT. LOT 9, CONC.1 WEST OF HURONTARIO ST.,  
PARTS 1, 2 & 3 ON PLAN 43R – 18116; BRAMPTON

141160131 (LT)

SCHEDULE "B" TO BY-LAW *69-2009*

**SHORT STATEMENT OF THE REASON FOR THE DESIGNATION OF THE EVENTIDE CEMETERY LOCATED BEHIND PEEL MANOR AT 525 MAIN STREET NORTH:**

The Eventide Cemetery (Peel Manor) is worthy of designation under Part IV of the Ontario Heritage Act for its cultural heritage value or interest. The property meets the criteria for designation prescribed by the Province of Ontario under the three categories of design or physical value, historical value and contextual value.

The subject property is the site of a rural Euro-Canadian Cemetery. The "House of Industry and Refuge" (demolished in 1955 and later replaced by Peel Manor) was established about 1898 to provide "more suitable accommodation for the destitute of our County than that now supplied in the County Jail." Eventide Cemetery served the House of Refuge.

There are approximately 109 marked burials all embedded in the sod, arranged in a series of uniform horizontal rows. The first marked date of death is 1931. Unmarked burials may also be present. For example, the first 'inmate' to die at the House of Refuge (John Loudan) was in 1898. Presumably this gentleman was buried at this site.

The Eventide Cemetery arose out of the need to create a home for the needy in Peel County. Excerpts from the April 13, 1887 Conservator are as follows:

Now we will assume that on one point we are all agreed – that we have poor and needy ones amongst us, and that to a certain extend at least, we are morally bound to succor such; and do we not , as a rule, judge the nation's morality in proportion to their advancement along those lines of Christian charity and brotherly kindness, and while admitting the principle of economy there are higher and nobler motives which should govern our lives and actions. Now, let us not be misunderstood, Peel has not neglected her poor; but has not the time come when we should more systematically and economically care for them.

While there was significant dialogue surrounding the creation of House of Refuge the process was lengthy and complex. Council passed a by-law to acquire a suitable site for erecting the house and chose the north half of Lot 9, 1<sup>st</sup> Concession West, Chinguacousy to do so. The passing of the by-law was the most protracted in the history of the county, however in November of 1897 the bylaw was passed. This bylaw, which called for the erection of a house of refuge, also stipulated that "where neither relatives of the deceased nor the municipality where he belongs provide for burial, the caretaker shall procure a cheap coffin and have the remains decently placed therein." The burials took place on a field near the house of refuge set apart for cemetery purposes.

The property, and the burials it contains, also holds significant spiritual importance as the 'final resting place' of 19<sup>th</sup> and 20<sup>th</sup> century citizens of Peel County.

*BL 69.2009*

A tall wrought iron fence, with an entry arch that reads, Evertide Cemetery acts as the entryway to the Cemetery. It must be noted that the actual entry arch reads 'EVERTIDE'; however, in all other instances this cemetery is referred to as 'EVENTIDE'. Although the reasons for this are unclear one can deduce that perhaps there was an error on behalf of the ironworker who made the fence and that there were no funds to pay for the correction of the error. This reasoning, however, is just speculative.

Of particular note are the rows of tall conifers that define the boundaries of the cemetery. Two rows of spruce trees also mark the roadway leading toward the Cemetery at the rear of Peel Manor.

The heritage attributes of the cemetery are a symbol of the social reform movement in the "Progressive Era" of the late 19<sup>th</sup> Century. It is also a symbol of the lives of those who contributed to the growth and character of this City. The setting and landscaping elements also form an important urban green space in the City of Brampton.

This cemetery is unique from multiple perspectives: (1) socially, it is indicative of the strides made to properly lay to rest the County's poor and ill; (2) from a design perspective all markers are uniform and this is a reflection of the progressive attitudes; and (3) from a landscaping perspective this cemetery is unique because of the trees that lead up to the site and those that surround it. Both the cemetery's purpose and design are of significant heritage value.

#### **DESCRIPTION OF THE HERITAGE ATTRIBUTES OF THE PROPERTY:**

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, hedgerows, other vegetation and the grounds and vistas generally.

To ensure that the cultural heritage value of this property is conserved, certain heritage attributes that contribute to its value have been identified specifically and they include:

##### **Design / Physical Value:**

- 109 marked and unmarked burials are believed to be at this site
- The grave markers are arranged in uniform horizontal rows
- A tall wrought iron fence, with an entry arch the reads, 'Evertide' Cemetery forms the entry way to the cemetery

##### **Historical / Associative Value:**

- Site of a rural Euro-Canadian Cemetery
- Eventide Cemetery served the House of Refuge, later replaced by the Peel Manor
- The attributes of the cemetery are a symbol of the social reform movement in the "Progressive Era" of the late 19<sup>th</sup> Century
- Spiritual value as the final resting place of 19<sup>th</sup> and 20<sup>th</sup> century citizens of Peel County

*BL 69-2009*

Contextual Value:

- Row of tall conifers define the boundaries of the cemetery
- Two rows of spruce trees also mark the roadway leading toward the Cemetery

**GENERAL PROPERTY DESCRIPTION:**

The cemetery is located behind Peel Manor and it has a rectangular shape. The frontage is 132 feet. The site is enclosed with a tall wrought iron fence and is surrounded by mature trees that define the cemetery and the roadway that once led up to it. The subject property is generally flat in nature.

To the east of the cemetery is Peel Manor and the remainder of the cemetery is surrounded by Gatesgill Park, open space, and a residential subdivision.

**SCHEDULE "C" TO BY-LAW** 69-2009

## **AFFIDAVIT OF PETER FAY**

**I, PETER FAY, of the City of Mississauga 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 herein contained.
  2. The public notice of intention to designate Eventide Cemetery (at 525 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 Wednesday, November 12 2008.
  4. The by-law to designate the Eventide Cemetery (at 525 Main Street North) came before City Council at a Council meeting on *March 11, 2009*, 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 *2009*.

SWORN before me at the City )  
of Brampton, in the Region )  
of Peel, this )  
day of , )

## A Commissioner for Taking Affidavits, etc.

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## Public Notice

**NOTICE OF INTENTION TO DESIGNATE IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O.18, AS AMENDED, TAKE NOTICE THAT THE COUNCIL OF THE CORPORATION OF THE CITY OF BRAMPTON INTENDS TO DESIGNATE THE FOLLOWING LANDS AND PREMISES IN THE CITY OF BRAMPTON, IN THE PROVINCE OF ONTARIO, UNDER PART IV OF THE ONTARIO HERITAGE ACT:**

**12 Victoria Terrace:** The cultural heritage value of 12 Victoria Terrace is related to its design or physical value as a well-designed late 19th century masonry home. It is a unique example of a residential home with Queen Anne influences, reflecting a high degree of craftsmanship. The property also has historical or associative value as it reflects the work of William B. McCulloch. McCulloch came to Brampton in 1878 from Norval. He worked as a local contractor/builder in the Brampton area and was responsible, along with Jesse Perry, for the construction of several projects. It is believed that this home was once heated by the Dale Estates.

**87 Elizabeth Street South:** The cultural heritage value of 87 Elizabeth Street South is related to its design or physical value as a Gothic Revival Ontario Vernacular Cottage. It is an excellent example of the Gothic Revival cottage style reflecting a high degree of craftsmanship. The subject property is a one-and-a-half storey gable-end Gothic Revival Ontario Vernacular cottage. This home is symmetrically balanced with a central door flanked by window on either side with a tall, steeply pitched pointed gable over the front door. The property also has historical or associative value as it was associated with the Elliott Family. The land originally belonged to John Elliott, and at the time of his death in 1871 he left it to his wife, Jane Elliott. She sold the property, approximately 6 acres, that same year to Robert Brody, the then Sheriff of Peel.

**247 Main Street North:** The cultural heritage value of 247 Main Street North is related to its design or physical value as an important reminder of Brampton's 19th century residential homes. It is a very good example of late 19th century masonry, multi-gabled residences, reflecting a high degree of craftsmanship. This vernacular Queen Anne style home is well designed and is comprised of decorative brickwork and shingles, projecting gables, and prominent brick voussoirs, which form curved window openings. The property reflects the work of Jesse Perry, a well-known builder in Brampton. The property also has historical or associative value, as it is associated not only with Jesse Perry, but also with Benjamin Justin. B. Justin practiced law in Brampton for many years and was later appointed Judge. He held this position until 1932. He also served as the town mayor for a three-year term from 1903-1905. The property reflects the history of Brampton's late nineteenth century residential neighbourhoods and notable Brampton citizens.

**15 Main Street North:** The cultural heritage value of 15 Main Street North is related to its design or physical value as a nineteenth century commercial building. It is a very good example of commercial architecture with classic Italianate features. 15 Main Street North is a three storey brick building divided into three bays with a bell cast mansard roof. The third floor windows have masonry sills that extend to either side of the surrounds, while the second floor windows have shorter sills. Keystones characterize all of the windows. The property forms an integral part of Downtown Brampton's commercial streetscape.

**19 Main Street North:** The cultural heritage value of 19 Main Street North is related to its design or physical value as a nineteenth century commercial building. It is a very good example of commercial architecture with classic Italianate features. 19 Main Street North is a three storey brick building divided into three bays with a flat roof over the northern end. The third floor windows have masonry sills that extend to either side of the surrounds, while the second floor windows have shorter sills. Keystones characterize all of the windows. The property forms an integral part of Downtown Brampton's commercial streetscape.

**21 Church Street East:** The cultural heritage value of 21 Church Street East is related to its design or physical value as both a Greek Revival and Edwardian style home. Essentially there are two distinct architectural styles reflected in one dwelling. The front facing Church Street East is Edwardian Classicism and the rear portion of the structure is Greek Revival. The rear part of the structure is a rare example of a Greek Revival Style house, reflecting a high degree of craftsmanship. The north facade of the home is reflective of the Edwardian style, which is common in Brampton. The Greek Revival facade of this home is of great value as it is a rare find in the City of Brampton. Built c. 1850 this home is amongst the oldest homes in Brampton. The interior of the home is also of cultural heritage value. When you enter the home from the Church Street entrance you are surrounded by interior Edwardian features and as you move to the rear of the home, the interior reflects Greek Revival.

**62 John Street:** The cultural heritage value of 62 John Street is related to its design or physical value as a one-and-a-half storey residential home with a brick veneer. The home is well-designed with dichromatic brickwork (buff and red brick), a one-storey bay, and voussoirs with saw-tooth brick and a scalloped outline. The home also features a variety of window shapes including: pointed arch windows, round-headed windows, curved, and segmental. Decorative dichromatic window and door voussoirs with corbeling form are an important element of this home. An enclosed porch with paneling characterizes the home's front facade. The property also has historical or associative value due to its association with James Packham, who built the home, and James Fallis, who resided in the home. James Packham was the owner of a Brick Factory at the end of John Street that later became Brampton Brick.

**100 Queen Street West:** The cultural heritage value of 100 Queen Street West is related to its design or physical value as a well-designed and well-preserved 20th Century home. It is a rare example of the Tudor Revival style, reflecting a high degree of craftsmanship. The most evident indication about the homes architectural style is the use of half-timbering, a decorative element mimicking the structural timber frame of Elizabethan home, used on the front gable. This large two-storey home is also characterized by decorative brick work between the half timbering, leaded sash windows, stone window sills, two projecting bays with a copper roof, decorative stone surround frames the entrance and the large first floor window located to the west of the home's entrance, 2 chimneys, and a small front porch with wrought iron. The property also has historical or associative value as it is most commonly associated with Orton O.T. Walker, who was a longtime Brampton citizen and businessman. The property can also be associated with the Dale family, as they owned the home from the mid 1940s to the early 1960s.

**285 Steeles Avenue West:** The cultural heritage value of 285 Steeles Avenue West is related to its design or physical value as a 2-storey well-designed brick home. It is a unique example of Italianate architecture with some gothic revival influences reflecting a high degree of craftsmanship. The property also has historical or associative value as it reflects the work of the Neeland family who occupied the home for over 60 years.

- Land upon which the subject property is situated belonged to the Neeland family since 1819;
- For over a century this land was owned by Neeland's and the current home was occupied by Neeland's for over 60 years;
- The house in question was built by the Neeland's c. 1870;
- Daniel Neeland's lived in the subject property; and
- Other Neeland's owned homes and farms in this area and as a result the Orange Lodge referred to this area as the "Neeland's corner".

**18 Ellen Street:** The cultural heritage value of 18 Ellen Street is related to its design or physical value as a Vernacular Italianate style home. It is both an excellent and rare example of a 19th Century semi-detached row house that is

rare in Brampton since few were built and few survived. The cultural heritage value of 18 Ellen Street is largely due to its architectural significance as it is a very well-designed, large two-storey red brick home. Its architectural characteristics include: ornate side gables and windows details on the upper floors, just under the eaves; decorative millwork at the gable; segmental window openings; well-designed two storey bays; and round headed windows at the top of the bays.

**20 Ellen Street:** The cultural heritage value of 20 Ellen Street is related to its design or physical value as a Vernacular Italianate style home. It is both an excellent and rare example of a 19th Century semi-detached row house that is rare in Brampton since few were built and few survived. The cultural heritage value of 20 Ellen Street is largely due to its architectural significance as it is a very well-designed, large two-storey red brick home. Its architectural characteristics include: ornate side gables and windows details on the upper floors, just under the eaves; decorative millwork at the gable; segmental window openings; well-designed two storey bays; and round headed windows at the top of the bays. 20 Ellen has the original wooden windowills and the windows have the original detailed carvings in the woodwork.

**30 McLaughlin Road South:** The cultural heritage value of 30 McLaughlin Road South is related to its design or physical value as a one and half storey pioneer farmstead. The home, believed to be built in 1834, has architectural value because: the exterior which is currently vinyl covers insulbrick from the 1920s or so, and presumably underneath that is either wooden clapboard or pebble-dash stucco; the interior has hand split lathe, surviving simple door surrounds, timber framing in the basement ceiling joists, and wide pine timbers. Although the home has been recovered over the years it is likely the original house was built in the early 1830s. The property also has historical or associative value as it reflects the work of the Elliott family. John Elliott is usually held to be the founder of Brampton. The subject property is believed to have been built in 1834 and at this time was occupied by John and Mary Elliott. Six generations of Elliott's have owned this house since; it was sold in 2005 for the first time to a non-Elliott.

**193 Main Street North:** The cultural heritage value of 193 Main Street North is related to the fact that it forms part of a 2-storey double dwelling with a gabled porch, two front-pieces with gable and fish-scale shingles, and segmental windows with arched radiating voussoirs. It is a rare example of a well-designed Italianate duplex in Brampton, reflecting a high degree of craftsmanship, only a few survive. The property also has historical or associative value as it most commonly associated with James E. Cooper who was the Assistant Manager of Dale Estates, the Superintendent of Grace Methodist Sunday School (1916-1932) Secretary-Treasurer of the Brampton Fruit Grower's Association (1914-1915), and served on the financial committee of the Boys and Girls Camp in 1930. He married Edith Ethel Hewetson, daughter of John Hewetson of the Hewetson Shoe Company.

**195 Main Street North:** The cultural heritage value of 195 Main Street North is related to the fact that it forms part of a 2-storey double dwelling with a gabled porch, two front-pieces with gable and fish-scale shingles, and segmental windows with arched radiating voussoirs. It is a rare example of a well-designed Italianate duplex in Brampton, reflecting a high degree of craftsmanship, only a few survive. The property also has historical or associative value as it most commonly associated with James E. Cooper who was the Assistant Manager of Dale Estates, the Superintendent of Grace Methodist Sunday School (1916-1932) Secretary-Treasurer of the Brampton Fruit Grower's Association (1914-1915), and served on the financial committee of the Boys and Girls Camp in 1930.

**Bertram's Mount Zion Cemetery:** The subject property is the site of a historic Euro-Canadian cemetery. Bertram's Old Zion has several early tombstones and many "pioneer" settlers are buried in this cemetery. The site was established as a cemetery in 1846 when the land was acquired for the "sum

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of one barley corn to be paid on the 17th day of December yearly if demanded" by the trustees for the cemetery. The property was established for a "Common School Meeting House and burial grounds". The indenture of this lease was witnessed by John Woodhall and John Simpson and was to be registered on March 12, 1846 by John Watson. The cultural heritage value of Bertram's Old Zion Cemetery is related to its design or physical value as a representative example of a rural historic Euro-Canadian cemetery. The Cemetery holds several early, hand carved tombstones containing well-executed and beautiful motifs and symbols.

**Eventide Cemetery:** The subject property is the site of a rural Euro-Canadian Cemetery. The "House of Industry and Refuge" (demolished in 1955 and later replaced by Peel Manor) was established about 1899 to provide "more suitable accommodation for the destitute of our County than that now supplied in the County Jail." Eventide Cemetery served the House of Refuge. There are approximately 109 marked burials all embedded in the sod, arranged in a series of uniform horizontal rows. Peel County passed a bylaw to acquire suitable site for erecting the house, they by-law called for the

erection of a house of refuge, also stipulated "where neither relatives of the deceased nor the municipality where he belongs provide for burial, the caretaker shall procure a cheap coffin and have the remains decently placed therein." The burials took place on a field near the house of refuge set apart for cemetery purposes. The heritage attributes of the cemetery are a symbol of the social reform movement in the "Progressive Era" of the late 19th Century.

**Zion Cemetery:** The cultural heritage value of the Zion Cemetery is related to its design or physical value as a representative example of a rural historic Euro-Canadian cemetery. The many early tombstones and grave markers reflect a high degree of craftsmanship as exhibited by ornately carved motifs and symbols. The markers are of the slab, block, and obelisk styles, and are made of marble, limestone, or granite. The property for the cemetery, part of lot 15 concession 1 East, was donated to the Christian Brethren Baptist Church by John Watson in 1815. A church was built by the Baptist congregation and later used by the Wesleyan Methodists, after the Baptists relocated to the Snelgrove area. The Wesleyan Methodists worshipped there until the 1860s. And, accord-

ing to the Women's Institute, the church was torn down circa the turn of the century, leaving the cemetery as a standalone feature.

Please contact Antonietta Minichillo, Heritage Coordinator in Urban Design Section at (905) 874-3744 for further information respecting the proposed designations.

Notice of objection to the designation, setting out the reason for the objection and all relevant facts, may be served on the Clerk, City Hall, 2 Wellington Street West, Brampton, Ontario, L6Y 4R2, no later than 4:30 p.m. on December 12, 2008.

Dated at the City of Brampton on this 12th day of November 2008.

Peter Fay, City Clerk, City of Brampton