



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 11-2009

To designate the property at the northwest corner of Wanless Drive and Hurontario Street (Bertram's Mount Zion 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 northwest corner of Wanless Drive and Hurontario Street (Bertram's Mount Zion 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 northwest corner of Wanless Drive and Hurontario Street (Bertram's Mount Zion 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 11th DAY OF March 2009.

Approved as to form
<u>YB</u>
<u>Feb 12/09</u>

SUSAN FENNELL - MAYOR

PETER FAY - CLERK

Approved as to Content:
Karl Walsh, Director, Community Design, Parks Planning and Development

SCHEDULE "A" TO BY-LAW *71-2009*

LEGAL DESCRIPTION

PT. LOT 16, CON 1 WHS, DESIGNATED AS PTS. 1 & 2
ON 43R-21805; BRAMPTON

142511023 (LT)

SCHEDULE "B" TO BY-LAW 11-2009

SHORT STATEMENT OF THE REASON FOR THE DESIGNATION OF BERTRAM'S MOUNT ZION CEMETERY LOCATED AT THE NORTHWEST CORNER OF WANLESS DRIVE AND HURONTARIO STREET:

The Bertram's 'Old Zion' Cemetery on Wanless Drive 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 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 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.

According to the 1851 census the Common School and Meeting Houser were one and the same. The structure was used as a place of worship for different evangelical bodies. Previously this cemetery was simply referred to as Old Zion Cemetery but in later years is has been referred to as 'Bertram's'. Although a substantial reason for the renaming does not exist, the change can be associated with the fact that the Bertram family owned Lot 16 for about 50 years – from after the First World War until the mid-1960s. It is believed that "they were scarcely aware of the little cemetery on the corner".

Interred at Bertram's Old Zion Cemetery are some of the members of the Watson family who farmed on Lot 16 for several generations. Caleb Groat and his wife Lydia are buried in this Cemetery. Caleb was a soldier, wounded in the Battle of Lundy's Lane in the War of 1812. The last burial occurred in 1894 and was for Benjamin Booth, an Irishman, who died at the age of 100. The cemetery does not contain many gravestones – only a few remain upright – those for Jean Nixon and the Booths. There also exist gaps with respect to the dates of burials, but this is likely associated with the fact that "three decades after Confederation were an era of increasing hard times, with only brief, intermittent period of real prosperity." Accordingly. It can be assumed that the visible tombstones represent only a percentage of the actual burials that occurred in this site.

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. The markers are of slab and block styles, and are made of marble or limestone. Some are upright but most are embedded in the ground.

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

BL 11-2009

The property also has historical or associative value as it reflects the history of Snelgrove. The cemetery represents one remaining vestige of the former Hamlet of Snelgrove. In 1838 John Snell, a native of Devonshire, England, was granted 100 acres in Chinguacousy Township near Hurontario Street. However, Snelgrove was first known as Edmonton. Early settlers called it Edmonton after a place in London, England and this name was for the post office when it first opened in 1851. In the 1877 Atlas of Peel County, Edmonton is described as a lively village with a population of about 200. In 1877 the village included five large churches, a brick schoolhouse, Temperance and Orange Halls, a Post Office, two stores, a carriage factory, blacksmith shop, and two hotels amongst other amenities. Due to Edmonton in Western Canada confusion began and it was decided in 1895 that a new name should be given to the post office. Due to the fact that there were five Snell families in the area the name of the area was changed to Snelgrove. This cemetery is also illustrative of broad patterns of social history because the engravings on the grave markers act as a testament to the experiences of early settlers and their faith.

The cemetery also reflects the lives of the early settlers in Peel County, having been established on land on land in central Chinguacousy. The many historical associated found in the cemetery are a symbol of the people who helped shape the character and development of Brampton.

The cultural heritage value of the property is also connected to its contextual value as it helps identify the location of the former hamlet of Snelgrove. This important and well-preserved cemetery is, in fact, the only remaining tangible vestige of the former hamlet, and this is of exceptional historical importance. The landscaping elements of the cemetery are also significant with several, randomly planted mature specimen trees and hedgerows. The foundation of a frame schoolhouse that once stood on the property is visible through the sod in the center of the property. The cemetery site also serves as a reminder to Brampton's past as it sits in sharp juxtaposition with its suburban surroundings, both residential and commercial. The setting and the cemetery's landscaping elements form an interesting urban green space in a part of the City that has and continues to experience large –scale redevelopment.

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:

- Representative example of a rural historic Euro-Canadian Cemetery;
- All tombstones and grave markers

BL 71-2009

Historical / Associative Value:

- Spiritual value as the burial site of an indeterminate number of 19th century Euro-Canadians and other persons;
- Associative value reflecting the history of the former community of Snelgrove;
- Association with Brampton's different evangelical bodies

Contextual Value:

- All landscaping elements including elevation, trees and hedgerows;
- Rural character of site which juxtaposes its immediate surroundings;
- Archaeological potential including all burials and the site of the former school house and place of worship

GENERAL PROPERTY DESCRIPTION:

The cemetery fronts along Wanless Drive and is shaped like a rectangle and comprises 0.49 acres. The property lines are un-fenced and there is no record of the property ever being fenced. The outer edges of the cemetery have been closed to allow for road widening which will introduce concrete curbs to this intersection.

To the north of the cemetery there are residential developments and the south there is a large commercial plaza. To the east and west of the cemetery are newly built and existing residential subdivisions as well as commercial areas.

SCHEDULE "C" TO BY-LAW 11-2009

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 Bertram's Mount Zion Cemetery (at the Northwest corner of Wanless Drive and Hurontario Street) 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 Bertram's Mount Zion Cemetery (at the Northwest corner of Wanless Drive and Hurontario Street) 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.

Flower City



brampton.ca

Brampton

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 E. 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 Broddy, 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 vousoirs, 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 façade of the home is reflective of the Edwardian style, which is common in Brampton. The Greek Revival façade 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 vousoirs 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 vousoirs with corbeling form are an important element of this home. An enclosed porch with paneling characterizes the home's front façade. 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 home's 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 windowsills 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 vousoirs. 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 is 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 Hewatson, daughter of John Hewatson of the Hewatson 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 vousoirs. 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 is 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

Flower City



brampton.ca

Brampton

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