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THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 10-2009

To designate the property at 30 McLaughlin Road South 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 30 McLaughlin Road South 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 30 McLaughlin Road South 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 16th DAY OF March 2009.

Approved as
to form

Feb 12/09


SUSAN FENNELL - MAYOR


PETER FAY - CLERK


Approved as to Content:

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

SCHEDULE "A" TO BY-LAW *70-2009*

LEGAL DESCRIPTION

PT. LOT 5, CON. 1 WHS.
DESIGNATED AS PARTS 1 & 2 ON PLAN 43R-32208;
BRAMPTON

14070-0314 (LT)

SCHEDULE "B" TO BY-LAW 70-2009

SHORT STATEMENT OF THE REASON FOR THE DESIGNATION 30 MCLAUGHLIN ROAD SOUTH:

The property at 30 McLaughlin Road South 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 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 and his wife Mary emigrated to Canada in March 1821. John Elliott is usually held to be the founder of Brampton. In the late 1820s he began selling lost from his land around the corner of the present Main and Queen Streets. Later he laid this area in town lots and by 1834 he had a store, a wagon maker and several shoe makers located on his land and started to advertise for more settlers to live in the village he had created. At that time, the Hamlet was known as Buffy's Corners after Buffy's Tavern located there. However, John Elliott, a keen Primitive Methodist and non-drinker renamed it Brampton, possibly with encouragement from his fellow enthusiast William Lawson, after the town near Bewcastle in Cumberland. Lawson himself had been born just outside Brampton, Cumberland. John Elliott also played an integral role in the establishment of the Primitive Methodist congregation in Brampton. The Elliott family gave land for a church, contributed two acres of land for Brampton's municipal buildings, John himself was a member of the first village council and at various times was Warden, postmaster, pound keeper, and director of the Upper Canada Board of Agriculture. His sons and daughters were well known and involved in commercial activities in Brampton.

John Elliott died a wealthy man on April 1, 1871; as part of the distribution of his assets, it was recorded that he left a farm to his son Richard. The subject property located at 30 McLaughlin Road South is believed to have been built in 1834 and at this time was occupied by John and Mary Elliott. After which the farm was given to Richard. The 1861 census records shows Richard Elliott and his wife Elizabeth living in a frame house; they are listed as Primitive Methodists and farmers. Six generations of Elliott's have owned this house since; it was sold in 2005 for the first time to a non-Elliott.

The property is illustrative of the broad patterns of Brampton's social history and its physical development since the Elliott's were so influential in the creation and settlement of Brampton.

The cultural heritage value of the property is also connected to its contextual value as it maintains, supports and defines the character of streetscape and Brampton more

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generally indicating that this area was once predominantly farm land occupied by early settlers. The property has significant historic and associative value because of its connection to the Elliott family. Moreover, many of the street names in Brampton, including Mary, John, Frederick, Isabella, Jessie and Elizabeth Streets are all streets named after the Elliott's.

This property retains its integrity as a pioneer farmstead and as such it presents a considerably important cultural heritage landscape. The farmstead, its setback from the street, the intact laneway, and the mature trees are also indicative of the once rural qualities of the area. The laneway, orchard, and farmhouse remain in the same location as recorded in the 1877 Historical Atlas of Peel.

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:

- Important cultural heritage landscape
- Retains its integrity as a pioneer farmstead
- Linked to the earliest period of European settlement in this area
- Property dates to the early 1830s and is directly associated with John and Richard Elliot
- The Elliott's were one of Brampton's most prominent early settlement families
- John Elliott and William Lawson are credited with naming this community Brampton
- Historical maps document all features of the property that remain today, namely: the farmhouse on a deep setback, laneway, orchard and the meandering Fletcher's Creek to the rear of the lot
- Farmhouse is currently clad in metal siding and it is believed that pebble dash stucco is underneath
- Sash windows
- One and half storey, three bay home – one window on each side of a central doorway

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- House is constructed in post and beam or possibly log and it is likely the original farmhouse built in 1834
- The home remained within the Elliott family from 1834 to 2005
- Six generations of Elliott's have called this property home
- The interior is characterized by hand-split lath; surviving simple door surrounds; timber framing in basement ceiling joists, and wide pine timbers

GENERAL PROPERTY DESCRIPTION:

The lot is rectangular in shape and covers approximately two acres. The plan of the principle structure is a simple rectangle that has been added on to over the years.

The principle elevation (main façade) is emphasized by the following elements: a three-bay farmhouse with symmetrical elevations with one window on each side of a central doorway, a side gable roof and sash windows.

Landscaping elements include: original orchards, long driveway, mature trees, and a dense park and Fletcher's Creek to the East and the open vista to McLaughlin Road.

Adjacent property features include: a commercial development to the North, Fletcher's Creek to the East, a residential subdivision to the South and the City of Brampton's Flower City Campus to the West.

SCHEDULE "C" TO BY-LAW 10-2009

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 30 McLaughlin Road South 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 30 McLaughlin Road South 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.