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Planning, Design & Development Department

John A. Marshall, MCP, MCIP, RPP
Commissioner, Planning, Design & Development

Reed

2 Wellington Street West, Brampton, Ontario L6Y 4R2

October 1, 2002

02-10-2002

Chair, Ontario Heritage Foundation
3rd Floor
10 Adelaide Street East
Toronto, Ontario
M5C 1J3

Dear Sir/Madame:

**Re: City of Brampton Designation of Legion Building at 40 Elizabeth Street
South under Part IV of the Ontario Heritage Act**

Please find attached two certified copies of the By-law designating the above-mentioned property under Part IV of the *Ontario Heritage Act, R.S.O. 1990, c.O.18*. A review of the project file revealed that the Foundation was not notified of the passing of the By-law, as is required by the *Heritage Act*.

Notice of the passing of the By-law was published in the Brampton Guardian on September 1, 2002. ✓

Sincerely,

Dan Nicholson

Dan Nicholson, MCIP, RPP
Policy Planner
Phone: (905) 874-2071
Fax: (905) 874-2099
e-mail: dan.nicholson@city.brampton.on.ca

cc. Terri Brenton, Clerk's Department

✓

CERTIFIED A TRUE COPY

[Signature]
City Clerk
City of Brampton

AUGUST 27 2001



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 281-2001

To designate the "Royal Canadian Legion (former Kenneth Chisholm Estate) at 40 Elizabeth Street South" as a property of historical and architectural value and interest

WHEREAS Section 29 of the Ontario Heritage Act, (R.S.O. 1990, c.O. 18 as amended) authorizes the Council of a municipality to pass by-laws designating properties within the municipality to be of historic or architectural value or interest:

AND WHEREAS the Council of the Corporation of the City of Brampton has given notice of its intention to designate the property known as the "Royal Canadian Legion Building (Kenneth Chisholm Estate) at 40 Elizabeth Street South" in Brampton, in accordance with the requirements of section 29(3) of the said Act;

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

- The property know as "the Royal Canadian Legion (former Kenneth Chisholm Estate) at 40 Elizabeth Street South" and described in Schedule A to this by-law is hereby designated to be a property of historical, architectural and contextual value and interest.
- The reasons for the designation are set out in Schedule B to this by-law.
- The affidavit of Leonard J. Mikulich attached as Schedule C hereto shall form part of this by-law.

READ a FIRST, SECOND, and THIRD TIME and PASSED on Open Council, this 24th day of September, 2001

[Signature]

SUSAN FENNELL - MAYOR

[Signature]

LEONARD J. MIKULICH - CLERK

Approved as to Content:

[Signature]

William H. Winterhalt
Director, Planning Policy and Research

APPROVED
AS TO FORM
BY THE
CITY CLERK
WCS
DATE 10/13/01

SCHEDULE A TO BY-LAW 281-2001

Part of Park Lot 2 on a Plan of Part of the East Half of Lot 5, Concession 1 West of Hurontario Street (in the geographic Township of Chinguacousy) referred to as Plan BR-17 Formerly in the Village of Brampton, County of Peel, Now in the City of Brampton, Regional Municipality of Peel

SCHEDULE B TO BY-LAW 281-2001

REASONS FOR PROPOSED DESIGNATION ROYAL CANADIAN LEGION BUILDING AT 40 ELIZABETH STREET SOUTH – KENNETH CHISHOLM ESTATE

HISTORICAL SIGNIFICANCE:

The building at 40 Elizabeth Street South was built c.1865-70 for Kenneth Chisholm, M.P.P. as an estate residence for he and his family, which he gave the name "Alder Lea".

The land on which "Alder Lea" was built was originally the farm of John Elliott the man who is credited with founding Brampton and giving it the name of the town in which he was born in Cumberland, England. After subdividing the lots for the future town, the family continued to live and farm the property for a number of years before selling the southerly part of their lot in the early 1860s to their son-in-law Kenneth Chisholm, so that he could build "Alder Lea".

Kenneth Chisholm was born in Toronto Township in 1829 and would go on to become probably the most influential man in Peel County from the mid-late 1800s. Chisholm's grandparents on both sides were United Empire Loyalists who had settled in Glengarry County, Ontario in 1776. In 1818 his parents travelled to Peel County to clear and farm a homestead in Toronto Township. In addition to farming his father was also a lumber harvester and trader and was evidently very successful in both operations. After receiving a good education in local schools, Kenneth Chisholm was apprenticed as a merchant in the employ of Mr. P. Howland of Lambton Mills. Two years later he went to Brampton and worked as a salesman in the store which he later purchased in 1854. In partnership with Matthew Elliott, son of Brampton founder John Elliott, Chisholm built the store into one of the largest business concerns in Brampton, dealing in general merchandise, grain and produce. A measure of the success of Chisholm's enterprise was seen five years later when the K. Chisholm & Co. store on the southeast corner of Main and Queen Streets was illustrated on Tremaine's Map of the County of Peel from 1859.

The business expanded in 1864 when he started a branch store in Orangeville, which also proved to be very successful, and was described in the 1877 Illustrated Historical Atlas of Peel County as being "the leading business in that town". It is also stated in the atlas that "both at Orangeville and Brampton the firm are dealers in all kinds of produce, the volume of trade transacted at the two establishments exceeding a half million (dollars) yearly.

In addition to his success as a grain dealer and merchant, Kenneth Chisholm was one of Peel County's most successful politicians. He entered politics in 1866 as a member of the Village of Brampton Council and one year later he was elected as the first Reeve of the municipality. He held the position of Reeve for a record eleven years, and for three of those years (1867-69, also a record until modern times) he served as Warden of the County of Peel, the first Bramptonian to hold that post.

Local Politics and his business were not the only activities of Kenneth Chisholm in the 1860s as at that time he also held the position of postmaster for Brampton, a position of tremendous importance for keeping lines of communication open in the mid-nineteenth century. Although this energetic man would undoubtedly have held the position of postmaster for many years, in 1873 he gave up his position when following the sudden death of John Coyne, Peel County's first representative in the Ontario Legislature, Chisholm was elected to replace him. Once again, Kenneth Chisholm compiled a record for service as he sat as M.P.P. for Peel for nineteen years until 1892.

Among Chisholm's other activities during his life, he served as a Director of the Central Bank of Canada, a Vice-President of the Haggert Manufacturing Company, and following his retirement from politics, as the registrar for Peel County until his death. Described in the Brampton Village Centennial Souvenir as a "big, handsome, high-spirited man", Chisholm was also very active in the community. He organized the Brampton Board of Trade, donated a building that would later be known as the Orange Hall to Municipality as a "Town Hall" (this was demolished when the current Brampton Public Library was built), and although he came from a Catholic family, he gave the site for the present First Baptist church, and the stone for St. Andrew's Presbyterian Church.

In 1863 and 1864 Chisholm purchased two plots of land from John Elliott, totalling over four acres between Elizabeth Street and Main Street South. On this property he built one of the finest homes in Brampton, "Alder Lea", overlooking what is now Gage Park, but what was originally Chisholm's front lawn. It is believed that the architect for Alder Lea was the well known William Kaufman, who had also designed the Peel County Court House and Jail. This belief is supported by the uncanny similarity in materials and design between "Alder Lea" and the Court House, said to be the first two Italianate styled buildings in Brampton.

Kenneth Chisholm's "Alder Lea" was undoubtedly at its height in 1877 when a full page sketch of the property was displayed in the Illustrated Historical Atlas of Peel County. The sketch shows the Chisholm estate with terraced tree lawns sloping down towards Main Street South. From the east the house looked much as it does today, however, instead of the angel stone clad addition that was built c.1948 there is seen an extensive glass porch and greenhouses.

After his retirement, the Chisholm-Elliott business enterprises failed in the depression of the 1890s. As a result, the grounds of "Alder Lea" and the adjacent Elliott Estate were put up for sale. Many forward-looking Bramptonians were keenly aware of the significance of this property to the town and immediately a campaign was begun to acquire the property as a park. Initially, citizens of Brampton were asked to donate ten dollars towards the purchasing of trees to be planted on the property. Then in 1895, Sir William Gage, a successful publisher in Toronto, who was a native of Peel County, offered to purchase the lots and then present them to the town. In honour of its benefactor the space was named Gage Park, and since that time has been widely recognized as Brampton's finest public space. In recognition of the historic association between the park and "Alder Lea", the terraces and several of the original trees have been retained to this day.

Following the death of Kenneth Chisholm, "Alder Lea" was well maintained and continued as one of Brampton's most recognizable landmarks. In 1944, in anticipation of the large expansion of its

membership following the conclusion of the Second World War, "Alder Lea" was purchased by the Brampton Branch of the Royal Canadian Legion as the area headquarters building. In 1948 an addition was made to the south of the building and was known as Memorial Hall. Although this addition is not in keeping with the original architecture of "Alder Lea", the original building continues to be well maintained and the prominent view of the house from the east and north is retained.

ARCHITECTURAL SIGNIFICANCE:

The house at 40 Elizabeth Street South is built in the full Italianate style and is constructed of a buff-coloured brick which was a more expensive material than red brick and it is thought to have been the first house constructed of such material in the town.

The roof is a very shallow hip roof with heavily projecting eaves supported on large but delicate brackets, each of which is finished with a turned, drop-pendant. Below the eaves the wall is covered with flush vertical boarding for a distance of approximately two and one half feet, the lower border of which is trimmed with scalloped fretwork. A large belvedere or monitor sits on top of the roof. Its windows have been boarded over but its projecting roof line and brackets remain.

The central projecting bay in the east façade contains a large, projecting bay window in the ground floor and a Venetian, triple window in the second story. The entablature above the bay window is decorated and supported on brackets similar to, but smaller than, those in the roof. The main entrance is to the right of this bay and is flanked by large sidelights and topped by a transom light in which "Alder Lea", Chisholm's name for the house, is etched in the bevelled glass.

The white painted woodwork and light coloured brick combine to produce a structure of outstanding beauty and dignity. Sited atop the terraces, which flow down to Gage Park, the building is on a grand scale and is of good proportion.

The building has undergone some alterations over the past 50 years which although not sympathetic with the original architecture, do not overwhelm important views of the structure from the north and east. The structure is of such excellent design and workmanship that it is able to absorb these interventions and continue to retain some sense of its original dignity.

The architectural significance of "Alder Lea" is enhanced by the general belief that the structure was designed by William Kaufman, designer of the Peel County Court House and Jail and of a number of other significant structures in the mid-late Nineteenth Century. The obvious similarity between the Court House and "Alder Lea" on opposite sides of Main Street South forms a unique architectural grouping.

CONTEXTUAL SIGNIFICANCE:

"Alder Lea" is of contextual significance as it is an important contributor to the character of downtown Brampton. The structure is of particular importance in the view of it from Main Street South where it presents its main façade and original entrance in a streetscape lined with large stately homes. Although the vicinity immediately surrounding "Alder Lea" has been paved with asphalt, many of the original landscape features of the house remain in the adjacent Gage Park, which was once the estate's front lawn. Of particular importance is the terracing of the lawn, which is reminiscent of that seen in the 1877 Illustrated Historical Atlas of Peel County.

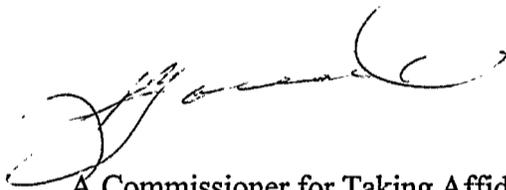
SCHEDULE C TO BY-LAW 281-2001

AFFIDAVIT OF LEONARD J. MIKULICH

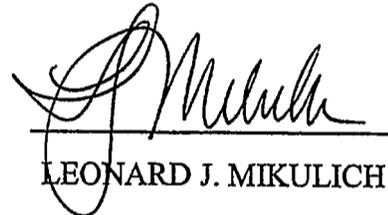
I LEONARD J. MIKULICH, of the City of Brampton in the Regional Municipality of Peel **MAKE OATH AND SAY:**

1. I am the City Clerk of The Corporation of the City of Brampton and as such I have knowledge of the facts therein contained.
2. The public notice of the proposed designation of the "Royal Canadian Legion Building (Former Kenneth Chisholm Estate) at 40 Elizabeth Street South" 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 September 15, 2000.
3. The By-law to designate the "Royal Canadian Legion Building (Former Kenneth Chisholm Estate) at 40 Elizabeth Street South" came before City Council at a Council meeting on September 24, 2001 and was passed.

SWORN before me at the City)
of Brampton, in the Regional)
Municipality of Peel, this 4th)
day of October, 2001)



A Commissioner for Taking Affidavits, etc.


LEONARD J. MIKULICH