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DEC 18 2006

URBAN DESIGN AND ZONING

THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 384 - 2006

To designate the property of Hilltop-Gore Cemetery, The Gore Road (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 Hilltop-Gore Cemetery, The Gore Road 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 Hilltop-Gore Cemetery, The Gore Road 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. Wile

07 12 06

Susan Fennell
SUSAN FENNELL - MAYOR

Kathryn Zammit
KATHRYN ZAMMIT - CLERK

Approved as to Content:

Karl Walsh

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

SCHEDULE "A" TO BY-LAW

384-2006

LEGAL DESCRIPTION

PT LT 4 CON 9 ND TORONTO GORE; PT LT 3 CON 9 ND TORONTO GORE ;
BRAMPTON

14021-0104 (R)

SHORT STATEMENT OF THE REASON FOR THE DESIGNATION OF HILLTOP GORE CEMETERY, THE GORE ROAD

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

The Hilltop Gore cemetery was established, possibly as early as 1832 on a narrow parcel of rolling hillside on the west side of The Gore Road, just south of Queen Street. Cemetery records confirm that the first recorded burial was for "Mary Natris, infant daughter of Isaac Natris, aged 4 wks., burial May 21st 1832". Of the first eight burials recorded in the cemetery register, 5 were infants.

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, limestone and granite. Several of the markers are free standings. Some markers were imbedded into a concrete cairn near the entrance to the cemetery. Despite the recorded 1832 opening date for Hilltop-Gore, this cemetery holds possibly the oldest stone grave marker in Brampton. It is the marker for John Allison who died March 9, 1829.

Several prominent Claireville and Toronto-Gore pioneer families are buried in this cemetery, including William Hewgill, Thomas Bland, William Sleightholm and Thomas Foster.

The cemetery has a rectangular shape and comprises approximately 0.5 acres.

The landscaping elements of the Cemetery are also significance, with mature shade trees, evergreens and dense vegetation along a steep slope that forms the Gore Road frontage. The Cemetery also retains its rural character with grass swales, without concrete curbs or gutters. A metal wire fence with wooden fence post and gate are also intact. The site is also distinctive because of rolling hills and its elevated position overlooking The Gore Road. All of these rural elements are character-defining elements worthy of on-going care and protection.

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

The grave markers also provide a rare glimpse into hardships faced by early settlers. One marker records the deaths of four infant children of James and Janet Alexander, who died between 1842 and 1857. The oldest of the Alexander children was just 3. The others died as infants. Another marker records the deaths of three children of John and Rachel Kellam.

The many heritage attributes in the cemetery are a symbol of the people who helped shape the character and development of Brampton. The setting and

landscaping elements form an interesting and important green space with several early plantings.

This well-preserved cemetery also represents one remaining vestige of the nearby former hamlet of Claireville. It is also an important link to the former Toronto-Gore Township.

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; markers made principally of marble, limestone and granite; several of the markers are free standings others markers imbedded into a concrete cairn near the entrance to the cemetery; possibly oldest stone grave marker in Brampton dating to 1829, for John Allison.

Contextual Heritage Attributes:

Mature shade trees, evergreens and dense vegetation along a steep slope that forms the Gore Road frontage; Cemetery retains its rural character with grass swales and no concrete curbs or gutters; metal wire fence with wooden fence post and gate are also intact; distinctive because of rolling hills and its elevated position overlooking The Gore Road.

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; the property has significant spiritual importance as the 'final resting place' of several 19th century citizens of Brampton.

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 "Hilltop-Gore Cemetery, The Gore Road" 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 "Hilltop-Gore Cemetery, The Gore Road" 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 _____ 2006.

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

A Commissioner for Taking Affidavits, etc.