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RECEIVED
 DEC 18 2006
 URBAN DESIGN AND ZONING

THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 380-2006

To designate the property of McVean Farm Site, McVean Drive 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;

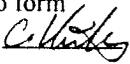
WHEREAS the Brampton Heritage Board supports the designation of the properties described herein;

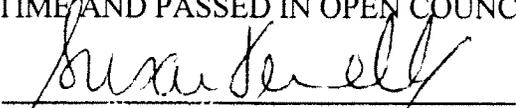
WHEREAS a Notice of Intention to Designate has been published and served in accordance with the Act, and there has been no Notice of Objection served on the Clerk;

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

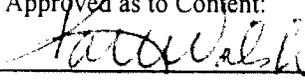
1. The property of McVean Farm Site, McVean Drive more particularly described in Schedule "A" is hereby designated as being of cultural heritage value or interest pursuant to Part IV of the *Ontario Heritage Act*.
2. The City Clerk shall cause a copy of this by-law to be registered against the property 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 McVean Farm Site, McVean Drive 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

 DF 12-06


 SUSAN FENNELL - MAYOR


 KATHRYN ZAMMIT - CLERK

Approved as to Content:


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

SCHEDULE "A" TO BY-LAW 380-2006

LEGAL DESCRIPTION

PT LT 7 CON 8 ND TORONTO GORE AS IN RO993273, VS22588, VS172973 ;
BRAMPTON

PIN 14210-0022 (LT)

SCHEDULE "B" TO BY-LAW 380-2006

SHORT STATEMENT OF THE REASON FOR THE DESIGNATION OF MCVEAN FARM SITE, MCVEAN DRIVE

Heritage designation of the McVean farm site, under Part IV of the Ontario Heritage Act, is recommended for architectural, historical and contextual reasons.

The McVean farm site is an exceptionally significant property, associated with a very prominent early settler, Alexander McVean and his family.

Significant features include a very rare double English Wheat Barn built by the McVean family in the 1840s. The barn possesses a high degree of architectural integrity. The McVean Barn was built specifically for the processing of wheat using an ancient method of using the wind to separate the wheat kernel from the chaff. It provides evidence of one of the first European architectural techniques adapted to Upper Canada's farming operations. In addition, the barn is what is known as a Double English Wheat Barn and is quite unique since very few were built and fewer still exist in their original form today.

The surrounding lands hold archaeological potential with evidence of Paleo Indian artifacts, suggesting human occupation of these lands back some 12,000 to 15,000 years. There is potential for settlement-era remains in former wells and privy pits or around house foundations. The nearby ravine and other watercourses hold potential for pre-settlement archaeological materials.

The laneway leading into the property from McVean Drive, the tributary of the West Humber running through the property, ravine, hedgerows flanking the lane, the barn located on a rise at the end of the lane, along with other features form a rich and unique cultural landscape worthy of recognition and on-going conservation.

The site of the later McVean farmhouse (demolished), just to the east of the barn, is readily identifiable and several early plantings, hedgerows, flower beds and mature conifers, several century-old apple trees and deciduous trees are intact.

Archival records suggest that a burial site is located on the property, dating to 1822. The mortality rate was high and it was not uncommon for settlers to bury their dead on the farm property close to the homestead. It is believed that the unmarked grave site of Alexander McVean Jr., has been located. If confirmed through archaeological assessment, this grave would be the earliest known Euro-Canadian grave site in Brampton. The site is located close to the McVean's original homestead and serves as a testament to the rigors of early settlement life.

The property is linked geographically, historical and contextually to the nearby site of the McVean saw and grist mills (located on Lot 5). One of the first grist and saw mills in this area was built by Alex McVean on a branch of the Humber which ran through his property. While the actual mill site is now thought to be beneath what is now Queen Street, parts the head race to the mill has been located and is still clearly visible on the property.

The McVean barn, the surrounding vegetation, archaeological potential, cultural landscapes and remains of buildings that once stood on the site, in addition to the *historical associations with the McVean family*, lends this parcel of land considerable cultural heritage value. Heritage designation is warranted.

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, roof and roof trim, all entrances, structural openings and associated trim and hardware, all architectural detailing, construction materials and their related building techniques, the interior spaces of every standing structure, the grounds generally including all landscaping elements, hedgerows, orchards, 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:

Rare double English Wheat Barn built by the McVean family in the 1840s.

Contextual Heritage Attributes:

Laneway leading into the property from McVean Drive, ravine, hedgerow flanking the lane, barn located on a rise at the end of the lane, along with other features; ruins and site of the later McVean farmhouse (demolished), several early plantings, hedgerows, flower beds and mature conifers, several century-old apple trees and deciduous trees, possible burial site of Alexander McVean

Historical /Cultural Heritage Attributes:

Geographical, historical and contextual linkages to the nearby site of the McVean saw and grist mills (located on Lot 5); historical associations with the McVean family

SCHEDULE "C" TO BY-LAW 380-2006

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 "McVean Farm Site, McVean Drive" 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* 2006.
4. The by-law to designate the "McVean Farm Site, McVean Drive" 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.