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ONTARIO HERITAGE TRUST

OCT 19 2011

RECEIVED

Jim Leonard
Registrar, OHT
10 Adelaide St. E.
Toronto, ON
M5C 1J3

October 14, 2011

Re: Notice of Passing of By-law

Please find enclosed a copy of the municipal by-law, recently passed by City Council, designating 9749 The Gore Road under Part IV, Section 29 of the *Ontario Heritage Act*.

Also included is statement explaining the cultural heritage value of the property and a description of its heritage attributes.

The by-law has been registered against the property affected in the land registry office, and the City has also published a notice of the passing of the by-law.

Thank you,



Stavroula Kassaris
Heritage Coordinator
Tel: 905-874-3825
stavroula.kassaris@brampton.ca



This photocopy is a true copy of the original document which has not been altered in any way.

Earl Evans
Deputy City Clerk
City of Brampton

Date: *July 18* 20 *11*

THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 130-2011

To designate the property at 9749 The Gore Road (Harrison Hewgill 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 9749 The Gore Road (Harrison Hewgill 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 9749 The Gore Road (Harrison Hewgill Cemetery) and upon the Ontario Heritage Trust and to cause notice of this by-law to be published to the City's website in accordance with Council's Procedure By-law.
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 27th DAY OF *April* 2011.

Approved as
to form
MS

July 2011

Sandra James
~~SANDRA JAMES - ACTING MAYOR~~
~~SUCCESSION ACT - MAYOR~~

Peter Fay
PETER FAY - CLERK

Approved as to Content:

Karl Walsh

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

By-law 130-2011

SCHEDULE "A" TO BY-LAW

LEGAL DESCRIPTION

Block 375, Plan 43M-1799; Brampton

14212-3173 (LT)

SCHEDULE "B" TO BY-LAW

**SHORT STATEMENT OF THE REASON FOR THE DESIGNATION OF THE
HARRISON HEWGILL CEMETERY ON 9749 THE GORE ROAD:**

The property at 9749 The Gore Road (Harrison Hewgill Cemetery) is worthy of designation under Part IV of the Ontario Heritage Act for its cultural heritage value. 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 small family burial plot, originally a feature within a well-tended rural farmstead established in the 1850s by Matthew Harrison and his wife Ann Hewgill-Harrison.

The plot was located in a small apple orchard, near the Harrison farmhouse, a brick masonry building in the Ontario Gothic style, dating to about 1855. The farmhouse was relocated to McVean Drive in 2006.

An archaeological assessment of the cemetery completed in 2005 confirmed that the family burial plot consists of a single grave with two interments – Ann Hewgill-Harrison and her unnamed infant baby. This shared grave burial practices was not unusual under such circumstances. Mother and baby died on July 17, 1869. The burials are marked by two beautifully carved stone grave markers embedded, side-by-side, in the soil.

The cultural heritage value of the property relates primarily to its historical or associative value. The property is directly associated with the Harrison and Hewgill families – both prominent in the Toronto-Gore area. The Matthew Harrison family worked this farm from 1854 to the 1950s.

The cemetery also has the potential to yield information about the many hardships of the early settlers in Peel County who had to endure isolation, a harsh environment and many struggles. From a social historical perspective the site is also a reminder of just how prevalent infant mortality was in the European settlement period.

The two white marble grave markers exhibit design value. They are representative of the stone carvers art. The markers display the highly evocative weeping willow motif, a popular Victorian symbol of loss and grief. Both stones have undergone conservation treatments.

The cultural heritage value of the property is also connected to its contextual value. It helps define and identify the location of the former Harrison farm. This burial site is the only remaining tangible vestige of the former farmstead.

By-law 130-2011

It is physically and historically linked to the farmstead as well as the former cross-roads hamlet of Castlemore (located just north of the subject property at the intersection of The Gore Road and Castlemore Road).

The Cemetery also retains a simple, pastoral, rural character. The setting, trees, shrubs and other new landscaping elements introduced in 2010 form an interesting rural green space within a newly urbanized setting.

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. They include:

- representative example of a rural Euro-Canadian family burial plot;
- two marble grave markers;
- has the potential to yield information about the many hardships of the early settlers in Peel County who had to endure isolation, a harsh environment and many struggles. ;
- from a social historical perspective, the site is also a reminder of just how prevalent infant mortality was in the European settlement period;
- associative value reflecting the history of the former 'cross-roads' hamlet of Castlemore;
- all trees bushes, grasses, all groundcovers such as daylilies and all hedgerows;
- pastoral, rural character of site;
- physically, functionally, visually and historically linked to its surroundings and to the nearby former hamlet of Castlemore;
- only remaining physical element of the original Harrison farmstead.

The cemetery is situated on block 375. It is essentially square in shape with the lot line demarked with a decorative wood fence and stone piers. The entrance to the cemetery is from the south side of Castle Oaks Crossing off The Gore Road. The subject property is generally flat in nature. Just to the south of the parcel is a storm water management pond.

SCHEDULE "C" TO BY-LAW 130 - 2011

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 the Harrison Hewgill Cemetery on 9749 The Gore Road was served on the owner of the property, the Ontario Heritage Trust, and was advertised, in the form attached as Exhibit A to this my affidavit, on the City's website in accordance with Council's Procedure By-law.
3. The by-law to designate the Harrison Hewgill Cemetery on 9749 The Gore Road came before City Council at a Council meeting on April 27, 2011 and was approved.

SWORN before me at the City)
of Brampton, in the Region of)
Peel, this 29th day)
of JUNE, 2011)

Earl Evans

**EARL EVANS, Deputy City Clerk
The Corporation of The City of Brampton
2 Wellington Street West
Brampton, Ontario L6Y 4R2
A Commissioner, etc.,
in the Regional Municipality of Peel**



A Commissioner for Taking Affidavits, etc.