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THE CORPORATION OF THE TOWN OF WHITBY

BY-LAW NO. 3204-92

BEING A BY-LAW TO DESIGNATE THE STRUCTURE MUNICIPALLY KNOWN AS
407 BYRON STREET NORTH AS BEING OF HISTORIC AND ARCHITECTURAL VALUE
AND INTEREST

WHEREAS, in accordance with the provisions of Section 29 of the Ontario Heritage Act, R.S.O. 1990, c. 0.18, the Council of the Corporation of the Town of Whitby considers it desirable to designate real property including all buildings thereon hereinafter described to be of historic and architectural value or interest;

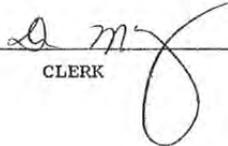
AND WHEREAS, the Council of the said Corporation has caused to be served on the owners of the lands and premises municipally known as 407 Byron Street North, Whitby, Ontario, and upon the Ontario Heritage Foundation, notice of its intention to designate the lands and premises at the aforesaid address to be of historic and architectural value and interest and has caused such notice to be published in a newspaper having general circulation in the Town of Whitby;

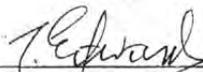
AND WHEREAS, no person has served a notice of objection to the proposed designation on the Clerk of the said Corporation;

NOW THEREFORE, the Council of the Corporation of the Town of Whitby enacts as follows:

1. The real property known as the James Brebner House located at 407 Byron Street North, Whitby, Ontario and being more particularly described in Schedule "A", attached to and forming part of this by-law, is designated as being of historic and architectural value or interest for the reasons set out in Schedule "B", attached hereto.
2. This designation shall not preclude any changes that may be deemed necessary for the efficient use of the structure provided that any and all changes shall be in keeping with the original and current character of the structure and shall be carried out in consultation with the Local Architectural Conservation Advisory Committee of the Town of Whitby.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 28TH DAY OF SEPTEMBER A.D., 1992.


CLERK


MAYOR

SCHEDULE "A"

That Part of Lot 23, Plan H-50030 now designated as Part 1, Plan
40R-4810, Town of Whitby, Regional Municipality of Durham.

SCHEDULE "B"

TO

BY-LAW NO. 3204-92

REASONS FOR DESIGNATION

DESIGNATION REPORT

THE JAMES BREBNER HOUSE

BUILT, C. 1853

407 BYRON STREET NORTH, WHITBY

Compiled by Brian Winter, Town of Whitby Archivist, September 17, 1991

THE JAMES BREBNER HOUSE

BUILT C. 1853

Lot 23, Perry's Plan west of Brock Street, 407 Byron Street North.

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The land on which lot 23 is located, is the east half of lot 27, Concession 2, Whitby Township, which was patented to Peter McDonald in the amount of 100 acres on June 18, 1836. McDonald sold the 100 acres to William Cayley on Nov, 14, 1837. He, in turn, sold the 100 acres to George Strange Bolton on Sept. 16, 1840. Bolton sold in on May 5, 1842 to Peter Perry who is generally considered to be Whitby's founder.

Peter Perry (1792-1851) died at Saratoga Springs, New York, on Aug. 24, 1851 while recovering from an illness which had plagued him for over a year. He was only 58 years old. On his death his vast amount of property in Whitby was divided between his sons Robert Ebenezer Perry and John Ham Perry. About 1846 the Perry family commissioned Provincial Land Surveyor John Shier to prepare a town plan for the land north of Dundas Street, which was subdivided into lots. Robert Perry sold lots 14 and 23 west of Brock Street on January 1, 1853 to James Brebner who mortgaged them the same day to John Ham Perry for £50 (\$250). This mortgage was discharged on January 27, 1857.

Nothing is known of James Brebner. He is not listed in the early town directories and it is not known when he was born or died.

On April 27, 1872, the lot is mentioned in the Will of William Holtby, who is owner of the house at that time.

It can only be presumed that James Brebner built the house at 407 Byron Street North in 1853 after he purchased lot 23. He may have rented the house and that is how it came into the possession of William Holtby. There is no record of Holtby having purchased it. Another possibility is that William Holtby was married twice and he may have married Brebner's daughter, although there is no documented proof of this.

James Brebner house

William Holtby (1814-1872) was born in England in 1814 and came to Canada in 1827. It is believed that he farmed in Reach Township near Port Perry and may have retired to live in Whitby, as was common with the older farmers in the area. He is not listed in the Whitby directory of 1866, but is listed as a Gentleman living on Byron Street in 1869 and 1871. It was said that he was well off and owned a large amount of real estate. Mr. Holtby died at Whitby on April 30, 1872, aged 57 years.

On June 18, 1872, Elizabeth Holtby, William's widow, releases her rights to the house to her son John W. Holtby. On Jan. 29, 1879, Matilda W. J. Gibson sells her share of the house to John W. Holtby and on the same day, James Brebner quits any rights he still had to the property to John W. Holtby.

John W. Holtby (1839-1915) was a son of William Holtby and owned the house up till 1909. It is not known what his profession was. He was born on March 3, 1839 and died on June 21, 1915.

Matilda W. J. Gibson was a daughter of William Holtby, who married William John Gibson, a Whitby grocer. Before 1900, she and her husband went to Pomona, California, and she died at Kingston, Washington, U.S.A. on May 10, 1924.

Elizabeth Holtby, widow of William Holtby, presumably continued to live in the house with her son John until her death on Sept. 28, 1876 at the age of 62.

On June 17, 1909, John W. Holtby sold the house at 407 Byron Street North of Elizabeth Mowbray. The Mowbray family originated in Knsale, but it cannot be determined which member of the family Elizabeth was.

On Dec. 8, 1928, Elizabeth Mowbray sold the house to Edna P. Mowbray and Mabel Emerson (possibly her daughters). On Dec. 6, 1941 an agreement for sale was made and registered for Edna P Mowbray and Mabel M. Reid to sell the house to Russell G. and Harriet Cornish. This sale was confirmed by deed on Jan. 25, 1943.

On Aug. 15, 1957, Harriet Cornish sold the house to Frank and Alice Ducloss. Frank Ducloss was a carpenter at McNamara Marine at Port Whitby.

James Brebner house 3

On Nov. 22, 1978, Frank and Alice Ducloss sold the house to Percy L. E. Walter,
who, [REDACTED], [REDACTED]
[REDACTED]

The James Brebner house is a typical small home of the 1850s which was fairly
common in the north part of the Town of Whitby, following the Victorian Gothic
design.

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Heritage Structure Report

James Brebner House
407 Byron Street North, Whitby
Lot 23, Perry's Plan west of Brock Street

PLANNING
JAN 14 1991
DEPARTMENT

Date of Construction: ca. 1853
Original Occupant: James Brebner
Current Occupant: [REDACTED]
Current Owner: [REDACTED]
Source: A. M. de Fort-Menares
Date of report: January 1992

Architectural Description

This 1 1/2 storey frame house has a three-bay facade with a moderately pitched gabled roof shingled with asphalt, a gabled front centre dormer, and a one-storey back kitchen wing built to form an L plan (Figures 1-2). A verandah with chamfered posts has been added in the elbow of the L, at the back as a kitchen porch (Figure 3). The basement has been recently dug out. The house has two internal chimneys at either end of the front section, both of which retain a stepped cap silhouette typical for their period.

The building is sheathed in board and batten siding that has been painted bright pink with white trim. Openings are all in careful relative proportions. Ground floor windows are large with six-over-six double hung sash; windows in the bedrooms under the roof are considerably smaller, about two-thirds the size, with scaled down six-over-six sash. The window in the front dormer has a pointed arch and intersecting tracery in the glazing to form three lancet lights.

Window frames have relatively complex trim with multiple small moulding profiles, and all the frames of upper openings cut into the fascia boards, which are also ornamented with delicate but rather elaborate edge profiles (Figure 4). The battens covering the joints between boards have an uncharacteristically pronounced symmetrical profile (Figure 5).

The most spectacular element is an enclosed front porch which postdates the construction of the house by about thirty years, although some of its components represent subsequent interventions (Figure 6). The attenuated proportions, layering of V-jointed panels, strapwork, and scrolly three-dimensional brackets with S and heart shape cut-outs indicate the mass-production capabilities of the 1880s. The porch door and glazing could be twentieth century additions, but the balustrade on the roof of the porch, with its quatrefoil panels and heavy square posts, requires closer examination before it can be properly assessed. The quatrefoils are a Gothic

device, but as they do not appear anywhere else on the outside of the house or porch, the whole construction could be later than the porch.

Inside the porch, the front door is a double-leaf Italianate type with a high transom. It is currently being restored.

Many of the materials seen on the house are new, but not disconcertingly so. Battens are a commercially available moulding profile, and are still being applied to the front facade; window glass has been salvaged from other old buildings; the fascias are mostly new wood; and the vertical boards themselves may also be largely replacement material. The back porch is an entirely new construction, but the posts are in a style that was familiar through much of the nineteenth century. The restoration of the house is a full-scale undertaking being sensitively carried out by its owners.

Site

The house occupies a typical small town lot as the first house north of Maple on the east side of Byron Street North. While there are houses to the south which are roughly contemporary, its neighbours to the north all post-date 1920, so this property visually represents a northern edge to development for its period (Figure 7). Set-backs are comparable for all the buildings in the row. The entire block opposite the house is an open park.

The house is distinguished by its lack of foundation plantings, which became a twentieth-century fashion but are inappropriate for a house of this age.

Assessment

The land records researched by Whitby archivist Brian Winter are not very forthcoming with respect to the evolution of this property, or concerning the people who have owned it. James Brebner purchased the lot in 1853 and took out a mortgage which was discharged in 1857. A house is mentioned in the will of William Holby in 1872, but how he came to possess the house is unclear.

In its underlying form, the house is a typical small house of the type that thrived in rural and urban Ontario from the 1830s until the 1870s. The fairly broad pitch of the roof indicates a moderate date in the mid-century, as do the rectangular windowheads, which by the 1860s would more likely be arched or pointed. The intersecting Gothic tracery of the dormer window is a stylistic element in contrast to the classicizing deep fascia boards and the eaves returns on the gable ends.

Board and batten became a popular material in the 1840s, and was particularly advocated for use in Gothic Revival style buildings, emphasizing as it does the

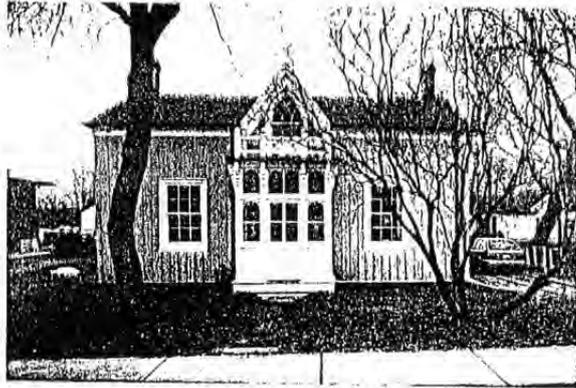
vertical element. Its influence may have reached Canada through American pattern books such as A. J. Downing's *The Architecture of Country Houses*, which favoured the economy of board and batten, its picturesqueness, and its truthful expression of the timber frame structure.¹

The porch is representative of woodwork in the 1880s, and the front door is closer to that period than it is to the presumed date of the house in the 1850s.

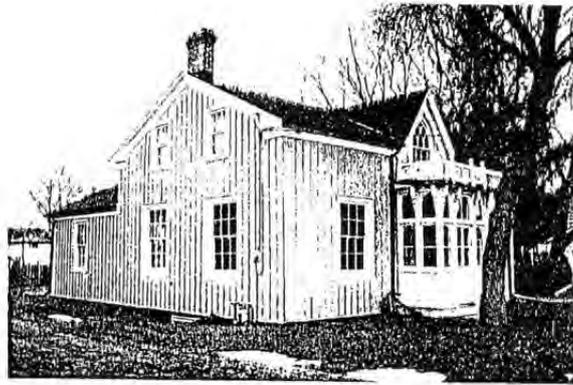
Overall, the house is a very attractive example of a modest house built to a design that was equally applicable on the farm or in the town. Stylistically it contains persuasive elements of the Gothic Revival in its board and batten sheathing and traceried dormer window, but these are distinct details added on to a very traditional form that derived its proportions from the Georgian architecture that was imported with the English settlement of the Canadian colony.

¹ A. J. Downing, *The Architecture of Country Houses* (New York, 1850, rpt. Dover 1969), 51-2. Downing illustrates three batten profiles which are somewhat simpler than those on the Brebner house.

Heritage Structure Report: Brebner/ [REDACTED] Whitby

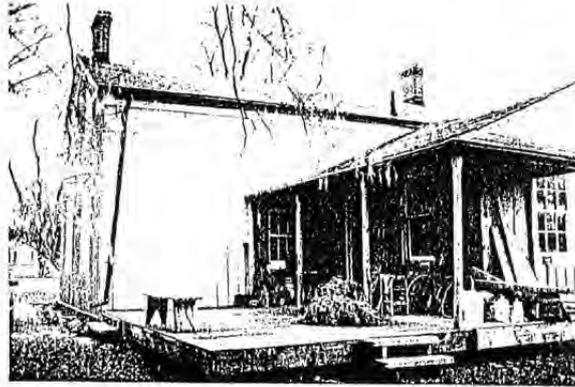


1 Brebner/ [REDACTED] . Built ca. 1853. View of west front. (Photo: A. M. de Fort-Menares, 1992)

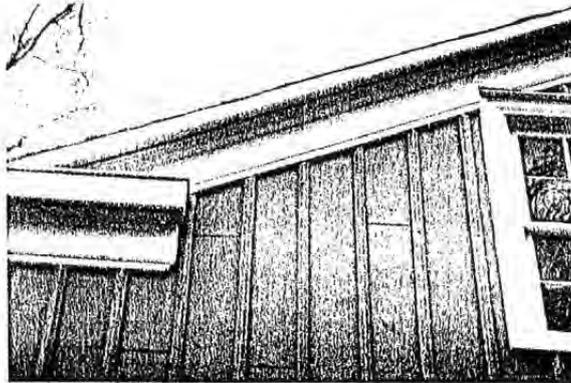


2 Brebner/ [REDACTED] , view from northwest. (Photo: A. M. de Fort-Menares, 1992)

Heritage structure Report: Brebner [REDACTED], Whitby



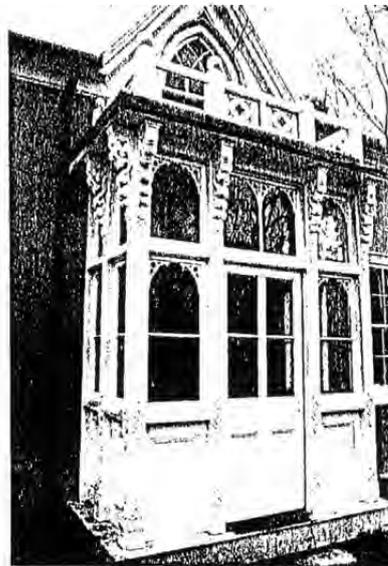
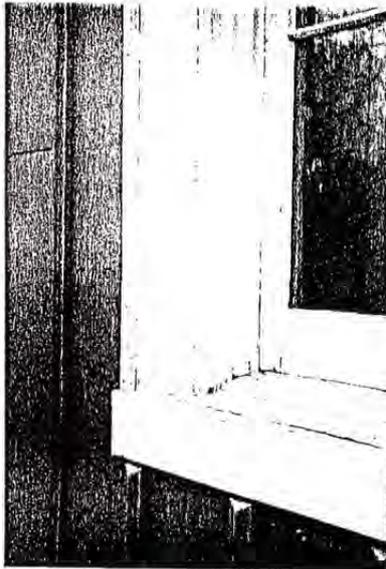
3 Brebner [REDACTED], East back elevation with kitchen porch. (Photo: A. M. de Fort-Menares, 1992)



4 Brebner [REDACTED], detail of cornice return, fascia board and eaves soffit moulding on south end. (Photo: A. M. de Fort-Menares, 1992)

Heritage Structure Report: Brebner [REDACTED], Whitby

- 5 Brebner [REDACTED]. Detail of window surround and batten profile on south gable end. (Photo: A. M. de Fort-Menares, 1992)



- 6 Brebner [REDACTED], view of front porch. (Photo: A. M. de Fort-Menares, 1992)

Heritage Structure Report: Brebner [REDACTED] e, Whitby



7 Brebner [REDACTED]. View along Byron Street North from the south.
(Photo: A. M. de Fort-Menares, 1992)