

Date: 2022-03-15

Subject: **Recommendation Report: Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act – 10244 Mississauga Road**

Secondary Title: **Additional Recommendations: Heritage Permit Application, and Heritage Easement Agreement Request to Initiate**

Contact: **Merissa Lompart, Assistant Heritage Planner**
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Report Number: Planning, Bld & Ec Dev-2022-306

Recommendations:

1. That the report from Merissa Lompart, Assistant Heritage Planner; Planning, Building, and Economic Development, March 15, 2022, to the Brampton Heritage Board Meeting of March 22, 2022, **RE: Recommendation Report: Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act – 10244 Mississauga Road and Additional Recommendations: Heritage Permit Application, and Heritage Easement Agreement Request to Initiate** be received;
2. That the following recommendations for designation be received:
 - a. That the designation of the property at 10244 Mississauga Road under Part IV, Section 29 of the Ontario Heritage Act (the “Act”) be approved;
 - b. That staff be authorized to publish and serve the Notice of Intention to designate the property at 10244 Mississauga Road in accordance with the requirements of the Act;
 - c. That, in the event that no objections to the designation are received, a by-law be passed to designate the subject property;
 - d. That, in the event that any objections to the designation are received, staff be directed to refer the proposed designation to the Ontario Conservation Review Board; and,
 - e. That staff be authorized to attend any hearing process held by the Conservation Review Board in support of Council’s decision to designate the subject property.

3. That the Heritage Permit Application for the property at 10244 Mississauga Road be approved for the following works as outlined in the application:
 - a. Deconstruction or disassembly of the heritage resource as outlined in the Heritage Building Protection Plan (Appendix D);
 - b. Retention of materials outlined in the Heritage Building Protection Plan; and,
 - c. Preparation for storage of the materials collected from the deconstruction.
4. That approval be provided to City of Brampton Heritage Staff to initiate the process for a Heritage Easement Agreement for the subject property currently located at 10244 Mississauga Road. The Heritage Easement Agreement will be placed on the new lot where the heritage resource is to be reconstructed at a future date.

Overview:

- **The purpose of this report is to recommend that City Council state its intention to designate the property at 10244 Mississauga Road under Part IV, Section 29 of the *Ontario Heritage Act* (the “*Act*”) for its cultural heritage value or interest.**
- **Following research and evaluation, it has been determined that the subject property meets the provincial criteria for municipal designation prescribed by *Ontario Regulation 9/06* under the categories of design/physical value, historical/ associative value and contextual value.**
- **Upon Council approval, staff will continue with the designation process as required under the *Act*.**
- **The purpose of this report is to recommend approval of the Heritage Permit Application in Appendix B.**
- **The purpose of this report is to request approval from City Council to initiate a Heritage Easement Agreement between the City of Brampton, and the “Owner” being ARGO TFP Brampton II Ltd.**

Background:

The property at 10244 Mississauga Road is a listed heritage resource on the Municipal Register of Cultural Heritage Resources. It is located on the western side of

Mississauga Road, north of Bovaird Drive West, and south of the Canadian National Railway. The Huttonville Creek runs to the south-west, behind the house. This creek sections off a triangle of land on which the house sits from the rest of the property. The property resides within the Mount Pleasant Secondary Plan.

Currently the property is hidden from Mississauga Road behind many large white pine trees which are in various states of decline. The house requires much remediation as it is also in a state of decline.

The Ontario Heritage Act enables municipalities to pass by-laws to designate properties of cultural heritage value or interest. Designation under Part IV of the Act is a way of publically acknowledging a property's value to a community, and ensures the conservation of important places for the benefit and enjoyment of present and future generations. It also allows municipalities to conserve and manage properties through the Heritage Permit process enabled under Sections 33 (alterations) and 34 (demolition or removal) of the Act.

In determining whether a property is of cultural heritage value or interest, the municipality is required to consult Ontario Regulation 9/06, "Criteria for Determining Cultural Heritage Value or Interest", prescribed under section 29(1)(a) of the Act. A property may be designated if it meets one or more of the following criteria:

1. The property has design value or physical value because it,
 - a. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
 - b. displays a high degree of craftsmanship or artistic merit, or
 - c. demonstrates a high degree of technical or scientific achievement.
2. The property has historical value or associative value because it,
 - a. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
 - b. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
 - c. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
3. The property has contextual value because it,
 - a. is important in defining, maintaining or supporting the character of an area,
 - b. is physically, functionally, visually or historically linked to its surroundings, or
 - c. is a landmark.

A Heritage Impact Assessment was completed by Parslow Heritage Consultancy in November 2021, and accepted by the Brampton Heritage Board also in November of 2021. Since then, ARGO TFP Brampton II Ltd. has been working through a re-zoning

application for the subject lands. Due to the current condition of the house, the Mississauga Road overpass construction, and respect for the heritage resource, relocation of the heritage resource is preferable. This was listed as the most preferable mitigation measure on the Heritage Impact Assessment.

Current Situation:

The property at 10244 Mississauga Road, Brampton, Ontario is worthy of recognition for its cultural heritage value or interest. The property meets the criteria for designation prescribed by the Province of Ontario under the *Ontario Heritage Act*, Regulation 9/06 for the categories of design/physical value, historical/associative value, and contextual value. A Statement of Significance explaining the reasons for designating the property is provided in Appendix A.

The design/physical value of the property at 10244 Mississauga Road is related to its gothic revival style, and high degree of craftsmanship through brick and exterior wood work. The Gothic Revival Style was often used in Ontario Farmhouses, but was frequently presented as a three-bay front. This resource presents a symmetrical five-bay front with center gable. The dichromatic brickwork on this resource is detailed. It showcases a decorative frieze above the verandah, as well as buff-brick quoining on each of its four corners. The center gable window is outlined in buff-brick, and all the other windows have buff-brick voussoirs, with varying details.

The historical/associative value relates to the Clark (sometimes noted as Clarke) and McClure families, early settlers in Chinguacousy Township. James Clark was issued the original Crown Patent for Lot 5, Concession 12 in 1853. The Clark family remained on the land, while certain pieces of it were sold off to the Toronto and Guelph Railway Company (now owned by CNR), and other families. The McClure's took general ownership in 1865. McClure was a prominent name in Brampton, specifically the western portion of Chinguacousy Township. Many other heritage resources in this area have connections to the McClure family such as the Octagon house at 8280 Heritage Road, the Robert McClure Farmhouse at 8678 Chinguacousy Road, and the Joseph McClure House at 11722 Mississauga Road. The McClure's were a farming family with vast land holdings. The house dates to c. 1875, but there would have been earlier iterations of a house on the lot as can be noted in the Land Registry and historical mappings.

Parslow Heritage Consultancy in the Heritage Impact Assessment stated the following: "The contextual value of the Subject Property is its connection to the agricultural development of the area. The property at 10244 Mississauga Road was once part of a larger agricultural landscape containing multiple farmsteads, fence rows and tree lines. The structure contributes to maintaining a visual link to the former agricultural character of the area."

In addition, it is important to note the agricultural landscape features of the property, specifically the white pine trees leading down the drive to the house.

Due to the condition of the heritage resource, Heritage Staff and ARGO TFP Brampton II Ltd. have agreed that the best way forward with the preservation of this resource is to disassemble and store the salvageable materials until it can be rebuilt on a new lot. The Heritage Building Protection Plan outlines and details the procedures and expectations for this (Appendix D). Sedgwick Marshall Heritage Homes Ltd. will be responsible for the procedure of deconstruction, as well as re-building the resource. They are a reputable heritage firm, which the City has worked with previously most notably on the Octagon House rehabilitation at 8280 Heritage Road. A heritage permit is required for the disassembly work proposed as outlined in Appendix B.

A Heritage Easement Agreement is also requested by City of Brampton Heritage Staff in order to fully protect the heritage resource, and ensure it is rebuilt.

Corporate Implications:

Financial Implications:

None.

Other Implications:

Request to enter into a Heritage Easement Agreement between the City of Brampton and ARGO TFP Brampton II Ltd.

Term of Council Priorities:

This report meets the Term of Council Priorities by preserving and protecting heritage environments with balanced, responsible planning.

Conclusion:

Designation under Part IV, Section 29 of the Ontario Heritage Act enables City Council to enforce heritage property standards on the property. Adding 10244 Mississauga Road to the Register of Designated Resources in Brampton ensures this Gothic Revival farmhouse is preserved. The Heritage Permit will allow the necessary work to be done in order to preserve the house at 10244 Mississauga Road, and the Heritage Easement Agreement will further ensure the house is rebuilt and integrated into the new development in a meaningful way.

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Attachments:

Appendix A – Designation Report for 10244 Mississauga Road by Merissa Lompart
Appendix B – Heritage Permit Application submitted by ARGO TFP Brampton II Ltd.
Appendix C – Survey of 10244 Mississauga Road
Appendix D – Heritage Building Protection Plan by Parslow Heritage Consultancy