



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2023

To designate the property municipally known as 9393 McLaughlin Road North as being of cultural heritage value or interest pursuant to section 29 of the Ontario Heritage Act.

WHEREAS Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter O. 18, as amended, (the "Act") 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, if the property meets the Act's prescribed criteria;

AND WHEREAS the Council of the Corporation of the City of Brampton has caused to be served upon the owners of the lands and premises at 9393 McLaughlin Road North, as more particularly described in Schedule "A" (the "Property"), and upon the Ontario Heritage Trust, notice of intention to designate the Property, and has caused such notice of intention to be published on the City's website in accordance with the Council's Procedure By-law;

AND WHEREAS there has been no notice of Objection served on the Clerk;

AND WHEREAS the reasons for designation are set out in Schedule "B";

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

1. That the Schedules attached hereto form part of this by-law.
2. That the Property is hereby designated as being of cultural heritage value or interest pursuant to Part IV of the Act.
3. That the description of the Property, the statement of the Property's cultural heritage value or interest, and the description of the Property's heritage attributes, are set out in Schedule "B" to this by-law.
4. That the City Solicitor be authorized to cause a copy of this by-law to be registered against the Property in the Land Registry Office.
5. That the City Clerk be authorized to cause a copy of this by-law to be served upon the owners of the Property and upon the Ontario Heritage Trust, and to cause notice of this by-law to be published on the City's website in accordance with Council's Procedure By-law.

ENACTED and PASSED this 18th day of October, 2023.

Approved as to
form.
2023/09/25
SDSR

Patrick Brown, Mayor

Approved as to
content.
2023/09/25
Henrik Zbogar

Peter Fay, City Clerk

SCHEDULE "A" TO BY-LAW

LEGAL DESCRIPTION

PART LOT 7 CONCESSION 1 WEST OF HURONTARIO STREET
(CHINGUACOUSY) PARTS 1 TO 8, 43R6538;

PIN: 14109-0110 (LT)

SCHEDULE "B" TO BY-LAW

SHORT STATEMENT OF THE REASON FOR THE DESIGNATION OF 9393

McLaughlin Road North:

The property at 9393 McLaughlin Road North 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 three categories of design/ physical value, historical/associative value and contextual value.

Design/Physical Value:

The property at 9393 McLaughlin Road North was a rare and early example of a mud-brick dwelling associated with the early settlement period of Peel County. Although mud-brick dwellings were a significant building typology in the early settlement period of Ontario, few remain extant. The bricks for the principle block of the Fletcher House were most likely made on-site and constructed from clay taken from the excavations from the basement. For early settlers to Peel County, the use of unfired brick as a building material was not only due to its economy, but also the adoption of a construction method brought to North America by the first generation of settlers who had arrived from the UK.

The building at 9393 McLaughlin Rd N has lost all of its Design or Physical value as a result of a fire on April 25th, 2022 and subsequent demolition.

Historical/Associative Value:

The property has historical or associative value as it is associated with the Fletcher family who were one of the first families to settle in the former Chinguacousy Township, a pioneer settlement which was first surveyed in 1819. In 1823, Robert Fletcher and his wife Elizabeth purchased 100 acres, or the west half of Lot 7 in the 1st Concession West of Hurontario Street, from Robert Scott, the original patent holder. In 1853, Robert Fletcher sold a right-of-way across his farm to the Toronto & Guelph Railway, which later became the Grand Trunk Railway. In 1856, the rail company constructed a Brampton station and rail line, which crossed Fletcher's property.

The Fletcher family has long been part of the Brampton community from the early 1830's to the present day. The Fletcher family were prominent early settlers in Brampton and occupied the property for over 100 years and through multiple generations. They represented the values of hard work, family and faith throughout all this time.

Contextual Value

The property also has contextual value as it is directly associated with the early settlement of Brampton and its agricultural past. The house is associated with an area known as "Buffy's Corners", a small crossroads settlement, which in 1834 was renamed the village of Brampton. The Fetters were one of the first pioneer families to establish their homestead in this area, and the remaining mud brick structure serves as a physical link to Brampton's early settlement period.

Post fire, the property retains its Contextual value due to its connection to Fletcher's Creek.

Policy Framework:

In the context of land use planning, the Province of Ontario has declared that the wise use and management of Ontario's cultural heritage resources is a key provincial interest. A set of Provincial Policy Statements (PPS) provides planning policy direction on matters

of provincial interest in Ontario. These statements set the policy framework for regulating the development and use of land. The relevant heritage policy statement is:-

PPS 2.6.1, which states that “significant built heritage resources and significant cultural heritage landscapes shall be conserved”.

PPS 2.6.1 is tied to Section 3 of the Ontario Planning Act, which stipulates that land use planning decisions by municipalities “shall be consistent with” the Provincial Policy Statements.

The policy is also integrated with the Ontario Heritage Act. This piece of legislation grants municipalities powers to preserve locally significant cultural heritage resources through heritage designation. Decisions as to whether a property should be designated heritage or not is based solely on its inherent cultural heritage value or interest. City Council prefers to designate heritage properties with the support of property owners. However, Council will designate a property proactively, without the concurrence of a property owner as required. These principles are reflected in Brampton’s Official Plan. The relevant policies are as follows:

Section 4.10.1.3: All significant heritage resources shall be designated as being of cultural heritage value or interest in accordance with the Ontario Heritage Act to help ensure effective protection and their continuing maintenance, conservation and restoration.

Section 4.10.1.5: Priority will be given to designating all heritage cemeteries and all Class A heritage resources in the Cultural Heritage Resources Register under the Ontario Heritage Act.

Section 4.10.1.6: The City will give immediate consideration to the designation of any heritage resource under the Ontario Heritage Act if that resource is threatened with demolition, significant alterations or other potentially adverse impacts.

DESCRIPTION OF THE HERITAGE ATTRIBUTES OF THE PROPERTY:

The building has suffered severe loss of Design or Physical value due to fire. Salvaging the original clay and mud bricks and the building’s framing timbers can result in a potential partial reconstruction or commemorative exhibit/ structure/sculpture on the site. Designation with updated list of Heritage Attributes is recommended:

- Red-brick veneer (as may be salvaged)
- Rock-faced stone lintels (as may be salvaged)
- Mud/straw infill bricks (as may be salvaged)
- Timber framing members (as may be salvaged)
- Proximity of the property to Fletcher’s Creek.

The short statement of reason for the designation, including a description of the heritage attributes along with all other components of the detailed Heritage Report: Statement of Reason for Heritage Designation, constitute the "reason for heritage designation" required under the *Ontario Heritage Act*.