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THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 64-2009

To designate the property at 247 Main Street North 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 247 Main Street North 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 247 Main Street North 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 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 11th DAY OF March 2009.

Approved as
to form
qps
Feb 13/09


SUSAN FENNELL - MAYOR


PETER FAY - CLERK

Approved as to Content


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

SCHEDULE "A" TO BY-LAW *64-2009*

LEGAL DESCRIPTION

PT. LOT 112, PLAN BR-8
PT. LOT 113, PLAN BR-8 DESIGNATED
AS PARTS 3,5,7 & 8 ON Plan 43R-5785
BRAMPTON

141220153 (LT)

SCHEDULE "B" TO BY-LAW

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SHORT STATEMENT OF THE REASON FOR THE DESIGNATION OF 247 MAIN STREET NORTH:

The property at 247 Main Street North is worthy of designation under Part IV of the Ontario Heritage Act for its cultural heritage value or interest. 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 cultural heritage value of 247 Main Street North is related to its design or physical value as an important reminder of Brampton's 19th century residential homes. It is a very good example of late 19th century masonry, multi-gabled residences, reflecting a high degree of craftsmanship. This vernacular Queen Anne style home is well designed and is comprised of decorative brickwork and shingles, projecting gables, and prominent brick voussoirs, which form curved window openings. The property reflects the work of Jesse Perry, a well-known builder in Brampton.

The property also has historical or associative value, as it is associated not only with Jesse Perry, but also with Benjamin Justin. B. Justin practiced law in Brampton for many years and was later appointed Judge. He held this position until 1932. He also served as the town mayor for a three-year term from 1903-1905. The property reflects the history of Brampton's late nineteenth century residential neighbourhoods and notable Brampton citizens.

The cultural heritage value of the property is also connected to its contextual value as it supports and defines the character of the streetscape. The property contributes to the character and identity of the area in the following ways: it reveals the residential characteristics of Main Street North, contributes to Brampton's residential history, and functions as a landmark on Main Street North. It is linked to its surroundings in that it is part of the Washington Block. It is also important to note that in 1978 part of the property was granted to the City for the expansion of Highway 10 (Main Street). The widening of roads reveals the growth of Brampton and its evolution from town to city.

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:

- Unpainted red brick home
- Multi-gabled roof profile
- Irregular floor plan
- Protruding brick band courses that surround the house

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- Straight cantilevered wood overhand supported by curved brackets characterize the main entry
- On the east and south facades there are two storey bay windows
- Decorative shingles in gables
- Windows have segmental openings
- Single stack brick chimney
- Jesse Perry was the contractor and builder
- Perry was an active member of the Brampton community
- Perry is remembered for his work on some of the County's best buildings
- Associated with Benjamin Justin who practiced law in Brampton, became as Judge, and served as Town Mayor for a three year term
- Dr. Noble, B. Justin's stepson, also lived in the home
- Dr. Noble served in World War II
- Serves as a residential landmark on Main Street North
- Contributes to the character of the streetscape
- Forms an important part of the Washington Block

GENERAL PROPERTY DESCRIPTION:

The property is located on the west side of Main Street North between David Street and Rosedale Avenue. It has an area of 336 square metres and has a frontage of 17.16 metres on Main Street North.

The lot is rectangular in shape. The plan of the principle structure is irregular. The principle elevation is emphasized by the following elements: an interlock walkway, paved front garden, some mature trees on the north and south lot lines, and some small shrubs in front of the home.

Adjacent properties are characterized by detached dwellings that front Main Street North and to the south an office building.

DESIGN OR PHYSICAL VALUE:

The property at 247 Main Street North is a multi-gabled home constructed with red brick. Both the irregular floor plan and the protruding double strip of brick that encases the house every 3-5 feet are significant features of the home. Above each door of the front entrance there is a stained glass lantern and above them curved brackets support a straight wooden hood.

On the south side, as well as on the right front façade, are two two-storey bay type projections. Above both are gables with decorative cresting. The south bay has a single stack brick chimney running its length and emerging from the top of the gable. A second offset chimney is located on the right side of the house. The front projection contains six segmental windows and its gable, which is decorated with shingles and encloses a small rectangular window. This window is surrounded by a patchwork design of bricks and is topped off by a radiating voussoir. All other windows of the house have segmental openings, radiating voussoirs, and moulded trims with circles embedded in the upper centers. The home was changed to a duplex in 1946 and some of the windows and original features of the home have been altered over the years. Additionally, construction is currently underway on the south and west facades of the home.

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HISTORICAL OR ASSOCIATIVE VALUE:

In 1854, Christopher Stork, the town's druggist and proprietor of Brampton's earliest business, bought lot 112 from Robert Lowes. Stork, however, did not develop the land, and it was not until 1889 when Jesse Perry purchased the land for \$475.00 that the home was built.

Born in Wiltshire, England, Jesse Perry apprenticed in the building trades and finished an apprenticeship as a builder on the Southampton Docks. In 1857 he immigrated to Upper Canada and settled in Brampton where he started a business as a contractor and builder. Soon after arriving in Brampton, Perry helped build a brick stable and carriage house on the John Elliott Estate. Perry worked with local contractors Josiah Mason and William McColloch on various projects in the late 1880s and Joseph Sewell in the early 1900s. He was involved in the construction of many Brampton projects including: Grace United Methodist Church, Haggart's Foundry, and residences for Kenneth Chisholm, John Haggart, John Elliot, and other individuals in the town and throughout Peel County. The Conservator states that as a contractor he built "some of the best buildings in the county...as a builder he ranked second to none in the County of Peel and surrounding district" (1931).

Perry sold the residence at 247 Main Street North for \$2,950.00 to William Justin. He left his house to his son Benjamin F. Justin who practiced law in Brampton for many years and who was later appointed Judge. He held this position until his retirement in 1932. He also served a three-year term, 1903-05, as the town mayor. Judge Justin married a widow who had two sons, Russell and Alan Noble. In 1957 the house was left to the recently graduated Dr. Allan Noble. Dr. Noble enlisted in World War II and after his return he moved to Toronto.

The home is a testament to the establishment of Brampton as Town and its development along Main Street North from the 1880s to the 1920s.

CONTEXTUAL VALUE:

The subject property contributes to the residential characteristic of Main Street North. Its location on this busy street contributes to one's understanding of late 19th century Brampton. The surrounding residential neighbourhoods also illustrate the residential characteristics of this area. While some of the similar homes have been converted to accommodate other uses, their exterior characteristics reveal the skills of the construction trade and the development of the areas surrounding Brampton's downtown core. The character of the site has been somewhat diminished by the removal of lawn to accommodate the parking requirements necessary for the medical facility. The loss of frontage to the widening of Main Street reveals the growth of Brampton and its evolution from town to city.

SCHEDULE "C" TO BY-LAW 64.2009

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 247 Main Street North 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 Wednesday, November 12 2008.
4. The by-law to designate the 247 Main Street North came before City Council at a Council meeting on March 11 2009 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 _____ 2009.

SWORN before me at the City)
of Brampton, in the Region)
of Peel, this)
day of)

A Commissioner for Taking Affidavits, etc.