

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 047-2025

BEING A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS 416 BERGAMOT AVENUE, TOWN OF MILTON, AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST

WHEREAS Part IV of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18, as amended, authorizes the Council of a municipality to enact by-law to designate real property including all buildings and structures thereon, to be of cultural heritage value or interest;

AND WHEREAS the Council or the Corporation of the Town of Milton has caused to be served on the owners of the lands and premises known as, 416 Bergamot Avenue in the Town of Milton and upon the Ontario Heritage Foundation, Notice of Intention to so designate the aforesaid real property and has caused such Notice of Intention to be published in the Town website having general circulation in the municipality;

AND WHEREAS the reasons for designation are set out in Schedule 'B' attached hereto;

NOW THEREFORE the Council of the Corporation of the Town of Milton hereby enacts as follows:

1. **THAT** there is designated as being of cultural heritage value or interest, the real property known as the building located at 416 Bergamot Avenue, Milton, and legally described in Schedule 'A' attached hereto;
2. **THAT** the Municipal Solicitor is hereby authorized to cause a copy of this By-law to be registered against the property described in Schedule 'A', attached hereto, in the proper Land Registry Office;
3. **THAT** the Clerk is hereby authorized to cause a copy of this By-law to be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and to cause notice of the passing of this By-law to be published in the same newspaper having general circulation in the municipality.

PASSED IN OPEN COUNCIL ON APRIL 28, 2025.

Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

SCHEDULE 'A' to BY-LAW NO. 047-2025

LEGAL DESCRIPTION

LOT 77, PLAN 20M1242; TOWN OF MILTON

SCHEDULE 'B' to BY-LAW NO. 047-2025

Description of Property

Constructed circa 1842 by James Weir, the one-storey 19th century Ontario Agricultural Gothic Revival farm residence is of great heritage significance and worthy of designation. The property was previously located at 6081 Tremaine Road and has been rehabilitated and relocated to the corner of Kovachik Boulevard and Bergamot Street.

Physical Value or Design Value

The three-bay residence building with Ontario Gothic Revival detailing is a one-and-a-half-storey gable frame structure with a high-pitched roof and centre gable on the front elevation containing an arch-shaped window with triangular transom and semi-arched shutters. An external chimney with a brick stack is located at the south end of the house. The covered front veranda features verge boards, a pergola and wooden steps. The modesty of the fenestration, with four rectangular windows, a top round gable window at the side elevation, a main entrance door, and two side windows at the front elevation, adds to the simplicity and elegance of the design. Simple detailing includes decorative brackets around the windows and a vestige verge board in the center gable. The residence is clad in modern siding. The builder's name is engraved in the basement parging as "Sept" 1897 by E M Laver – Builder. This carving is unique and valuable evidence of the pride of craftsmanship in vernacular construction in Ontario at the end of the 19th century.

Historical Value

The historical nineteenth-century context of the subject property is defined in both Tremaine's Map of the County of Halton, 1858 and the Trafalgar Township map in the Illustrated Historical Atlas, 1877, noting property owner James Weir within the western half of Lot 6, Concession 1 New Survey. The first recorded use appears to be farmland/orchard.

The Crown Patent for all 200 acres of land on Lot 6, Concession 1 NS was issued to Robert Loring in July 1825. Loring sold the entire lot to Henry Freeling [Freeland] in April 1827. John G. Green bought 100 acres of land of the north half on Lot 6, Concession 1 NS, from Freeland in May 1832. James Weir and Michael Pigot [sic. Piggot] bought the 100 acres from Green in October 1842; the property title was registered in December 1842. Samuel Clarke acquired ownership of the property in early 1845. Clarke immediately sold 50 acres of land in the northwesterly quarter to James Weir.

James (1813-1878) was born in Ireland and lived for several years in a log farmhouse with his wife Catherine, also born in Ireland (about 1825-1896) and their children. They were early pioneers in Trafalgar Township, Halton County. James and Catherine raised seven children on the family farm: John, Hannah, James, Ellen, Edward, William and Michael. Apart from farming, they also had an orchard on the property.

Mrs. Catherine Weir purchased 387 and 395 Pine Street in Milton in 1889, which remained in the family name for several years. One of their sons, James Weir Jr., served on Milton Town Council in 1910.

James Weir's estate sold the property to James Ford in the late 1880s. It appears that Mr. Ford and his son-in-law, Charles Smith, were farming partners in the area. Charles was married to Mr. Ford's daughter, Matilda. James Ford died on June 6, 1896, and the estate's probate left the 50 acres of land to his daughter Margaret Jane Garbutt in 1897. Upon the death of Margaret and her husband Robert, the land passed to their son Gerald in 1937 and was later sold to David and Anne Katz in 1974. Antonio and Giovanna Palermo were the owners from 1983 to 1998, and Michael Conlon and Sandra Campbell from 1998 until it was sold to Pony Pines Development.

Contextual Value

The James Weir house is significant contextually as it is one of the original houses in Trafalgar County. The 1877 Country Atlas depicted it as an estate setting surrounded by large outbuildings, livestock, and orchards.

Character Defining Elements/Heritage Attributes

Key attributes that reflect the cultural heritage value of the property include:

- Massing of the three-bay one-and-a-half storey structure.
- High-pitched gable roof and centre gable on the front façade.
- Arch-shaped window with triangular transom and semi-arched shutters.
- External chimney with a brick stack at the south part of the main volume
- Covered front veranda with verge boards, pergola and steps.
- Rectangular windows and a top round gable window at the north (side) elevation
- Main entrance door and two side windows at the front facade. Simple detailing with decorative brackets around the windows and a vestige verge board in the centre gable.
- Horizontal siding
- Builder's engraved marking of - "SEP 24 1897, E. M. Laver Builder"
- Rural residential character of the 19th century residential Farmhouse represents a rural Ontario Gothic Revival Cottage.
- Historical and contextual significance as a farm featured in the 1877 Country Atlas as a settlement home, linking the agricultural committee and home to Councillor James Weir Junior (1910).