

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 03-2023

A by-law to designate 795 Brant Street, in the City of Burlington, in the Regional Municipality of Halton, to be of cultural heritage value or interest pursuant to the provisions of the *Ontario Heritage Act*, R.S.O. 1990, chapter O.18, as amended

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; and

WHEREAS authority was granted by Council to designate the property at 795 Brant Street as being of cultural heritage value or interest; and

WHEREAS the Council of the City of Burlington has caused to be served upon the owners of the lands and premises known as 795 Brant Street and upon the Ontario Heritage Trust, Notice of Intention to designate the property in accordance with notice requirements under the Ontario Heritage Act; and

WHEREAS the municipal heritage committee (Heritage Burlington) supports the designation of the property described herein; and

WHEREAS a Notice of Intention to Designate has been published in the Burlington Post on December 15, 2022 in accordance with the Act; and

WHEREAS a Notice of Objection has been served on the City Clerk of the City of Burlington and considered by Council in accordance with section 29 (6) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O. 18 (as amended); and

WHEREAS the reasons for designation are set out in Schedule A to this By-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON HEREBY ENACTS AS FOLLOWS:

1. THAT the property at 795 Brant Street being FIRSTLY: Pt Lt 1, PL 125, as in 662884 except Pt 1, 20R-9944; t/w 744916; SECONDLY: Pt Lt 85, RCP PL99, as in 835346; City of Burlington, Regional Municipality of Halton, more particularly described in Schedule "A" and Schedule "B", 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 795 Brant Street 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 Burlington as required by the *Ontario Heritage Act*.
4. That this by-law shall take effect on the date of its passing.

ENACTED AND PASSED THIS 24th day of January, 2023.

MAYOR: _____

CITY CLERK: _____

SCHEDULE “A”

Description and Reasons for Designation: 795 Brant Street

795 Brant Street is recommended for designation pursuant to Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value, and meets Ontario Regulation 9/06 (as amended by O.Reg 569/22), the provincial criteria prescribed for municipal designation under the criteria of design and physical, historical and associative and contextual values as described in the following Statement of Cultural Heritage Value or Interest.

Legal Description:

795 Brant Street (FIRSTLY: Pt Lt 1, PL 125, as in 662884 except Pt 1, 20R-9944; t/w 744916; SECONDLY: Pt Lt 85, RCP PL99, as in 835346; City of Burlington, Regional Municipality of Halton); City of Burlington, Regional Municipality of Halton.

Description of Property:

795 Brant Street is an irregular shaped property occupied by a two-storey Georgian style brick house with a two-storey rear addition described in this bylaw. In September 2022, the property was consolidated with the adjacent lot currently referred to as 789 Brant Street into a single property with the legal description listed above. There is another two-storey brick building at the address 789 Brant Street, however it is not considered to have heritage significance. The property is located at the southeast corner of Brant Street and Prospect Street. Historically, it was part of Lot 85, Plan 99 (Brant’s Block), and later in 1909, part of Lot 1, Registered Plan 125 (Ghent’s Survey) in the former Township of Nelson, Halton County, now in the City of Burlington, Regional Municipality of Halton, Ontario.

Statement of Cultural Heritage Value or Interest:

The property at 795 Brant Street has design/physical value, historical/associative value and contextual value.

Design/Physical Value

The property has design value as an early example of a brick-built vernacular two-storey Georgian style house built between 1854 and 1855. The original house retains its overall form, scale and massing, with its symmetrical front façade. The symmetry of the Georgian style is expressed through its three-bay façade with a window on either side of the central entrance. The original house is rectangular in form with a shallow-pitched end gabled roof, wide eaves, and two inset unadorned brick chimneys balanced on the end walls. Typical of the Georgian style, the rectangular shaped windows with jack-arched brick voussoirs are small in relation to the brick surface of the front façade. The house retains its original fenestration on the front façade. The house, constructed of hand-made brick made on-site, was laid in Flemish bond on the front façade. Other elevations of the 1854-1855 house were laid in common bond. The main entrance is slightly recessed and includes a panelled door with windowpanes surrounded by a wood door

surround. The windowpanes may be a later addition to the original door. A decorative geometric pattern has been applied to the door surround, which is not likely original to this Georgian style feature. A narrow transom only as wide as the main entrance is present, which is typical of the Georgian style.

The original house has a two-storey rear addition which includes an original one-storey rear wing as evidenced by the continuation of brick laid in common bond and jack-arched voussoirs visible on the north elevation along length of the ground level. A second storey was added in 1864 to the one-storey rear wing and is designed in accordance with the vernacular Ontario farmhouse style which complements the original house but is distinct from it. The second storey has a brick veneer laid in stretcher bond. The addition features two medium pitched gables with segmentally arched windows and voussoirs. One window has been infilled, but the segmentally arched voussoirs are still present.

The late 20th century rear one-storey commercial additions do not support the property's representation as a Georgian style house; however, the additions are reversible and do not diminish the integrity of the original house and the 1864 rear addition.

Given that the 1854 house was constructed by a brickmaker and mason, Jabez Bent, and by his brother, James Cushie Bent, a master builder, the property displays a high degree of craftsmanship for its era as a substantial brick structure. In particular, the original 53-acre property containing this house included a brickyard run by Jabez, and the house would have been built from hand-made bricks manufactured on-site. The brick is laid on the front façade in Flemish bond which took a skilled bricklayer, such as Jabez Bent, to execute. Ultimately, the house at 795 Brant Street reflects the architectural ideas of the Bent brothers, who brought from England a deep knowledge of their respective trades, which they used to assist in building up the local community during a pivotal time of development.

Historical/Associative Value

The property at 795 Brant Street has historical value and direct associations with a theme and persons who are significant to the community of Burlington. The property and the nineteenth century owners of 795 Brant Street played a significant role in the City of Burlington's brickmaking and market gardening industries. The Subject Property was included in the purchase of a 53-acre property in Lot 85, Plan 99 within Brant's Block by Jabez Bent in 1854. With his brother James Cushie Bent, Jabez Bent constructed the original two-storey brick house on the Subject Property, sometimes referred to as "Maple Lodge." Jabez Bent earned a sterling reputation as a craftsman in the community. His brother James Cushie Bent, was a master builder with an aptitude for joinery. Both Bent brothers contributed to the development of Burlington, constructing buildings, some of which remain standing and are considered significant to the community today. Structures built by the Bent brothers in collaboration include: two houses at 247 Malvern Road (moved from 466 Elizabeth Street) and 3265-3269 North Service Road, one hotel at 400 Brant Street (now The Queen's Head Pub), and a brick wall for the Union Burying Ground, all of which remain extant in Burlington. In 1859, Jabez Bent sold the 53-acre property containing two-storey Georgian style brick house to Frederick Bray, a farmer and small fruit grower who resided there until 1896. William Ghent, a third generation descendent of the Ghent

family whose grandfather helped establish the fruit growing industry to the area, purchased the 53-acre property from Frederick Bray in 1896. After that, Ghent continued operating the fruit farm established by Bray on the property. Under William Ghent, the house was named “Maple Lodge” and the agricultural output of the property was substantial, as well as featuring extensive orchards. The farm at 795 Brant Street contributed significantly to the nineteenth century market garden industry in Burlington. In 1909, William Ghent sold a 5-acre parcel of land containing “Maple Lodge” to Edward Harmon, who was a gardener and maintained the property as a market garden despite its reduced size until 1919.

Despite the changes to the property over the last century, including its use as a commercial establishment beginning in the 1970s, 795 Brant Street is a physical reminder of the significant role that the Bent, Bray, Ghent, and Harmon families played in Burlington’s early industries of building and market gardening. The history of the property at 795 Brant Street yields information about the lives of the masons, builders, and market gardeners who played a significant role in the economic development of Burlington.

Contextual Value

Although the house is screened by a variety of vegetation, the property has contextual value as a local landmark. Despite this reversible obstruction of views of the house, the house is seen by the community as a landmark at the corner of Brant and Prospect Streets, based on the community’s interest outlined in heritage reports beginning in 1995, news features about the property, and the inclusion of the property in the 1973 Centennial documentary “The Eyes of Memory”. 795 Brant Street is one of three heritage properties (1134 Plains Road East, 2021 Blairholm Avenue, 736 King Road) currently within the City of Burlington that were nineteenth century fruit farms of early settlers that produced goods for the market garden industry.

Heritage Attributes

The following heritage attributes are style characteristics of Georgian architecture, which contribute to the design/physical value of the building at 795 Brant Street:

1854-1855 Original house:

- Gabled form, two-storey scale and compact massing of the original house
- Symmetrical design of the three-bay front façade (west elevation) with windows on either side of the central entrance
- Shallow-pitched end gabled roof with wide eaves and inset brick chimneys at each end wall
- Recessed main entrance with panelled door and wood surround on the front façade (west elevation)
- Narrow transom as wide as the main entrance on the front façade (west elevation)
- Rectangular window openings with jack-arched brick voussoirs
- Original fenestration on the front façade (west elevation)
- Proportion of windows to brick face of the front façade

The following heritage attributes are evidence of skilled masonry and a high degree of craftsmanship that contribute to the design and physical value of the building:

- The Flemish bond brickwork of the front façade (west elevation)
- The common bond brickwork of the north and south elevations on the 1854-1855 Original House (side), which is structurally stronger than Flemish bond and the preferred method for constructing brick houses on the non-street facing walls
- Ground floor with brick laid in common bond on the north elevation of the 1854-1855 rear wing

The following heritage attributes of the two-storey rear addition representative of the Ontario farmhouse style and contribute to the design and physical value of 795 Brant Street:

1864 Addition and original 1854-1855 rear wing:

- Style, form, scale and massing of the two-storey rear addition
- Two gables on the north elevation with a surviving window opening and a closed window opening featuring segmentally arched voussoirs

The following heritage attributes of the two-storey brick Georgian style house contribute to the contextual value of the property and increase its prominence:

- The placement and orientation of the building on a corner, with the front elevation facing Brant Street

