1. CALL TO ORDER

2. DECLARATION OF PECUNIARY INTEREST

3. RECEIPT OF MINUTES

3.1 Heritage Caledon Minutes dated May 13, 2019

4. COMMITTEE REPORTS

4.1 Committee Report 2019-003: 2019 Heritage Grant Program

4.2 Committee Report 2019-004: Proposed Heritage Designation for 17070 Horseshoe Hill Road (Ward 1), also referred to as The Baxter House

5. REGULAR BUSINESS

5.1 Kennedy Road Bridge

5.2 Henry the Elm - Regional Road

5.3 Settlers Arriving in 1819

6. UPDATES

6.1 Ontario Heritage Conference

6.2 Alton Schoolhouse

6.3 Ontario Heritage Act - Bill 108

6.4 Budget
6.5 Heritage Caledon Sub-Working Group

6.5.1 Event Planning

6.5.1.1 Caledon Day

6.5.2 Research

7. ADJOURNMENT

8. Accessibility Accommodations

Please provide advance notice if you require an accessibility accommodation to attend or participate in Committee Meetings or to access information in an alternate format please contact Legislative Services by phone at 905-584-2272 x. 2366 or via email to legislative.services@caledon.ca American Sign Language (ASL) interpreters are also available upon request.
CALL TO ORDER

Chair J. Crease called the meeting to order at 9:33 a.m.

DECLARATION OF PECUNIARY INTEREST – none.

RECEIPT OF MINUTES

Moved by: D. Paterson – Seconded by: J. Payne

That the minutes from the April 15, 2019 Heritage Caledon Committee meeting be received, as amended.

Carried.

REGULAR BUSINESS

1. 12461 McLaughlin Road - Giffen Farmhouse

D. McGlynn provided an update with respect to the Giffen Farmhouse Cultural Heritage Impact Statement (CHIS) consultant report. He noted that previously the Heritage Caledon Committee recommended a 20m setback be required for the site, however the property owner’s planner have submitted an application with a reduced setback of 6m. Members of the Committee discussed the impact of the proposed reduced setbacks, adjacent properties proposed to be developed, design of the space, and contextual history of the site. Staff will prepare a response to the consultant and the property owner’s planner.

2. Ontario Heritage Act Changes

D. McGlynn advised Committee members of proposed changes to the Ontario Heritage Act (OHA) by the Province with respect to heritage designations, timelines for appeals, appeal mechanisms and the use of heritage properties. He discussed impacts of the
proposed changes to the Town and noted staff will be providing comments to the Ministry within the prescribed timeframe.

Councillor L. Kiernan left the meeting at 10:08 a.m. and returned at 10:12 a.m.

Members of Committee discussed supporting staff’s position with respect to the proposed changes.

3. Built Heritage Resource Inventory

D. McGlynn provided an update on the Built Heritage Resource Inventory (BHRI) noting that he has evaluated all the heritage properties in the villages based on architectural and contextual qualities under the OHA. The number of heritage properties being recommended by Staff to Council for listing was reduced from 442 to 241. He noted the remaining heritage properties will remain on the BHRI for listing at a future date.

Members of Committee asked questions with respect to designating properties under the OHA and impacts on existing heritage conservation districts and received responses from Staff.

The Committee recessed from 10:44 a.m. to 10:54 a.m.

4. 2019 Grant Program

D. McGlynn provided an update on the spring grant funding application process and deadlines. The Grant Committee will consider the applicants and then a report will come forward to the Heritage Caledon Committee.

Members of Committee asked questions with respect to timing of the fall grant funding process and received responses from Staff.


Members of Committee reviewed the 2019 work plan. Members inquired as to the status of several projects and received responses from Staff.

UPDATES

1. Budget

With the consensus of the Committee, funds were allocated for mileage for members undertaking research and for Heritage Caledon promotional materials for Caledon Day.

2. Event - Caledon Day

Chair J. Crease provided an overview of the event schedule for the Heritage Caledon booth for Caledon Day. Volunteer, tables, tents and poster requirements were discussed.
3. Research

V. Mackie provided an update with respect to the Town’s Heritage Walking Tours.

4. Designations

D. McGlynn provided a list of properties that are in the process of being recommended for designation. Designation reports will come forward to future Heritage Caledon Committee meetings for consideration.

5. Council Heritage Training Session

Staff noted they will investigate proposed dates regarding the Council Heritage training session.

ADJOURNMENT

On a motion by J. LeForestier the meeting adjourned at 11:41 a.m.
Committee Report 2019-003

Meeting: Monday, June 10, 2019

Subject: 2019 Heritage Grant Program

Submitted By: Douglas McGlynn, Heritage and Urban Design Planner, Community Services

RECOMMENDATIONS

That the recommended Designated Heritage Property Grant Program Spring 2019 recipients listed in Schedule A of Staff Report 2019-76 be approved;

REPORT HIGHLIGHTS

- The Designated Heritage Property Grant program (DHPG) provides financial assistance to designated heritage property owners for the maintenance and restoration of their properties. There are two draws in a calendar year, one in the Spring and one in Fall,

- The DHPG provides grants of 50% of eligible costs to a maximum of $4,000 per grant. A single property is eligible to receive two (2) grants in the calendar year.

- The Heritage Grant Program was expanded to include commercial and industrial properties designated under Part V of the Ontario Heritage Act (the “Act”) in the Bolton Heritage Conservation District,

- The Town received twenty-one (21) applications in the spring application round, which were screened and evaluated by the Heritage and Urban Design Planner and the Heritage Review Group against the DHPG guidelines. All proposed work was deemed eligible for DHPG funding. Seventeen (17) properties were approved for the 2019 Heritage Grant Program,

- The base operating budget for the DHPG is $65,000, which includes an increase of $15,000 approved from the 2019 Budget with the inclusion of the Bolton Heritage Conservation District,

- The Review Group recommends allocation of $42,750 to seventeen (17) applicants with the remaining $22,250 going towards the Fall Heritage Grant Program.
DISCUSSION

The DHPG was established by By-law 2006-34 as a financial incentive program to promote and support stewardship of designated heritage properties. Originally administered for the Town by the Caledon Heritage Foundation, administration was returned to the Town in 2010 (Council resolution 2010-032). The program Guidelines and Review Group were established by By-law 2010-065, which was repealed and replaced by By-law 2013-099 and subsequently amended by By-law 2017-70. In 2019 By-law 2017-70 was amended by By-law 2019-39 to enable commercial and industrial properties included in the HCD the ability to apply for the Heritage Grant Program.

The Review Group entails a subcommittee of Heritage Caledon and the Heritage and Urban Design Planner. In accordance with By-law 2013-099, the Review Group reports to Council with its allocation recommendations for DHPG funds.

2019 Applications

The Town has received twenty-one (21) grant applications. All grant applications were reviewed by the Heritage Resource Officer to ensure the completeness of the applications before being provided to the Review Group. Of the twenty-one applications two (2) properties did not meet the qualifying criteria for a Heritage Grant as they were non-contributing in the Bolton Heritage Conservation District and one (1) applicant had an outstanding grant for the same proposed work from 2017 and one (1) application was deferred to the Fall Heritage Grant Program to coincide with an application for the Community Improvement Program (CIP). The Review Group evaluated the applications against the criteria for eligible work outlined in the program Guidelines, namely that the work:

- Entails only new work that has not yet been initiated at the time of application;
- Is compatible and consistent with the design or physical value, historical value and contextual value of the property;
- Serves to rehabilitate the building or property by stabilizing and protecting existing architectural heritage attributes and/or other character defining elements;
- Is consistent with good heritage conservation practices;
- If a restoration: serves to help restore the building or property by replicating lost or damaged architectural heritage attributes and/or other character defining elements that were once part of the building fabric or property;
- Is executed in such a manner as not to detract from or diminish the cultural heritage value of the property;
- Is consistent with the Town of Caledon by-laws and policies, along with relevant provincial and federal regulations and codes.
Eligible work includes the costs of professional fees, labour, materials and equipment.

- The DHPG provides grants of 50% of eligible costs for maintenance and restoration projects to a maximum of four thousand dollars ($4,000) per grant. A single property is eligible to receive two (2) grants in the calendar year at the discretion of Council and subject to available annual funding. In the event the second grant is approved, the applicant waives their right to apply for a grant under the Designated Heritage Property Grant Program in the following calendar year for the same Designated Heritage Property.

Community Services has $65,000 approved in the 2019 base operating budget for the DHPG.

The total estimated project costs for the work associated with the 2019 applications is $366,418.65. Of this amount, $42,750 is eligible for grant funding based on 50% of eligible costs to a maximum of $4,000 per grant.

The Review Group is recommending the allocation of all available funding, as shown on Schedule A to this report and summarized below:

- Allocation of maximum eligible grants to all seventeen (17) applicants.

Upon completion of the work and confirmation of paid invoices, the Review Group will undertake a site inspection to ensure the work is satisfactory prior to processing the grant claim.

FINANCIAL IMPLICATIONS

It is recommended that the seventeen (17) grants listed in Schedule A be approved, at a total cost of $42,750 funded from the Designated Heritage Property Grant Program. The 2019 budget for the Designated Heritage Property Grant Program is $65,000 under the Community Services operating budget account #: 01-02-405-44070-365-62319. The balance of $22,250 will go toward the Fall Heritage Grant Program.

ATTACHMENTS

Schedule A – Designated Heritage Grant Program 2019
<table>
<thead>
<tr>
<th>Properties</th>
<th>Address</th>
<th>Owners/Contact</th>
<th>Description of Work</th>
<th>Conservation Benefit</th>
<th>Previous Grants</th>
<th>Cost Estimates (incl. HST)</th>
<th>Eligible Costs based on initial application (max 50%)</th>
<th>Recommended Allocation of Balance of Funding</th>
<th>Total Recommended Grants</th>
<th>Approved Grants</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Shiloh Wesley Church</td>
<td>1 Cedar Mains</td>
<td>Lisa Valente (416)-661-6600 x 5297 <a href="mailto:valente@tcca.on.ca">valente@tcca.on.ca</a></td>
<td>Resurface the church with cedar</td>
<td>Restores and retains heritage fabric</td>
<td>2010, 2016, 2017</td>
<td>$24,375</td>
<td>$4,000</td>
<td>$4,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Graham/Robinson House</td>
<td>2 Morra Avenue</td>
<td>Chris Bischof (416)-505-8284 <a href="mailto:chrisbischof@rogers.com">chrisbischof@rogers.com</a></td>
<td>Install Storm windows both exterior and interior</td>
<td>Maintains heritage fabric and addresses heat loss</td>
<td></td>
<td>$8,419</td>
<td>$4,000</td>
<td>$4,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 HCD</td>
<td>3 Queen Street North</td>
<td>Antonio &amp; Maria Rummo (416)-675-9100 <a href="mailto:tonyrummo@gmail.com">tonyrummo@gmail.com</a></td>
<td>Replace windows at rear of building</td>
<td>Maintains heritage fabric supports HCD</td>
<td></td>
<td>$5,500</td>
<td>$2,750</td>
<td>CIP Program</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Cranston-Freeborn House</td>
<td>9 Antrim Court</td>
<td>Sherry &amp; Ian Sullivan (289)-401-0424 <a href="mailto:sherryisullivan@hotmail.com">sherryisullivan@hotmail.com</a></td>
<td>Urgent Chimney Repair</td>
<td>Maintains heritage fabric and addresses structural issues</td>
<td>2012, 2016, 2018</td>
<td>$800</td>
<td>$400</td>
<td>$400</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 HCD</td>
<td>37 King Street East</td>
<td>Luca Frattura (416)-396-7162 <a href="mailto:lucas.frattura@gmail.com">lucas.frattura@gmail.com</a></td>
<td>Exterior paint removal from original brick, repointing and repair</td>
<td>Restores and retains heritage fabric</td>
<td></td>
<td>$23,165</td>
<td>$4,000</td>
<td>$4,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Boston Mills Cemetery</td>
<td>1942 Boston Mills Road</td>
<td>Herb Van Arkel 905.838.2204 <a href="mailto:hvanarkel@rogers.com">hvanarkel@rogers.com</a></td>
<td>Replacement of two foundations and restoration of</td>
<td>Maintains heritage fabric and addresses structural issues</td>
<td>2014, 2016, 2017</td>
<td>$3,814</td>
<td>$1,907</td>
<td>$1,900</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 Unicorn House</td>
<td>14757 Creditview Road</td>
<td>Zsuzsanna Kazar and Mark Krapez (519)-215-3080 <a href="mailto:sandman@zing-net.ca">sandman@zing-net.ca</a></td>
<td>Repairs to chimney. Application was also for interior work to 1974 addition which was ineligible.</td>
<td>Maintains heritage fabric</td>
<td>2015, 2017</td>
<td>$4,124</td>
<td>$2,062</td>
<td>$2,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Mabee-Parrish House</td>
<td>15421 Mount Pleasant Road</td>
<td>Thomas Hey (647)-271-8447 <a href="mailto:tomhey@gmail.com">tomhey@gmail.com</a></td>
<td>Repairs to soffit, fascia, gutters and windows</td>
<td>Maintains heritage fabric and addresses major impact of water infiltration</td>
<td></td>
<td>$7,622</td>
<td>$3,811</td>
<td>$3,750</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Ward-Willer House</td>
<td>19688 Horseshoe Hill Road</td>
<td>Brian and Nancy Willer (905)-584-2943 <a href="mailto:willerphoto@yahoo.com">willerphoto@yahoo.com</a></td>
<td>Repairs to slate roof and heritage tree damaged in a storm</td>
<td>Maintains and restores heritage fabric</td>
<td>2016</td>
<td>$2,252</td>
<td>$1,126</td>
<td>$1,100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 Patrick Murphy House</td>
<td>16761 Kennedy Road</td>
<td>Les and Vendi Mandelbaum (416)-413-1500 / (416)-953-9833 <a href="mailto:iasem@uwaterloo.com">iasem@uwaterloo.com</a></td>
<td>Chimney repairs</td>
<td>Maintains heritage fabric</td>
<td></td>
<td>$2,825</td>
<td>$1,413</td>
<td>$1,400</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 HCD</td>
<td>88 King Street East</td>
<td>Kevin Henderson &amp; Deborah Young (905)-857-2681 <a href="mailto:henderson.kevin@gmail.com">henderson.kevin@gmail.com</a></td>
<td>Repair, restore and rehabilitate front porch</td>
<td>Maintains heritage fabric and addresses structural issues</td>
<td></td>
<td>$28,420</td>
<td>$4,000</td>
<td>$4,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12 Hector McLeash Homestead</td>
<td>17153 Horseshoe Hill Road</td>
<td>Phil &amp; Liz LaMoore (905)-584-2489 / (416)-768-5908 <a href="mailto:horsehoehillplumbing@gmail.com">horsehoehillplumbing@gmail.com</a></td>
<td>Storm window replacement and shutter replacement</td>
<td>Continues restoration of heritage fabric</td>
<td></td>
<td>$17,900</td>
<td>$4,000</td>
<td>$3,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13 HCD</td>
<td>23 King Street West</td>
<td>Christopher Niqzy (647)-298-9675 <a href="mailto:cnicolod@gmail.com">cnicolod@gmail.com</a></td>
<td>Paint exterior gingerbread, fascia on upper level, paint exterior wood windows</td>
<td>Maintains heritage fabric</td>
<td></td>
<td>$5,200</td>
<td>$2,600</td>
<td>$2,600</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14 HCD</td>
<td>61 King Street West</td>
<td>Michael Upshall (416)-678-3106 <a href="mailto:michael@probuilt.ca">michael@probuilt.ca</a></td>
<td>Replace and repair the front porch including columns and woodwork detailing</td>
<td>Maintains heritage fabric and structural integrity</td>
<td></td>
<td>$140,649</td>
<td>$4,000</td>
<td>$4,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15 HCD</td>
<td>7 Chapel Street</td>
<td>Juanita Guthrie (416)-880-3925 <a href="mailto:reasonstorelax@hotmail.ca">reasonstorelax@hotmail.ca</a></td>
<td>Restore and repair both doors, repair two wood windows paint stucco at rear</td>
<td>Maintains heritage fabric</td>
<td></td>
<td>$6,500</td>
<td>$3,250</td>
<td>$1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16 Walker Farmhouse</td>
<td>89 Walker Road West</td>
<td>John-Paul Spina (905)-265-1976 x2500 спина@mediterracorp.com</td>
<td>Chimney repairs</td>
<td>Maintains heritage fabric and addresses structural issues</td>
<td></td>
<td>$2,214</td>
<td>$1,107</td>
<td>$1,100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17 HCD</td>
<td>75 King Street West</td>
<td>Rose Ciccione (905)-857-6454 <a href="mailto:rose_ciccione@hotmail.com">rose_ciccione@hotmail.com</a></td>
<td>Window replacement. Replacement of windows to be wood and not vinyl. Property owner to provide updated quote for confirmation.</td>
<td>Maintains heritage fabric</td>
<td></td>
<td>$3,955</td>
<td>$1,978</td>
<td>$2,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total Project Costs: $287,732
Total Eligible Costs: $46,403
Available Funding: 2019: $65,000
Total Recommended Grants: $42,750

1. Application includes ineligible expenses. Grant was awarded based on eligible work from the 2019 Heritage Guidelines.
Meeting: Monday, June 10, 2019

Subject: Proposed Heritage Designation for 17070 Horseshoe Hill Road (Ward 1), also referred to as The Baxter House

Submitted By: Douglas McGlynn, Heritage and Urban Design Planner, Community Services

RECOMMENDATIONS

That the designation of the property at 17070 Horseshoe Hill Road under Part IV, Section 29 of the Ontario Heritage Act (the “Act”) be approved;

That staff be authorized to publish and serve the Notice of Intention to Designate the property at 17070 Horseshoe Hill Road in accordance with the requirements of the Act as attached as Schedule B to Report Number 2019-77;

That should no objections be received during the mandatory 30-day public objection period following publication of the Notice of Intention to Designate, a by-law be enacted for the purpose of designating 17070 Horseshoe Hill Road pursuant to the Ontario Heritage Act;

That the Mayor and Clerk be authorized to sign a Heritage Easement Agreement upon designation of 17070 Horseshoe Hill Road, is endorsed.

REPORT HIGHLIGHTS

- 17070 Horseshoe Hill Road (“the property”) is noted on the Town’s Built Heritage Resources Inventory as a property of significance, noting a row of maples as well as the residence.

- With the owner’s consent, the Town of Caledon has requested the property be considered for heritage designation under section 29 of the Ontario Heritage Act, R.S.O. 1990, c.O.18 (“the Act”).

- The property owner is seeking permission from the Niagara Escarpment Commission (NEC) to build a second dwelling on the parcel of land. This may be permitted when the property associated with a designated building is protected by a heritage conservation easement under section 37(1) of the Ontario Heritage Act (“Act”) and where it also meets other Niagara Escarpment Plan (NEP) criteria.

- The Town’s Official Plan, section 3.3.2.4, endorses the application of the provisions of the NEP “to conserve Caledon’s cultural heritage.”
Committee Report 2019-004

- Assessment of the cultural heritage value of the property has determined that it meets the criteria for heritage designation under Provincial Regulation 9/06 of the Act.

- Staff and Heritage Caledon recommend that Council proceed with heritage designation of the property under section 29 of the Act.

DISCUSSION

Background

The purpose of this report is to initiate the heritage designation process for 17070 Horseshoe Hill Road. The property entails a two storey farmhouse, and the remnants of a row of mature sugar maples along the driveway. The Town of Caledon, with the owner’s support, has requested the property be considered for heritage designation under section 29 of the Ontario Heritage Act. See Schedule B for location map.

Further to a site visit by members of Heritage Caledon back in August of 2018, staff retained Su Murdoch Historical Consulting to undertake a property evaluation to determine if the property merits designation under Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest. These criteria entail historical/associative, physical/design and/or contextual value. To merit designation under the Act, a property must meet at least one of the Regulation 9/06 criteria. Evaluation of the Property has determined that it meets all designation criteria. See Schedule A for Heritage Designation Report.

Statement of Cultural Heritage Value

The property at 17070 Horseshoe Hill Road is a 2.65-acre parcel of land within the southeast part of Lot 9, Concession 3, EHS, Caledon Township (now Part 2, Plan 43R3173). It has a remarkable longevity of occupancy, 1822 to 2011, by Scottish settlers Malcolm and Margaret Baxter and their descendants. The farm was as large as the 200 acres of Lot 9, Concession 3, EHS, and from the 1870s was intersected by the Toronto, Grey & Bruce Railway right of way. The Georgian Revival farmhouse on the property was built for John Baxter between 1851 and 1861. The historical or associative value of this property is found in its direct association with the Baxter family, who were among the Scottish settlers who founded and contributed to the early and ongoing development of this part of Caledon Township.

The site also has a past association with the first railway constructed through Caledon Township and the tragic accident at Horseshoe Curve in 1907. Historically, the northeast part of the Baxter farm (since severed) was at the south end of the railway curve used to climb the steep bank of the Niagara Escarpment. George Baxter was occupying the 1850s dwelling when he gave needed assistance at the accident site.
Regarding design or physical value, the property’s 1850s dwelling is a representative and early example of Georgian Revival architecture in Caledon Township. Its rectangular form, two storey massing, gable roof with returned eaves, 3-bay façade, and overall symmetry are characteristic of this early style. Its siting within an embankment is an example of an historic technique to elevate the dwelling within the context of the farm scape, as well as give above grade access to the foundation level.

The bricks used in the dwelling are an early type, evident by the imperfections, soft texture, and colour variations. The initials incised into some of the bricks by past occupants and visitors are part of the long history of the dwelling. The use of the decorative Flemish bond for the primary facades and common bond elsewhere is a tribute to the high degree of craftsmanship and artistic ability or merit of the mason. The coursed rubble stone of the exposed foundation is also skilled work.

Contextually, this property is physically, functionally, and historically linked to its surroundings as the long-standing location of a dwelling (log then brick) occupied by Malcolm and Margaret Baxter and their descendants from 1822 to 2011. The view from the south façade of the 1850s dwelling is a panorama of what, at its peak, was the 200-acre Baxter farm, and the railway alignment.

Description of Heritage Attributes

The heritage attributes of this property are the 1850s Gothic Revival style dwelling built for John Baxter; the mature trees; and laneway access between the road allowance and the east façade of the dwelling. The characteristics that embody the cultural heritage value or interest of these attributes are as follows:

- The rectangular form, two storey massing, and medium pitched gable roof with returned eaves on the end gables, of the 1850s dwelling
- The siting of the 1850s dwelling within an embankment, resulting in the higher elevation of the dwelling in the context of the surrounding farm scape; the sloped front yard to the south; and fully exposed west foundation wall
- The fully exposed, above grade, coursed rubble stone, west foundation wall, with doorway access and window openings
- The flat window openings in the existing locations, with vertical brick voussoirs
- The orientation of the dwelling north/south, with the south as the primary facade
- The existence of an entryway (typically a door case with a paneled door, sidelights, and a transom) on the south façade
- All components of the early, unpainted, variable colour brick masonry with buff colour mortar, laid in Flemish bond and common bond
- All components of the coursed rubble stone foundation
- The incised letters (graffiti) visible in the brick masonry
- Mature trees in healthy condition that are remnant of a tree lined laneway and road allowance, and as specimen trees near the dwelling
- The existence of a laneway between the road allowance and the south side of the east façade of the 1850s dwelling

FINANCIAL IMPLICATIONS

The Property is currently assessed as residential/agricultural. The Town’s share of taxes levied, based on the current value assessment is approximately $4,512.43. As of June 18th, 2019, the taxes are current.

If Council approves the designation report for 17070 Horseshoe Hill Road and proceeds with designating ‘the Property’ the Notice of Intention to Designate and the subsequent Notice of Passing of By-Law will be advertised on the Town Page in the local newspaper.

The advertising costs will be funded under the Corporate Communications advertising budget. Costs associated with the writing of the Designation Report are funded by the Heritage Designation Studies capital project (account # 02-02-405-18136-000-69001). Costs associated with the registration of the designation by-law will be covered by Legal Services’ budget.

ATTACHMENTS

Schedule A - Heritage Designation Report for 17070 Horseshoe Hill Road The Baxter House
Schedule B – Location map for 17070 Horseshoe Hill Road
HERITAGE DESIGNATION REPORT

BAXTER FARMHOUSE, 17070 HORSESHOE HILL ROAD
TOWN OF CALEDON, ONTARIO

PREPARED FOR THE
TOWN OF CALEDON

SU MURDOCH HISTORICAL CONSULTING

705.728.5342/705.737.7600
SUMURDOC@SYMPATICO.CA

SEPTEMBER 2018
SUMMARY

The property at 17070 Horseshoe Hill Road (part of the southeast part of Lot 9, Concession 3, EHS, Caledon Township) is a 2.65 acre parcel of land that contains a Georgian Revival style dwelling built after 1851 and before 1861 for Scottish settler John Baxter.

The conclusion of this Heritage Designation Report is that the cultural heritage value or interest of this property is sufficient for the Town of Caledon to proceed with its designation under s. 29 (municipal designation) of the Ontario Heritage Act.

As this property is within the jurisdiction of the Niagara Escarpment Plan, its protection under s.37(1) (heritage conservation easements) of the Act is necessary before construction of a second dwelling on the property may be considered. Recommendations are included in this Report, should the property owner apply to construct a second dwelling.
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   5.2 TORONTO, GREY & BRUCE RAILWAY
      5.2.1 OVERVIEW HISTORY
      5.2.2 RAILWAY REMINISCENCE
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      5.3.2 JOHN BAXTER (OWNER/OCCUPANT, ABOUT 1824-1871)
      5.3.3 DUNCAN BAXTER (OWNER 1871-1877)
      5.3.4 JOHN BAXTER (OWNER 1877-DEATH 1893)
      5.3.5 GEORGE BAXTER (OWNER 1900-1953)
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8.0 CONCLUSION AND RECOMMENDATIONS

9.0 STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

SOURCES
1.0 REPORT OBJECTIVE

The property known municipally as 17070 Horseshoe Hill Road in the Town of Caledon (“Town”) is within the parameter of the Niagara Escarpment Plan, 2017 (“NEP”). The current property owner is seeking permission from the Niagara Escarpment Commission to build a second dwelling on this parcel of land.

Under the NEP, a second dwelling may be permitted when the property associated with an existing dwelling holds cultural heritage value or interest sufficient to be protected by a heritage conservation easement under section 37(1) of the Ontario Heritage Act (“Act”) and meets other NEP criteria. The Town’s Official Plan, section 3.3.2.4, endorses the application of the provisions of the NEP “in order to conserve Caledon’s cultural heritage.” The Town’s practice is to also require designation of the property under s. 29 of the Act (municipal designation of individual property).

This Heritage Designation Report (“Report”) is an evaluation of the subject property as a candidate for designation under s. 29 of the Act. This evaluation requires the application of Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest. The findings of this Report can be applied to the consideration of a heritage conservation easement agreement under s. 37(1) of the Act.

This Report does not constitute a legal interpretation of the requirements of the NEP; nor is it offered that the findings of this Report meet all the requirements of the NEP.

This Report was commissioned by the Town and not the property owner. The final decision on whether to proceed with designation of all or part of the subject property under s. 29 of the Act rests with the Council of the Town of Caledon. The content, terms, and conditions of the easement or covenant agreement as prescribed under s. 37(1) of the Act are between the Town as the easement holder and the property owner.

This Report does not include the identification of any archaeological resources or areas of archaeological potential. That fieldwork can only be undertaken by an archaeologist licensed under the Act.
2.0 **APPLICABLE LEGISLATION**

2.1 **NIAGARA ESCARPMENT PLAN**

Part 2, Development Criteria, of the Niagara Escarpment Plan (2017) has provisions for permitting the construction of a second dwelling on a property within the jurisdiction of the NEP. The section addressing permission based on the determination of cultural heritage value or interest is as follows:

**Section 2.2**

7. Only one single dwelling is permitted on each existing lot of record in the Escarpment Natural, Escarpment Protection and Escarpment Rural Area designations, unless a second single dwelling is, in the opinion of the implementing authority, the only viable way to conserve the heritage attributes of an existing single dwelling; and

a) the existing single dwelling is a heritage attribute and is subject to a heritage conservation easement agreement;

b) this existing single dwelling is the only single dwelling located on the lot;

c) the second single dwelling is located on the same existing lot of record as the existing single dwelling to be preserved;

d) the second single dwelling is not located within the Escarpment Natural Area unless the implementing authority has determined that there is no other less restrictive designation within which the new dwelling can be sited; and

e) municipal official plan policies and standards are met (e.g., lot size).

The cultural heritage policy of the NEP to consider new development and monitor the potential for negative impact on any identified cultural heritage resource on the property is as follows:

**Section 2.10 Cultural Heritage**

The objective is to conserve the Escarpment’s cultural heritage resources, including significant built heritage resources, cultural heritage landscapes, and archaeological resources.

1. Development shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources are conserved.
2. Where proposed development is likely to impact cultural heritage resources or areas of archaeological potential, the proponent shall undertake a heritage impact assessment and/or archaeological assessment. The proponent must demonstrate that heritage attributes will be conserved through implementation of proposed mitigative measures and/or alternative development approaches.

3. Reconstruction, alterations and consideration of a second dwelling under Part 2.2.7 should be compatible with the area’s community character.

4. Where the implementing authority has approved the construction of a second single dwelling on an existing lot where the existing dwelling has heritage attributes and is subject to a heritage conservation easement agreement, the property and details regarding its size and location shall be recorded and listed in Appendix 3 [of the NEP].

5. Removal of the property from the list on Appendix 3 shall require an amendment to the Niagara Escarpment Plan.

If a property holds cultural heritage value sufficient to be protected under the Act, the NEP can consider an application to construct a second dwelling. The proposed development must be assessed to determine the potential for any negative impact on the “heritage attribute” of the property. That assessment report is called a Heritage Impact Assessment. This Report is not that assessment as only general parameters for new development on this property are provided.

2.2 **ONTARIO HERITAGE ACT**

2.2.1 **SECTION 29, MUNICIPAL DESIGNATION**

*Ontario Heritage Act Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest*, sets the minimum standard for criteria to be used by municipalities when evaluating the cultural heritage value or interest of a property being considered for designation under s. 29 of the Act. One or more of the criterion in the categories of Design or Physical Value, Historical or Associative Value, and Contextual Value must be met for the property to be protected. For purposes of this Report, the evaluation categories of Regulation 9/06 were used as the framework for research and evaluation.

2.2.2 **SECTION 37(1) EASEMENTS OR COVENANTS**

Section 2.2, 7(a) of the NEP references “a heritage conservation easement agreement.” The content, terms, and conditions of an easement agreement are negotiated and mutually agreed to by the easement holder and the property owner and may be registered on the property title. The Act provides for easement agreements or covenants under s. 37(1), as follows.
Easements

37 (1) Despite subsection 36 (1), after consultation with its municipal heritage committee, if one is established, the council of a municipality may pass by-laws providing for the entering into of easements or covenants with owners of real property or interests in real property, for the conservation of property of cultural heritage value or interest.

Idem

(2) Any easement or covenant entered into by a council of a municipality may be registered, against the real property affected, in the proper land registry office.

Idem

(3) Where an easement or covenant is registered against real property under subsection (2), such easement or covenant shall run with the real property and the council of the municipality may enforce such easement or covenant, whether positive or negative in nature, against the owner or any subsequent owners of the real property, and the council of the municipality may enforce such easement or covenant even where it owns no other land which would be accommodated or benefited by such easement or covenant.

Assignment

(4) Any easement or covenant entered into by the council of a municipality under subsection (2) may be assigned to any person and such easement or covenant shall continue to run with the real property and the assignee may enforce the easement or covenant as if it were the council of the municipality and it owned no other land which would be accommodated or benefited by such easement or covenant.

Conflict

(5) Where there is a conflict between an easement or covenant entered into by a council of a municipality under subsection (1) and section 33 or 34, the easement or covenant shall prevail.

3.0 REPORT METHODOLOGY

The findings of this Report are based on documentary research, including the resources of Peel Region Archives; a property title search at the Peel Region Land Registry Office; and a site visit by the heritage consultant on August 23, 2018.

4.0 SUBJECT PROPERTY

4.1 DESCRIPTION

The property at 17070 Horseshoe Hill Road is a 210 x 550 meter (2.65 acre) parcel within the
south part of the east half of Lot 9, Concession 3, East Hurontario Street, Caledon Township, now described as Part 2, Plan 43R3173, Town of Caledon (Figure 4). This property is on the west side of Horseshoe Hill Road, north of The Grange Sideroad and south of Escarpment Sideroad. There is a building lot abutting the north boundary that contains a modern dwelling (Part 1, Plan 43R3173). This is a rural area with surrounding lands under agricultural cultivation.

The property contains a two storey, mid 19th century, brick dwelling, which is oriented north/south. It is set back from the road at the end of a looping laneway running west from Horseshoe Hill Road. The remnants of a row of sugar maple trees partially line the laneway and road allowance. Mature trees are scattered on the east part of the lot. A more recent, double row of pine trees is along the north boundary. It is not known if this row of pines is in or outside of the subject property.

There are no historic outbuildings on the property and no historic foundations were evident. There is a round concrete wellhead at the north side of the dwelling. A large garage was erected in 2014-2015 to the west of the dwelling. A small shed between the dwelling and garage is a recent construct. These are accessed by the south section of the laneway which passes the south façade of the dwelling and continues west to the garage.

4.2 HERITAGE STATUS

The Town’s 2008 Built Heritage Resources Inventory lists the property as Identification Number 1401. It describes the dwelling as a “red brick farmhouse in Neoclassical style, built between 1850 and 1874.” The dwelling and contextual landscape elements of “roadside tree/hedgerow; tree-lined lane; sugar maples along road, beside and on lawn” are identified as the heritage attributes of the property. The Inventory notes “barn foundations behind farmhouse,” but these were not evident in 2018. The property is not listed on the Town’s Register of Cultural Heritage Properties as prescribed by s. 27 of the Act.

5.0 HISTORICAL OR ASSOCIATIVE VALUE

O. Regulation 9/06: The property has historical value or associative value because it,

i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,

ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or

iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
5.1 **TOWN OF CALEDON HISTORY**

The Town of Caledon was established on January 1, 1974, as an amalgamation of Caledon, Albion, and the northern half of Chinguacousy townships. It is the northernmost municipality in the Region of Peel and is largely rural.

The townships of Caledon, Albion, and Chinguacousy were surveyed in 1818-1819 and opened for settlement the following year. In the northwest part of Peel County, now the Region of Peel, Caledon Township was divided into west and east sectors by Hurontario Street (Highway 10). The north part of the former Caledon Township is within the Niagara Escarpment lands and characterized by a stony, hilly terrain, with pine growth. Although offering a picturesque landscape, the rugged terrain was generally poor for farming. The early population was sparse and comprised predominantly of hardy Scottish settlers. The south part of the former township is within the floor of the ancient glacial Lake Algonquin plain (now known as the Peel Plain) where the rich clay loam and hardwood made for more productive farms than possible in the north.

According to Walton’s Home District Directory, in 1837 there were 750 landowners in Caledon Township living east of Hurontario Street, and 738 living west of Hurontario. By 1842, the population of the township was 1,920 and by 1846 there were three gristmills and one sawmill.¹ In the 1877 *Illustrated Historical Atlas of Peel County*, Caledon Township is described as follows:

> For the most part the township is quite hilly, but the greater part of the land is arable and well settled, and it has been growing in favour as good farming land for several years. Caledon was the last Township in Peel to be settled, as the early pioneers thought it would be impossible to live so far away from civilization. However, about the years 1819 and 1820 a number of hardy men ventured into the then wilderness and shortly after a large number followed forming the nucleus of a wealthy community.

This part of the Town of Caledon is a sparsely populated, rural landscape, geographically at the slope and base of a section of the Niagara Escarpment ridge. Some farm acreages have been partially subdivided into estate lots, such as at 17070 Horseshoe Hill Road.

5.2 **TORONTO, GREY & BRUCE RAILWAY**

Historically, the east half of Lot 9, Concession 3, EHS, Caledon Township, was intersected by the Toronto, Grey & Bruce Railway right of way. The northeast part of Lot 9 was the start of the railway’s infamous Horseshoe Curve used to climb the Niagara Escarpment ridge. The track alignment was west and north of what is now 17070 Horseshoe Hill Road (Figure 3).

¹ W.H. Smith, ed. *Smith’s Canadian Gazetteer*, 1846, p.27.
5.2.1 **Overview History**

The Toronto, Grey & Bruce Railway (TG&B) was chartered in March 1868 to build a rail line northwest from Toronto through Orangeville to the shores of Lake Huron at Southampton, with branches to Kincardine and Owen Sound. Construction began in October 1869 and the first section from Toronto (Weston) through Orangeville to Mount Forest was opened in December 1871. The railway right of way across Lot 9, Concession 3, EHS, was sold in 1870 and 1874 to the TG&B by the Baxter family.

The TG&B used a narrow gauge track, which was less expensive and allowed for tighter curves and steeper gradients than a standard gauge track. From Toronto, the line had to rise from the Peel Plain to the high plateaus of Grey and Bruce counties. In Caledon Township, between Cardwell Junction (just west of Caledon East) and Charleston (later known as Caledon Village), the railway had to climb 385 feet in six miles to rise atop the Niagara Escarpment. Within this stretch beginning in the northeast part of Lot 9 and crossing Lot 10, Concession 3, EHS, was a horseshoe-shaped curve in the track alignment (Figure 3):

To accomplish this feat, the railway must make use of a horseshoe curve; that is it must almost swing back on itself so that it will be able to obtain as short a distance yet as gentle a grade as possible. . . . The Horseshoe was a curve of 462 foot radius and from Mile 37 to the south of the horseshoe to Mile 38 to the north of the horseshoe, the railway climbed over 85 feet yet it traversed less than a quarter mile in actual straight line distance.2

It soon became evident that the use of narrow gauge was a mistake, given the excessive wear on the tracks from the large volume of traffic along the TG&B line. Unable to afford the upgrade to the by then government mandated standard gauge, the TG&B reached an agreement whereby the Grand Trunk Railway would operate the line, retain a share of the profits, and undertake the upgrade. The conversion was completed between the fall of 1880 and December 1881. Two years later, when the Grand Trunk was short of funds, the Ontario & Quebec Railway (controlled by the Canadian Pacific Railway “CPR”) bought controlling interest. The rail line was leased to CPR in August 1884 for a period of 999 years. In 1883, the Ontario & Quebec Railway had also bought the Credit Valley Railway (incorporated in 1871 to build a line from Toronto to Orangeville and compete with TG&B), which ran north-south through the west half of Caledon Township.

On September 3, 1907, an accident occurred at the Horseshoe Curve.3 The newspaper accounts of the tragedy begin by describing the “well-packed train” that was “special bound for the Toronto Exhibition. It left Markdale in the morning and was about an hour late when it arrived at Orangeville. The train pulled out of the depot here at 9:15, and was ditched at the Horseshoe at 9:35.”

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3 *The Great Horseshoe Wreck*. 
Engine 555 pulling seven cars and 150 passengers was in the charge of engineer George Hodge, conductor Matthew Grimes, and fireman James Ross. It reached the sharp Horseshoe Curve at what many passengers recalled to be too high a rate of speed. It “ran over the rails and continued for about 350 feet, landing in the ditch.” Alexander McLeish [Lot 9, Concession 4, EHS, Caledon Township] was near George Baxter’s [Lot 9, Concession 3, EHS] when the two heard the train coming. “They observed the engine strike the curve and run off the track. The cars followed and piled up with a terrific crash and then everything was hidden from sight by a cloud of dust. They hurried to the spot and rendered what assistance they could.”

Harry Thompson escaped from the wreckage and “another man and myself ran to the farmer’s whose name is McLeish and readily got a horse and buggy. We aroused the town (Caledon East) and everyone, it seemed, ran or drove to the scene. Neighbours and unharmed passengers got to work rescuing the wounded and taking out the dead.” The local folklore is that the McLeish house [17153 Horseshoe Hill Road] was converted to a field hospital. In total, seven died and 114 were injured.

According to the owner of the McLeish property in 2008, remnants of rail cars and coal are still evident at the site of the derailment (Figure 3).

In July 1932, the section of the former TG&B between Bolton and Melville Junction (where it intersected the former Credit Valley Railway) was abandoned by the CPR and the tracks removed. The closure of this section of the line severed the local CPR system into two routes out of Toronto. The easterly route comprised the Sudbury Branch running north through Bolton; the westerly route used the former Credit Valley line from Toronto through Streetsville and Brampton to access the former TG&B beyond Melville Junction. The remainder of the former TG&B line was abandoned in December 1995 and subsequently dismantled, with the exception of a short stretch of line from Melville to Orangeville.4

### 5.2.2 RAILWAY REMINISCENCE

When the railway accident occurred, the McLeish family owned the property at 17153 Horseshoe Hill Road (Lot 9, Concession 4, EHS, Caledon), opposite Lot 9, Concession 3, EHS. As related in a McLeish family history, generations of area residents interacted with the railway:

> The railway across the road played a prominent part in the lives of all generations of the MacLeish family. In 1870 the Toronto Grey and Bruce line was built, passing close to the MacLeish farm at the famous horse-shoe curve. The cuts were opened and fills made by men using shovels and wheelbarrows. This first line was narrow gauge, but was soon changed to standard gauge. A train went down Saturday night on narrow gauge and an engine went up with standard gauge equipment ready for service on Monday morning.

4 Website http://home.primus.ca/~robkath/railtgb.htm
Many interesting incidents occurred in connection with the railway. In the earlier days Cardwell Junction, where the C.P.R. and Grand Trunk lines crossed near the town line between the 4th and 5th lines, was a very busy spot when four trains came in at once and the restaurant did a thriving business. Once after a big storm, the old wooden snowplough required the aid of many men shovelling. A gang of seventy men had reached the horse-shoe curve by nightfall. As they had carried only noon lunch a few at a time began coming across to the MacLeish home for a snack. This continued all night and Maggie and Sarah MacLeish were kept busy boiling potatoes, frying meat and baking biscuits, serving many of the men both supper and breakfast. On September 2nd [sic], 1907, the MacLeish family witnessed the wreck of an Exhibition excursion train, south-bound, at the horse-shoe curve; in which seven were killed and one hundred and ninety-seven injured. Their home was used as an emergency base at this time. As the trains were considerably slowed by the grade at the horse-shoe the MacLeish boy and neighbour lads were often able to board the train and go to Orangeville and come back on the return train and drop off at the curve. Once, when it was slipping badly, Sinclair was able to come across, board the train, make a date with the local teacher, who was a passenger, and get off again.

Alex owned a collie dog named Rover, who learned to recognize the way an engine driver, George Johnson, blew the whistle for the crossings, and would dash out to the train, seize the daily paper, which Johnson tossed out, and bring it to the house.

In 1935 the railway was taken up and the MacLeish family watched the last train disappear with feelings of regret.

### 5.3 Property History

#### 5.3.1 Malcolm Baxter (Owner 1822- Death 1824)

A genealogical record compiled by a descendant of Malcolm Baxter⁵ suggests that Malcolm was born in Kilfinan Parish, Argyll, Scotland. His baptism may have been in North Knapdale, Argyll, on May 7, 1780. The record indicates that a daughter, Sarah, was born to Malcolm in 1804 in “Argyll and Bute, Scotland”; a son John in Argyll in 1807; and a daughter Margaret in 1808 in Kilfinan Parish. A marriage record for a Malcolm Baxter and Margaret Campbell (1780-1846) is dated October 31, 1809, at Kilfinan Parish. A son, Malcolm, Jr., was born to them in 1816 at Campbelltown, Argyll.

The local history tradition in Caledon is that the Baxters emigrated with several other Scottish families:

When these Baxters first came out from Scotland there were several other families with them: McLeish, McBride, McKinnon, Campbell and Ferguson families. These people all

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⁵ Ancestry.ca.
came out from the same place in Scotland and settled in the Caledon district. They were all very happy. Even before they had come to Canada they had intermarried a lot and the same thing happened after they got out here, particularly the Fergusons.

The Ferguson, Baxter, MacKinnon, Campbell, Muir and MacQuarrie families . . . settled in the east side of Caledon in 1818.6

The Upper Canada Land Records index (“UCLR”) is a compilation of the land transactions relating to Crown owned land before the Crown Patent was issued to an individual. The first transaction in the UCLR for the subject property lists the southeast quarter (50 acres) of Lot 9, Concession 3, EHS (then referenced as ECR for East Centre Road), Caledon Township, as a free grant to Malcolm Baxter. This was issued by an Order in Council dated February 6, 1822. It notes that Malcolm was a resident of “York, T (tenant).” The grant is specified as “AA” meaning it was “Gratuitous – grant to a settler who was (a) judged destitute by a Government Board and/or (b) had all their administrative fees waived.”

Malcolm Baxter was issued the Location Ticket (Figure 1) to settle on the 50 acres on April 9, 1822. The ticket records that he was: “a native of Argyleshire, Scotland, and now of the Township of York, yeoman, County of York.” The completion of settlement duties was required before any initial deed or the Crown Patent could be issued. The settlement duties assigned to Baxter were to clear and fence 5 acres for every 100 acres; erect a dwelling house a minimum of 16 ft. by 20 ft. in size; clear half of the road in front of the lot to a depth of one chain (66 feet); and to do all within two years.

According to Peel County historian William Perkins-Bull, Lot 9, Concession 3, EHS, Caledon Township, had “Bass, Beech, Maple. Cedar swamp & creek in West centre. Range of hills

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6 William Perkins-Bull Family Files: Baxter, pp. 3366 and 3418.
running through western half & 1 spring in N.E. section of E ½.” 7

On February 19, 1823, while in York Township, Malcolm’s eldest son John Baxter (born about 1807) petitioned to the Crown Land Office explaining the following:

That whereas he is a Loyal Subject of the King and a Native of [Argyalshire], in Scotland and Son to Malcolm Baxter now residing at the Garrison, 8 The sd. Malcolm Baxter having a grant of land from Your Honble Board last year; wishes his oldest son myself, to accompany him in the Bush and settle on a Lot along side of him. Hoping therefore Your Exc’y. will be pleased to grant me the indulgence offered to British Subjects in America. 9

John Baxter’s petition was referred to the Surveyor General, which confirmed on March 5, 1823: “It does not appear that the Petitioner has recd. any land.” On the same day, it was “Recommended that the half N.E. ½ lot 9, Concession 3 of the 100 acs. of which the Father occupies 50 be reserved unlocated for the Petr. On his attaining the age of 21.”

Malcolm Baxter died in 1824. On April 26, 1825, from “York,” Malcolm’s widow, Margaret Baxter, petitioned the Crown Land Office:

That Your Petitioner is Widow of the late Malcolm Baxter deceased, who in his life time located S.E. ¼ of lot 9, conc. 3 E.C.R. Caledon, 50 acs. and settled thereon. That Your Petitr. has filed proof of the performance of the Settlement duties on the sd. location and resides thereon with a family of 4 children. That 50 acs. of sd. lot being vacant, Your Petitioner humbly prays Your Exc’y. will be pleased to grant an Order for a Location of 100 acrs. including former grants in the name of her deceased Husband for Claim by the Heir under the Commission &c. 10

Margaret’s petition was referred to the Surveyor General, which advised on April 27, 1825, that “S.E. ¼, 9, 3d. Con. E.H.S. Caledon 50 acs. [was] located 18 Oct. 1825” and that the “settlement duties performed but for which no Description has issued. The Adjoining 50 acs. are vacant and grantable.” The meaning is that Malcolm Baxter located on the property and completed the settlement duties but the issuing (“description”) of ownership was not completed due to his death in 1824. Approval of Margaret’s petition for 100 acres, including the original southeast 50 acres, was recommended. 11

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7 William Perkins-Bull Property File: Lot 9, Concession 3, EHS.
8 The “garrison” may be in reference to the Fort York barracks at York, now Toronto.
10 Second Heir and Devisee Commission Case File 40-1969, MS 657, Reel 42, Ontario Archives.
11 The UCLR also associates the following Caledon Township lots with the Baxters: 1. West half, Lot 18, Concession 2, EHS: Location Ticket issued to John Baxter, resident of Caledon, March 3, 1825; Free Grant with Full Fees paid issued on March 19, 1826. 2. East half of Lot 5, Concession 3, WCR, was purchased from the Crown by John Baxter on October 2, 1830. It was sold again by the Crown to Malcolm Baxter on November 16, 1836; and again by the Crown in March 1837 to “Miche” Baxter [unknown].
Margaret the northeast 50 acres. A Location Ticket to settle the 50 acres was issued on October 18, 1825.

5.3.2 John Baxter (Owner/Occupant, about 1824-1871)

The eldest son of Malcolm and Margaret Baxter, John, was born about 1807 in Argyll, Scotland. A marriage record indicates that John was living in Caledon Township on July 28, 1834, when he married Mary Campbell. She was born in 1812 at East Lindsaig, Kilfinan Parish, Argyll, Scotland. Their eldest son, Malcolm, was born in 1835 in Caledon and died in October 1853. They had other children including Margaret (1837-1879), Mary (1838-1931), Peter (1842-1904), Sarah (1843-1921), John (1848-1893), Susan (1849-1886), and Duncan (1854-1914).

According to Perkins-Bull, in 1836 John Baxter was appointed poundkeeper for Caledon Township (responsible for the care of stray livestock). The 1837 Home District Directory lists John on Lot 9, Concession 3, Caledon (no EHS or WHS designations are given). Malcolm Baxter, Jr. (believed to be John’s brother) was on Lot 5, Concession 3, Caledon.

On March 17, 1837, Malcolm, Jr., gave an oath that his father Malcolm “died 13 years ago.” This indicates Malcolm’s death as 1824. He died without a Last Will and Testament. Malcolm, Jr., confirmed in the oath that his brother John is the eldest son of Malcolm and that John “now resides on Lot 9, Concession 3, EHS, Caledon Township; is aged 29; has cleared 50 acres of the lot.” On the same day, local farmer William Anderson gave oath confirming the information sworn by Malcolm, Jr., and that he had been “acquainted with the family of Malcolm Baxter for several years.” Anderson also gave oath that John Baxter was occupying the northeast 50 acres of Lot 9, Concession 3, EHS, and “has fenced and cleared thereon upwards of 15 acres of land and further that the whole of the Road in the front thereof is chopped and fully cleared.” These oaths were intended to report on the completion of the settlement duties for the northeast 50 acres and do not imply that John was only occupying that acreage. It is more likely that he was managing the entire 100 acres of the east half of the lot.

This documentation was compiled in support of the claim for legal title to the 100 acres submitted by John Baxter on June 1, 1839, to the Second Heir and Devisee Commission. The mandate of the Commission was to resolve questions of inheritance and property ownership. John’s claim was as the heir to Malcolm, “the original nominee of the Crown.”

On July 8, 1839, the Commission referenced the original Orders in Council dated February 6, 1822, issuing Malcolm the southeast 50 acres; and April 28, 1825, issuing Malcolm’s widow, Margaret, the northeast 50 acres on behalf of their son John once he attained the age of 21. The Commission acknowledged that Malcolm was “an emigrant from Argyllshire” and that “no certificate of settlement had been filed” before his death.

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12 Second Heir and Devisee Commission Case File 40-1969, MS 657, Reel 42, Ontario Archives.
The UCLR record an “assignment” of the east half (100 acres) of Lot 9, Concession 3, EHS, to John Baxter in 1839. The acreage was awarded to him by the Commission as a free grant. The Crown Patent for the east 100 acres was issued to John on May 12, 1841. Receiving the Crown Patent is the final step in the transfer of ownership from the Crown to an individual.

Perkins-Bull indicates that in 1839, John was a pathmaster (responsible for maintaining public paths and roads).

The UCLR also record that John was assigned the use of the west half (100 acres) of Lot 9, Concession 3, EHS, on February 22, 1844. He acquired the Crown Patent on August 19, 1844.

Margaret Baxter, widow of Malcolm, died in January 1846. The 1846-47 directory for Caledon lists John Baxter on Lot 9, Concession 3. John sold the south 50 acres of the west half of Lot 9 to Patrick Kennedy on March 1, 1848. According to Perkins-Bull, “The range of mountains crossing the 3rd Line E is called Pat Kennedy’s.”

The 1851 personal census for Caledon Township lists John Baxter as age 42, a farmer and member of the Free Presbyterian Church. His wife Mary (Campbell) was 39. Both were born in Scotland. The children in the household were Malcolm, 17; Margaret, 15; Mary, 13; Peter, 10; Sarah, 8; Susan, 6; and John, 2, all born in Canada. They occupied a log dwelling.

Patrick Kennedy sold the south 50 acres of the west half of Lot 9 to John Devine on March 6, 1854, who then sold it back to John Baxter on March 31, 1857. This once again gave John Baxter the whole 200 acres of Lot 9, Concession 3, EHS.

The 1859 Tremaine map of Caledon Township plots John Baxter on the 200 acres (Figure 2). There is no dwelling plotted but it is known that not all dwellings were shown when this map was compiled.

The 1861 agricultural census lists John with the 200 acres of Lot 9, Concession 3. He had 80 acres under cultivation (30 acres in crops, 49 acres in pasture, one acre in orchard), and 120 acres “wood or wild.” The value of the farm was $5,500, an average value for this

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13 Also recorded in the UCLR is a free grant for Lot 9, Concession 3, no East or West Hurontario Street is designated. It is likely WHS. This was issued on July 2, 1832, by the Heir and Devisee Commission to William Gaspra Hall of Sandwich Township.
The 1861 personal census lists John and Mary with their children Margaret, Mary, Peter, Sarah, Susan, John, and Duncan (aged 9) in the household. They occupied a three-storey, brick dwelling. This is believed to be the dwelling at 17070 Horseshoe Hill Road.

According to Perkins-Bull, in “1864 – Caledon Twp. Council granted $20 to cut down hill opposite lot 9.” Perkins-Bull identified John as an “overseer of roads in 1865-67.”

On September 21, 1870, John sold a 7.45 acre parcel of land to the Toronto, Grey & Bruce Railway Company, which was under construction through Caledon Township at that date.

The 1871 census lists John and Mary with their children Mary, 27; Sarah, 25; and Duncan, 18. Nearby was a Peter Baxter, 29, and his family. Several other Baxter family members were residing in Caledon Township in 1871.

John Baxter died on July 9, 1871. His Last Will and Testament, dated August 11, 1870, bequeathed “the house in which I now live” to his wife Mary for her “natural lifetime.” This included all the “household furniture, one cow kept summer and winter, Also full content of the orchard. One hundred dollars paid her by my executors at my death and one hundred dollars paid her on the first day of January in every year after my death during her natural life, together with a suitable maintenance.”

To his daughter Margaret, John gave a cash legacy payable over four years. To his daughters Mary and Sarah, John provided furnishings and livestock in the event of their marriage or when demanded. The three children were permitted to remain at the “Homestead farm” and be provided with all the “necessities of life,” plus cash legacies payable over four years.

To his son Peter, John gave the 50 acres of the west half of the east half of Lot 10, Concession 4, EHS, Caledon, subject to a cash legacy payable to John’s daughter Susan.

To his son John, John gave 100 acres of the west half, Lot 11, Concession 4, EHS, Caledon, plus other goods and cash.

5.3.3 Duncan Baxter (Owner 1871-1877)

It was John Baxter’s son Duncan (born in Caledon Township in July 1854) who was bequeathed the 200 acres of Lot 9, Concession 3, EHS, Caledon. This was subject to the legacies due to John’s widow, daughters Margaret, Mary, and Sarah, and son John. Duncan also received the horses, all the farming equipment, and all the farm stock remaining after what was sold to pay the cash legacies of the Will.

On January 24, 1872, Duncan agreed to allow the Toronto, Grey & Bruce Railway Company to divert water so that it flowed onto his part of Lot 9, Concession 3, EHS, and not that part owned
by the railway company. The Company agreed “to erect fences at his farm crossing over the said Company’s portion of the said lot from the boundary fences towards the track of their railway in the same manner as fences are erected at crossings over their Railway where cattle fences are built.” Duncan was paid $350.

On June 28, 1873, Duncan married Elizabeth Ellen McBride (1853-1917) at the nearby hamlet of Charleston. Their children were Mary (born about 1874) and Ida Bertha (1878-1930), both born in Ontario; and Lela, born about 1896 in New York State.

On November 5, 1873, Duncan and Elizabeth mortgaged the 200 acres for $300 payable to James McCarty. They were all Caledon Township farmers. The Caledon directory for 1873-1874 lists Duncan on Lot 9, Concession 3.

On February 26, 1874, Duncan sold the property to a Caledon labourer, William Smith, for $7,000. On the same day, Smith sold it to Elizabeth for the same price. It is possible that Duncan was aware of a pending suit filed on April 9, 1874, by Jeremiah Purdon Cummins in a Court of Chancery. The suit was against Duncan and Elizabeth Baxter, questioning their legal title (ownership) of the acreage. On April 24, Duncan and Elizabeth sold the property to John German Manning of Brampton, a “Student at Law,” for one dollar. This was a temporary holding until the Court issued an Order on August 26, 1874, confirming that ownership legally rested with the Baxters.

On October 10, 1874, the Baxters sold 21.5 acres of land for $350 to the TG&B.

5.3.4 John Baxter (Owner 1877-Death 1893)

On February 1, 1877, Duncan and Elizabeth Baxter and Sarah Baxter as a spinster and “Legatee under the Will of John Baxter late of Caledon, yeoman, deceased” sold the 200 acres, except lands sold to the TG&B, to John Baxter, also a Caledon farmer. The purchase price was $6,350.

This John Baxter is believed to be Duncan’s brother, born in 1848 to John and Mary (Campbell) Baxter. He married

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14 Duncan Baxter died November 24, 1914; followed by Elizabeth on January 16, 1917. They are interred at St. Andrew’s Presbyterian cemetery in Caledon Township.
15 Document 2609, deed February 1, 1877, between Duncan, Elizabeth, and Sarah Baxter to John Baxter.
16 Duncan and Elizabeth Baxter moved to Halton County and in the 1890s to New York State.
Mary Ann Wilson on December 24, 1869, when they were both aged 20. They were both born and residing in Caledon Township. Mary Ann was the daughter of George and Jane Wilson.

The 1877 Historical Atlas of Peel County (Figure 3) plots John Baxter as owner of the 200 acres of Lot 9. A dwelling is shown in the southeast corner of the property at the west end of a laneway. This is believed to be the dwelling at 17070 Horseshoe Hill Road. The laneway may be the south section of the now existing looped laneway. An orchard is shown to the south of the dwelling and laneway. On the north side of the laneway is another building which may be a second (earlier) dwelling. The TG&B railway and Horseshoe Curve are indicated.

Mary (Campbell) Baxter (widow of John, Sr.) died in Caledon on November 2, 1879, at age 68. Her headstone in St. Andrew’s Presbyterian Church in Caledon Township indicates she was a native of Kilfinan, Scotland.

The 1881 personal census indicates that, by that date, John and Mary Ann’s children were Margaret Jane, 10; Lavina, 8; George, 6; Mary Ann, 4; Marara [Ethel], 3; and William John, one month. The 1891 census lists the household as John, 42; Mary, 41; Maggie, a seamstress, 20; Levina, 18; George, 16; Minnie, 14; Ethel, 11; and William, 10. They had one domestic servant, Marg Rutherford, age 64, from Ireland. The family occupied a two storey, brick dwelling, with six rooms.

A John Baxter genealogical record indicates their children as Margaret Jane “Maggie” (1870-1932; Mary Levi na (born 1872); George (1875-1955); Mary Ann “Minnie” (1877-1951); Ethel Maria (1879-1974); William John (1881-1921); Okley (Oklo) (1886-1887); and Laura (1892-1893.

John Baxter died on December 26, 1893. His wife, Mary Ann (Wilson), died in 1895.

5.3.5 GEORGE BAXTER (OWNER 1900-1953)

On March 25, 1900, Maggie Jane Cowley, wife of Toronto merchant Fredrick Cowley; Levina Gee, wife of Toronto machinist Francis Gee; Ethel Marie Black, wife of Toronto tailor Alexander Black; and spinster Mary Ann Baxter of Caledon, agreed to release their interest in the ownership of Lot 9, Concession 3, EHS, to Caledon farmer George Baxter. Maggie, Levina, Ethel, Mary Ann, and George were the children of John and Mary Ann (Wilson) Baxter.

The release (Instrument 10914) explains that John Baxter died at Caledon in 1893 without a Last Will and Testament. In return for $500 each, the parties agreed to sell the acreage to George. It was George and another son, William John Baxter, who on March 13, 1900, mortgaged the property with Absalom Rutherford for the $2,000 needed to pay the cash legacies.
The 1901 census for Caledon identifies George, born February 10, 1875, as the head of household and a farmer. Living with him were his brother, William John, born March 28, 1881, also a farmer; and sister, Mary Ann, born November 14, 1877. They were of Methodist faith.

William John signed a release on April 2, 1902, and on the same day purchased the west half of Lot 9, Concession 3, EHS, from George for $2,000.

George was 42, a bachelor, and a farmer in Caledon Township when he married Emily Maud ("Maud") Lailey on April 11, 1917. Maud was 36, a spinster school teacher, living in the City of Toronto when they married. She was the daughter of Alfred Lailey and Sarah (Bailey).

The 1921 census lists the year of birth for George as 1876 and for "E. Maud" as 1881. In the household were “hired men” John V. Brown and Allen Barnes, along with Maud’s widowed mother, Sarah Lailey, born in Ireland in 1846. They occupied a brick dwelling with 8 rooms.

On February 23, 1934, George purchased 10 acres of the east half of Lot 9, Concession 3, EHS, from the Toronto, Grey & Bruce Railway Company and Canadian Pacific Railway Company.

5.3.6 LLOYD GEORGE BAXTER (OWNER 1953-2011)

Retired farmer George Baxter and his wife E. Maud sold the east half of Lot 9, Concession 3, EHS, to their son Lloyd George Baxter on December 7, 1953. Lloyd was a farmer.

Lloyd had a plan of subdivision for part of the east half of Lot 9, Concession 3, EHS (Plan 43R2238) registered in the 1970s. He registered another subdivision (Plan 43R3173) on June 19, 1975. The land associated with 17070 Horseshoe Hill Road became a 2.65 acre parcel described as Part 2, Plan 43R3173. The Plan plots the brick dwelling, and frame buildings of a coop, shed, and garage west of the dwelling (Figure 4).

In 2000, Lloyd transferred ownership to himself and Joyce Annice Baxter, as joint owners.

5.3.7 SUBSEQUENT AND CURRENT OWNERS


In 2014, Tozer sold to James Albert Kerr and Diane Grace Kerr. The Kerrs were issued a building permit on October 17, 2014, to construct the 1.5 storey, 3 bay garage now on the property.

James Kerr sold to the current owner Michael Tjandrawidjaja in 2018.
Figure 4: Plan 43R3173 registered on June 19, 1975. Part 2 is 17070 Horseshoe Hill Road.
5.4 **SUMMARY OF HISTORICAL OR ASSOCIATIVE VALUE**

This property has a remarkable longevity of occupancy, 1822 to 2011, by early Scottish settlers Malcolm and Margaret Baxter and their descendants. The farm, which was as large as 200 acres, contains the farmhouse built for John Baxter in the 1850s. This dwelling and its now 2.65 acre parcel of land have a direct association with a family that is significant as one of the founding Scottish settlers who contributed to the ongoing development of this part of Caledon Township.

The site also has an association with the railway accident tragedy at Horseshoe Curve in 1907. Historically, the northeast part of the Baxter farm was at the south end of the Curve. George Baxter, who was occupying the 1850s dwelling, was present at that event.

![Figure 5: South façade with new doorcase, portico, window sashes, chimneys, soffit, fascia, rake moulding, shutters, and landscape stone, 2018. The original centre window opening on the upper level (over the portico) has been closed with brick.](image)

**Figure 5:** South façade with new doorcase, portico, window sashes, chimneys, soffit, fascia, rake moulding, shutters, and landscape stone, 2018. The original centre window opening on the upper level (over the portico) has been closed with brick.
Figure 6: Above: West façade showing above grade foundation with entrance and window openings; returned eaves with replaced soffit, fascia, and rake moulding; new window sashes, shutters, chimney, and landscape stones, 2018. Note the misalignment of the lower right to upper right window openings.

Figure 7: Below: North façade, 2018. The new doorcase and portico are located where an addition is indicated in 1975 (Figure 4). Note the vertical stripe on the right which may be the former location of an exterior chimney or a downspout.
Figure 8: Above: East (L) and north (R) facades viewed from north section of looped laneway, 2018

Figure 9: Below: East façade, 2018. The alignment of the upper and lower window openings is balanced, unlike the west façade.
6.0 **DESIGN OR PHYSICAL VALUE**

**O. Regulation 9/06:** The property has design value or physical value because it,

i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,

ii. displays a high degree of craftsmanship or artistic merit, or

iii. demonstrates a high degree of technical or scientific achievement.

6.1 **DATE OF CONSTRUCTION**

Malcolm Baxter was granted the southeast 50 acres of Lot 9, Concession 3, EHS, Caledon Township, through an Order in Council dated February 6, 1822. On February 19, 1823, his eldest son, John Baxter, petitioned for the northeast 50 acres of Lot 9, Concession 3, EHS. The petition states that Malcolm “wishes his oldest son, to accompany him in the Bush and settle on a Lot along side of him.” This could suggest that neither went to Caledon (“the bush”) until after this date. Malcolm completed the settlement duties (clearing acreage and erecting a minimum 16x20 ft. dwelling) for the southeast 50 acres before his death in 1824.

As the transfer of ownership from the Crown to Malcolm was not completed before his death, in 1825 it was necessary for Malcolm’s widow, Margaret, to petition for the legal ownership of both 50 acre parcels. Affidavits prepared in 1837 in readiness for a claim before the Second Heir and Devisee Commission confirm that the Baxters had been occupying the lot for several years, possibly starting in 1822 or 1823.

The 1851 census for Caledon confirms that John Baxter and his family were occupying a one storey, log dwelling. By the enumeration of the 1861 census, they had a three (or two) storey, brick dwelling.

Based on the documentary evidence and the architectural style and materials of the extant dwelling, a construction date of after the enumeration of the 1851 census and before the enumeration of the 1861 census is probable. The dwelling was built for John Baxter, the son of Malcolm Baxter and Margaret (Campbell), who was born in Argyll, Scotland, about 1807.

6.2 **RENOVATIONS**

Based on aerial views from 2004 to current, the north addition of the dwelling and the outbuildings shown on the 1975 survey (Figure 4) were removed between 2009 and 2013. As the Baxters sold in 2011, this removal and other renovations are attributed to the 2011 purchaser U.R.L. Restoration. In 2014, Gordon Tozer (principal of U.R.L. Restoration) sold to James and Diane Kerr, who erected the garage in 2014-2015.

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17 Google Earth online imagery.
The renovations evident in 2018 include:

- Removal of the north addition of the dwelling (shown in 1975 survey)
- Creation of a doorcase with a portico on the north façade (where addition was removed)
- Replacement of all window sashes
- Window sills are cement
- Closing of original centre window opening on upper level, south façade
- Replacement of the south doorcase
- Addition of a portico to the south entryway
- Possible removal of a small projection on the west façade (shown in 1975 survey)
- Replacement of the two chimneys in the likely original location
- Replacement of the soffit, fascia, and rake moulding
- New roof cladding
- Interior renovations
- Introduction of landscape stone to the south dwelling yard
- Removal of outbuildings (coop, shed, garage shown in 1975 survey)
- Construction of garage and shed, west of dwelling
- New rail fencing
- Conversion of the historic south laneway to a looped laneway with an extension to the west garage

6.3 **STYLE AND FORM**

The two storey dwelling at 17070 Horseshoe Hill Road is a Georgian Revival style structure in a rectangular plan. It has a 3-bay façade (centre door with a window opening on each side) and a medium pitched, gable roof.

Built into an embankment between the flat Peel Plain and the plateau of the Niagara Escarpment, the west rubblestone foundation of the dwelling is fully above grade; the balance of the foundation is below grade. The above grade section gives the appearance of three storeys, as described in the 1861 census. It was subsequently described as two storeys. The use of the embankment is an historic technique to elevate the dwelling within the context of the farmscape and give access to the foundation from grade level.

Georgian Revival, and its more embellished Neoclassical version, was the most popular style of architecture in Ontario from its settlement period, into the mid 19th century. As with this example, most have a rectangular plan with a medium pitched gable roof, often with returned eaves on the gable ends. The emphasis is on symmetry, with a central doorcase (door, sidelights, and transom) flanked by equal numbers of window openings. Upper and lower window openings on all facades typically are proportioned and aligned.

In this example, the 1975 survey (Figure 4) indicates the dwelling had a north addition, possibly the original kitchen wing within which was a secondary entranceway. A kitchen wing on the north suggests that the primary façade was the south. Recent renovations have removed this wing and replaced it with a doorcase and portico, twinned on the south façade.
6.4 MASONRY

This dwelling is believed to be solid brick. The south façade is laid in Flemish bond (alternating stretcher and header ends of the brick); the west and north façades are common bond (several courses of stretchers between single courses of headers); and the east façade is a less refined version of Flemish bond. The use of the decorative Flemish bond on the south façade reinforces its status as the primary façade. The east façade is also prominent as it faces the public road allowance and is the approach side. The common bond on the west and north suggest these were secondary facades.

The brick has visible imperfections resulting from the low temperature kiln firing typical of early brick making. It is a soft brick with a high sand content. The softness has made it appealing to generations of occupants scratching in their initials, as visible in Figure 10.

The brick is mainly a red orange colour with some blue grey headers, the grey being a result of the clay composition and location of the brick in the kiln. The mortar is a buff colour, recently repointed.

Over each window opening is a flat voussoir created with vertical bricks. This simple, monochromatic treatment is typical of the style in this period. (The use of buff colour accent bricks as voussoirs, belt courses, and quoins would become popular in ensuing decades.)

The foundation is coursed rubblestone with stones selected for their colour and size. It has been repointed with cement parging and incised to mimic cut stone. The existing incising may be an attempt to replicate the original, which gave the appearance of more expensive cut stone. The basement window and door openings of the foundation wall have recently been adjusted in size but larger dimension header or lintel stones suggest at least a centre door and south window, and possibly the north window openings are original (Figures 11 and 12).

The overall quality of the masonry indicates a skilled craftsman. Scottish settlers in Caledon Township were renowned for their skill as stone and brick masons.

6.5 ROOF

The roof is a medium-pitch, gable type, with returned eaves on the gable ends. The soffits, fascia, and rake moulding are recent replacements. The original chimneys have been replaced but are correctly positioned near each end of the roof. The existing asphalt shingle roof cladding is a replacement.

In 2018, there was evidence of an exterior chimney or downspout location at the west end of the north façade (Figure 7).
Figure 10: East façade with generations of initials mostly by Baxter family members, 2018. “W.J.B” may be William John Baxter. The natural colour variation in the bricks adds to the artistic merit of the masonry.

Figure 11: West façade with above grade foundation, 2018. Note the large dimension header or lintel stones over the openings.

Figure 12: Detail of stone foundation, 2018. The stones are coursed, with incised parging mimicking cut stone.
6.6 ENTRYWAYS

The north doorcase and portico have replaced an addition shown in the 1975 survey (Figure 4). The south doorcase and portico are not original but in the correct location. The west entryway through the exposed foundation is at the original location.

6.7 WINDOW OPENINGS

The window openings are flat and of sufficient width to have originally accommodated multi paned (likely 6x6 panes) wood sashes. All the window sashes have been replaced. The sills are now concrete. The shutters are not original. Of note is that the window openings on the east façade are proportioned in size (upper smaller than lower) and are aligned. The south, lower window opening of the west façade is not aligned with its upper counterpart. The reason for this misalignment is unknown.

6.8 SUMMARY OF DESIGN OR PHYSICAL VALUE

This 1850s dwelling is a representative and early example of Georgian Revival architecture in Caledon Township. Its rectangular form, two storey massing, gable roof with returned eaves, 3-bay façade, and overall symmetry are characteristic of this early style. The use of the embankment is an historic technique to elevate the dwelling within the context of the farmscape, and give above grade access to the foundation level.

The bricks are an early type, evident by the imperfections, soft texture, and colour variations. The initials incised into some of the bricks by past occupants and visitors are part of the long history of the dwelling. The use of the decorative Flemish bond for the primary facades and common bond elsewhere is a tribute to the high degree of craftsmanship and artistry or artistic merit of the mason. The stonework of the exposed foundation is also skilled.
Figure 13: Above: “Threshing on the Baxter farm, Caledon (3rd Line East),” August 1953. The Baxters owned other farms in this area, so the exact location of this photograph is not confirmed. It does indicate the challenge in farming on a slope. This type of rail fence has been removed from 17070 Horseshoe Hill Road. (Russell Cooper Fonds, Peel Region Archives)

Figure 14: Below: South yard of the dwelling, 2018. The citing of the dwelling takes advantage of the height of the embankment.
Figure 15: Looking west from road allowance along south section of laneway and partial row of mature trees. 2018. The laneway loops on the east side of the dwelling and returns to the road allowance. This south section is at or near the location of the laneway depicted in 1877.

Figure 16: Looking east to road allowance on newer north section of laneway, 2018.

Figure 17: Looking west along a double row of pine trees at north boundary, 2018. The north abutting lot with a dwelling is on the right.
Figure 18: Two views looking west/southwest from dwelling toward new garage, 2018. The striped green is mown grass within the subject property. It is likely that evidence of former outbuildings is obscured by the grass. Beyond the fence line is adjacent farmland under cultivation, much of which was part of the larger Baxter farm.
7.0 **CONTEXTUAL VALUE**

**O. Regulation 9/06:** The property has contextual value because it,

i. is important in defining, maintaining or supporting the character of an area,

ii. is physically, functionally, visually or historically linked to its surroundings, or

iii. is a landmark

7.1 **LOCATION**

The placement of the dwelling in the southeast quadrant of Lot 9, Concession 3, EHS, Caledon Township, is directly related to the evolution of the ownership of the property by the Baxters. The southeast 50 acres were granted to the founding settler, Malcolm Baxter, in 1822. The eldest son John acquired the northeast 50 acres, then became responsible for the 100 acres when Malcolm died in 1824. In 1844, John acquired the west 100 acres of the lot. The 1877 map of Caledon indicates that two dwellings were within the southeast 50 acres. These may have been the earlier log dwelling (identified in the 1851 census) and the brick dwelling (identified in the 1861 census).

Although only a 2.65 acre remnant of what was a 200 acre farm, the dwelling at this location is still the core of the Baxter family occupancy. All of the historic outbuildings, pastures, barnyard, rail fencing, and infrastructure typical of a 19th century farmscape have been severed or removed. This site continues to be a picturesque location with mature trees and a panoramic view of what was the farm acreage.

7.2 **SUMMARY OF CONTEXTUAL VALUE**

This property is physically, functionally, visually, and historically linked to its surroundings as the long standing location of a dwelling occupied by Malcolm and Margaret Baxter and their descendants from 1822 to 2011. The view from the south façade of the 1850s dwelling is a panorama of what, at its peak, was the 200 acre Baxter farm, at one time intersected by the TG&B railway.

8.0 **CONCLUSION AND RECOMMENDATIONS**

Based on the findings of this Report, it is concluded that the property at 17070 Horseshoe Hill Road holds sufficient cultural heritage value or interest to be designated under s. 29 of the Ontario Heritage Act by the Town of Caledon. It also could be protected by a heritage conservation easement agreement under s. 37(1) of the Act, as would be required under the Niagara Escarpment Plan for approval of a second dwelling.
If the property owner intends to seek approval from the Niagara Escarpment Commission for a second dwelling, the following parameters are recommended:

- The proposed dwelling be located west of the 1850s dwelling and at a sufficient distance to not unreasonably detract from the traditional south/southwest viewscape from the south façade of the 1850s dwelling.

- The proposed dwelling not abut, impinge, or otherwise physically interfere with the 1850s dwelling, particularly on the east façade visible from the road allowance; the primary south facade; and the west façade with its fully above grade, stone foundation.

- The longevity of the use of this property as a working farm and the known existence of farm related outbuildings suggest caution should be taken when any soil is disturbed for new construction. Artifacts, ruins, and other evidence of its history that may emerge could contribute to the understanding of the evolution of the property. This is precautionary only and not a recommendation for licensed archaeological fieldwork. That decision rests with the Town.

- The retention of mature trees in healthy condition is advised as these are a traditional element of the road allowance, laneway, and yard.

- Access between the road allowance and the 1850s dwelling is traditionally along the south section of the existing laneway. As the 1850s dwelling is sited to this access, the south laneway should be retained in some form.

9.0 STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

The property at 17070 Horseshoe Hill Road is a 2.65 acre parcel of land within the southeast part of Lot 9, Concession 3, EHS, Caledon Township (now Part 2, Plan 43R3173). It has a remarkable longevity of occupancy, 1822 to 2011, by Scottish settlers Malcolm and Margaret Baxter and their descendants. The farm was as large as the 200 acres of Lot 9, Concession 3, EHS, and from the 1870s was intersected by the Toronto, Grey & Bruce Railway right of way. The Georgian Revival farmhouse on the property was built for John Baxter between 1851 and 1861. The historical or associative value of this property is found in its direct association with the Baxter family, who were among the Scottish settlers who founded and contributed to the early and ongoing development of this part of Caledon Township.

The site also has a past association with the first railway constructed through Caledon Township and the tragic accident at Horseshoe Curve in 1907. Historically, the northeast part of the Baxter farm (since severed) was at the south end of the railway curve used to climb the steep bank of the Niagara Escarpment. George Baxter was occupying the 1850s dwelling when he gave needed assistance at the accident site.
Regarding design or physical value, the property’s 1850s dwelling is a representative and early example of Georgian Revival architecture in Caledon Township. Its rectangular form, two storey massing, gable roof with returned eaves, 3-bay façade, and overall symmetry are characteristic of this early style. Its siting within an embankment is an example of an historic technique to elevate the dwelling within the context of the farmscape, as well as give above grade access to the foundation level.

The bricks used in the dwelling are an early type, evident by the imperfections, soft texture, and colour variations. The initials incised into some of the bricks by past occupants and visitors are part of the long history of the dwelling. The use of the decorative Flemish bond for the primary facades and common bond elsewhere is a tribute to the high degree of craftsmanship and artistic ability or merit of the mason. The coursed rubblestone of the exposed foundation is also skilled work.

Contextually, this property is physically, functionally, visually, and historically linked to its surroundings as the long standing location of a dwelling (log then brick) occupied by Malcolm and Margaret Baxter and their descendants from 1822 to 2011. The view from the south façade of the 1850s dwelling is a panorama of what, at its peak, was the 200 acre Baxter farm, and the railway alignment.

Description of Heritage Attributes

The heritage attributes of this property are the 1850s Gothic Revival style dwelling built for John Baxter; the mature trees; and laneway access between the road allowance and the east façade of the dwelling. The characteristics that embody the cultural heritage value or interest of these attributes are as follows:

- The rectangular form, two storey massing, and medium pitched gable roof with returned eaves on the end gables, of the 1850s dwelling
- The siting of the 1850s dwelling within an embankment, resulting in the higher elevation of the dwelling in the context of the surrounding farmscape; the sloped front yard to the south; and fully exposed west foundation wall
- The fully exposed, above grade, coursed rubblestone, west foundation wall, with doorway access and window openings
- The flat window openings in the existing locations, with vertical brick voussoirs
- The orientation of the dwelling north/south, with the south as the primary facade
- The existence of an entryway (typically a doorcase with a paneled door, sidelights, and a transom) on the south façade
- All components of the early, unpainted, variable colour brick masonry with buff colour mortar, laid in Flemish bond and common bond

- All components of the coursed rubblestone foundation

- The incised letters (graffiti) visible in the brick masonry

- Mature trees in healthy condition that are remnant of a tree lined laneway and road allowance, and as specimen trees near the dwelling

- The existence of a laneway between the road allowance and the south side of the east façade of the 1850s dwelling
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