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# TOWNSHIP OF KING

Municipal Offices  
2075 King Road  
King City, Ontario  
L7B 1A1

Telephone: (905) 833-5321  
Toll Free: 1-800-688-5013  
Fax: (905) 833-2300  
E-mail: [online@king.ca](mailto:online@king.ca)  
Website: [www.king.ca](http://www.king.ca)

May 31, 2013

ONTARIO HERITAGE TRUST

JUN 04 2013

RECEIVED

Ontario Heritage Trust  
10 Adelaide Street East  
Toronto, ON M5C 1J3

To Whom It May Concern,

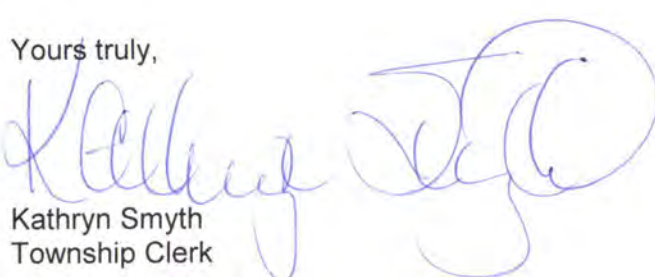
**RE: Notice of Passing a By-law to Designate the 'SHIFT' Sculpture  
Under the *Ontario Heritage Act*  
Parts 1, 2, & 3 of Reference Plan 65R-34232, Concession 3, Part Lot 2  
Previously known municipally as 12605 Keele Street**

Please find enclosed a certified copy of By-law Number 2013-50, which was enacted by Council at its meeting of May 27<sup>th</sup>, 2013 to designate the 'SHIFT' Sculpture as a Heritage Site under the *Ontario Heritage Act*. Notice of Passing of the By-law will be published in the King Weekly Sentinel on Thursday, June 6<sup>th</sup>, 2013, as required by the *Act*.

The Township Solicitor has received similar notice and information, to proceed with the registration of the documents on title.

If you require any further information, please contact the undersigned at (905)833-5321, ext. 4018.

Yours truly,

  
Kathryn Smyth  
Township Clerk

Encls.

**NOTICE OF PASSING OF A BY-LAW TO  
DESIGNATE PROPERTY  
AS A HERITAGE SITE**

**IN THE MATTER OF** the *Ontario Heritage Act*, R.S.O. 1990, CO.18, as amended, and in the matter of lands and premises known as the 'SHIFT' Sculpture located on lands described as Parts 1, 2 & 3 on Reference Plan 65R-34232, Concession 3, Part Lot 2 and previously known municipally as 12605 Keele Street in the Township of King, in the Regional Municipality of York, Province of Ontario:

**TAKE NOTICE** that the Council of the Corporation of the Township of King, on May 27<sup>th</sup>, 2013, passed By-law Number 2013-50, to designate the following property as a property of cultural heritage value or interest under Part IV of the *Ontario Heritage Act*, R.S.O. 1990:

**'SHIFT' SCULPTURE  
Parts 1, 2, & 3 on Reference Plan 65R-34232,  
Concession 3, Part Lot 2  
(Previously known as 12605 Keele Street)  
Township of King**

DATED, at the Township of King this 31<sup>st</sup> day of May, 2013  
Publication Date: June 6<sup>th</sup>, 2013

Kathryn Smyth, Township Clerk  
Township of King  
2075 King Road  
King City, ON L7B 1A2

(905)833-5321 phone  
(905)833-2300 fax  
[ksmyth@king.ca](mailto:ksmyth@king.ca) e-mail



THE CORPORATION OF THE TOWNSHIP OF KING

BY-LAW NUMBER 2013-50

**A BY-LAW TO DESIGNATE THE "SHIFT" SCULPTURE  
AS A HERITAGE SITE UNDER THE  
ONTARIO HERITAGE ACT**

**WHEREAS** Part IV, Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as amended authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of cultural value or interest;

**AND WHEREAS** the Council ('Council') of the Corporation of the Township of King ('Township') has determined that the "Shift" sculpture created by Richard Serra and its associated land located on lands previously municipally known as 12605 Keele Street, and more particularly described as Parts 1, 2 and 3 on Reference Plan 65R-34232 in Concession 3, Part Lot 2, in the Township of King in the Regional Municipality of York (the 'Lands') shall be designated as a property of cultural heritage value or interest pursuant to Section IV of the *Ontario Heritage Act*, 1990, c.O.18;

**AND WHEREAS** Council has caused to be served on the registered property owner and the Ontario Heritage Trust notice of intention to so designate the "Shift" sculpture, and has caused such notice of the intention to be published in the local newspaper having general circulation in the municipality;

**AND WHEREAS** a notice of objection was served on the clerk of the municipality on January 6<sup>th</sup>, 2010;

**AND WHEREAS** a hearing was held before the Conservation Review Board on August 13<sup>th</sup>, 2012 and the report from the Conservation Review Board was rendered on October 17<sup>th</sup>, 2012;

**AND WHEREAS** the recommendations of the Conservation Review Board were considered by Council at its meeting held on February 25<sup>th</sup>, 2013;



## **Schedule "A" to By-law #2013-50**

### **STATEMENT OF CULTURAL HERITAGE VALUE**

#### **Regarding: Protection and Conservation of the Sculpture Known as "Shift"**

**Street Address:** Previously known municipally as 12605 Keele Street

**Location:** Parts 1, 2 & 3 of Reference Plan 65R-34232, Concession 3, Part Lot 2

**Municipality:** Township of King, Regional Municipality of York

**Assessment Roll:** # 021 000

Council of the Township of King recognizes that a portion of the subject property should be protected and conserved as a significant work of art in the landscape.

#### **Description/Location of Property**

Located on Parts 1, 2 and 3 of Reference Plan 65R-34232 of Concession 3, Part Lot 2, the Township of King in the Regional Municipality of York approximately 637 metres west of Dufferin Street, is a 4.03 hectare parcel containing the sculpture "Shift". "Shift" is a large scale sculpture with several components, two lines of concrete walls each made up of three contiguous lengths that zigzags through an actively cultivated field of undulating topography. There is a border of naturalized vegetation on the north, west and south edge of the field and the hilltop topography on the east defines the setting. Beyond this there are fields and lands which provide a contextual frame for the sculpture site.

#### **Statement of Cultural Heritage Value or Interest**

The sculpture known as "Shift" contained within 4.03 ha (9.96 acres) has design value as an early and rare example of large scale minimalist artistic creation of internationally renowned American artist Richard Serra. "Shift" consists of two groups of three angled linear poured in place concrete walls of varying lengths set in the rolling contours of the immediate landscape of the field consisting of two hills with a valley between.

- ii) and displays a high degree of craftsmanship and artistic merit in its composition and execution
2. The property contains a site of 4.03 ha which has associative value because it:
    - i) Has direct association with sculptor, Richard Serra, recognized as a significant artist of the 20<sup>th</sup> century.
  3. The property contains a site of 4.03 ha which has contextual value because it:
    - (i) Contains a sculpture of six angled linear walls physically and visually linked to its surroundings.

### **Description of Heritage Attributes**

The heritage attributes of "Shift" relate to its cultural heritage value as an in situ early and rare example of the artistic creation of American artist Richard Serra and comprise:

- The poured in place concrete walls in their original locations and configurations. The walls are varied in length and elevation. The top of the walls are level but appear to rise from the ground as the topography falls from high point on the two opposite hills to the valley between them. There is an approximate 26 metre long gap between the two sections of the walls.
  - The approximate wall lengths and their alignments comprising: (west to east)
  - Section 1: 36.45 m            N<sup>0</sup> 20 55' 10" E
  - Section 2: 31.57 m            N<sup>0</sup> 12 30' 00" W
  - Section 3: 33.51 m            N<sup>0</sup> 67 06' 30" E
  - Gap: 26.53 m                N<sup>0</sup> 63 28' 50" E
  - Section 4: 44.94m            N<sup>0</sup> 76 27' 10" W
  - Section 5: 68.01 m            N<sup>0</sup> 38 45' 50" E
  - Section 6: 27.9m             N<sup>0</sup> 73 25' 50" E
- The overall topography of the sculpture setting, namely the two small hills and the valley between them.
- The eastern boundary of the setting of "Shift" is a north south limit at N170 (Refer to reference plan 65R-34232 prepared by J.D. Barnes Limited).