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LEE, ROCHE & KELLY

BARRISTERS, SOLICITORS, NOTARIES

NICHOLAS B. ROCHE, B.A., LL.B.

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ERNEST P. LEE, Q.C. (1929-1981)

6 DOMINION STREET
P.O. BOX 990
BRACEBRIDGE, ONTARIO
P0B 1C0

TELEPHONE 645-2286
AREA CODE (705)

May 2, 1985.

REGISTERED MAIL

Ontario Heritage Foundation
77 Bloor Street West
Toronto, Ontario.
M7A 2R9

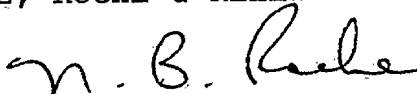
Dear Sirs:

Re: Town of Bracebridge - designation of Bird's Mill
Pumping Station as a Historical Site

We enclose herewith a certified copy of the By-Law #85-33 in connection with the above matter which we serve upon you.

Yours truly

LEE, ROCHE & KELLY



Per: N.B. Roche
NBR:es
Encl.

THE CORPORATION OF THE TOWN OF BRACEBRIDGE

BY-LAW 85-33

BEING A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS THE BIRD'S MILL PUMPING STATION, BRACEBRIDGE, ONTARIO, AS BEING OF HISTORIC OR ARCHITECTURAL VALUE OR INTEREST.

WHEREAS Section 29 of The Ontario Heritage Act, R.S.O. 1980, Chapter 337, authorizes the council of a municipality to enact by-laws to designate real property, including all the buildings and structures thereon, to be of historic or architectural value or interest;

AND WHEREAS the Council of the Corporation of the Town of Bracebridge has caused to be served on the owners of the lands and premises known as the Bird's Mill Pumping Station, Bracebridge, Ontario, more particularly described in Schedule "A" attached hereto, and upon the Ontario Heritage Foundation, a Notice of Intention to so designate the aforesaid real property and has caused such Notice of Intention to be published in a newspaper having a general circulation in the municipality, once for each of three consecutive weeks;

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

AND WHEREAS no notice of objection to the proposed designation has been served upon the Clerk of the said Municipality;

THEREFORE the Council of the Corporation of the Town of Bracebridge enacts as follows:

1. There is designated as being of historic and/or architectural value or interest the real property known as the Bird Pumping Station, more particularly described in Schedule "A" attached hereto.
2. The Town Solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule "A" hereto in the proper land registry office, at Bracebridge, for Muskoka.
3. The Town Clerk is hereby authorized to cause a copy of this by-law to be served upon the owner of the aforesaid property and on the Ontario Heritage Foundation and to cause notice of this by-law to be published each of three consecutive weeks in a newspaper having a general circulation in the Town of Bracebridge.

READ a first and second time this 24th day of April, 1985.

Mayor Clerk

READ a third time and finally passed this 24th day of April, 1985.

Mayor Clerk

Certified a true copy of
B/L 85-33 of the
Corporation of the Town of
Bracebridge.

Clerk-Treasurer

SCHEDULE "A"

TO BY-LAW NO. 85-33

THE CORPORATION OF THE
TOWN OF BRACEBRIDGE

FIRSTLY:

All that part of Lot A, according to Registered Plan #6, South-West of Muskoka Road, in the Town of Bracebridge, in the District Municipality of Muskoka, designated as Part 1 on Plan 35R-9154;

SECONDLY:

Part of Lot A, according to Registered Plan #6, South-West of Muskoka Road, and part of Lot C, according to Registered Plan #6, South of Perry Street, in the Town of Bracebridge, in the District Municipality of Muskoka, designated as Part 2 on Plan 35R-9154;

THIRDLY:

All that part of Lot 21, according to Registered Plan #6, North-East of Muskoka Road, North of the river, in the Town of Bracebridge, in the District Municipality of Muskoka, designated as Part 3 on Plan 35R-9154;

FOURTHLY:

Part of Lot 21, according to Registered Plan #6, North-East of Muskoka Road, North of the river, in the Town of Bracebridge, in the District Municipality of Muskoka, and part of Lot 3, in Concession 1, formerly in the Township of Macaulay, now in the Town of Bracebridge, in the District Municipality of Muskoka, designated as Part 4 on Plan 35R-9154;

FIFTHLY:

Part of Muskoka Road, according to Registered Plan #6, in the Town of Bracebridge, in the District Municipality of Muskoka, designated as Part 5 on Plan 35R-9154;

SIXTHLY:

Part of the original shore road allowance lying in front of Lot 1, in Concession 1, formerly in the Township of Macaulay, now in the Town of Bracebridge, in the District Municipality of Muskoka, as closed by By-Laws #1147 and #1165, and as described as Firstly in Instrument #36297, designated as Part 6 on Plan 35R-9154;

SEVENTHLY:

Part of the original shore road allowance lying in front of Lot 3, in Concession 1, formerly in the Township of Macaulay, now in the Town of Bracebridge, in the District Municipality of Muskoka, designated as Parts 7, 8, 9 & 10, on Plan 35R-9154.

SCHEDULE "B"

TO BY-LAW NO. 85-33

THE CORPORATION OF THE
TOWN OF BRACEBRIDGE

SHORT STATEMENT OF THE REASONS FOR THE PROPOSED DESIGNATION:

In 1892, a small power plant (the subject building) was constructed by W.S. Shaw on the "Upper" Falls, part of the Bracebridge Falls, and, while this building supplied electrical power to his leather tannery and parts of Bracebridge, it also served as a pump plant for the Town water supply.

On April 7th, 1892, a contract was signed between the Corporation and Mr. Shaw for the supply of power from this plant and in 1893 the first municipal water supply main was constructed. This watermain was $\frac{3}{4}$ of a mile in length, consisted of a 6" diameter cast iron pipe and was hand dug. It connected a chain of spring wells known as Barron's Springs (which are still in use and account for $\frac{1}{3}$ of the present municipal water supply) and flowed by gravity to the reservoir adjacent to Mr. Shaw's power plant, through which the water was pumped to the existing mains.

In 1894, the Town of Bracebridge purchased the plant from Mr. Shaw at a price of \$3,500.00 and Bracebridge became the first Ontario Municipality to own a Hydraulic Electric Generating Station as a Public Utility.

The Town grew rapidly and a new hydro electric plant was constructed on the "Lower" Falls of the Bracebridge Falls in 1904 and the "Upper" Falls plant was abandoned as a hydro electric producing facility, leaving it as a pump plant only and the turbines were used only for the driving of the two hydraulic pumps for the water system.

These two hydraulic pumps are still in emergency use at the present time, are operated weekly for maintenance and were overhauled in 1983 and found to be in good working order. Two electric pumps were installed in this building in 1914 to relieve the hydraulic pumps and are in daily use as an integral part of the Bracebridge water supply system.