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THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS

BY-LAW NUMBER 09-119

BEING A BY-LAW TO DESIGNATE THE PROPERTY LOCATED ON PART 3 OF RP 35R13475 ON RAYNOR ISLAND ON LAKE OF BAYS, TOWNSHIP OF FRANKLIN, NOW IN THE TOWNSHIP OF LAKE OF BAYS; DISTRICT MUNICIPALITY OF MUSKOKA AND KNOWN MUNICIPALLY AS 4 RAYNOR ISLAND, LAKE OF BAYS AND BEING PROPERTY ROLL NO. 4427 010-013-10902-0000, UNDER PART IV OF THE ONTARIO HERITAGE ACT. (Heritage Designation)(Theobald)(4 Raynor Island)

WHEREAS Part IV of the Ontario Heritage Act, R.S.O. 1990, as amended, provides that by-laws may be passed by Council to designate a property within the municipality to be of cultural heritage value or interest;

AND WHEREAS the Theobald buildings are located on Part 3 of RP 35R13475 on Raynor Island on Lake of Bays, Township of Franklin, now in the Township of Lake of Bays and known municipally as 4 Raynor Island and being Property Roll No. 4427 010-013-10902 0000 has been identified by the Township of Lake of Bays Heritage Advisory Committee as being eligible for designation under Part IV of the Ontario Heritage Act.

AND WHEREAS Notice of Intention to pass a Designation Bylaw was given in accordance with Section 29 of the Ontario Heritage Act in the manner as set out in Schedule "A" of this By-law on the 11th day of August, 2009;

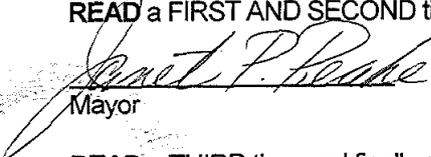
AND WHEREAS the property owner supports the heritage designation process;

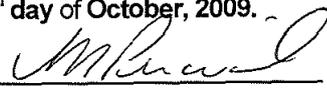
AND WHEREAS the Council of the Corporation of the Township of Lake of Bays deems it expedient to designate the Theobald buildings as a property of cultural heritage value and interest under Part IV of the Ontario Heritage Act;

THEREFORE the Council of the Corporation of the Township of Lake of Bays enacts as follows:

1. THAT the Theobald heritage buildings located on Part 3 RP 35R13475, Raynor Island on Lake of Bays, Township of Franklin, now in the Township of Lake of Bays; District Municipality of Muskoka is a property of significant cultural heritage value and interest.
2. THAT the reasons for designation are hereby included within the Notice of Intention to pass a Designation Bylaw and are attached hereto in Schedule "B".
3. THAT the Clerk shall cause a copy of this By-law, together with its Schedules to be registered against the property in the Land Registrar's Office and shall serve a copy of the By-law together with its Schedules upon the property owner and the Ontario Heritage Trust.
4. THAT the By-law shall take force and effect upon final passage hereof.

READ a FIRST AND SECOND time this 13th day of October, 2009.


Mayor


Clerk

READ a THIRD time and finally passed this 13th day of October, 2009.


Mayor


Clerk

THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS

BY-LAW NUMBER 09-119

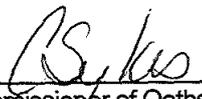
SCHEDULE "A"

AFFIDAVIT

I, Michelle Percival, Clerk of the Corporation of the Township of Lake of Bays, hereby swear or affirm that Notice of Intention to pass a designation by-law for the Theobald buildings located on Part 3 of RP 35R13475, Raynor Island on Lake of Bays, Township of Franklin, now in the Township of Lake of Bays and known municipally as 4 Raynor Island and being Property Roll No. 4427 010-013-10902 0000, under Part IV of the Ontario Heritage Act was given in accordance with Subsection 29(3) of the Act, as follows:

1. Notice of Intention was published in the August 19th, 2009 edition of the Huntsville Forester; and
2. Notice of Intention sent together with a copy of the proposed Designation By-law and Schedules on August 12th, 2009 to:
 - a) Property Owner
 - b) Ontario Heritage Trust
3. Notice of Intention, together with a copy of the proposed Designation By-law and Schedules, were posted on or before the 12th day of August, 2009 at the following locations:
 - a) Township of Lake of Bays Library branches (Dwight and Baysville)
 - b) Township Municipal Web Site
4. Notice of Intention was provided in the Council Agenda package for the August 11th, 2009 Council meeting.

SWORN OR AFFIRM before me
At Dwight, Ontario in the Township of Lake of Bays,
In the District of Muskoka
This 6th day of October, 2009



Commissioner of Oaths



Clerk

THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS

BY-LAW NUMBER 09- 119

SCHEDULE "B"

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.SO. 1990, CHAPTER 0.18, AS AMENDED, AND IN THE MATTER OF THE LANDS AND PREMISES AT THE FOLLOWING MUNICIPAL ADDRESS IN THE PROVINCE OF ONTARIO

NOTICE OF INTENTION TO DESIGNATE

TAKE NOTICE that the Council of the Corporation of the Township of Lake of Bays intends to designate the following municipal address as being of cultural heritage value or interest under Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18, as amended.

4 RAYNOR ISLAND

Description of Property

This Raynor Island property is comprised of the Theobald cottage (two-storey wood cottage), the Blue Wing cabin (one-storey wood cabin), an ice house and a two-seater outhouse all located on 2.70 acres on this historic Island on Lake of Bays that is representative of the early 20th century rustic Muskoka heritage.

Statement of Cultural Heritage Value or Interest

Raynor Island was first surveyed in 1878 and granted by the Crown to W.P Raynor for mining purposes in 1879.

Margaret Spaulding purchased the property on March 28th, 1911 and had the original cabin built from materials harvested and sourced from the island property and local area exhibiting the vernacular architecture that was indigenous to this specific area and time period. The cabin operated as a tea room serving its customers under a covered veranda from the local resorts (Bigwin, Wa-Wa and Britannia Hotels) from 1911 to 1930 characterizing the historic development of Lake of Bays as a tourist resource and retreat.

The property was purchased in 1930 by Victor W. and Marie Hurst and they built the four sleeping cabins for their children and grandchildren (Blue Wing, Green Wing, Yellow Wing and Red Wing). These cabins remain in their original state located along pathways from the main cottage.

Raynor Island was one of the many stops for the S.S. Iroquois steamship on Lake of Bays to deliver supplies, people and the mail. The steamer dock was located in front of this Raynor Island property and the Theobalds constructed their current dock using the original cribbing. The Theobald property is archetypical of the settlement in the Muskoka area and is one of the remaining landmarks that has defined the character and history of the Lake of Bays area.

Description of Heritage Attributes

Key attributes that express the value of the wood structures located on the Theobald property as true examples of the early 20th century vernacular style that reflects alterations and adaptive reuse include:

Theobald Cottage

- Interior constructive features include rustic square timber beams, board and batten siding, period staircase and hand-crafted field stone fireplace;
- Associative cultural heritage value is exhibited with the characteristic covered veranda including many pieces of original furniture used to seat the tea room customers.
- Interior Features:
 - ✓ Original casement windows (centre window on south wall is etched "VW Hurst and Marie), window sills, doors, trim of windows and doors;
 - ✓ Aladdin and Angle fuel lamps with mounted match boxes;
 - ✓ Hand-crafted kitchen cupboards and shelves;

- ✓ Hardwood and softwood floors;
 - ✓ Late 19th century tea service (cups, saucers and tea pots) and commodes;
 - ✓ Large fieldstone stove fireplace with andirons and swinging kettle (original kettle from Mrs. Spaulding's tea room);
 - ✓ Framed American flag (45 stars/states);
 - ✓ Early 20th century renowned Heinzman square grand piano;
 - ✓ Original bookcase containing books and magazines from the early 1900's;
 - ✓ Solid oak ice box;
 - ✓ Barrel-style "Queen" wood heat stove with claw feet; and
 - ✓ Traditional furniture dating back to early 20th century.
- Exterior Features:
 - ✓ Veranda style covered front porch facing the lakeshore;
 - ✓ Cedar shake siding;
 - ✓ Stone piers;
 - ✓ Vertical plank siding;
 - ✓ Pitched roof with ridge, gable ends and dormer.
 - Additional associative cultural heritage value is exhibited with a tree mounted hand-carved sign indicating the direction of the Blue Wing, Green Wing, Yellow Wing and Red Wing cabins in measurement of giant paces.

Blue Wing Cabin

- Interior constructive features include vertical plank siding, peaked ceiling with unique eight point 2"x 4" support, hardwood flooring;
- Exterior constructive features include cedar shake siding, pitched roof and lakeshore location.

Ice House and Two-seater Outhouse

- Original split-door vertical planked two level seated outhouse.
- Wood crafted ice house, updated with original building materials.

Objections to the proposed designation must be received by the Clerk of the Township of Lake of Bays by Registered Mail or hand-delivered together with a statement of the reasons for the objection and all relevant facts, not later than **4:00 p.m.** on the **21st** day of **September, 2009**. Objections will be referred to the Conservation Review Board for a hearing and report.

Michelle Percival, Clerk,
1012 Dwight Beach Road,
Dwight, Ontario P0A 1H0

For further information please contact:
Carrie Sykes, (705) 635-2272, ext 236
Or at deputyclerk@lakeofbays.on.ca