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Simcoe

TOWNSHIP OF SPRINGWATER

Simcoe County Administration Centre, Midhurst, Ontario L0L 1X0
Phone No. (705) 728-4784 Fax No. (705) 728-6957

April 25, 1997

REGISTERED MAIL

Ontario Heritage Foundation
10 Adelaide St. E., Suite 302
Toronto, Ontario
M5C 1J3

RE: NOTICE OF PASSAGE - SPRINGWATER BY-LAWS NO. 97-038, 97-039 AND 97-040, DESIGNATIONS UNDER PART IV OF THE ONTARIO HERITAGE ACT

Enclosed are copies of each of Springwater By-law No. 97-038, (Designation, Tudhope House, Property Roll No. 43 41 040 001 45000 0000), No. 97-039, (Designation, Shaw House, Property Roll No. 43 41 040 001 31100 0000), and No. 97-040 (Designation, Davenport Homestead, Property Roll No. 43 41 020 081 04800 0000), which were passed by Council on April 21, 1997.

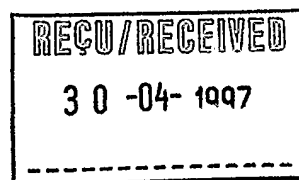
Copies of these by-laws are being forwarded to the Township Solicitor for registration on title.

If you require any further information, please contact me at (705) 728-4784, ext. 242.

Yours truly,

Eleanor J. Rath, AMCT
Clerk

/sjy
encls.



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NOTICE

under Subsection 29(6) of The Ontario Heritage Act

TAKE NOTICE that the Council of The Corporation of the Township of Springwater passed three (3) by-laws under Part IV of The Ontario Heritage Act at its meeting of April 21, 1997. These by-laws designate certain properties as having significant historical and architectural value.

BY-LAW NO. 97-038 designates the "Tudhope House" (built 1897) located at 62 Queen Street West (formerly #78) in Elmvale and currently owned by [REDACTED].

BY-LAW NO. 97-039 designates the "Shaw House" (built 1894-96) located at 44 Queen Street East (formerly #64) in Elmvale and currently owned by [REDACTED].

BY-LAW NO. 97-040 designates the "Davenport Homestead" (built 1902) located at 4514 Penetanguishene Road in Hillsdale and currently owned by [REDACTED].

COPIES OF THE DESIGNATION BY-LAWS which includes the Reasons for Designation are posted at the Township Offices (Midhurst), Knox Building (Elmvale) and the Elmvale Branch of the Springwater Township Library. In addition, the By-law No. 97-040 for the Davenport Homestead has been posted at the Hillsdale Post Office.

DATED at the Township of Springwater this 30th day of APRIL, 1997.

Eleanor J. Rath, Clerk
Township of Springwater
Lower East Wing, Simcoe County Administration Centre
1110 Highway 26, Midhurst, Ontario L0L 1X0
(705) 728-4784 FAX (705) 728-6957

THE CORPORATION OF THE TOWNSHIP OF SPRINGWATER

BY-LAW NO. 97-039

Being a By-law to designate the property, being Part of Block B on Plan 442 described as Part 4 on Plan 51R-2409 known municipally as 44 Queen Street East, Elmvale, now in the Township of Springwater, in the County of Simcoe, as a property of historical and architectural value and interest under Part IV of The Ontario Heritage Act.
(Designation - Shaw House -
Property Roll No. 43 41 040 001 311 00 0000)

WHEREAS Part IV of The Ontario Heritage Act, R.S.O. 1990, as amended, provides that by-laws may be passed by council designating properties of historic or architectural value;

AND WHEREAS the Council of The Corporation of the Township of Springwater received a request from Gary French on behalf of the East Georgian Bay Historical Foundation to designate the property being Part of Block B on Plan 442 described as Part 4 on Plan 51R-2409 known municipally as 44 Queen Street East, (formerly #64), Elmvale now in the Township of Springwater, County of Simcoe under Part IV of The Ontario Heritage Act;

AND WHEREAS this request was referred to the Township of Springwater Local Architectural Conservation Advisory Committee (LACAC);

AND WHEREAS LACAC recommended the passage of a by-law to designate the subject lands and Council accepted this recommendation;

AND WHEREAS Notice of Intention to pass a Designation By-law was given in accordance with Section 29 of The Ontario Heritage Act in the manner as set out in Schedule "C" of this By-law on or before the 19th day of March, 1997;

AND WHEREAS no person has filed any objection to the Designation By-law;

AND WHEREAS the Council of The Corporation of the Township of Springwater deems it desirable to designate the property being Part of Block B on Plan 442 described as Part 4 on Plan 51R-2409 known municipally as 44 Queen Street East, Elmvale, now in the Township of Springwater in the County of Simcoe, as a property of historical and architectural value and interest under Part IV of The Ontario Heritage Act;


NOW THEREFORE the Council of The Corporation of the Township of Springwater enacts as follows:

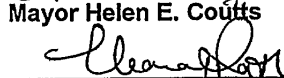
1. THAT the property known municipally as 44 Queen Street East (formerly #64), Elmvale, now in the Township of Springwater, in the County of Simcoe, and having the legal description set out in Schedule "A", attached hereto and forming part of this By-law, is designated as a property of historic and architectural value and interest.
2. THAT the Reasons for Designation set out in Schedule "B", attached hereto and forming part of this By-law, are hereby adopted.
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 Registry Office for Simcoe and shall serve, by Registered Mail, a copy of this By-law, together with its Schedules, upon the property owners and the Ontario Heritage Foundation.
4. THAT this By-law shall take force and effect upon final passage hereof.

READ A FIRST AND SECOND TIME THIS 21ST DAY OF APRIL, 1997.

READ A THIRD TIME AND FINALLY PASSED THIS 21ST DAY OF APRIL, 1997.

THE CORPORATION OF THE TOWNSHIP OF SPRINGWATER



Mayor Helen E. Couffs


Clerk Eleanor J. Rath

SCHEDULE "A"

BY-LAW NO. 97-039

LEGAL DESCRIPTION

**Part of Block B on Plan 442
Township of Springwater, County of Simcoe
described as Part 4 on Plan 51R-2409**

SCHEDULE "B"

BY-LAW NO. 97-039

REASONS FOR DESIGNATION

The Shaw house was built in 1894-6 by Francis E. Shaw, Sawmill owner, to plans provided by George F. Barber of Knoxville, Tennessee.

George Franklin Barber was born in 1854 in De Kalb, Illinois and grew up on a farm near Fort Scott, Kansas. He became an architect and established himself (for health reasons) in Knoxville, Tennessee where he developed a "mail-order architecture" business. His books of designed invited the purchasers to order the detailed plans which could be customized. In some cases Barber could arrange for all the required material to be shipped as well.

This particular house is virtually identical to Barber's prototype in De Kalb, Illinois. It was featured in the March, 1888 issue of Carpentry and Building (a trade magazine) and plans were offered in Barber's catalogue "The Cottage Souvenir No. 2", published in 1891. (reprinted 1982).

The Shaw house is the most important example yet identified in Canada of Barber's work and is therefore a house of national architectural significance. The residence has survived with little alteration to the exterior, saving the regrettable, but restorable loss of the original colour scheme. The interior, remarkable for its fine woodwork and effective use of stained glass panels, is little changed.

In addition to its architectural significance, the Shaw house is historically significant as the most ambitious wooden house ever built in Elmvale and one of the best preserved of the Victorian/Queen Anne style residences. The association with the Shaw family, pioneer mill-owners at Midway, Craighurst and Elmvale is also important.

The important characteristics and features worthy of designation and protection are:

1. the original room layout and the building perimeter plan;
2. the location, size and designs of the doors and windows;
3. the exterior wooden finish and the accompanying wood trim;
4. the roofline and chimneys;
5. the location and elevation of the buildings;
6. the interior painted or varnished wood trim, mouldings, doors, painted or varnished wooden floors and dados;
7. the door latches, hinges, and builder's hardware throughout;
8. the lathe and plaster interior finish.

SCHEDULE "C"

BY-LAW NO. 97-039

AFFIDAVIT

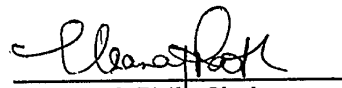
I, Eleanor J. Rath, Clerk of The Corporation of the Township of Springwater hereby swear or affirm that Notice of Intention to pass a by-law under Part IV of The Ontario Heritage Act was given in accordance with Subsection 29(3) of the Act, as follows:

1. Notice of Intention to pass certain Designation By-laws, including a by-law for the "Shaw House" located at 44 Queen Street East, Elmvale was published in the March 19th, 1997 edition of The Elmvale Lance; and
2. Notice of Intention, together with a copy of the proposed Designation By-law and Schedules, were sent by Registered Mail on the 12th day of March, 1997 to:
 - (i) [REDACTED], the owners of the subject property; and
 - (ii) the Ontario Heritage Foundation.
3. Notice of Intention, together with a copy of the proposed Designation By-law and Schedules, were sent by Prepaid First Class mail to:
 - (i) Gary French of the East Georgian Bay Historical Foundation on the 12th day of March, 1997; and
 - (ii) Nancy Smith, Senior Administration Clerk, Heritage Properties & Museums Unit, Cultural Programs Branch, Ministry of Citizenship Culture & Recreation on the 19th day of March, 1997.
4. Notice of Intention, together with a copy of the proposed Designation By-law and Schedules, were posted on or before the 19th day of March, 1997 at the following locations:
 - (i) Township Offices, Midhurst, and
 - (ii) Kenzie Knox Building, Elmvale, and
 - (iii) Springwater Township Library, Elmvale Branch, and
5. Notice of Intention, together with a copy of the proposed Designation By-law and Schedules, were provided in the Agenda package for the March 26th, 1997 meeting of the Springwater Local Architectural Conservation Advisory Committee. LACAC directed that the by-law be revised to refer to the subject property as the "Shaw House" and not the "Shaw/Clute House" as originally drafted.

SWORN OR AFFIRM before me
at Midhurst, Ontario
in the Township of Springwater,
in the County of Simcoe
this 24th day of April, 1997


COMMISSIONER OF OATHS

Barbara Fralick, a Commissioner
while Treasurer, The Corporation
of the Township of Springwater.


Eleanor J. Rath, Clerk