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THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS

BY-LAW NUMBER 2013-030

BEING A BY-LAW TO DESIGNATE THE PROPERTY LOCATED ON CONCESSION 4, PART OF LOT 29, TOWNSHIP OF FRANKLIN, NOW IN THE TOWNSHIP OF LAKE OF BAYS; DISTRICT MUNICIPALITY OF MUSKOKA AND KNOWN MUNICIPALLY AS 1078 BONA VISTA ROAD AND BEING PROPERTY ROLL NO. 4427 010-001-01800-0000, UNDER PART IV OF THE ONTARIO HERITAGE ACT. (Heritage Designation)(Hadwen)(Bona Vista Road)

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 Hadwen property is located on Concession 4, Part of Lot 29 in the former Township of Franklin, now in the Township of Lake of Bays, District Municipality of Muskoka and known municipally as Bona Vista Road and being Property Roll No. 4427 010-001-01800-0000 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;

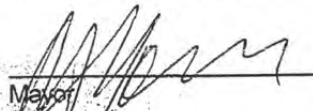
AND WHEREAS the property owner supports the heritage designation process;

AND WHEREAS the Council of the Corporation of the Township of Lake of Bays deems it expedient to designate the Hadwen property 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:

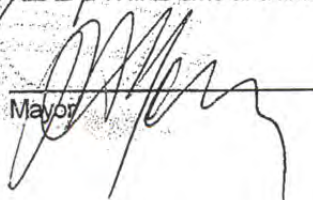
1. THAT the reasons for designation are hereby included within the Notice of Intention to pass a Designation Bylaw and are attached hereto in Schedule "A".
2. THAT the Hadwen property as legally described in Schedule "B" is a property of significant cultural heritage value and interest.
3. THAT the Clerk 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 By-law #12-092 or any other by-law inconsistent with or antedating this By-law is hereby repealed.
5. THAT the By-law shall take force and effect upon final passage hereof.

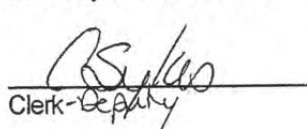
READ a FIRST AND SECOND time this 12th day of March, 2013.


Mayor


Clerk - Deputy

READ a THIRD time and finally passed this 12th day of March, 2013.


Mayor


Clerk - Deputy

THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS

BY-LAW NUMBER 2013-030

SCHEDULE "A"

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 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.

1078 BONA VISTA ROAD

Description of Property

The Hadwen property is 2.38 acres consisting of an early 20th century one and half-storey cottage and a dry two-storey boathouse along the beautiful shoreline of Lake of Bays.

Statement of Cultural Heritage Value or Interest

The frame construction cottage and boathouse built in 1904 with clapboard siding exhibits historical design value as an example of one of the first original settlements known historically as Bona Vista on the westerly shores of Lake of Bays.

The Hadwen property is one of twenty-one properties linked together by a communal trail which was used by the residents to access the steamer dock to retrieve mail and supplies demonstrative of the land use settlement patterns encouraged by the steamship era.

The community of Bona Vista was established by a number of Presbyterian ministers'. Church services were held outside just south of the steamer dock and consisted of pews made from planks resting on stones or logs and a pulpit, which still exists today, made of wood representative of the associative religious value.

Description of Heritage Attributes

Main Cottage

- Interior Features:
 - ✓ Back-side split dutch door;
 - ✓ Pine tongue and groove floor and siding;
 - ✓ Six-sash single pane windows that pull in & hook to the ceiling; and
 - ✓ Mansard ceiling.
- Exterior Features:
 - ✓ Board and batten siding;
 - ✓ Hip roof with dormers and gable ends; and
 - ✓ Covered breezeway from cottage to garage;

Dry Boathouse

- Interior Features:
 - ✓ French door;
 - ✓ Pine tongue and groove floor and siding; and
 - ✓ Single pane casement windows that pull in & hook to the ceiling;
- Exterior Features:
 - ✓ Horizontal v-groove siding;
 - ✓ Post and beam covered porch; and
 - ✓ Tongue and groove shutters.

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 **30th** day of **August, 2012**. 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

THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS

BY-LAW NUMBER 2013-030

SCHEDULE "B"

Legal Description

PIN #48063-0059 (LT)

PCL 7742 SEC Muskoka; LT 13 PL M32 Franklin; PT Lot 12 PL M32 Franklin; Pt Lot 14 PL M32 Franklin Pt 3 35R13827; Pt Lot 29 Con 4 Franklin Pt 2 35R13827; Pt RDAL in front of Lt 29 Con 4 Franklin closed by LT175088; Pt RDAL btn Two of Brunel and Twp of Franklin closed by LT175088 Pt 9 35R13827; Pt RDAL btn Twp of Brunel and Twp of Franklin in front of Lot 32 Con 4 Franklin closed by LT175090 Pt 10 and 11 35R13827; Lake of Bays; The District Municipality of Muskoka.

THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS

BY-LAW NUMBER 2013-030

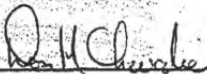
SCHEDULE "C"

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 Hadwen Property located on Concession 4, Part of Lot 29, in the former Township of Franklin, now in the Township of Lake of Bays and known municipally as 1078 Bona Vista Road and being Property Roll No. 4427 010-001-01800-0000, 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 1st and August 22nd, 2012 edition of the What's Up Muskoka Magazine; and
2. Notice of Intention sent together with a copy of the proposed Designation By-law and Schedules on July 26th, 2012 to:
 - a) Property Owner
 - b) Ontario Heritage Trust
3. Notice of Intention was posted on or before the 26th day of July, 2012 on the Township Municipal Web Site.
4. Notice of Intention was provided in the Council Agenda package for the July 24th, 2012 Council meeting.

SWORN OR AFFIRM before me
At Dwight, Ontario in the Township of Lake of Bays,
In the District of Muskoka
This 12th day of March, 2013



Commissioner of Oaths



Clerk - Deputy

DON.H. CHEVALIER,
Deputy Clerk, by virtue of office, is a
Commissioner for taking Affidavits in
the Township of Lake of Bays, District
of Muskoka