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W. H. CLARK, A.M.C.T.
CITY CLERK



CITY HALL
808 SECOND AVENUE EAST
OWEN SOUND, ONTARIO N4K 2H4



The City of Owen Sound

October 3, 1983

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

Dear Sirs;

Enclosed for your records is a certified copy of By-law No. 1983-91 passed by City Council on August 15th, 1983 designating property at 861 - 5th Avenue East in the City of Owen Sound under the Heritage Act.

The By-law is being registered, served upon the owners and published in the local daily newspaper.

Yours very truly,

W. H. Clark,
City Clerk.

WHC/el
encl.
REGISTERED

THE CORPORATION OF THE CITY OF OWEN SOUND

A BY-LAW TO DESIGNATE THE EXTERIOR FACADES OF THE BUILDING KNOWN MUNICIPALLY AS 861 - 5TH AVENUE EAST IN THE CITY OF OWEN SOUND AS BEING OF ARCHITECTURAL AND HISTORICAL VALUE OR INTEREST

WHEREAS section 29 of The Ontario Heritage Act, 1980, authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of architectural or historic value or interest; and

WHEREAS the Council of the Corporation of the City of Owen Sound has caused to be served on the owners of the lands and premises known as 861 - 5th Avenue East in the City of Owen Sound and upon The Ontario Heritage Foundation, notice of intention to so designate the exterior facades of the said building and has caused such notice of intention to be published in the same newspaper having general circulation in the Municipality once for each of three consecutive weeks; and

WHEREAS no notice of objection to the proposed designation has been served on the Clerk of the Municipality.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF OWEN SOUND ENACTS AS FOLLOWS:

1. There is designated as being of architectural and historical value or interest the exterior facades of the building known municipally as 861 - 5th Avenue East in the City of Owen Sound, more particularly described in Schedule "A" attached hereto. The reasons for designation are contained in Schedule "B" attached hereto.
2. The municipal 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.
3. The Clerk is hereby authorized to cause a copy of this by-law to be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and to cause notice of the passing of this by-law to be published in the same newspaper having general circulation in the municipality once for each of three consecutive weeks.
4. This By-law shall come into full force and effect upon the final passing thereof.

PASSED this 15th day of August 1983.

1st reading August 15, 1983.

2nd reading August 15, 1983.

3rd reading August 15, 1983.

H. G. Pates

Barry Hopfield

Acting Mayor

Glen Gery

Deputy City Clerk.

SCHEDULE "A" TO BY-LAW 1983-91

THOSE lands and premises located in the following municipality, namely, in the City of Owen Sound, in the County of Grey and Province of Ontario and being composed of part of Lot Nine (9) on the East side of Boyd Street, in the said City of Owen Sound being more particularly described as follows:

PREMISING: that the westerly limit of said lot has a bearing of North 7 degrees 15 minutes West and relating all bearings herein thereto.

COMMENCING: at a point on the westerly limit of said lot distant fifty decimal zero (50.0) feet measured south 7 degrees 15 minutes East thereon from the northwesterly angle of said lot;

THENCE: North 82 degrees 45 minutes East a distance of forty-one decimal zero (41.0) feet;

THENCE: North 82 degrees, 46 minutes, 20 seconds East a distance of ten decimal zero (10.0) feet;

THENCE: North 82 degrees 45 minutes East a distance of one hundred and fifty-eight (158) feet more or less, to the easterly limit of said lot;

THENCE: Northerly along the Easterly limit of said lot a distance of 52-1/2 feet to the north easterly angle thereof;

THENCE: Westerly along the Northerly limit of said lot a distance of 208 feet more or less, to the northwesterly angle thereof; and

THENCE: Southerly along the Westerly limit of said lot a distance of 50 feet to the point of commencement.

SCHEDULE "B" TO BY-LAW 1983-91

The residence at 861 - 5th Avenue East is a small brick dwelling in the upper Canada Regency Style. The low profile of the house is created by building the second floor into the hip roof. Two large chimneys, one on either side of the house, give a strong feeling of symmetry. The main features of the house are the prominent dormers, which help to reinforce the symmetry, and the polychromatic brick treatment of the arched radiating voussoirs surrounding the head of the windows and the quoins at the corners of the building. On the front verandah, the original turned wood posts, have been replaced with brick pillars and walls. The house was originally built for F.V. D'Orr Le Pan, an early merchant, sometime after he took possession of the land in 1864. The house is known to have existed at the time of his death in 1894.