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LEE, ROCHE, KELLY & JACQUES

BARRISTERS, SOLICITORS, NOTARIES

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TELEPHONE 645-2286
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6 DOMINION STREET
P.O. BOX 990
BRACEBRIDGE, ONTARIO
POB 1C0

September 26th 1978.

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

Dear Sirs:

RE: Town of Bracebridge By-Law 78-53

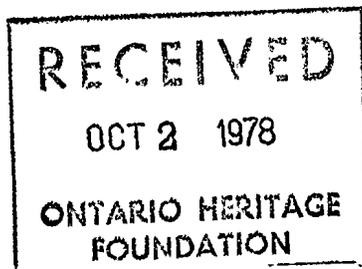
We enclose herewith a copy of Town of Bracebridge By-Law 78-53 which is served on you pursuant to the provisions of the Ontario Heritage Act.

Yours truly,

LEE, ROCHE, KELLY & JACQUES

N. B. Roche

per: N. B. Roche
NBR:jc
Encl.



DATED: August 22, 1978

IN THE MATTER OF THE
CORPORATION OF THE TOWN
OF BRACEBRIDGE

AND IN THE MATTER OF BY-LAW
78-53 BEING A BY-LAW TO
DESIGNATE THE PROPERTY
KNOWN MUNICIPALLY AS 45
MUSKOKA ROAD AS BEING
OF HISTORIC OR ARCHITECTURAL
VALUE OR INTEREST.

BY -LAW 78-53

Lee, Roche, Kelly & Jacques,
Barristers & Solicitors,
6 Dominion Street,
Bracebridge, Ontario.
POB 1CO

NBR:jm

CORPORATION OF THE TOWN OF BRACEBRIDGE

BY-LAW NO. 78-53

BEING A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS 45 MUSKOKA ROAD AS BEING OF HISTORIC OR ARCHITECTURAL VALUE OR INTEREST.

WHEREAS Section 29 of The Ontario Heritage Act, 1974 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 House at 45 Muskoka Road and upon the Ontario Heritage Foundation, 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" hereto;

AND WHEREAS no notice of objection to the proposed designation has been served on the clerk of the 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 more particularly described in Schedule "A" hereto known as the Bird House at 45 Muskoka Road.
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.
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 3 consecutive weeks in a newspaper having general circulation in the Town of Bracebridge.

READ a first and second time this 28th day of June 1978.

[Signature]
.....
Clerk

[Signature]
.....
Mayor

READ a third time and finally passed this 28th day of June 1978.

[Signature]
.....
Clerk

[Signature]
.....
Mayor

Certified a true copy of
By-Law 78-53 of the
Corporation of the Town of
Bracebridge.

[Signature]
Clerk-Treasurer

SCHEDULE "A"

TO BY-LAW NO. 78-53

OF THE CORPORATION

OF THE TOWN OF BRACEBRIDGE

John J. Lang
Mayor

Herbert J. Smith
Clerk

PROPERTY DESCRIPTION:

FIRSTLY:

All that part of Lot 3, in Concession 1, of the Geographic Township of Macaulay, now in the Town of Bracebridge, in the District Municipality of Muskoka, more particularly described as follows:

COMMENCING at the northeasterly angle of the said Lot 3;

THENCE south 15 degrees 25' east, 824.35 feet more or less along the eastern limit of said lot to the northern limit of King Street shown on Plan 6 for the said Town of Bracebridge;

THENCE south 74 degrees 27' west, 246.2 feet more or less along the northern limit of King Street to the southeasterly angle of Lot 5 shown on said Plan 6;

THENCE north 15 degrees 33' west, 44.9 feet more or less along the eastern limit of said Lot 5 to the southern limit of Lot 4 shown on said Plan 6;

THENCE north 74 degrees 27' east, 12.5 feet more or less along said southern limit to the most easterly angle of said Lot 4;

THENCE north 37 degrees 30' west, 361 feet more or less along the northeastern limit of Lots 4, 3, 2 and 1 shown on said Plan 6, to the most northerly angle of said Lot 1;

THENCE south 52 degrees 30' west, 82.5 feet along the northwestern limit of said Lot 1;

THENCE south 83 degrees 48' west, 18.8 feet;

THENCE south 67 degrees 15' west, 55 feet;

THENCE south 52 degrees 30' west, 33 feet more or less to the north-eastern limit of Muskoka Road;

THENCE north 52 degrees 27' west, 95.1 feet more or less along the said northeastern limit to the highwater mark of Muskoka River;

THENCE in a general northeasterly, northerly and northwesterly direction 725 feet more or less along said highwater mark, to the point where it is intersected by the northern limit of said Lot 3;

THENCE north 76 degrees east, 191.4 feet more or less along said northern limit to the said point of commencement.

SECONDLY:

All that part of Lot 1 on the Northeast side of Muskoka Road (south of Muskoka River, shown on Plan 6 for the Town of Bracebridge, which said part may be more particularly described as follows:

COMMENCING at the most northerly angle of said Lot 1;

THENCE south 52 degrees 30' west, 82.5 feet along the northwestern limit of said lot;

THENCE north 83 degrees 48' east, 14.3 feet;

THENCE north 83 degrees 18' east, 82 feet more or less to the north-eastern limit of said lot;

THENCE north 37 degrees 30' west, 49.5 feet more or less along said northeastern limit to the point of commencement.

The above lands being "Firstly" and "Thirdly" described in Instrument No. 61266 and shown outlined in red on the plan attached to Instrument No. 31801.

SCHEDULE "B"
TO BY-LAW NO. 78-53
OF THE CORPORATION

.....
Mayor

.....
Clerk

OF THE TOWN OF BRACEBRIDGE

SHORT STATEMENT OF THE REASONS FOR THE
PROPOSED DESIGNATION:

The house named Woodchester in Bracebridge was built in 1882 for Henry James Bird and was named after his family's Elizabethan manor in Yorkshire.

It is considered to be a classic example in Ontario of Orson Squire Fowler's octagonal plan and had several unique architectural features for its time including central ventilating shaft and dumb waiter, water pressure tanks, inside plumbing, speaking tubes and observation galleries.