



An agency of the Government of Ontario



Un organisme du gouvernement de l'Ontario

This document was retrieved from the Ontario Heritage Act Register, which is accessible through the website of the Ontario Heritage Trust at **www.heritagetrust.on.ca**.

Ce document est tiré du registre aux fins de la *Loi sur le patrimoine de l'Ontario*, accessible à partir du site Web de la Fiducie du patrimoine ontarien sur **www.heritagetrust.on.ca**.



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.

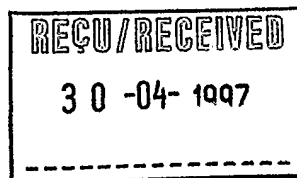
Copies of these by-laws are being forwarded to the Township Solicitor for registration on title.

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

Yours truly,

Eleanor J. Rath, AMCT
Clerk

/sjy
encls.



✓
RC



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. 97-038

Being a By-law to designate the property being all of Lot 37, Plan 397 known municipally as 62 Queen Street West, 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 - Tudhope House -
Property Roll No. 43 41 040 001 450 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 all of Lot 37, Plan 397 known municipally as 62 Queen Street West (formerly #78), 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 lands and building being all of Lot 37, Plan 397 known municipally as 62 Queen Street West, 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;

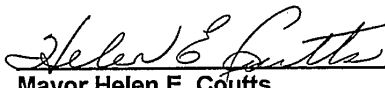
NOW THEREFORE the Council of The Corporation of the Township of Springwater enacts as follows:

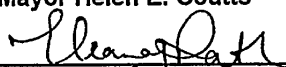
1. THAT the property known municipally as 62 Queen Street West (formerly #78), Elmvale, now in the Township of Springwater, in the County of Simcoe, and having the legal description set out in Schedule "A", attached hereto and forming part of this By-law, is designated as a property of historic and architectural 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 owner 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. Coutts


Clerk Eleanor J. Rath

SCHEDULE "A"

BY-LAW NO. 97-038

LEGAL DESCRIPTION

**All of Lot 37 (North Queen Street),
Plan 397
Township of Springwater,
County of Simcoe**

SCHEDULE "B"

BY-LAW NO. 97-038

REASONS FOR DESIGNATION

The Tudhope house at 62 Queen Street West (formerly #78) was built in 1897 for Alexander R. Tudhope, Wheelwright and Carriage Builder. A verandah, built by local contractor John Houden, was added in 1904.

A. R. Tudhope was born at Orillia in 1861 and died in 1943 in California. He was a grandson of James Tudhope of Lairsbrigend, Lesmahayow, Lanarkshire, Scotland and his wife, Christine Brockett, and thereby a member of the largest family of carriage builders in the county. The principal Tudhope factory was at Orillia and was managed by James Brockett Tudhope, industrialist and politician (this enterprise was an ancestor of Otaco).

A. R. Tudhope settled in Elmvale as a carriage builder about 1889, and operated his business in conjunction with the Orillia factory. His Elmvale shop (located just east of the house) was built about 1889, but burned in 1894 in a fire which almost destroyed the Mason house just east of it (this house still stands). The shop was rebuilt, enlarged in 1901 and again in 1905 (for a showroom for pianos and organs) but subsequently burned again.

The existence of the shops and residences of the Tudhopes and Masons, wheelwrights and blacksmiths, on adjoining properties, reflects the typical industrial arrangement of small Ontario villages.

When the Orillia Tudhopes began to manufacture automobiles, the Elmvale family seem to have become sales agents, and as a result the first Elmvale automobile was Dr. J. B. H. McCClinton's Orillia-built Tudhope.

A. R. Tudhope's residence reflects his success and affluence. Unfortunately the architect is not known, but it was obviously a well designed and well built house, typical of the finest brick houses in the village, but in almost every feature, better than all but a few houses of that era in Elmvale.

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

1. the original room layout and building perimeter plan;
2. the location, size and designs of the doors and windows;
3. the exterior unpainted brick finish and the accompanying wood trim;
4. the roofline and chimneys;
5. the location and elevation of the building with the ground floor just about ground level;
6. the interior painted wood trim, mouldings, doors, fireplace, painted wooden floors and dados;
7. the door latches, hinges, and builder's hardware throughout;
8. the lathe and plaster interior finish;
9. the wooden window sash; and
10. the unobscured view of the south face of the house.

SCHEDULE "C"

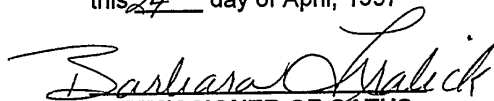
BY-LAW NO. 97-038

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 "Tudhope House" located at 62 Queen Street West, 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 owner 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.

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