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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.

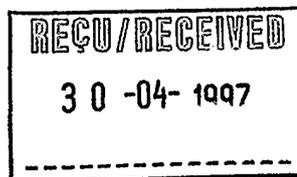
Copies of these by-laws are being forwarded to the Township Solicitor for registration on title.

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-law 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. 97-040

**Being a By-law to designate the property, being Part Lots 12 to 14, Plan 261A, WPR, known municipally as 4514 Penetanguishene Road, Hillsdale, 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 - Davenport Homestead -
Property Roll No. 43 41 020 081 048 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 Lots 12 to 14, Plan 261A, WPR, known municipally as 4514 Penetanguishene Road, Hillsdale 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 Lots 12 to 14, Plan 261A, WPR, known municipally as 4514 Penetanguishene Road, Hillsdale 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;

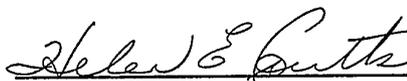
NOW THEREFORE the Council of The Corporation of the Township of Springwater enacts as follows:

1. THAT the property known municipally as 4514 Penetanguishene Road, Hillsdale 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.

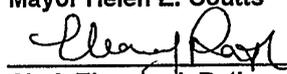
READ A FIRST AND SECOND TIME THIS 21ST DAY OF APRIL, 1997.

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

THE CORPORATION OF THE TOWNSHIP OF SPRINGWATER



Mayor Helen E. Coultts



Clerk Eleanor J. Rath

SCHEDULE "A"

BY-LAW NO. 97-040

LEGAL DESCRIPTION

FIRSTLY:

All of Lot 12, Plan 261A, save and except Parts 4 and 5 on Plan 51R-12068

SECONDLY:

All of Lot 13, Plan 261A, save and except Part 5 on Plan 51R-12068

THIRDLY:

All of Lot 14, Plan 261A, save and except Part 2 on Plan 51R-21482, and Parts 6 and 7 on Plan 51R-12068

All lands described herein are presently in the Township of Springwater (formerly Township of Medonte), County of Simcoe

Which lands are set out in instrument number 01164108

SCHEDULE "B"
BY-LAW NO. 97-040

REASONS FOR DESIGNATION

The present Davenport family homestead was built by William John Davenport for his family in or about the year 1902.

The Davenports were the first settlement family in the Township of Flos. William and Benjamin Davenport, brothers, and William's wife, Sarah entered Upper Canada from the United States about 1810. After a period of several years in the southern part of the colony (some of which was spent at Amherstberg) the Davenports settled in Flos Township in 1819, in conjunction with the Wilberforce Street settlement of Black refugees. From that date to the present, the family has never lost its association with the Township of Flos, and particularly the community which is now Hillsdale.

In the early years the family farmed just south of Hillsdale and provided hospitality to other immigrant families, but the building trade soon became the family vocation.

George Davenport, son of William and Sarah, farmed on the Old Second Line of Flos township, and his only son, William John Davenport, was a farmer, thresher and builder. After William John Davenport moved from the farm to Hillsdale, he followed the trades of carpenter and plasterer. Local tradition and William John's diaries and records shown that he built dozens of houses in the area.

The Davenport home, subject of this designation, was built by William John for his own residence in 1902, and [REDACTED] [REDACTED]. The building has an important association with the first settlement family and its location, on the historic Penetanguishene Road, is also important.

The structure is a frame building, with a lathe and plaster interior finish. The exterior finish, a stucco "pebble dash" finish with a broken-glass decorative feature in the gable was a Davenport trademark. The house remains virtually as built, with only very minor alterations. Much of the interior finish remains. The Plans, specifications and materials lists for the house survive as most of the tools used to build it. The verandah, a notable feature of the house, is believed to have been built a year or two after the house itself.

In addition to the characteristic exterior finish, there are interior features which have special associations with the Davenport family;

- a) two stamped tin ceilings. William John Davenport was the local sales agent for a Toronto stamping company;
- b) a pieced-wood ceiling in the parlour, hand made by William John Davenport with some tin components.

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 stucco finish and the accompanying wood trim;
4. the roofline and chimneys;
5. the location and elevation of the building;
6. the interior painted wood trim, mouldings, doors, 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 views of the east and the east parts of the north and south sides of the house.

It is recognized, however, that minor changes to the room layout will be required and allowed to provide for plumbing and heating facilities.

SCHEDULE "C"

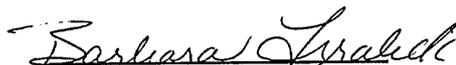
BY-LAW NO. 97-040

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 "Davenport Homestead" located at 4514 Penetanguishene Road, Hillsdale was published in the March 19th, 1997 edition of The Elmvalle 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 Admistration Clerk, Heritage Properties & Museums Unit, Cultural Programs Branch, Ministry of Citizenship Culture & Recreaion 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, Elmvalle, and
 - (iii) Springwater Township Library, Elmvalle Branch, and
 - (iv) Post Office, Hillsdale, 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


Eleanor J. Rath, Clerk

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