

THE CORPORATION OF THE CITY OF THOROLD

BY-LAW NO. 12-2002

A BY-LAW TO DESIGNATE MAPLEHURST, LOCATED AT 14 ST. DAVID'S STREET WEST AS BEING OF ARCHITECTURAL AND HISTORIC VALUE OR INTEREST.

WHEREAS:

1. Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18 authorizes the Council of a municipality to enact by-laws to designate a property within the municipality including all buildings and structures thereon to be of architectural or historic value or interest.
2. The City owns the lands.
3. Council has served the Notice of Intention upon the Ontario Heritage Foundation providing Notice of Intention to designate Maplehurst on the Lands as being of historic and architectural value or interest and has caused such Notice of Intention to be published in the Thorold News, a newspaper having general circulation in the municipality on the 10th day of November, 2001.
4. No Notice of Objection to the proposed designation has been served upon the City.


NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF THOROLD ENACTS AS FOLLOWS:

1. In this by-law and its preambles:
 - (a) "Building" means any premises or structures on the Lands.
 - (b) "City" means the Corporation of the City of Thorold;
 - (c) "Council" means the Council of the City;
 - (d) "Designated" or "Designation" means the designating of the building known as Maplehurst and the Lands upon which it is situated to be of historic and architectural value or interest pursuant to the relevant provisions in the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18 as amended;
 - (e) "Lands" means lands and premises and buildings or improvements thereon described in Schedule "A" annexed hereto and made part of this by-law;
 - (f) "Notice of Intention" means the Notice set out in Schedule "B" annexed to and made part of this by-law.
2. The building known as Maplehurst (previously known as the Keefer House) and the Lands upon which it is situated as such are described in Schedule "A" annexed to this By-law are designated as being of architectural and historic value and interest.

3. The Municipal Solicitor is hereby authorized to cause a copy of this by-law and a copy of the reasons for designation, as stated in Schedule "B" to this by-law, to be registered on the title to the lands at the Registry Office for the Registry Division of Niagara South at Welland.
4. The Clerk of the City is hereby authorized to cause a copy of this by-law to be served upon the Ontario Heritage Foundation and to cause Notice of the passing of this by-law to be published in a newspaper having general circulation in the City.

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL

THIS 5th DAY OF FEBRUARY, 2002.



Mayor



City Clerk

SCHEDULE "A"

DESCRIPTION

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Thorold, formerly the Town of Thorold, in the Regional Municipality of Niagara, formerly the County of Welland, and being:

FIRSTLY:

Part of Block II according to Corporation Plan No. 11 of the said City of Thorold, formerly the Town of Thorold, more particularly described as follows:

COMMENCING in the easterly limits of the said Block II at an iron stake planted therein south 4 degrees, 31 minutes west 313.08 feet from the northeast angle of the said Block II;

THENCE South 88 degrees, 50 minutes west, 388.46 feet more or less to an iron stake planted in the westerly limit of the said Block II;

THENCE Southerly in the westerly limits of the said Block II, 212 feet more or less to the southwest angle of the said Block II;

THENCE Easterly in the southerly limits of said Block II, 368 feet more or less to the southeast angle of the said Block;

THENCE Northerly in the easterly limits of said Block II, 216 feet more or less to the place of beginning.

SAVE AND EXCEPT THEREOUT AND THEREFROM that part of the said Block II more particularly described as follows:

COMMENCING at the southwest angle of Block II;

THENCE Northerly in the westerly limits of the said Block, 123 feet;

THENCE Easterly parallel with the southerly limits of the said Block, 6 feet;

AND THENCE Southerly parallel with the westerly limits of the said Block, 123 feet more or less to the southerly limits of the said Block;

AND THENCE Westerly in the southerly limits of the said Block 6 feet more or less to the place of beginning.

SECONDLY:

Parts of Lots Nos. 4 and 5 according to Registered Plan No. 26 of the said City of Thorold, formerly the Town of Thorold, more particularly described as follows:

COMMENCING at the southeast angle of Lot No. 4;

THENCE South 88 degrees, 50 minutes west in the southerly limit of Lot No. 4, 20.76 feet to a point, said point being the westerly face of a stone wall;

THENCE North 0 degrees, 23 minutes east in the westerly face of said wall, 17.33 feet to a point, said point being the north-westerly angle of said stone wall;

THENCE North 87 degrees east in the northerly face of said stone wall, 8.08 feet to an angle point of said wall;

Schedule "A"

Page Two

THENCE South 0 degrees 23 minutes west in the face of said wall, 8.26 feet to an angle point in said wall;

THENCE North 87 degrees east in the northerly face and the easterly production of said northerly face of said stone wall 50 feet to a point;

THENCE South 0 degrees, 23 minutes west, 10.93 feet to a point in the southerly limit of Lot No. 5;

THENCE South 88 degrees, 50 minutes west in the southerly limit of Lot No. 5, 37.25 feet to the southwest angle of Lot No. 5, being the place of beginning.

SAVE AND EXCEPT THEREOUT AND THEREFROM that part of Lot No. 4 more particularly described as follows:

COMMENCING in the southerly limits of the said Lot at a point therein South 88 degrees, 50 minutes west, 20.75 feet from the southeast angle of said Lot, which point is the westerly face of a stone wall;

THENCE North 0 degrees, 23 minutes east in the westerly face of said wall, 17.33 feet to the northwesterly angle of said wall and which angle is the place of beginning of the land to be described herein;

THENCE North 87 degrees east in the northerly face of said stone wall, 8.08 feet to an angle point of the said wall;

THENCE South 0 degrees, 23 minutes west in the easterly face of said wall, 8.25 feet to an angle point in the said wall;

THENCE South 87 degrees west along the westerly production of the northerly face of the said wall and along the northerly face of the existing wall and its production westerly 8 feet more or less to a point in a line drawn South 0 degrees, 23 minutes west from the place of beginning of the herein described parcel and which point is also in the westerly face of said stone wall;

THENCE North 0 degrees, 23 minutes east in the westerly face of the said wall, 8 feet more or less to the place of beginning.

THIRDLY:

Lot No. 4 according to Registered Plan No. 26 of the said City of Thorold, formerly the Town of Thorold, SAVE AND EXCEPT the southeasterly portion thereof more particularly described as follows:

COMMENCING at the southeast angle of the said Lot No. 4;

THENCE South 88 degrees and 50 minutes west in the southerly boundary of the said Lot No. 4, 20.75 feet to a point in the westerly face of a stone wall;

THENCE North 0 degrees and 23 minutes east in the westerly face of said wall, 17.33 feet to a point being the northwesterly angle of said stone wall;

THENCE North 87 degrees east in the northerly face of said stone wall, 8.08 feet to an angle point of said wall;

THENCE South 0 degrees, 23 minutes west in the face of said wall, 8.25 feet to an angle point in said wall;

THENCE North 87 Degrees east in the northerly face of the said wall and its easterly production to the easterly limits of said Lot No. 4;

THENCE Southerly in the easterly limits of said Lot No. 4, 17 feet more or less to the place of beginning.

FOURTHLY:

Part Lot No. 4 according to Registered Plan No. 26 of the said City of Thorold, formerly the Town of Thorold, more particularly described as follows:

COMMENCING in the southerly limits of the said Lot No. 4 at a point therein south 88 degrees and 50 minutes west, 20.75 feet from the southeast angle said Lot which point is the westerly face of a stone wall;

THENCE North 0 degrees, 23 minutes east in the westerly face of said wall, 17.33 feet to the northwesterly angle of said wall and which angle is the place of beginning of the land to be described herein;

THENCE North 87 degrees east in the northerly face of said stone wall, 8.08 feet to an angle point of the said wall;

THENCE South 0 degrees and 23 minutes west in the easterly face of the said wall, 8.25 feet to an angle point in the said wall;

THENCE South 87 degrees west along the westerly production of the northerly face of the said wall and along the northerly face of the existing wall and its production westerly 8 feet more or less to a point in a line drawn South 0 degrees, 23 minutes west from the place of beginning of the herein described parcel and which point is also in the westerly face of said stone wall;

THENCE North 0 degrees, 23 minutes east in the westerly face of the said stone wall, 8 feet more or less to the place of beginning.

EXCEPT all Lot 4, Plan 912, as in 560164.

"SCHEDULE B"

NOTICE OF INTENTION TO DESIGNATE

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER 0.18
AND IN THE MATTER OF THE LANDS AT THE FOLLOWING LOCATION IN THE
CITY OF THOROLD, IN THE PROVINCE OF ONTARIO.

TAKE NOTICE that the Council of the Corporation of the City of Thorold intends to designate the building known as Maplehurst and the Lands upon which is situated, located at 14 St. David's Street West, as a property of architectural and historical value or interest under Part IV of The Ontario Heritage Act, R.S.O. 1990 Chapter 0.18, Section 29.

SHORT STATEMENT OF THE REASONS FOR THE PROPOSED DESIGNATION:

Maplehurst
14 St. David's Street West
Part Block 11, Plan 11, NP898,
Part Lots 4 and 5, Plan 1890
Thorold, Ontario

The Keefer House known as Maplehurst, is located on the northwest corner of St. David's Street West and John Street.

HISTORICAL

Maplehurst is a significant landmark in the City of Thorold and a source of pride to its citizens. Built by Hugh Keefer and located on the highest elevation, the first stone for Maplehurst was laid May 20, 1885 and a year later the building was near completion. The significance of landscape is its high elevation with commanding views. Folklore maintains that when built the Keefer family could survey shipping on the Welland Canal from this vantage point. The principle public views should be preserved and enhanced as part of the City's urban heritage. Second only to the home of William Hamilton Merritt, it is the most important residence connected to the development of the Welland Canal and is, therefore, important to the development of Canada and to our Canadian history.

It is the home of Thorold's founding family who were leading citizens in the community and entrepreneurs. George served in the Lincoln Militia during the War of 1812; the Keefer house was commandeered as a hospital by the American occupation forces in 1813; George's wife Catherine (Lampman) died of typhoid fever after nursing American soldiers wounded in the Battle of Beaverdams. A surveyor, a cabinet-maker, and local magistrate, George operated a general store, built and operated a grist mill and two saw mills, thus creating the nucleus of the new settlement. He was an original stock-holder and first president of William Hamilton Merritt's Welland Canal Company when the first sod was turned November 30, 1824.

Samuel, one of George's sons, superintended the building of the stone locks on the 2nd Canal, planned the Parliament Buildings, built the first suspension bridge in Canada at Ottawa and the longest suspension bridge in the world at that time at Niagara Falls (1868). Another son, Thomas C. Keefer was an author and eminent canal and railway engineer for the Canadian government. He was President of both the Canadian and American Societies of Civil Engineers.

Jacob Keefer founded the Welland Mills (the largest in Canada) in 1845; this mill later became the Maple Leaf Flour Mills. Hugh, the builder of Maplehurst, built Vancouver's first sewer system. He also owned granite and sandstone quarries as well as a brickyard in Vancouver.

ARCHITECTURAL

Maplehurst is located in a dramatic setting; the significance of the landscape is its high elevation with commanding views. The principle public viewsapes from the south and southeast enhance the City's urban heritage. The exterior facades of the south, east and west, including the verandah are important areas of the exterior, as is the stone wall along the south boundary of the property.

Significant exterior architectural features include the following:

- Richardsonian Romanesque style
- Iron Cresting
- Red stone with Queenston white stone trim
- Stone Chimneys
- Front entrance and double doors
- Roof wood soffits/facias
- Double-hung wood windows
- Roof cupola
- Gable decorative barge boards

Significant historic interior spaces (1st floor):

<u>Vestibule</u>	double doors wood mouldings stained glass
<u>Hall</u>	grand staircase doors and panelling wood mouldings
<u>Double Parlour</u>	fireplaces dividing arch doors and windows wood mouldings
<u>Library</u>	fireplace doors and windows wood mouldings
<u>Dining Room</u>	fireplace bay window doors and windows wood mouldings

The skylit former billiard room in the roof space on the third floor is significant, including ceiling profile, wood mouldings and clerestory window. As well, the unique stairwell to the roof deck is considered of architectural significance.

Any person may object to the proposed designation within thirty (30) days after the date of the publication of the Notice of Intention by serving on the Clerk of the Corporation of the City of Thorold a notice of objection setting out the reason for the objection and all relevant facts. The last day for filing objections will be Monday, December 10, 2001. All objections received within the aforementioned time period will be referred to the Heritage Conservation Review Board for a hearing and report.

Schedule "B"
Page Three

DATED at the City of Thorold this 10th day of November, 2001.

J. K. Bice, City Clerk
Corporation of the City of Thorold
P.O. Box 1044, 8 Carleton Street South
Thorold, Ontario L2V 4A7

<div style="text-align: center;"><p>FOR OFFICE USE ONLY</p><p>774798</p><p>CERTIFICATE OF REGISTRATION CERTIFICAT D'ENREGISTREMENT NIAGARA SOUTH/SUD (59)WILLAND</p><p>02 02 13 15 40</p><p><i>Stuart Ellis</i></p><p>LAND REGISTRAR</p></div> <div style="margin-top: 20px;"><p>New Property Identifiers</p><p style="text-align: right;">Additional: See Schedule <input type="checkbox"/></p></div> <div style="margin-top: 10px;"><p>Executions</p><p style="text-align: right;">Additional: See Schedule <input type="checkbox"/></p></div>	<p>(1) Registry <input checked="" type="checkbox"/> Land Titles <input type="checkbox"/></p>	<p>(2) Page 1 of 9 pages</p>												
	<p>(3) Property Identifier(s) Block Property</p> <p style="text-align: right;">Additional: See Schedule <input type="checkbox"/></p>													
	<p>(4) Nature of Document</p> <p style="text-align: center;">By-law 12-2002 under Ontario Heritage Act</p>													
	<p>(5) Consideration</p> <p style="text-align: right;">Dollars \$</p>													
	<p>(6) Description</p> <p style="text-align: center;">Part Block II Plan 898, Thorold and Part Lot 5 Plan 912 City of Thorold Regional Municipality of Niagara as described in No. 774125.</p> <p style="text-align: center;">See Schedule attached.</p>													
<p>(7) This Document Contains:</p> <table style="width:100%;"><tr><td style="width:33%;">(a) Redescription New Easement Plan/Sketch <input type="checkbox"/></td><td style="width:33%;">(b) Schedule for: Description <input checked="" type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input checked="" type="checkbox"/></td></tr></table>			(a) Redescription New Easement Plan/Sketch <input type="checkbox"/>	(b) Schedule for: Description <input checked="" type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input checked="" type="checkbox"/>										
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<p>(8) This Document provides as follows:</p> <div style="height: 150px;"></div> <p style="text-align: right;">Continued on Schedule <input type="checkbox"/></p>														
<p>(9) This Document relates to instrument number(s)</p>														
<p>(10) Party(ies) (Set out Status or Interest)</p> <table style="width:100%;"><tr><td style="width:45%;">Name(s)</td><td style="width:35%;">Signature(s)</td><td style="width:20%;">Date of Signature Y M D</td></tr><tr><td>THE CORPORATION OF THE CITY OF THOROLD</td><td></td><td></td></tr><tr><td>by its solicitor</td><td></td><td></td></tr><tr><td>Stuart Ellis</td><td><i>Stuart Ellis</i></td><td>2002 02 13</td></tr></table>			Name(s)	Signature(s)	Date of Signature Y M D	THE CORPORATION OF THE CITY OF THOROLD			by its solicitor			Stuart Ellis	<i>Stuart Ellis</i>	2002 02 13
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Stuart Ellis	<i>Stuart Ellis</i>	2002 02 13												
<p>(11) Address for Service 8 Carleton Street South, P.O. Box 1044, Thorold, ON L2V 4A7</p>														
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<p>(13) Address for Service</p>														
<p>Municipal Address of Property</p> <p>14 St. David's Road W. Thorold</p>	<p>(15) Document Prepared by:</p> <p>LAMPARD, ELLIS & WALSH 51 Queen Street, P.O. Box 338, St. Catharines, ON L2R 6V5</p>	<table border="1" style="width:100%; border-collapse: collapse;"><tr><th colspan="2">Fees and Tax</th></tr><tr><td style="width:50%;">Registration Fee</td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td>Total</td><td> </td></tr></table>	Fees and Tax		Registration Fee								Total	
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