THE CORPORATION OF THE TOWN OF ANCASTER

BY-LAW NO. 83-95

To Designate the Lands and Building Municipally known as 1034 Highway No. 53 West, in the Town of Ancaster, as Lands and Building of Historic Value, Architectural Value and Interest

WHEREAS this Council is empowered under subsection (6) of Section 29 of the Ontario Heritage Act, R.S.O. 1980, Chapter 337, to enact By-laws to designate real property, including buildings and structures thereon, as described in Schedule "A" attached hereto to be of historic or architectural value or interest, and

WHEREAS this Council has caused to be served upon the owners of the lands and premises municipally known as 1034 Highway No. 53 West, in the Town of Ancaster, and upon the Ontario Heritage Foundation notice of intention to so designate the described property and has caused such notice of intention to be published in a newspaper having a general circulation in this municipality once for each of three consecutive weeks, and

WHEREAS no notice of objection to the proposed designation of the described property has been served on the Clerk of this municipality within the time prescribed by the said Statute, and

WHEREAS this Council's reasons for the proposed designation are as set forth in Schedule "B" attached hereto.

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF ANCASTER ENACTS AS FOLLOWS:

1. In this By-law the word "property" means real property and includes all buildings and structures thereon.

2. There is hereby designated as being of historic value, architectural value and interest the property municipally known as 1034 Highway No. 53 West, in the Town of Ancaster, and more particularly described in Schedule "A" attached hereto.

3. YATES and YATES are hereby authorized and directed to cause a copy of this By-law to be registered against the property described in Schedule "A" attached hereto in the Land Registry Office for the Registry Division of Wentworth.

4. The Clerk is hereby authorized and directed to cause a copy of this By-law to be served upon the owner of the property and upon the Ontario Heritage Foundation and to cause notice of this By-law to be published in a newspaper having general circulation in the Town of Ancaster.

ENACTED AND PASSED THIS 12th DAY OF SEPTEMBER 1983.

Mayor

Clerk

SCHEDULE "A"

DESCRIPTION OF LANDS

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the Town of Ancaster in the Regional Municipality of Hamilton-Wentworth (formerly the Township of Ancaster in the County of Wentworth) in the Province of Ontario.

Being composed of Part of Lot 36 in the 4th Concession of the said Township. PREMISING that the Bearings stated herein are astronomic and are referred to The King's Highway No. 53 shown on Deposited Plan No. 152 Miscellaneous as North Seventy-Six Degrees and Four Minutes and Twenty-Five Seconds East (N.76°04'25"E.) and which may be more particularly described as follows, that is to say,

COMMENCING at an Iron Bar found in the Northern Limit of the said Lot, being also the Southern Limit of the Road Allowance between Concessions 3 and 4 and known as The King's Highway No. 53, as shown on the said Deposited Plan No. 152 Misc.; the said Iron Bar being distant Three Hundred and Sixty-Seven Feet and No Inches (367'0") measured on a course of South Seventy-Six Degrees and Four Minutes and Twenty-Five Seconds West (S.76°04'25"W.) along the said Limit of the said Lot, from an Iron Bar found at the North Eastern angle of the said Lot;

THENCE South Seventy-Six Degrees and Four Minutes and Twenty-Five Seconds West (S.76°04'25"W.) along the said Northern Limit of the said Lot, being also the said Limit of The King's Highway No. 53, One Hundred and Forty-One Feet and No Inches (141'0") to an Iron Bar planted;

THENCE South Thirteen Degrees and Four Minutes and Five Seconds East (S.13°04'05"E.) in a straight line, Three Hundred and Twenty Feet and No Inches (320'0") to an Iron Bar planted;

THENCE North Seventy-Six Degrees and Four Minutes and Twenty-Five Seconds East (N.76°04'25"E.) and parallel with the Northern Limit of the said Lot, One Hundred and Forty-One Feet and No Inches (141'0") to an Iron Bar found;

THENCE North Thirteen Degrees and Four Minutes and Five Seconds West (N.13°04'05"W.) in a straight line, Three Hundred and Twenty Feet and No Inches (320'0") to the Place of Commencement.

SCHEDULE "A"

DESCRIPTION OF LANDS

The above described parcel of land containing by admeasurement One and Four Hundredths Acres (1.04 acres $\pm$) be the same more or less and shown on a Plan of Survey by Sidney W. Woods, Ontario Land Surveyors and dated October 13th, 1972 at Hamilton, Ontario.

SCHEDULE "B"

REASONS FOR DESIGNATION OF THE PHILIP SHAVER HOUSE, 1034 HIGHWAY NO. 53 WEST, IN THE TOWN OF ANCASTER

This building known as 1034 Highway No. 53 West, in the Town of Ancaster, has a very historic and architectural value and interest. This home is a beautifully proportioned brick Georgian style home with a wing at right angles to the main part and a further post and beam wood construction addition to extend it. The date of construction is 1835 as shown on the stone at the front entrance door.

Without restricting the generality of the foregoing the reasons for this Council designating the described premises include the intention that the following features of the described premises should be preserved, that is,

(a) the front or north facade, the east facade of the brick part - the west facade of the brick part including the windows and shutters and all associated parts, and

(b) the roof and the eaves, fenestrations, including soffits, fascias and barge boards, and

(c) the three chimneys, one each end of main house and at the back of the brick wing, and

(d) the front door including the sidelights and associated portico with its fine details and the porch and sill, also the date and key stones, and

(e) the main stairway including the bannisters, newel posts and spindles and all other associated woodwork, and

(f) all wooden architectural elements including doors, trim, baseboards on the interior except for floors, and

(g) the wooden shelter and elements of the well, but

this Council has no intention that any alteration, maintenance, repair, replacement or improvement of elements of the premises requires the prior written consent of this Council unless such affect the reasons for the designation of the premises as described in paragraphs (a) to (g) herein.