THE CORPORATION OF THE CITY OF GUELPH

By-law Number (1979) - 10058

AUG 27 1979

A by-law to designate all, or portions of, the properties at 96-98 Water Street, 108 Water Street (The McCrae Birthplace Museum), 40 Albert Street and 264 Woolwich Street as buildings and properties of Architectural and Historical Importance.

WHEREAS 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, or portions thereof, to be of historical or architectural value or interest; and

WHEREAS the Council of the Corporation of the City of Guelph has caused to be served upon the owners of the lands and premises known as 96-98 Water Street, 108 Water Street (The McCrae Birthplace Museum), 40 Albert Street and 264 Woolwich Street, and upon the Ontario Heritage Foundation, notice of intention to so designate all of, or portions of, the aforesaid real properties and has caused such notice of intention to be published in a newspaper having general circulation in the municipality once for each of three consecutive weeks; and

WHEREAS the reasons for designation are set out in Schedule "C" hereto; and

WHEREAS no notice of objection to the said proposed designations has been served upon the clerk of the municipality;

THEREFORE, the Council of the Corporation of the City of Guelph enacts as follows:

1. There are designated as being of historic and architectural value and interest, portions of the original residence at 96-98 Water Street, the total property at 108 Water Street (The McCrae Birthplace Museum), portions of the residence at 40 Albert Street and portions of the residence and premises at 264 Woolwich Street, which are more specifically described in Schedule "B" to this by-law.

2. The City Solicitor is hereby authorized to cause a copy of this by-law to be registered against the properties described in Schedule "A" hereto, in the proper land and registry office.

3. The City Clerk is hereby authorized to cause a copy of this by-law to be served upon the owners of the aforesaid properties 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 City of Guelph.

PASSED by the Council of the Corporation of the City of Guelph this seventh day of May, 1979.

Norman Jary
MAYOR

W. Gordon Hall
CLERK

I, W. GORDON HALL, Clerk of the Municipality of the City of Guelph, hereby certify that the above copy of a by-law is a true copy of by-law Number (1979)-10058 of the City of Guelph, Passed on the Seventh day of May, 19 79,

IN TESTIMONY WHEREOF are hereunto set the seal of the Corporation of the City of Guelph and the hand of the Clerk of the said Corporation this Twenty-Fourth day of August, 19 79

W. Gordon Hall
Clerk

SCHEDULE "A"

By-law Number (1979) - 10058

This by-law is to be registered on the title to each of the following properties:

96 Water Street

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Guelph, in the County of Wellington and Province of Ontario; being composed of parts of Lots Numbers Thirty-Four (34) and Thirty-five (35) according to Registered Plan No. 37 for the said City and which said parcel or tract of land and premises may be more particularly described as follows:

PREMISING that the southeasterly limit of Water Street has a bearing of North 45 degrees 12 minutes East and relating all bearings herein thereto;

COMMENCING at the northerly angle of Lot 35;

THENCE South 45 degrees 12 minutes West along the southeasterly limit of Water Street a distance of 43.62 feet;

THENCE South 44 degrees 48 minutes East to and along the centre of a frame partition in the Veranda of a double stone house twenty-three and forty-five one-hundredths (23.45) feet to the northwesterly face of the northwesterly stone wall of said double house;

THENCE North 45 degrees 12 minutes East along the said face of said wall four and forty-five one-hundredths (4.45) feet;

THENCE South 44 degrees 53 minutes East along the centre of a division wall in said double house twenty and sixty-two one-hundredths (20.62) feet;

THENCE South 45 degrees 43 minutes West along the centre line of a stone division wall eight and nine one-hundredths (8.09) feet to the centre of another stone division wall;

THENCE South 44 degrees 48 minutes East along the centre of said last mentioned stone division wall thirteen and seventy-one one-hundredths (13.71) feet to the southeasterly face of the southeasterly stone wall of said double house;

THENCE South 45 degrees 12 minutes West along the said last mentioned face of wall Eighty-seven one-hundredths (.87) of a foot to a corner of said stone house;

THENCE South 44 degrees 48 minutes East thirty-eight and thirty-five one-hundredths (38.35) feet to an oak stake planted;

THENCE South 45 degrees 12 minutes West thirty-eight and ninety-eight one-hundredths (38.98) feet to an oak stake planted in the north-easterly limit of lands formerly conveyed to Roy McGinnis by Registered Instrument C54-45346 for said City;

THENCE North 45 degrees 12 minutes East a distance of 48.53 feet more or less to the southwesterly limit of Mary Street;

THENCE North 45 degrees West along the northeast limit of said Lots 34 and 35 being also along the southwesterly limit of Mary Street a distance of 87.29 feet more or less to the point of commencement.

...2

98 Water Street

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Guelph, in the County of Wellington and Province of Ontario; being composed of parts of Lots 34 and 35 according to Registered Plan 37 for the said City, and which said parcel or tract of land and premises may be more particularly described as follows:

COMMENCING at a point in the northwesterly limit of Lot 35 distant 45.0 feet measured northeasterly therealong from the most westerly angle of Lot 35;

THENCE North 45° 12' East along the northwesterly limit of Lot 35, being along the southeasterly limit of Water Street, 43.50 feet to a point distant 43.62 feet measured southwesterly along the northwesterly limit of Lot 35 from the most northerly angle thereof;

THENCE South 44° 48' East to and along the centre of a frame partition in the veranda of a double stone house 23.45 feet to the northwesterly face of a northwesterly stone wall of said double house;

THENCE North 45° 12' East along the said face of said wall 4.45 feet;

THENCE South 44° 53' East along the centre of a division wall in said double house 20.62 feet;

THENCE South 45 degrees 43 minutes West along the centre-line of a stone division wall 8.09 feet to the centre of another stone division wall;

THENCE South 44° 48' East along the centre of said last mentioned stone division wall 13.71 feet to the southeasterly face of the southeasterly stone wall of said double house;

THENCE South 45° 12' West along the said last mentioned face of wall 0.87 of a foot to a corner of said stone house;

THENCE South 44 degrees 48 minutes East 30.28 feet to the northwesterly limit of the lands conveyed to Allan N. Gray and Audrey L. Gray by Registered Instrument M-20248;

THENCE South 44° 22' West, along the northwesterly limit of the lands conveyed by Registered Instrument M-20248, 39.0 feet more or less to the northeasterly limit of the lands conveyed to Roy McGinnis by Registered Instrument 45346 C54;

THENCE North 44° 48' West, along the northeasterly limit of the lands conveyed by Registered Instrument 45346 C54, 88.63 feet to the point of commencement.

108 Water Street

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Guelph, in the County of Wellington, containing by admeasurement forty-eight (48) perches of land, more or less, and being composed of Lot No. 36 according to Registered Plan No. 37 for the said City.

40 Albert Street

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Guelph, in the County of Wellington and Province of Ontario, being composed of Lot No. 16, on Albert Street, in Thompson's Survey of parts of the North-east Halves of Lots Numbers 1 and 2 in the Third Concession of Division "C", as shown on Registered Plan No. 37.

264 Woolwich Street

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of Guelph, in the County of Wellington and Province of Ontario, being composed of all of Lot No. 58 and a portion of adjoining Lot No. 42, both in Hubbard's Survey, Registered Plan No. 35, which may be more particularly described as follows:

PREMISING that the Northeasterly limit of the said lots, being Southwesterly limit of then Norfolk Street, now Woolwich Street, has a bearing South Thirty-four degrees (34°) and Ten minutes (10') East and relating all bearings herein thereto:

COMMENCING at the Northerly angle of said Lot No. 58;

THENCE South Fifty-five degrees (55°) and Fifty minutes (50') West, Ninety-nine feet (99') more or less to the Westerly angle of said Lot No. 58;

THENCE South Thirty-four degrees (34°) and Ten minutes (10') East, One Hundred and Five and Sixty one-hundredths feet (105.60') more or less to the Southerly angle of the said Lot No. 42;

THENCE North Fifty-five degrees (55°) and Fifty minutes (50') East along Charles Street, Eleven feet (11');

THENCE North Thirty-four degrees (34°) and Ten minutes (10') West, Forty and Fifty-nine one-hundredths feet (40.59');

THENCE North Fifty-five degrees (55°) and Fifty minutes (50') East, Eighty-eight and Twenty-two one-hundredths feet (88.22') more or less to Woolwich Street;

THENCE North Thirty-four degrees (34°) and Ten minutes (10') West, along Woolwich Street, Sixty-five and One one-hundredth feet (65.01') more or less to the place of beginning.

SCHEDULE "B"

By-law Number (1979) - 10058

Elements of Properties and Buildings Being Designated

96-98 Water Street

The limestone walls on three sides of the original house (those walls facing Water Street, Mary Street and in a westerly direction) and the roof. The eight carved heads on the front gable-end are worthy of special mention. Original woodwork in the interior and the main staircase lit by a skylight are also designated by this by-law as being of architectural importance.

108 Water Street

The entire property owned by The Colonel John McCrae Birthplace Society is designated by this by-law.

40 Albert Street

The whole of the limestone front portion of the residence is designated by this by-law, with the exception of the back wall which is built into three other portions of the house. The central frame section to the rear is designated, as is the restoration work and original interior details within the building.

264 Woolwich Street

The exterior of the two-storey stone section of the residence is designated by this by-law, including carved stone ornamentation, the front doors and front windows. The stone parapet wall which surrounds the front yard, topped with cast-iron cresting and terminated by monolithic stone piers, is also designated. Later single-storey additions on the south and west walls are not included in the designation.

SCHEDULE "C"

By-Law Number (1979) - 10058
Statement of Reasons for Designations

96 - 98 Water Street (Bell-O'Donnell House)

This house was built of local limestone, circ 1858, by Matthew Bell (1820 - 1883), Guelph stone carver and mason, who was a native of Newcastle, England. It has received national recognition for its distinctive series of eight carved stone heads. The sculptural decoration of the north-east gable is a notable feature of the house. Presently a duplex dwelling, the building has survived 121 years with little alteration. The interior contains much of the original woodwork, including an unusual curved staircase lit by a skylight. The designation does not include the rear (southerly) wall of the original two-storey house or any existing or future addition or accessory building attached to, or behind, the rear walls.

108 Water Street (The McCrae Birthplace Museum)

This modest limestone cottage, built in the early 1860's, was the birthplace of Guelph's famous poet-physician-soldier, Lt. Col. John McCrae (1872-1918). The property was purchased in 1966 by the McCrae Birthplace Society and carefully restored under the supervision of architect Peter Stokes in 1968. It now functions as an active museum and is a major tourist attraction to this city. The national significance of the building has been recognized with a plaque of the National Historic Sites and Monuments Board of Canada. It adjoins the McCrae Memorial Gardens, developed in 1946 by the Colonel John McCrae Memorial Branch 237, of the Canadian Legion. The structural character and details of the stone house, the porch and the board and batten accessory building are representative of domestic architecture in this area during the 1860's.

40 Albert Street (Bell-Carlton House)

Matthew Bell, accomplished local stone carver and masonry contractor, built this stone house c. 1872, although there is a possibility that the frame central section is of earlier date. It is one of a series of notable stone houses which Bell constructed in Guelph. The distinguished scale and proportion of the building have been enriched with fine sculptural details in stone, including the window lintels, the ornate framing of the central doorway, and the three carved stone heads. The present owner, Professor R. Carlton, has taken great care in repairing the masonry and in restoring the original architectural fabric of both the interior and exterior. The house received the 1977 Award of Merit from the Guelph Arts Council for the quality of the restoration work which has been undertaken.

264 Woolwich Street

Built about 1858-59, this well-proportioned two-storey house provides a unique example of the richly-carved stone ornamentation characteristic of Italianate Style in Guelph's mid-19th Century architecture. The impressive carved forms used as lintels and enrichments for the facade have been attributed to the Guelph sculptor Matthew Bell, and reflect his distinguished craftsmanship. These features are rarely found elsewhere in the Province. A fine stone parapet wall, topped with cast-iron cresting, parallels the street. Its gateposts and termination piers are each formed from single massive blocks of stone. The interior of the house retains portions of its original detailing. The 19th-Century double door and window sash contribute to the period character of the front facade. Later single-storey additions on the south side and west side are not included in the designation.

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A by-law to designate all, or portions of, the properties at 96-98 Water Street, 108 Water Street (The McCrae Birthplace Museum), 40 Albert Street and 264 Woolwich Street as buildings and properties of Architectural and Historical Importance.

Read a first and second time at 8:55 o'clock p.m., May 7, 1979

Read and passed in Committee at 9:00 o'clock p.m., May 7, 1979

Read a third time and passed at 9:02 o'clock p.m., May 7, 1979

No. 220902
Registry Division of Wellington South (No. 61)
I CERTIFY that this instrument is registered as of
P.M. 1·32.
AUG 24 1979 in the
Land Registry Office
at Guelph
Ontario.

LAND REGISTRAR

6 lots

202
City of Guelph