**THE CORPORATION OF THE TOWNSHIP OF SPRINGWATER**

**BY-LAW NO. 2001-007**

**Being a Bylaw to designate the property being part of the Martin Street unopened road allowance, Registered Plan Number 261A, formerly in the Village of Hillsdale, Township of Medonte, 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.***

**(HERITAGE PROPERTY DESIGNATION - HILLSDALE LOCKUP)**

**WHEREAS** Part IV of the *Ontario Heritage Act*, R.S.O., as amended, provides that bylaws may be passed by council designating properties of historic or architectural value;

**AND WHEREAS** the building known as the former Hillsdale Lockup located on a part of the Martin Street unopened road allowance, Registered Plan Number 261A, formerly in the Village of Hillsdale, Township of Medonte, now in the Township of Springwater, in the County of Simcoe, has been identified by the Township of Springwater Heritage Committee (LACAC) as being eligible for designation under Part IV of the *Ontario Heritage Act*;

**AND WHEREAS** Notice of Intention to pass a Designation Bylaw was given in accordance with Section 29 of the *Ontario Heritage Act* in the manner as set out in Schedule "C" of this Bylaw on or before the 4th day of January, 2001;

**AND WHEREAS** no person has filed any objection to the Designation Bylaw;

**AND WHEREAS** the Council of The Corporation of the Township of Springwater deems it desirable to designate the lands with the building known as the former Hillsdale Lockup, formerly in the Village of Hillsdale, Township of Medonte, 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 with a building known as the former Hillsdale Lockup, formerly in the Village of Hillsdale, Township of Medonte, 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 Bylaw, 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 Bylaw, are hereby adopted.

3. THAT the Clerk shall cause a copy of this Bylaw, together with its Schedules to be registered against the property in the Land Registrar's Office for Simcoe County and shall serve, by Registered Mail, a copy of the By-law together with its Schedules upon the property owner and the Ontario Heritage Foundation.

4. THAT the Bylaw shall take force and effect upon final passage hereof.

**READ A FIRST AND SECOND TIME THIS 5TH DAY OF FEBRUARY, 2001**
**READ A THIRD TIME AND FINALLY PASSED THIS 5TH DAY OF FEBRUARY, 2001**

**THE CORPORATION OF THE TOWNSHIP OF SPRINGWATER**

[redacted]

**Mayor Helen E. Coutts**

[redacted]

**Clerk Eleanor J. Rath**

**THE CORPORATION OF THE TOWNSHIP OF SPRINGWATER**

**BY-LAW NO. 2001-007**

**SCHEDULE "A"**

## LEGAL DESCRIPTION

The subject property is part of the Martin Street unopened road allowance, Registered Plan Number 261A, the former Village of Hillsdale, Township of Medonte, now the Township of Springwater.

The last registered legal description is included in the Indenture of Bargain and Sale Number 7757, dated August 1906, between the Corporation of the Township of Medonte and the Corporation of the County of Simcoe:

In the Township of Medonte in the County of Simcoe and being composed of a part of Lot Number 55 in the First Concession of the said Township of Medonte, described as follows, that is to say; Commencing at the northeast angle of Lot Number 5 on the west side of the Penetanguishene Road as shown on registered plan Number 145, thence westerly along the northern boundary or limit of said Lot 5 and said limit produced westerly 176 feet; thence northerly parallel to the westerly side of the said Penetanguishene Road, as at present travelled, 27 feet; thence easterly and parallel with the northern boundary of said Lot Number 5, 176 feet to the westerly side of the said Penetanguishene Road 27 feet more or less to the place of beginning, the same being part of a road or street laid out on the north side of said Lot Number 5.

**THE CORPORATION OF THE TOWNSHIP OF SPRINGWATER**

**BY-LAW NO. 2001-007**

**SCHEDULE "B"**

## REASONS FOR DESIGNATION

### Historical

The building of lockup houses in Simcoe County began in 1852 when County Council had one constructed in Orillia and allotted a salary for a keeper or caretaker. Lockups were small scale, fortified buildings with cells designed for the temporary holding of prisoners. Part of the interior space often was allocated for justice administration and other municipal functions.

By the early 1870s, County Council was receiving so many applications from municipalities for grants toward the construction of lockups, that it passed a bylaw in October 1874 to regulate the size, materials, purpose, and amount of grant available. The bylaw created three classes of buildings (costing $600; $800; $1200) and set the County contribution as one half, with the balance paid by the local municipality. This bylaw was replaced in January 1887 with Bylaw No. 425.

Provision for lockups in the villages of Coldwater, Hillsdale, and Beeton was defined by County Bylaw No. 476, dated June 19, 1890. The specifications regarding size and dimensions for lockups, as defined by the 1887 Bylaw No. 425, were considered "not applicable" to the requirements of these three villages. The maximum grant was set at $400. In spite of this special bylaw, no lockup was erected in Hillsdale at that date.

Bylaw No. 545 was passed by County Council in January 1894 to further revise the construction specifications and conditions of the grant and repeal all previous bylaws dealing with lockups.

At the June 24, 1900, Council meeting, Report No. 9 of the Standing Committee on County Property recommended approval of a grant of $400 to Medonte township for a lockup in Hillsdale. Council had heard the deputation from the township representative and had a request from Messrs. Leatherdale and Ruby asking for the grant "to assist in building a lock-up in the Village of Hillsdale." The money was to be given to the township "upon their complying with the requirements of Bylaw No. 545 of this County regulating lock-ups." The key requirements were as follows:

1. That all Lock-Up Houses to be erected hereafter in the County of Simcoe shall be of the following dimensions that is to say: That all buildings erected for the purpose of Lock-Up Houses shall be built of stone or brick, 15x20 feet; walls, 10 feet high, with gable or cottage roof; main walls to be not less than 18 inches thick, and partition walls not less than 9 inches thick. The ceiling to be of good three inch plank well fastened down. The doors to be of oak 2 inches thick, with substantial fastenings. The floors to be of either stone or concrete well laid. Windows to be furnished with iron bars well laid into the brick work. There shall be 3 cells with iron doors suitably fastened.

2. That no grant from this county for such houses shall exceed the sum of $400; and no portion of the said sum shall be paid until the deed of the site shall be made over to this county and lodged in the Treasurer's office thereof, nor until the said building shall have been inspected and approved of by a competent person to be named and appointed by the Committee on County Property of this county.

3. [Refers to lockups within existing municipal halls.]

4. That all Lock-Up Houses erected or to be erected within the County of Simcoe shall be maintained and kept in repair by the local Corporation in which the same is located; which shall also have the appointment of the caretaker thereof, and be responsible for his remuneration therefor.

In spite of the grant approval in June 1900, Medonte Council still did not act. The Medonte Council minutes for the next five years refer to the lack of action on the matter. Issues of the *Elmvale Lance* newspaper during this period often refer to "the long talked of lockup" and the need for a constable (April 22, 1903; December 6, 1905).

County Council passed Bylaw No. 761 on July 9, 1904, with the purpose of replacing all previous bylaws dealing with lockups. There was minimal change in the standard construction specifications or administrative requirements of the previous bylaws.

On December 15, 1905, Bylaw No. 812 was passed to change the status of the unincorporated village of Hillsdale to a police village with elected trustees. This was the catalyst for actively pursuing the issue of a lockup. Simcoe County Council stated on January 26, 1906:

WHEREAS a grant of $400 was made at the June Session of the County Council in the year 1900 to build a Lock Up in the village of Hillsdale, And whereas the said grant was never applied for to this Corporation and still remains unpaid. Be it resolved that the grant of $400 to the treasurer of Medonte to be applied on payment of said Lock Up when they have complied with the provisions of the County Bylaw regulating Lock Ups.

In the August 16, 1906, issue of the *Lance* it is reported under "Hillsdale Notes" that: "We are glad to note that our street and police commissioners are proving themselves to be up-to-date. They have a full gang on laying about eight thousand feet of cement side-walk and their new lock-up is about completed. Work speaks louder than words."

On July 12, 1906, Medonte council paid William Campbell a $200 "grant for building lockup." Campbell was a Commissioner for Hillsdale in 1905, then a magistrate following the change of status to a police village on January 1, 1906. He may have guided the construction by the same "full gang" who laid the cement for sidewalks.
There is a local tradition that the lockup may be the work of Hillsdale builder, William John Davenport, however, there is no known evidence to support this attribution. Davenport's business account book (in possession of a descendant) contains the drawings and specifications for the cell doors which were ordered by Davenport from a specialty company. As Davenport was the local agent for a Toronto sheet metal company, the metal ceilings likely were supplied by him.

Medonte township Bylaw No. 440, dated August 16, 1906, approved the conveyance of a parcel of land to the County of Simcoe as the building site "on which to erect a lockup house for the use of the village of Hillsdale and vicinity." The lot is described as part Lot 55, Concession 1, Medonte, commencing at the northeast angle of Lot 5, west Penetanguishene Road, Registered Plan 145. It is within the Martin Street unopened road allowance.

The County Council session of September 20, 1906, accepted the recommendation of the Standing Committee on County Property that the $400 be paid to the Police Trustees of Hillsdale. The terms and conditions of Bylaw No. 761 had been met and the trustees had communicated that the "lock-up is now complete and ready for occupation." The maintenance of the building, including the cleaning, repairing, supplying of firewood and other materials, as well as the caretaker's salary, and per diem fee for a constable, were local responsibilities.

For several years, the lockup was used for its intended purpose of justice administration and temporary confinement of lawbreakers. The County allowed Medonte township and Hillsdale the seemingly unqualified use of the building, in return for its upkeep. Starting in the 1920s, its primary function gave way to uses such as a home for transients, a meeting room for trustees, an electoral polling station, and storage for general supplies.

**Architectural**

Specifications for the construction of lockups were defined by the 1904 County of Simcoe Bylaw No. 761. The Hillsdale lockup seems to have complied with these requirements.

The lockup is fabricated in an aggregate of stone, brick, and concrete, and measures about 20x28 feet. The hip (cottage) roof is clad in pressed metal sheets with folded and raised metal ridges. A chimney stack is placed slightly to the west of centre to serve a wood burning stove. The aluminum soffits and metal gutter system are not original. The exterior is plaster clad, and has been overcoated with similar materials and paint.

The main entrance is centrally placed on the east facade. The door is tongue and groove, V-jointed wood, clad on one side with metal sheeting, and secured by a surface mounted lock.

A flat window opening with a 1x1, double hung sash is on the north facade, at the east. It is not known if this sash is original. There is a similar window opening on the south facade, with a replacement sash.

The interior is divided into an administration area and three cells (on the west). The walls are solid masonry with a plaster slurry coating. The ceiling of the administration area has metal panels with a pressed decoration in diamond and floral patterns. A pressed metal cornice molding joins the ceiling with the walls. The floor is concrete. A tongue and groove, painted wood platform creates an elevated area (about four inches) of the floor in a northeast section of the administration area.

There are three cells along the interior west wall, each measuring approximately 8x6 feet. Each has a window opening with a small, 2x2 double hung sash, confined on the interior with horizontal iron bars. The window openings have lugsills on the exterior. Each cell is secured with a full size gate or door of vertical iron bars hung on pintles and locked with a sliding metal bar. The ceilings have the same metal cladding as the administration area, but without the cornice.

Some of the artifacts found in the building include a set of spindle back chairs; a two drawer table with turned legs; and two long, primitive benches with cutout legs. These and the floor platform are painted a red colour. A Dictator model wood burning stove with metal pipes is in place about centre of the interior.

The *Barrie Examiner* of September 21,1965, noted that: "With a new coat of paint and some renovation the old 'court house' has a new look this year." In September 2000, the building was cleaned and the contents sorted by the Township of Springwater Heritage Committee. In spite of these maintenance measures, the lockup is in a near original condition and presents a significant aspect of the history of justice administration in the County of Simcoe.

**THE CORPORATION OF THE TOWNSHIP OF SPRINGWATER**

**BY-LAW NO. 2001-007**

**SCHEDULE "C"**

# 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 "Hillsdale Lockup" located on Martin Street, Hillsdale was published in the January 4, 2001 edition of The Springwater Source in the Springwater News; and

2. Notice of Intention, together with a copy of the proposed Designation By-law and Schedules, was given by Personal Delivery on the 4th day of January, 2001 to:

   (i) Township of Springwater c/o Clerk and County of Simcoe c/o Clerk as the the owners of the subject property; and

   (ii) Gary French of the East Georgian Bay Historical Foundation

3. Notice of Intention, together with a copy of the proposed Designation By-law and Schedules, were sent by Registered Mail to:

   (i) the Ontario Heritage Foundation

   (ii) Nancy Smith, Senior Administration Clerk, Heritage Properties & Museums Unit, Cultural Programs Branch, Ministry of Citizenship Culture & Recreation on the 13th day of September, 1999

4. Notice of Intention, together with a copy of the proposed Designation By-law and Schedules was copied on the 4th day of January, 2001 to the following

   (i) Su Murdoch of the East Georgian Bay Foundation by e-mail
   (ii) Michael Reed, Township Solicitor by fax

5. Notice of Intention, together with a copy of the proposed Designation By-law and Schedules, were posted on or before the 4th day of January, 2001 at the following locations:

   (i) Township Offices, Midhurst, and
   (ii) Kenzie Knox Building, Elmvale, and
   (iii) Springwater Township Library, Elmvale Branch
   (iv) Township Website

6. Notice of Intention, together with a copy of the proposed Designation By-law and Schedules, were provided in the Agenda package for the January 17th, 2001 meeting of the Springwater Heritage Committee. (LACAC)

SWORN OR AFFIRM before me
at Midhurst, Ontario
in the Township of Springwater,
in the County of Simcoe
this 8th day of February, 2001

[redacted]

**COMMISSIONER OF OATHS**

Julian J. Tofts, a Commissioner,
while Deputy Clerk, The Corporation of the
Township of Springwater

[redacted]

**Eleanor J. Rath, Clerk**