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THE CORPORATION OF THE CITY OF BELLEVILLE

BY-LAW NUMBER 2004-67

**A BY-LAW TO DESIGNATE A CERTAIN PROPERTY WITHIN THE CITY OF BELLEVILLE
TO BE OF HISTORIC OR ARCHITECTURAL VALUE OR INTEREST (THE BOHEMIAN
PENGUIN)**

WHEREAS Section 29 of the Ontario Heritage Act, 1990 as amended provides that where the council of a municipality has given notice of its intention to designate a property to be of historic or architectural value or interest and where objections to said notice of designation are duly received and duly processed through the Conservation Review Board, the council shall pass a by-law designating the property to be of historic or architectural value or interest;

AND WHEREAS all statutory requirements for giving notice of council's intention to pass a by-law designating the property herein described to be of historic or architectural value have been complied with;

AND WHEREAS no objections to said notice of designation were received;

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

1. THAT the property known as The Bohemian Penguin fronting on the east side of Front Street, and west of Pinnacle Street, which parcel of land is more particularly described in SCHEDULE "A" attached hereto, be and the same is designated as a property of historic or architectural value or interest, for the reasons stated in SCHEDULE "B" attached hereto as provided for in the Ontario Heritage Act, 1990 as amended.
2. THAT nothing in this By-law shall be construed to designate any of the lands described in Schedule "A" attached hereto to be of historic or architectural interest, as provided in the Ontario Heritage Act, 1990 as amended.

THIS BY-LAW SHALL COME INTO FORCE AND TAKE EFFECT IMMEDIATELY ON AND AFTER THE PASSING THEREOF.

Read a first time this 10th day of May, 2004.

Read a second time this 10th day of May, 2004.

Read a third time and finally passed this 10th day of May, 2004.


MARY-ANNE SILLS MAYOR


WAYNE B. TOD CITY CLERK

SCHEDULE "A" TO BY-LAW NUMBER 2004-67

The Bohemian Penguin

Part of Lots 6, 7, 12, 13, 14 and 15 according to Registered Plan No. 71 known as municipal number 397-399 Front Street, City of Belleville, County of Hastings.

SCHEDULE "B" TO BY-LAW NUMBER 2004-67

**HISTORICAL BACKGROUND AND REASON
FOR THE PROPOSED DESIGNATION**

The Henderson Building is a fine example of the Second Empire style of the 1860s and 1870s, so named after Napoleon III's 'Second Empire' in France around that time. The typical characteristics of the period's commercial facades are clearly reflected in the buildings appearance. Important as an early example of using cast iron for window adornments, decorated columns and horizontal bands, the building further embodies the style with its tall, narrow casement windows. The hallmark of the style is a high wooden mansard roof, in this case having a convex centre and slightly concave sides which contain ornate dormer windows. This roof was not added until the 1870s, possibly to accommodate an organ and choir loft for the third floor.

Erected in 1859 on the former site of a Methodist bishop's house, the buildings first owner was George Eyre Henderson, a barrister at law. It was purchased for the Masonic Lodge in 1874. The structure later served as the Knights of Columbus hall from 1951 until early in the 1970s. Following a temporary historical designation on the property in 1980, the north façade was restored to its former elegance in 1983. Bruce Morgan began operating his lounge and catering business known as the Bohemian Penguin on the site in early 1998, and has owned the building since late 2001. His request to re-designate the building is intended to protect the Front Street façade.