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VILLAGE OF MILLBROOK
BY-LAW NUMBER 88-30

BEING A BY-LAW TO DESIGNATE CERTAIN PROPERTIES IN THE VILLAGE OF MILLBROOK AS BEING OF HISTORIC VALUE OR INTEREST.

WHEREAS Section 29 of The Ontario Heritage Act, 1980 authorizes the Council of the Municipality to enact by-laws to designate real property including all of the buildings and structures thereon, to be of historic or architectural value or interest;

AND WHEREAS the Council of the Corporation of the Village of Millbrook deems it desirable to designate the following properties:

1. 12 King Street East
2. 19 King Street East
3. 42 King Street East
4. 26-28 King Street East
5. 1 King Street East
6. 24 King Street West
7. 36 King Street West

and has caused to be served on the owners of the respective lands and premises, and upon The Ontario Heritage Foundation, Notices of Intention to designate the aforesaid real properties and has caused such Notice of Intention to be published in newspapers having a general circulation in the municipality once a week for each of three consecutive weeks, namely in the Peterborough Examiner.

AND WHEREAS the lands of the subject properties are more particularly described in Schedule "A-1" to "A-7" attached hereto and the reasons for designating the respective properties are set out in "B-1" to "B-7" attached hereto:

AND WHEREAS no notification of objections to any of the proposed designations has been served on the Clerk of the Municipality;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE VILLAGE OF MILLBROOK ENACTS AS FOLLOWS:

1. There is designated as being of historic and/or architectural value or interest the following real properties as important components of the Village of Millbrook.
 - (1) "12 King Street East" being more particularly described in Schedule "A-1" attached hereto and forming part of the By-Law. The reasons for the designation of this property are set out in Schedule "B-1" attached hereto and forming part of this By-law.
 - (2) "19 King Street East" being more particularly described in Schedule "A-2" attached hereto and forming part of the By-Law. The reasons for the designation of this property are set out in Schedule "B-2" attached hereto and forming part of this By-law.
 - (3) "42 King Street East" being more particularly described in Schedule "A-3" attached hereto and forming part of the By-Law. The reasons for the designation of this property are set out in Schedule "B-3" attached hereto and forming part of this By-Law.
 - (4) "26-28 King Street East" being more particularly described in Schedule "A-4" attached hereto and forming part of the By-Law. The reasons for the designation of this property are set out in Schedule "B-4" attached hereto and forming part of this By-Law.

ONTARIO HERITAGE TRUST

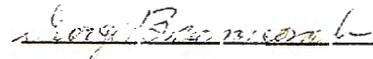
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- (5) "1 King Street East" being more particularly described in Schedule "A-5" attached hereto and forming part of the By-Law. The reasons for the designation of this property are set out in Schedule "B-5" attached hereto and forming part of this By-Law.
- (6) "24 King Street West" being more particularly described in Schedule "A-6" attached hereto and forming part of the By-Law. The reasons for the designation of this property are set out in Schedule "B-6" attached hereto and forming part of this By-Law.
- (7) "36 King Street West" being more particularly described in Schedule "A-7" attached hereto and forming part of the By-Law. The reasons for the designation of this property are set out in Schedule "B-7" attached hereto and forming part of this By-Law.

The Clerk of the Village of Millbrook is hereby authorized to serve, publish and register copies of the By-law in accordance with the Ontario Heritage Act, 1980.

Read a first, second and third time in Open Council this 20th day of December 1988. Passed, signed and sealed.



Reeve


Clerk

SCHEDULE "A-1"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Village of Millbrook, in the County of Peterborough, formerly County of Durham, and being part of Township Lot Number Twelve (12) in the Fifth Concession and being Lot Four (4) and part of Lots Three (3) and Five (5) of north of King Street, East of Union Street more particularly described as follows on Plan of Survey:-

ALL OF parts Ten (10), Nine (9) and Seven (7) according to Deposited Plan 9 R 1237.

SUBJECT TO a right-of-way for ingress and egress to all those entitled thereto over the said Part Nine (9) according to the said Plan 9 R 1237 being part of the said Lot Five (5) East of Union Street.

TOGETHER WITH AND SUBJECT to the use in common with the owners for the time being of the lands immediately adjacent on the East of the hereinbefore described lands of the chimney which is common to both of the said lands and premises.

TOGETHER WITH the right of ingress and egress to the lands immediately to the east for the purpose of repairing weeping tile and to the use of the said weeping tile in common with the owners of the said adjoining lands on the East.

Schedule "B-1"

Reasons for the designation of 12 King Street East

SIGNIFICANCE

Unique and significant original main street commercial building.

SCHEDULE "A-2"

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the Village of Millbrook, in the County of Peterborough, (formerly in the County of Durham), and Province of Ontario and being composed of that part of the original Township Lot Number 12 in the 4th Concession of the Township of Cavan shown bordered in red on plan of survey attached to Deed Number 2245, which said parcel includes part of Lot Number One and lands to the south thereof on the south side of King Street west of Mill Street, according to the Corporate Plan of the said Village, and is further described as follows, that is to say:

PREMISING that the southerly limit of the road allowance between Concessions 4 and 5 of the Township of Cavan now known as King Street in the said Village has an astronomic course of north 74 degrees 00 minutes east and relating all bearings herein thereto;

COMMENCING at a point in the said southern limit of King Street distant 58 feet 3 inches westerly from its intersection with the westerly limit of Mill Street as shown on the said Corporate Plan, which said point marks the north westerly angle of that part of the said Village Lot Number 1 described in Registered Deed Number 1873 of the said Village:

THENCE south 74 degrees 00 minutes west along the said southerly limit of King Street, 23 feet 7½ inches to the centre of a party wall dividing adjoining store properties shown on the said plan as "D. R. Fowler" and "Pendrie";

THENCE south 16 degrees 13 minutes east along the centre of the said wall and its southerly production, 169 feet 9½ inches to a iron post placed in the north westerly limit of the said Mill Street;

THENCE north 28 degrees 30 minutes east along the said limit, 47 feet 1 inch to an iron post;

THENCE north 12 degrees 00 minutes east along the said limit, 86 feet 8 inches to an iron post marking the intersection of the said limit with the southerly limit of that part of the said Lot Number 1 heretofore conveyed to the Bank of Toronto;

THENCE south 74 degrees 55 minutes west along the said limit, 27 feet 2½ inches to an iron post marking the south westerly angle of the last mentioned property;

THENCE north 15 degrees 56 minutes west along the westerly limit thereof 22 feet 1 3/4 inches to an iron post marking the south easterly angle of the said part of the said lot described in Registered Deed Number 1873 of the said Village;

THENCE south 73 degrees 21 minutes west along the southerly limit of the last mentioned parcel, 23 feet 8½ inches to the south westerly angle thereof;

THENCE north 16 degrees 00 minutes west along the easterly face of the easterly wall of the said store shown as "Pendrie" on the said plan of survey, being along the westerly limit of the said part of the said lot described in the said Registered Instrument Number 1873, 37 feet 9 3/4 inches, more or less, to the point of commencement.

SUBJECT to a right of way, 12 feet in width, to those entitled thereto over part of the said Village Lot Number 1 extending westerly from the said north westerly limit of Mill Street to the westerly limit of the herein described parcel as shown coloured green on the said plan of survey and described in Registered Deed Number 2126 of the said Village, which said right of way lies immediately south of and adjoins a limit drawn parallel with the northern limit of the said Village Lot Number 1 through a point in the westerly limit of the herein described parcel distant 87 feet 1½ inches southerly from the north westerly angle thereof, being along the southerly face of the southerly brick wall of a shed to the rear of the said Pendrie store.

SAVE AND EXCEPT that part of said lands as described in a conveyance from Wilfred Eustace Bonneville to The Toronto-Dominion Bank by deed dated July 16th, 1962, which said exception is more particularly described as follows, namely:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Village of Millbrook, in the County of Peterborough, (formerly in the County of Durham), and the Province of Ontario, and being composed of that part of the original Township Lot Number 12 in the 4th Concession of the Township of Cavan, which said parcel includes part of Lot Number One and lands to the south thereof on the south side of King Street, west of Mill Street, according to the Corporate Plan of the said Village, and is further described as follows, that is to say:

PREMISING that the southerly limit of the road allowance between Concessions 4 and 5 of the Township of Cavan now known as King Street in the said Village has an astronomic course north 74 degrees 00 minutes east and relating all bearings herein thereto;

COMMENCING at a point in the said southern limit of King Street distant 58 feet 3 inches westerly from its intersection with the easterly limit of Mill Street as shown on the said Corporate Plan, which said point marks the north-westerly angle of that part of the said Village Lot Number One described in Registered Deed Number 1873 of the said Village;

THENCE south 74 degrees 00 minutes west along the said southerly limit of King Street, 23 feet $7\frac{1}{2}$ inches to the centre of a party wall dividing adjoining store properties shown on the said plan as "D. R. Fowler" and "Pendrie";

THENCE south 16 degrees 13 minutes east along the centre of the said wall and its southerly production, 169 feet $9\frac{1}{2}$ inches to an iron post placed in the north westerly limit of the said Mill Street;

THENCE north 28 degrees 30 minutes east along the said limit, 47 feet 1 inch to an iron post;

THENCE north 12 degrees 00 minutes east along the said limit, 86 feet 8 inches to an iron post marking the intersection of the said limit with the southerly limit of that part of the said lot Number One heretofore conveyed to the Bank of Toronto and being the place of beginning;

THENCE south 74 degrees 55 minutes west along the said limit 27 feet $2\frac{1}{2}$ inches to an iron post marking the south-west angle of the last mentioned property; THENCE north 12 degrees 00 minutes east 58 feet and one-half inch to the place of beginning. THENCE proceeding southerly in a straight line to an iron post in the north-westerly limit of the said Mill Street 58 feet and one-half inch measured thereupon on a bearing of south 12 degrees 00 minutes west from the place of beginning.

SUBJECT to a right of way 12 feet in width to those entitled thereto over part of the said Village Lot Number One extending westerly from the said north westerly limit of Mill Street to the westerly limit of the herein described parcel, part of which is shown coloured green on a plan of survey attached to Registered Deed Number 2245 of the said Village.

Schedule "B-2"

Reasons for the designation of 19 King Street East.

SIGNIFICANCE

The most striking commercial building in the Village, commonly referred to as "The Crown Jewel" of the Village of Millbrook.

SCHEDULE "A-3"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Village of Millbrook in the County of Peterborough (formerly County of Durham) and Province of Ontario and being composed of

FIRSTLY: a fraction of an acre being part of the south east part of Lot Number Twelve, in the Fifth Concession of the Township of Cavan, now within the corporate limits of the said Village of Millbrook, and being part of Lot Number Twelve, North of King Street and West of the Middle Road, and further described as follows:

PREMISING that the North Limit of King Street has a bearing of North 74 degrees East and referring all bearings herein thereto.

COMMENCING in front of said Concession, twenty (20) feet south seventy-four (74) degrees west from the south east angle of Lot Number Twelve at the centre of the division wall between the middle shop and the east shop in the brick building erected on the south east corner of said Lot Number Twelve:

THENCE South seventy-four degrees West, Twenty-two (22) feet to the centre of the front stairway in the said building;

THENCE North sixteen degrees West, forty feet (40);

THENCE North seventy-four degrees East, twenty-two feet (22);

THENCE South sixteen degrees East, forty feet (40) to the place of beginning; together with all that part of the said brick building standing on and immediately over the above described parcel of land including one half of the said division wall and the joint use of the said front stairway at all times hereafter during the continuance of the said building in common with the occupant or occupants of the west half thereof;

AND SECONDLY: a fraction of an acre being composed of part of the south east part of said Township Lot Number Twelve described as follows:

PREMISING that the North Limit of King Street has a bearing of North 74 degrees East and referring all bearings herein thereto.

COMMENCING at the south east angle of said Township Lot Number Twelve;

THENCE South seventy-four degrees West along the front of said Fifth Concession, twenty feet three inches more or less to the centre of the division wall on the west side of the east shop in the said brick block;

THENCE northerly along the centre of the said wall, forty feet, here the parcel now conveyed or intended to be conveyed commences;

THENCE North sixteen degrees West, twenty-seven feet;

THENCE South seventy-four degrees West, twenty-two feet;

THENCE South sixteen degrees East, twenty-seven feet;

THENCE North seventy-four degrees East, twenty-two feet more or less to the place of beginning TOGETHER WITH the free use of a passage or road in rear of said described lands of a strip of land lying immediately north of the above described lands four feet wide and running from Tupper Street westerly sixty-four feet three inches more or less, and being part of Lot Number One west Middle Road and North of King Street.

Schedule "B-3"

Reasons for the designation of 42 King Street East.

SIGNIFICANCE

This building is of architectural and historical importance.
Part of intact original business section of Village.

SCHEDULE "A-4"

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the Village of Millbrook, in the Township of Cavan in the County of Durham and Province of Ontario, containing by admeasurement a fraction of an acre being composed of a part of the south part of Township Lot Number 12 in the Fifth Concession of the said Township of Cavan, now within the limits of the Corporation of the said Village of Millbrook, and further described as follows, that is to say:

COMMENCING at a distance of one hundred and forty-nine feet and Eight inches (149'8") on a course of south 74 degrees west from the south-east angle of Lot Number 12 aforesaid, (here the parcel of land intended to be described commences);

THENCE south 74 degrees west along the front of said Concession, forty feet (40');

THENCE north 16 degrees west, one hundred and ninety-eight feet (198') more or less to a lot owned at one time by one John Hannah;

THENCE north 74 degrees east, forty feet (40');

THENCE south 16 degrees east, eighty-three feet (83');

THENCE north 74 degrees east, forty feet (40');

THENCE south 16 degrees east, sixteen feet (16');

THENCE south 74 degrees west, forty feet (40');

THENCE south 16 degrees east, ninety-nine feet (99') more or less to the place of beginning;

TOGETHER WITH the free, uninterrupted use, liberty and privilege of a passage for cattle, horses and vehicles to and from the east limit of those portion of said described lands conveyed by one William Fallis to one William Might by deeds dated respectively the Eleventh day of December, A.D. 1876, and the First day of May, A.D. 1880 by a lane ten feet six inches (10'6") in width and extending sixteen feet (16') north from the northern limit of said lane as it was on the dates of the said deeds between the lots formerly owned by Alonzo Fee and Messrs. Coombe and Richards, of which lane it is to be considered an extension;

AND ALSO together with any other right of way, privilege or easement which the said late Robert James Doak, and his predecessors in title, may have enjoyed, held or have been entitled to as appurtenant to the within described lands and premises, or necessary to the full enjoyment thereof;

AND SUBJECT to any existing easements, rights and privileges of any other person or persons in connection therewith.

THE SAID LAND hereinbefore described is now known as Village Lot Number 9 on the north side of King Street in the said Village of Millbrook, according to the Municipal Plan thereof duly registered together with the Lane sixteen feet wide (16') along the north side of Village Lot Number 10, according to said Plan.

Schedule "B-4"

Reasons for the designation of 26-28 King Street East.

SIGNIFICANCE

26-28 King Street East is of architectural and historical importance. This building housed the original Saddlery for the Village and Township. Built after "The Great Fire of 1875".

SCHEDULE "A-5"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Village of Millbrook, in the County of Peterborough (formerly the County of Durham) and being Lot Six (6) south of King Street and East of Hay Street in the said Village of Millbrook, formerly Part of Lot 12, Concession 4, Township of Cavan and being more particularly described on Deposited Plan Number 9R1227 deposited on the 6th day of January, 1981. BEING ALL OF PART THREE according to Deposited Plan Number 9R1227.

Schedule "B-5"

Reasons for the designation of 1 King Street East.

SIGNIFICANCE

1 King Street East is of architectural and historical importance.
Original Town Hall built 1881.

SCHEDULE "A-6"

ALL AND SINGULAR that certain parcel of land and premises situate, lying and being in the Village of Millbrook, in the County of Durham, and being that portion of the West Half of Lot Number Twelve in the Fifth Concession of the Township of Cavan now within the limit of the said Village of Millbrook, described as follows, namely:

COMMENCING on the front of said Fifth Concession at the distance of Six chains Seventy-three links westward from the centre of said Lot Number Twelve in said Fifth Concession;

THENCE South Seventy-four degrees West, One chains, Ninety-four links;

THENCE North Sixteen degrees West Five chains to a street;

THENCE North Seventy-four degrees East one chains, Ninety-six and a half links to a lane;

THENCE South Sixteen degrees East Five chains to the place of beginning, and containing by admeasurement three roods and thirty-six perches (or $977/1000$ of an acre) according to a Map or Plan thereof made by M. Lough, Provincial Land Surveyor, and duly registered in the Registry Office for the East Riding of the said County of Durham.

The said parcel hereinabove described comprising Lot Number One on the North side of King Street in the Village of Millbrook, West of the lane and South of Centre Street.

Schedule "B-6"

Reasons for the designation of 24 King Street West.

SIGNIFICANCE

Architectural and historical significance - one of a kind architectural style and home of local banker.

SCHEDULE "A-7"

ALL AND SINGULAR that certain parcel or tract of lands and premises situate, lying and being in the Village of Millbrook, in the Township of Cavan, in the County of Peterborough, (formerly in the Village of Millbrook, in the Township of Cavan, in the County of Durham and being composed of part lot, Concession 5, more particularly described as part of Lot Number 4 north of King Street and east of Brown Street in the said Village of Millbrook, shown on the copy of plan of survey attached hereto and which said parcel may be more particularly described as follows:

COMMENCING at the south-eastern angle of the said Lot Number 4, which point is in the northern limit of the said King Street;

THENCE WESTERLY along the southern limit of the said Lot Number 4, and being along the said northern limit of said King Street 82.15 feet to a post;

THENCE NORTHERLY parallel to the eastern limit of the said Lot Number 4, 134.68 feet to a post;

THENCE EASTERLY parallel to the said southern limit of the said Lot, 34.0 feet to a post;

THENCE SOUTHERLY parallel to the said eastern limit of the said Lot, 67.13 feet to a post, at the north-eastern corner of a brick house now standing on part of the said Lot;

THENCE EASTERLY parallel to the said southern limit of the said Lot, 48.15 feet more or less, to the said eastern limit of the said Lot Number 4;

THENCE SOUTHERLY along the said eastern limit of said Lot, 67.55 feet more or less, to the said point of commencement.

Schedule "B-7"

Reasons for the designation of 36 King Street West

SIGNIFICANCE

36 King Street West is of architectural and historical significance.