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THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 109-92

A BY-LAW TO REPEAL BY-LAW NUMBER 41-86 (42-44 KING STREET WEST, COBOURG).

WHEREAS The Ontario Heritage Act, R.S.O. 1990, Chapter O.18, Section 41(2) provides that no property designated by a council of a municipality under Part IV shall be designated as part of a heritage conservation district;

AND WHEREAS the Municipal Council of the Corporation of the Town of Cobourg has enacted By-law No. 27-90, as amended by By-law No. 118-91, designating three heritage conservation districts and the by-laws have received approval of the Ontario Municipal Board;

AND WHEREAS the Ontario Heritage Act, R.S.O. 1990, Chapter O.18 Section 31 authorizes the Council of a municipality to enact by-laws to repeal a by-law designating real property including all buildings and structures thereon, to be of architectural and/or historical value or interest;

AND WHEREAS the Cobourg Municipal Council enacted By-law No. 41-86 on the 28th day of April, 1986, being a by-law to designate property at 42-44 King Street West, Cobourg as being of architectural and/or historical value or interest;

AND WHEREAS the Municipal Council of the Corporation of the Town of Cobourg has caused to be served on the owner of the lands and premises known as 42-44 King Street West, Cobourg and upon the Ontario Heritage Foundation, notice of intention to repeal By-law No. 41-86 designating the aforesaid real property and has caused such notice of intention to be published in the same newspaper having general circulation in the municipality once for each of three consecutive weeks;

AND WHEREAS no notice of objection to the proposed repealing by-law has been received;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. THAT By-law No. 41-86 designating the real property known as 42-44 King Street West, Cobourg and more particularly described in Schedule "A" hereto is hereby repealed.
2. THAT a copy of this by-law together with the reasons for repealing the designation be registered against the property described in Schedule "A" hereto in the land registry office.
3. THAT a copy of this by-law be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and that notice of the passing of this by-law be published in the same newspaper having general circulation in the municipality once for each of three consecutive weeks.

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READ a first, second and third time and finally passed in
Open Council this 20th day of July, 1992.



Mayor



Municipal Clerk

THE CORPORATION OF THE TOWN OF COBOURG

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SCHEDULE "A"

ALL AND SINGULAR that certain parcel of land and premises situate lying and being in the Town of Cobourg, in the County of Northumberland, and Province of Ontario, being composed of

FIRSTLY part of Lot number Seventeen in the Broken Front Concession "A" of the Township of Hamilton described as follows; that is to say; Commencing on the Northern limits of King Street at a distance of Six chains and ninety two links on a course South eighty four degrees west from the South East angle of the said Lot Number Seventeen Concession "A"; thence North eight degrees thirty minutes West two chains and fifty links then North eighty three degrees thirty minutes east fifty links to land conveyed to John Holman, then South Seventeen degrees East one chain and Seventeen links, thence Southerly in a direct line through the centre of an archway to the Northern limits of King Street and to the South West angle of the said John Holman's land, thence along the Northern limits of King Street fifty three links more or less to the place of beginning, reserving a small piece of land to the West on which the Star Office and entrance thereto are placed, and the right of Henry Covert of his assigns to the wall erected thereon with a Right of Way described as follows: Commencing at a point on the Southern limits of Covert Street at a distance of Two chains and eighty links Easterly from the Eastern limits of George Street, thence south eighty degrees east one chain and fifty four links more or less to within twenty feet of a point two chains and fifty links northerly from King Street, the said Right of Way to be eleven feet wide to the above mentioned point, thence Easterly parallel to the Northern limits of land conveyed to Dooley and Hewson and John Holman one chain and fifty one links thence Southerly to the north east angle of the said John Holman's land being Lot 5 in Block "D".

SECONDLY of a piece of land commencing on the Southerly limits of Covert Street at a distance of four chains and fifty six links Westerly from the Western limit of Division Street thence South five degrees East one chain and sixty nine links more or less to a certain Right of Way twenty feet wide thence North eighty six degrees East fifty links along the said right or way. Thence North five degrees West one chain and Sixty nine links more or less to the Southern limits of Covert Street, thence South eighty six degrees West fifty links to the place of beginning, and also the full use and benefit of the right of way herein before referred to and all the right title and interest of the said party of the First Part into and out of the same.



Mayor



Municipal Clerk

STATEMENT OF REASONS FOR REPEALING BY-LAW NO. 41-86

The Cobourg Municipal Council has enacted By-Law No. 27-90, as amended by By-law No. 118-91, designating three heritage conservation districts and has submitted the By-law to the Ontario Municipal Board for approval, therefore, the Municipal Council proposes to repeal By-law No. 41-86.

The Ontario Heritage Act, R.S.O. 1990, Chapter 337, provides in part that no individual property designated by a council of a municipality under Part IV of the Act to be of architectural and/or historical value or interest, shall be designated as part of a heritage conservation district under Part V of the Act.