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THE CORPORATION OF THE COUNTY OF PRINCE EDWARD

BY-LAW NO. 159-2022

RECEIVED
2025/02/27
(YYYY/MM/DD)
Ontario Heritage Trust

A BY-LAW TO DESIGNATE PART OF THE COMMUNITY OF WELLINGTON AS A
HERITAGE CONSERVATION DISTRICT IN THE COUNTY OF PRINCE EDWARD

1. **WHEREAS** Section 41(1) of the Ontario Heritage Act, R.S.O. 1990 c.O.18 authorizes the Council of a Municipality to enact By-laws to designate a defined area, including all buildings and structures thereon, as a heritage conservation district;
2. **AND WHEREAS** Council intends to designate portions of the Community of Wellington as defined by this by-law as a heritage conservation district;
3. **AND WHEREAS** Council has adopted a heritage conservation district plan for the district that is designated in the by-law, as required under Section 41.1 (1) of the Ontario Heritage Act, R.S.O. 1990, c.O.18;
4. **AND WHEREAS** Council completed a Study in accordance with Section 40 (1) of the Ontario Heritage Act, R.S.O. 1990, c.O.18. containing the content as required under Section 40 (2) of the Ontario Heritage Act, R.S.O. 1990, c.O.18, and has consulted with its Municipal Heritage Committee as required under Section 40 (3) of the Ontario Heritage Act, R.S.O. 1990, c.O.18 on May 19, 2022;
5. **AND WHEREAS** Council has made available to the public the "Wellington Heritage Conservation District Plan" and held a public meeting on June 23, 2022 with appropriate notice given in accordance with the Act as required by Section 41.1(6) of the Ontario Heritage Act, R.S.O. 1990, c.O.18;
6. **AND WHEREAS** Council has consulted with its Municipal Heritage Committee as required under Section 41.1(6) (c) of the Ontario Heritage Act, R.S.O. 1990, c.O.18;
7. **AND WHEREAS** the Official Plan for the County of Prince Edward contains policies pertaining to the establishment of heritage conservation districts;
8. **THEREFORE BE IT RESOLVED** The Corporation of the County of Prince Edward enacts By-law 2022- .

Section 1.00: Definitions and Interpretation

- 1.01 **Definitions:** In this by-law,

“County”, “County of Prince Edward” or “Prince Edward County” means The Corporation of the County of Prince Edward and includes its entire geographic area;

“County Clerk” means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

“Council” or “County Council” means the municipal council for the County;

“Director of Development Services” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

1.02 **Interpretation Rules:**

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time that are applicable within the Province of Ontario.

1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Designation

2.01 The area shown on Schedule “A” attached to and forming part of this by-law is designated as a Heritage Conservation District, known as the Wellington Heritage Conservation District.

2.02 The plan shown in Schedule “B” attached to and forming part of this by-law is adopted as a Heritage Conservation District Plan for the Wellington Heritage Conservation District and is available in the Land Registry Office.

2.03 The County is authorized to cause a copy of this by-law to be registered against all properties located within the heritage conservation district boundaries described above in the proper Land Registry Office.

2.04 The County Clerk is authorized to cause a copy of this by-law to be served upon each owner of property located in the Wellington Heritage Conservation District and upon the Ontario Heritage Trust, and to cause notice of the passing of this by-law to be published in the newspaper as

required by the Ontario Heritage Act, R.S.O. 1990, c.O.18.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Director of Development Services is responsible for the administration of this by-law.
- 3.02 **Effective Date:** This By-law shall come into force either on the day following the last day of the prescribed appeal period or as otherwise provided by subsection 41(10) of the Ontario Heritage Act, R.S.O. 1990, c.O.18.

Read a first, second and a third time and finally passed this 20th day of September 2022.


Catalina Blumenberg, CLERK


Steve Ferguson, MAYOR



SCHEDULE A

