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33

Thorold



February 14, 2007

RECEIVED
FEB 19 2007
CONSERVATION REVIEW
BOARD

Ms. Rita Caldarone
Secretary, Heritage Policy and
Program Development
Heritage & Libraries Branch
Ministry of Culture
400 University Avenue, 4th Floor
Toronto, ON M7A 2R9

Dear Ms. Caldarone:

Re: Designation of The Macartney Drug Store
15 Front Street South
Under Ontario Heritage Act - By-law No. 93-2006

Please be advised that Thorold City Council, at its November 7, 2006 meeting, adopted By-Law No. 93-2006 which designates the Macartney Drug Store, as being of cultural heritage value or interest pursuant to Part IV, Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18. A Notice of the Passage of the By-Law was published in Niagara This Week on November 10, 2006.

In accordance with Section 28(6)(a)(ii) of the Act, we have enclosed a certified copy of the registered By-Law being No. RO821065 registered February 2, 2007 for your records.

We trust this is in order.

Yours truly,

Adele Arbour, MCIP, RPP,
Director of Planning & Building

AA:em
Attach.
Services

cc: J.K. Bice, City Clerk
John E. Henderson, owner

City of Thorold

P.O. Box 1044, 3540 Schmon Parkway, Thorold, Ontario L2V 4A7

www.thorold.com

Tel: 905-227-6613

CERTIFIED A TRUE COPY

THE CORPORATION OF THE CITY OF THOROLD

ON THIS 17TH DAY OF JANUARY 2007

BY-LAW NO. 93-2006

A. Daniels

D^y CITY CLERK
CORPORATION OF THE CITY OF THOROLD

**A BY-LAW TO DESIGNATE THE MACARTNEY DRUG STORE, NOW
KNOWN AS HENDERSON'S PHARMACY TO BE OF CULTURAL
HERITAGE VALUE OR INTEREST**

WHEREAS:

1. Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18 authorizes the Council of a municipality to enact by-laws to designate a property within the municipality including all buildings and structures thereon, to be of cultural heritage value or interest.
2. The owner of the lands is John E. Henderson.
3. Council has served a Notice of Intention upon the Ontario Heritage Foundation providing Notice of Intention to designate the Macartney Drug Store on the Lands as being of cultural heritage value or interest and has caused such Notice of Intention to be published in Niagara This Week, a newspaper having general circulation in the municipality on the 15th day of September, 2006.
4. No Notice of Objection to the proposed designation has been served upon the City.

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

1. In this by-law and its preambles:
 - (a) "Building" means any premises or structures on the Lands.
 - (b) "City" means the Corporation of the City of Thorold;
 - (c) "Council" means the Council of the City;
 - (d) "Designated" or "Designation" means the designating of the Macartney Drug Store on the Lands to be of cultural heritage value or interest pursuant to the relevant provisions in the Ontario Heritage Act, R.S.O. 1990, Chapter O.18 as amended;
 - (e) "Lands" means lands and premises and buildings or improvements thereon, described in Schedule "A" annexed hereto and made part of this by-law;
 - (f) "Notice of Intention" means the Notice set out in Schedule "B" annexed to and made part of this by-law.
2. The Macartney Drug Store located on the Lands is designated as being of cultural heritage value or interest.
3. The Municipal Solicitor is hereby authorized to cause a copy of this by-law including a copy of the reasons for designation, as stated in Schedule "B" to this by-law, to be registered on the title to the lands at the Registry Office for the Registry Division of Niagara South in the City of St. Catharines.
4. The Clerk of the City is hereby authorized to cause a copy of this by-law to be served upon the Owners of the Lands and upon the Ontario Heritage Trust and to cause Notice of the passing of this by-law to be published in a newspaper having general circulation in the City.

5. The description in Schedule "A" annexed to and made part of this by-law may if required, be amended by the Clerk of the City after passage of this by-law in order to register the by-law pursuant to Section 3 hereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS
7th DAY OF November, 2006.


R. Brock, Mayor


J.K. Bice, City Clerk

4

SCHEDULE "A"

DESCRIPTION

FIRSTLY:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Thorold in the Regional Municipality of Niagara, formerly in the Town of Thorold in the County of Welland, and being composed of part of Lot Number Fifty-five (55) according to George Keefer Plan, Now known as Plan 889 and shown on Plan No. 11, on the west side of Front Street in the said Town of Thorold, which said parcel or tract is butted and bounded as follows, that is to say:

COMMENCING at the south east corner of said lot 55;

THENCE north 27 ½ feet along said Front Street;

THENCE west on a line parallel with the southern boundary of said lot to the Board of Works line;

THENCE south along the Board of Works line twenty-seven and one-half feet to a point in a line with the southern limit of said lot;

THENCE east to the place of beginning.

AND ALSO a right of way on foot and for all manner of carriages and animals in, upon, over and through that certain parcel of land adjoining the said hereinbefore described parcel of land on the north side thereof ten feet in width and leading from Front Street aforesaid to the Board of Works line and bounded as follows, that is to say:

COMMENCING on said Front Street, 27 ½ feet north from the south east corner of said lot No. 55;

THENCE West parallel with the southern limit of said lot to the Board of Works line;

THENCE North along the Board of Works line, ten feet;

THENCE East to the said Street;

THENCE South ten feet to the place of beginning.

The hereinbefore described lands were previously described in instrument bearing registration No. 9932.

SECONDLY: ALL AND SINGULAR that certain parcel or tract of Second Welland Canal Reserve land and premises (herein referred to as "the said land"), situate, lying and being in the City of Thorold in the Regional Municipality of Niagara, formerly in the Town of Thorold in the County of Welland, on the easterly side of the Second Welland Canal southerly of Albert Street and westerly of and adjoining the westerly limit of Lot No. 55 as shown on the George Keefer Survey, now known as Plan 889, of part of the Town of Thorold, and being a part of the lands conveyed to the Board of Works by George Keefer by a Deed dated the thirteenth day of November, 1845, and registered as instrument No. 2573, in the County Registry Office, being a part of Lot No. 17 of the Township of Thorold, now in the City of Thorold in the Regional Municipality of Niagara and Province of Ontario and which may be more particularly described as follows:

COMMENCING at an iron bar planted in the easterly limits of Second Welland Canal lands distant one hundred and forty-seven and thirty-eight hundredths (147.38) feet measured South three degrees thirty minutes West (S.3° 30'W.) therein from the Southerly limits of Albert Street and being at the south-westerly angle of Lot No. 55 as shown on the George Keefer Survey, now known as Plan 889, of the Town of Thorold;

THENCE South eighty-seven degrees fifteen minutes West (S.87° 15'W.) twenty-two and two tenths (22.2) feet to an iron bar;

THENCE North two degrees forty-five minutes West (N.2° 45'W.) twenty-seven and four tenths (27.4) feet to an iron bar;

THENCE North eighty-seven degrees fifteen minutes East (N.87°15'E.) twenty-five and fifteen hundredths (25.15) feet to an iron bar planted in the easterly limits of Second Welland Canal lands;

THENCE South three degrees thirty minutes West (S.3°30'W.) in and along the said limits of Second Welland Canal lands twenty-seven and fifty-three hundredths (27.53) feet to the point of commencement;

CONTAINING by admeasurement six hundred and forty-nine (649) square feet, be the same more or less; the location of the said land being indicated coloured red on Plan W.C.L. 47-37.

The hereinbefore described lands were previously described in instrument bearing registration No. 12610.

SCHEDULE "B"

NOTICE OF INTENTION TO DESIGNATE

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER 0.18 AND IN THE MATTER OF THE LANDS AT THE FOLLOWING LOCATION IN THE CITY OF THOROLD, IN THE PROVINCE OF ONTARIO.

TAKE NOTICE that the Council of the Corporation of the City of Thorold intends to designate the Macartney Drug Store located on the west side of Front Street South, south of Albert Street and north of Clairmont within the downtown core, as a property of cultural heritage value or interest under Part IV of the Ontario Heritage Act, R.S.O. 2005 Chapter 0.18, Section 29.

REASONS FOR THE PROPOSED DESIGNATION:

Macartney Drug Store, now known as Henderson's Pharmacy
15 Front Street South
Thorold, Ontario

Cultural Value

Front Street became the main commercial thoroughfare in the Village of Thorold and was laid out on the east side of the first, then second Welland Canal. This building at 15 Front Street South remains in its original location within its original environment. The building has operated as a drug store from the time it was built c. 1872 with only two names connected to the business - Macartney and Henderson, both of whom served the citizens of Thorold well.

Architectural Value

Constructed at the height of the Italianate style of architecture, this brick building is comprised of three distinct sections. The storefront, the middle facade, usually laid out as offices or living quarters, and thirdly is the building's cornice or top. The most striking feature of the facade is the middle section with the set of three hooded windows. These 2nd storey windows located in the front, have label surrounding heads and lintels of cut limestone and stained glass window panes. The building possesses a symmetry common in the Italianate styling. A beautiful doorcase, supported by two squared, fluted columns, with interesting glass design at the top, is reminiscent of the Classical Temples, and is located in the side alley entrance to the living quarters upstairs. A double camber arch has been constructed over the cellar windows; one of the windows at the side of the building displays the same hallmarks as that of the cellar windows.

The restoration of this building has maintained the architectural and historical integrity of the building and makes it an outstanding part of Thorold's collection of heritage buildings creating a catalyst for downtown renewal.

Historical Value

The land was originally part of the holdings of George Keefer. Wm. John Macartney was a leading citizen of Thorold and one of the town's first druggists. He sold pharmaceutical drugs and toys from this building which he had constructed. The family operated a drug store for over 60 years before selling the business and premises to Edward M. Henderson in 1939. He was active in the Town and was an Alderman on Town Council for 25 years, was Vice Chair of the Thorold Board of Trade and served on the Thorold Ambulance Association. He then passed the business on to his son John M. Henderson who has continued serving the citizens of Thorold and who had the tasteful restoration done in the late 1980's.

Further information respecting the proposed designation is available in the Planning and Building Services Department during regular office hours, 8:30 a.m. to 4:30 p.m, Monday to Friday, 905-227-6613, 3540 Schmon Parkway, Thorold.

Any person may object to the proposed designation within thirty (30) days after the date of the publication of the Notice of Intention by serving on the Clerk of the Corporation of the City of Thorold a notice of objection setting out the reason for the objection and all relevant facts. The last day for filing objections will be **Monday, October 16, 2006**. All objections received within the aforementioned time period will be referred to the Heritage Conservation Review Board for a hearing and report.

DATED at the City of Thorold this 15th day of September, 2006.

John K. Bice, City Clerk
Corporation of the City of Thorold
3540 Schmon Parkway, P.O. Box 1044
Thorold, Ontario L2V 4A7