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GLEN E. HENRY, AM.C.T.
CITY CLERK



Grey

CITY HALL
808 SECOND AVENUE EAST
OWEN SOUND, ONTARIO N4K 2H4
TELEPHONE 1-519-376-1440
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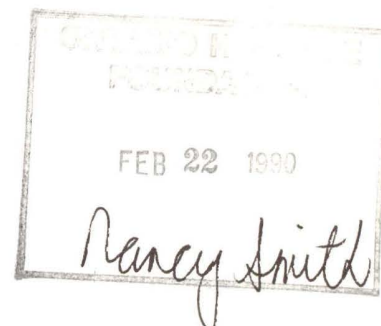
February 20, 1990.

The City of Owen Sound

REGISTERED MAIL

Ontario Heritage Foundation,
77 Bloor Street West,
TORONTO, Ontario.
M7A 2R9

Dear Sirs:



RE: Heritage Designation - McKay Brothers Limited Store

Enclosed for your records is a certified copy of By-law No. 1990-20 passed by City Council on February 19, 1990 designating property at 942 - 2nd Avenue East in the City of Owen Sound under the Heritage Act.

The By-law is being registered and notice of same is being served upon the owners and published in the local daily newspaper.

Yours truly,

M. I. Koepke, (Mrs.)
Deputy City Clerk.

/mk

Encl.

THE CORPORATION OF THE CITY OF OWEN SOUND

A BY-LAW TO DESIGNATE THE MCKAY BROTHERS
LIMITED STORE AT 942 - 2ND AVENUE EAST IN
THE CITY OF OWEN SOUND AS BEING OF
ARCHITECTURAL AND HISTORICAL VALUE OR INTEREST

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

WHEREAS the Council of the Corporation of the City of Owen Sound has caused to be served on the owners of the lands and premises known as The McKay Brothers Ltd. Store at 942 - 2nd Avenue East in the City of Owen Sound and upon The Ontario Heritage Foundation, notice of intention to so designate the said building 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 designation has been served on the Clerk of the Municipality.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF OWEN SOUND HEREBY ENACTS AS FOLLOWS:

1. There is designated as being of architectural and historical value or interest, the facade and certain elements of the interior, namely; the entrance, lobby, portions of the wood floors, pressed metal ceilings, and restoration of components of the main floor money monorail of The McKay Brothers Ltd. Store situated municipally at 942 - 2nd Avenue East in the City of Owen Sound, more particularly described in Schedule "A" attached hereto. The historical and architectural background of the reasons for designation are contained in Schedule "B" attached hereto.

2. The municipal solicitor is hereby authorized to cause a copy of this By-law to be registered against the property described in Schedule "A" hereto in the proper land registry office.

3. The Clerk is hereby authorized to cause a copy of this By-law to be served upon the owners of the property affected by this By-law and on the Ontario Heritage Foundation and to cause notice of the passing of this By-law to be published in the same newspaper having general circulation in the municipality once for each of three consecutive weeks.

4. This By-law shall come into full force and effect upon the final passing thereof.

PASSED this 12th day of February, 1990.

1st reading February 12, 1990.
2nd reading February 12, 1990.
3rd reading February 12, 1990.

19
M.

CERTIFIED TO BE A TRUE COPY OF

BY-LAW NO. 1990 - 20 passed by

City Council on February 19, 1990

Feb. 20/90

Deputy

M. Koepke
City Clerk, M.I. Koepke
City of Owen Sound.

[Signature]
Mayor

[Signature]
Clerk.

SCHEDULE "A" TO BY-LAW NO. 1990 - 20

FIRSTLY

A part of Lot 4, west of Poulette Street (2nd Avenue East) in the City of Owen Sound.

PREMISING that the bearing of Poulette Street is N 7° 15' 00" W and relating all bearings herein thereto;

COMMENCING at a point on the easterly limit of said Lot 4 a distant of 37.35 feet measured 7° 15' 00" W from the southeasterly angle of said Lot 4;

THENCE N 7° 15' 00" W along said easterly limit, a distance of 41.654 feet to the intersection thereof with the production easterly of the northerly face of a brick wall now standing on the herein described lands, said intersection being distant 26.76 feet measured S 7° 15' E along said easterly limit from the northeast angle of Lot 4;

THENCE S 82° 45' 00" W to and along the said northerly face of said last mentioned brick wall, a distance of 90.00 feet to the easterly face of a chimney projecting northerly from the said wall;

THENCE N 7° 15' 00" W and perpendicular to said wall (being along the said easterly face of said chimney), a distance of 0.35 feet to the northerly face of said chimney;

THENCE S 82° 45' 00" W and parallel with said wall (being along the northerly face of said chimney), a distance of 4.65 feet to the westerly face of said chimney;

THENCE S 7° 15' 00" E and perpendicular to said brick wall (being along the westerly face of said chimney), a distance of 0.35 feet to the northerly face of the continuation westerly of said brick wall;

THENCE S 82° 45' 00" W continuing along the northerly face of said brick wall, a distance of 30.10 feet to the westerly limit of said Lot 4 being also the easterly limit of River Street;

THENCE S 6° 57' 00" W along the said westerly limit, a distance of 42.96 feet to intersection with a line drawn on a bearing of S 82° 45' 00" W from the point of commencement.

THENCE N 82° 45' 00" E along the last mentioned line, a distance of 135.3 feet to the point of commencement.

SECONDLY

All the Grantors right, title and interest in and to a part of the River frontage on the east side of the River Sydenham lying between the rear of the Town lots fronting on the west side of Poulette Street and the waters edge of said River described as follows:

PREMISING that the bearing of Poulette Street is N 7° 15' 00" W and relating all bearings herein thereto;

COMMENCING at a point on the westerly limit of River Street in the City of Owen Sound which may be located thus;

BEGINNING at the southeasterly angle of Lot 4 west of Poulette Street in the City of Owen Sound;

THENCE N 7° 15' 00" W along the easterly limit of Lot 4, a distance of 37.35 feet;

THENCE S 82° 45' W a distance of 176.56 feet to the westerly limit of River Street and the point of commencement.

THENCE N 6° 57' 00" E along the westerly limit of River Street a distance of 42.96 feet;

THENCE S 82° 45' W a distance of 38 feet to the easterly High Water Mark of the Sydenham River;

THENCE Southerly, along said High Water Mark, a distance of 43 feet to intersection with a line drawn on a bearing of S 82° 45' 00" from the point of commencement.

THENCE N 82° 45' E along the last mentioned line, a distance of 34 feet to the point of commencement.

These lands are the same lands as described in Instrument No. 29222.

SCHEDULE "B" TO BY-LAW 1990 - 20

REASONS FOR DESIGNATION

HISTORICAL AND ARCHITECTURAL BACKGROUND

Designed by architects Forster and Clark in 1905 for the Ryan Brothers Store, this three storey brick Beaux Arts influenced structure was acquired in 1924 by the McKay Brothers and operated as "McKay Brothers Ltd." dry goods store until 1989.

This building, with its prominent brick pilasters and window arches, ornate cornice, original sign panel, glazing freize, display windows and entry doors, is a major anchor feature and urban design element contributing to the streetscape of mainstreet (2nd Avenue East). The whole east facade from the ground up and the painted sign on the upper south wall, together with the main floor, pressed metal ceilings, wooden floors, trim, entry foyer, railings, skylight and second floor light well with wood railings, lighting fixtures and the money monorail forms a rare, if not unique example of sustained architectural integrity and has been recognized as such by Heritage Canada and others. In order to continue the excellent maintenance of this original exterior facade and main floor interior surfaces and details, designation is essential. It is the last original large retailing space in Owen Sound.