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THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 101-92

A BY-LAW TO REPEAL BY-LAW NUMBER 32-86 (35 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. 32-86 on the 28th day of April, 1986, being a by-law to designate property at 35 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 35 King Street West, Cobourg and upon the Ontario Heritage Foundation, notice of intention to repeal By-law No. 32-86 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;

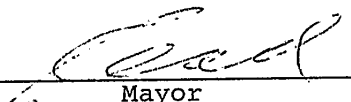
NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. THAT By-law No. 32-86 designating the real property known as 35 King Street West, Cobourg and more particularly described in Schedule "A" hereto is hereby repealed.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.

THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 101-92

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

BY-LAW NUMBER 101-92

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Town of Cobourg in the County of Northumberland and Province of Ontario and being composed of part of Lot Number 1 in Block "B" being part of a subdivision of Township Lot 17, concession "B", and which may be better known and more particularly described as follows:

COMMENCING at the intersection of the West side of First Street with the South side of King Street;

THENCE running Westerly along the South side of King Street, 141 Feet, 10 Inches more or less to the centre of a party wall, the place of beginning;

THENCE running Westerly along the South side of King Street, 20 Feet, 8 Inches more or less to the centre line of a party wall;

THENCE running Southerly along the centre line of said party wall to the South limit of the main brick building;

THENCE running Westerly along the North side of the brick extension thereto 10 Inches;

THENCE running Southerly along a line parallel to the centre line of said party wall along the Western wall of said brick extension and a line in continuation thereof to the South boundary of said Lot 1;

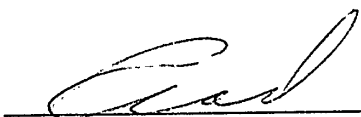
THENCE running Easterly along the said South boundary 21 Feet, 6 Inches more or less to a point, where the centre line of the first above mentioned party wall, if extended, would meet the said South boundary of said Lot 1;

THENCE running Northerly, 115 Feet, 6 Inches more or less to the place of beginning containing six hundredths of an acre more or less.

TOGETHER with the right of one John F. McMillan, his heirs and assigns to have the Western eaves of the said brick extension project over the lands to the west of the above described land as they do now so long as the said brick extension exists;

TOGETHER with a right of way over the road lying to the South of said lands, the said road running parallel to King Street and extending to Second Street in the said Town of Cobourg, the said right of way to be used in common with all others entitled thereto, and together with such easements in, over and upon the property abutting upon the Western side of the above described lands as may have been acquired by the Dumble estate and their predecessors in title; and

RESERVING a right of way over the said road to the said John F. McMillan, his heirs and assigns in common with all others entitled thereto.

  
Mayor

  
Municipal Clerk

STATEMENT OF REASONS FOR REPEALING BY-LAW NO. 32-86

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. 32-86.

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.