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THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 94-92

A BY-LAW TO REPEAL BY-LAW NUMBER 85-85 (36 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. 85-85 on the 16th day of September, 1985, being a by-law to designate property at 36 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 36 King Street West, Cobourg and upon the Ontario Heritage Foundation, notice of intention to repeal By-law No. 85-85 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;

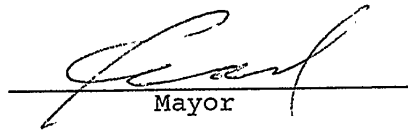
NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. THAT By-law No. 85-85 designating the real property known as 36 King Street West, Cobourg and more particularly described in Schedule "A" hereto is hereby repealed.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

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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

BY-LAW NUMBER 94-92

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 being in the easterly half of Lot Number 7 in Block "D", Subdivision Number Ten (10) according to the Caddy Plan of the said Town of Cobourg, being formerly part of Lot Number 17, in Concession "A" of the Township of Hamilton;

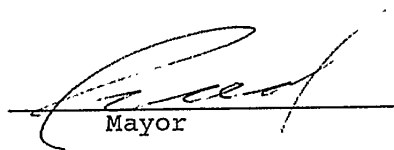
SAVING AND EXCEPTING that portion of the above-mentioned Lot Number 7 designated at Parts 7 and 8 on reference plan deposited as 39R-242;

TOGETHER WITH a right-of-way in common with others entitled thereto over Part of Lots 3, 4, 5, 6, 7, 8, 15, 16 and 17, and part of the unnumbered lot in Block "D" on the North side of King Street Subdivision 10, according to H. C. Caddy's Plan of the Town of Cobourg, formerly part of Lot 17, Concession "A", Township of Hamilton, designated as Parts 2, 3, 5, 6, 8, 10, 11, 12 and 13 on Reference Plan 39R-242;

SUBJECT TO the right of uninterrupted use of that part of the basement of a three-storey building designated as Part 4 on said Plan CTA-900, a copy of which is attached to registered instrument number 58104.

TOGETHER WITH the right of uninterrupted use, in favour of the owners of the East half of said Building, of that part of the basement of the building erected upon the lands and designated as Part 3 on said Plan CTA-900, a copy of which is attached to registered instrument number 58104.

The intention hereof being that the monument shown on Plan CTA-900 govern the limits of the herein described land, but such monuments do not change or alter the position of any previously established boundary.

  
Mayor

  
Municipal Clerk

STATEMENT OF REASONS FOR REPEALING BY-LAW NO. 85-85

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. 85-85.

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.