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~~THE~~ CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 110-92

A BY-LAW TO REPEAL BY-LAW NUMBER 42-86 (46 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. 42-86 on the 28th day of April, 1986, being a by-law to designate property at 46 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 46 King Street West, Cobourg and upon the Ontario Heritage Foundation, notice of intention to repeal By-law No. 42-86 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. 42-86 designating the real property known as 46 King Street West, Cobourg and more particularly described in Schedule "A" hereto is hereby repealed.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 110-92

SCHEDULE "A"

ALL THAT PORTION in the Town of Cobourg, in the County of Northumberland, in the Province of Ontario, being composed of part of Lots 4 and 5, Block "D", according to the Caddy Plan of the said Town being formerly part of Lot 17, Concession "A" and which said portion has an area of 1,714 square feet shown in heavy outline on plan of survey attached to Registered Instrument Number 64491 and being more particularly described as follows:

PREMISING that the Northerly limit of King Street has an astronomic bearing of North 82 degrees, 37 minutes, 40 seconds East and relating all bearings herein, thereto.

COMMENCING at a point in the northerly limit of King Street and which said point may be located as follows:

BEGINNING at the intersection of the northerly limit of King Street with the westerly limit of Division Street.

THENCE Westerly along the northerly limit of King Street the following described courses:

South 72 degrees, 25 minutes 20 seconds West 111.64 feet to a point.

South 83 degrees, 49 minutes 30 seconds West 273.62 feet to a point.

South 82 degrees, 37 minutes 40 seconds West 68.50 feet to the POINT OF COMMENCEMENT.

THENCE South 82 degrees, 37 minutes 40 seconds West along the northerly limit of King Street 12.0 feet to a point.

THENCE North 7 degrees, 36 minutes 30 seconds West 25.0 feet to a point.

THENCE South 82 degrees, 37 minutes 40 seconds West 4.0 feet to a point in the easterly face of each wall of a three storey brick building standing on the lands to the west of the herein described portion.

THENCE North 7 degrees, 36 minutes 30 seconds West along the easterly face of said wall 17.76 feet to an angle therein.

THENCE North 9 degrees, 23 minutes 10 seconds West along easterly face of said east wall and its production 98.10 feet to a point.

THENCE North 89 degrees, 32 minutes East 12.0 feet to a survey monument.

THENCE South 9 degrees, 11 minutes 50 seconds East 96.50 feet to a point in the northerly face of north wall of three storey brick building standing on the herein described portion.

THENCE North 82 degrees, 51 minutes East along the northerly face of said north wall 4.0 feet to a point in the westerly face of west wall of three storey brick building standing on the lands to the east of the herein described portion.

THENCE South 8 degrees, 13 minutes 50 seconds East along the westerly face of said west wall and its production 43.06 feet to a point in the northerly limit of King Street being the POINT OF COMMENCEMENT.

THE CORPORATION OF THE TOWN OF COBOURG

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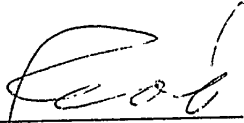
SCHEDULE "A"

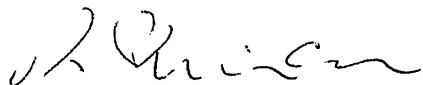
SAVE AND EXCEPT that portion of vacant land at the rear of the hereinabove described building under Agreement of Sales to the Municipal Corporation of the Town of Cobourg by Agreement dated August 10th, 1971.

TOGETHER WITH a right-of-way to the Grantees and to any others lawfully entitled thereto to have access to and the use of the stairway leading from the front of the Grantors' land on King Street to the second floor of the building located on the herein described lands.

TOGETHER WITH THE right to the Grantees and/or their successors in title to have the second and third floors of the building located on the herein described lands overhang the said stairway by approximately four (4) feet.

TOGETHER WITH THE right to the Grantors and/or their successors in title to have the third floor fire exit attached to the said building located on the lands herein described and for the Grantees and/or their successors in title to have the said exit attached to the building located on the lands owned by the Grantors and lying immediately to the west of the herein conveyed lands.

  
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Mayor

  
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Municipal Clerk

STATEMENT OF REASONS FOR REPEALING BY-LAW NO. 42-86

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. 42-86.

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.