THE CORPORATION OF THE TOWN OF DUNDAS

BY-LAW NO. 3476-84

A BY-LAW OF THE CORPORATION OF THE TOWN OF DUNDAS, BEING A BY-LAW TO DESIGNATE A CERTAIN MUNICIPAL BUILDING IN THE TOWN OF DUNDAS AS LAND AND BUILDING OF HISTORIC AND ARCHITECTURAL VALUE.

(49 KING STREET WEST)

WHEREAS this Council is empowered under Subsection 6 of Section 29 of the Ontario Heritage Act, R.S.O. 1980, Chapter 337, as amended, to enact by-laws to designate real property, including exteriors of buildings, as described in Schedule "A" attached hereto to be of historical and/or architectural value or interest;

AND WHEREAS this Council has caused to be served upon the owners of the lands and premises known municipally as 49 King Street West, in the Town of Dundas and upon the Ontario Heritage Foundation notice of intention to so designate the described property and has caused such notice of intention to be published in a newspaper having a general circulation in this Municipality, once for each of three consecutive weeks;

AND WHEREAS no notice of objection to the proposed designation of the described property has been served on the Clerk of this municipality within the time prescribed by the said statute;

AND WHEREAS this Council's reasons for the proposed designation are as set forth in Schedule "B" attached hereto;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF DUNDAS ENACTS AS FOLLOWS:

1. There is hereby designated as being of historic and architectural value or interest, the exterior of the property known municipally as 49 King Street West in the Town of Dundas, and more particularly described in Schedule "A" attached hereto.

2. The Town Solicitor is hereby authorized and directed to cause a copy of this By-law to be registered against the property described in Schedule "A" attached hereto in the Land Registry Office for the Registry Division of Wentworth.

3. The Clerk is hereby authorized and directed to cause a copy of this By-law to be served upon the owners of the property and upon the Ontario Heritage Foundation and to cause a notice of this By-law to be published in a newspaper having general circulation in the Town of Dundas.

READ a First, Second and Third time and finally PASSED this Sixteenth day of July, A.D. 1984.

MAYOR

CLERK-ADMINISTRATOR

SCHEDULE "A"

49 King Street West, Dundas

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Town of Dundas, in the Regional Municipality of Hamilton-Wentworth, and Province of Ontario being all of Lot 10 as shown on the Registrar's Compiled Plan of Block 49 - Map of Town of Dundas by C. Carroll, P.L.S., being Part of Lots 15 and 16, Concesion 1, Township of West Flamborough, now in the Block bounded by King, Sydenham, Park and Cross Streets in the Town of Dundas, and registered as Plan Number 1300.

TOGETHER with a mutual right of way over Lot 25 to and from the said lands at all times and for all purposes, for all persons, animals and vehicles authorized by the parties hereto, their heirs, executors, administrators and assigns over, along a ten foot strip, the north-westerly boundary of which strip runs from a point in the northerly boundary of the lands hereby conveyed situate thirteen feet (13') more or less west of the north-east angle of the lands conveyed and running diagonally to a point forty feet (40') more or less north of the northerly boundary of the lands hereby conveyed and being five and fifty one-hundredths (5.50') south of the northeasterly angle of and on the easterly boundary of the lands secondly described in Instrument registered in the Registry Office for the County of Wentworth in Book for the Town of Dundas on the 18th day of November, 1888 as No. 4828.

AND TOGETHER WITH a right of way over Lot 11 for all purposes, for all persons, animals and vehicles duly authorized, over and along the westerly eleven feet (11') running southerly from the southerly limit of Park Street of the lands described in conveyance to Chester F. Newton in Instrument registered in the Registry Office for the County of Wentworth, in Book for the Town of Dundas, on the 27th day of October, A.D. 1941 as No. 16232 to a point where the production of the southeasterly limit of the right of way immediately above described intersects the easterly limit of the said eleven feet (11').

SCHEDULE "B"

Reasons for the Proposed Designation of 49 King Street West

Historical Significance

The 1870 Assessment Roll lists a two storey frame building on the site owned by Isaac Latshaw, Cabinet Maker and Freeman.

By 1874 the Assessment Rolls indicated a two storey unfinished brick building was in place.

Architectural Significance

49 King Street West is an excellent example of 19th Century commercial architecture in Dundas.

The second storey contains segmented arched windows. Scrolled brackets support the streetscape roofline.

Much of the building's significance pertains to the context within which it exists, being flanked by some of the oldest remaining commercial structures in Dundas and creating an important integrated streetscape.

Without restricting the generalities of the foregoing, the reasons for this Council making the designation include the intention that the following features of the original front exterior facade be preserved: the surviving elements of the brick front facade including the upper window with segmented arches and scrolled brackets.

Council's consent will not be required for any alteration, maintenance repair, replacement or improvement of elements of the property unless they affect the reasons for designation.