THE CORPORATION OF THE TOWN OF DUNDAS

BY-LAW NO. 3999-92

A BY-LAW OF THE CORPORATION OF THE TOWN OF DUNDAS, BEING A BY-LAW TO DESIGNATE A PROPERTY IN THE TOWN OF DUNDAS TO BE OF HISTORIC AND ARCHITECTURAL VALUE OR INTEREST.

(HISTORICAL DESIGNATION - 34 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 property, including exteriors of buildings, as described in Schedule "A" attached hereto to be of historic or architectural value or interest;

AND WHEREAS this Council has caused to be served upon the owners of the property known municipally as 34 King Street West in the Town of Dundas and upon the Ontario Heritage Foundation notice of intention to so designate the said 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 said 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 34 King Street West, in the Town of Dundas, 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 Second day of March, A.D. 1992.

MAYOR

TOWN CLERK

SCHEDULE "A"

DESCRIPTION OF LANDS

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, being the whole of Lot 17 on Registrar's Compiled Plan No. 1403 designated as Parts 1 and 4 on Reference Plan 62R-9034, together with all of the interest of the owner or owners from time to time of 34 King Street West in that part of said Plan 1403, shown as a covered right-of-way.

TOGETHER WITH a right-of-way over parts of Lot 16 on said Registrar's Compiled Plan 1403, designated as Parts 2 and 3 on said Reference Plan 62R-9034;

SUBJECT TO a right-of-way in favour of the owner or owners from time to time of Lot 16, Registrar's Compiled Plan 1403, over part of said Lot 17 on said Registrar's Compiled Plan 1403, designated as Part 4 on said Reference Plan 62R-9034;

ALSO one-half of that part of the building as is situate over Part 2 on said Reference Plan 62R-9034, said part of the building being designated as Part 5 on said Reference Plan 62R-9034 and being part of an archway between the stores owned respectively by the owner or owners from time to time of 34 King Street West and the owner or owners of the lands to the East, being part of said Lot 16 on said Plan 1403, at an elevation from the water table of said building of 11 feet 7 inches (11.58 feet) more or less; the passageway under such

archway being held in common between the owner or owners from time to time of 34 King Street West and the owner or owners of the lands to the East, being part of said Lot 16, their heirs and assigns forever, and may be known as the back room of the second story of the said building and is 10 feet 2 inches (10.17 feet) more or less in width from east to west and 24 feet more or less in depth from north to south.

The above lands being as described in Deed Number 436409 C.D.

SCHEDULE "B"

REASONS FOR DESIGNATION

HISTORICAL SIGNIFICANCE

PICONE'S FOOD MARKET

34 KING STREET WEST

This building was built as a general store in 1843 by Hugh Moore, an Irish immigrant and builder of Mount Fairview (1848). Moore served the town as Councillor, Reeve, school trustee and Justice of the Peace. He rented the store to a variety of tenants including A. Gregson (1853), James Discow (1855) and Smith, Snow and Co. (1855-56). From 1868 to 1870 the building was a saloon and livery run by the Enright brothers and was then rented to Charles and Joseph Moss whose widow, Anne, bought the building in 1890. Joseph ran a bake shop at the back, while Charles, who was later arrested for illegal sales of liquor, ran a saloon until 1878. After Joseph's death, the business was continued by his son William Moss who served as Mayor in 1907-8 and as Reeve in 1916. An illustration of Moss' bakery in 1896 can be found in Picturesque Dundas. In 1920 the west part of the building was sold to Joseph Picone who had immigrated from Italy in 1913. He established the grocery business that his family continues to run.

ARCHITECTURAL SIGNIFICANCE

34 King Street West is a well preserved example of mid-nineteenth century commercial architecture. It forms the western half of a symmetrical two storey red brick building centrally pierced by a carriageway. Four parapet walls protrude from the roof at either end and on either side of the carriageway. A single dormer has been added, probably early in this century. The second story facade has three 1/1 (originally 6/6) sash windows each decorated with stone lugsills and flat arch windowheads. Over the jointly owned archway is a single large 1/1 (originally 6/6) sash window with sidelights. Under the cornice is an ornamental brick dentil decor above a row of brick crosses. The carriageway is entered through a brick arch. The storefront is surrounded by a cornice running the length of the store supported at the end by original classical pilasters. The door recess is supported by two original fluted columns. Inside the store, the pressed metal ceiling is still largely intact.

Features to be designated

The front facade including the roofline and parapets (but not the dormer), the decorative brickwork, the three second floor window openings, the storefront surround (pilasters and cornice), the pillars supporting the door recess and, inside, the pressed metal ceiling.

Province of Ontario

Document General

Form 4 — Land Registration Reform Act, 1984

D

FOR OFFICE USE ONLY

1135 01

CERTIFICATE OF REGISTRATION
CERTIFICAT D'ENREGISTREMENT
(WENTWORTH (62) HAMILTON

'92 09 11 50

REGISTRAR / REGISTRATEUR

New Property Identifiers

Additional: See Schedule ☐

Executions

Additional: See Schedule ☐

(1) **Registry** ☒ **Land Titles** ☐

(2) Page 1 of 8 pages

(3) **Property Identifier(s)** Block Property

Additional: See Schedule ☐

(4) **Nature of Document**

By-law

(5) **Consideration**

Dollars $

(6) **Description**

Lot 17, Registrar's Compiled Plan No. 1403, designated as Parts 1 and 4, Reference Plan 62R-9034, in the Town of Dundas, in the Regional Municipality of Hamilton-Wentworth

as described in Deed Number 436409 C.D.

(7) **This Document Contains:** (a) Redescription New Easement Plan/Sketch ☐ (b) Schedule for: Description ☒ Additional Parties ☐ Other ☒

(8) **This Document provides as follows:**

See By-law No. 3999-92 of The Corporation of the Town of Dundas attached

Continued on Schedule ☐

(9) **This Document relates to instrument number(s)**