

THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE

BY-LAW NO. 4362-10

A BY-LAW TO ADOPT THE QUEEN-PICTON STREETS
HERITAGE CONSERVATION DISTRICT PLAN, 1986.

WHEREAS under Section 40 of Part V of the Ontario Heritage Act, as amended, the Council of the Corporation of the Town of Niagara-on-the-Lake undertook the Queen-Picton Streets Heritage Conservation District Study to examine the area for future designation as a Heritage Conservation District which resulted in the preparation of the Queen-Picton Streets Heritage Conservation District Plan;

AND WHEREAS the Council of the Corporation of the Town of Niagara-on-the-Lake by By-law No.1667-86 dated June 23, 1986, as approved by the Ontario Municipal Board on February 2, 1987, designated under subsection 41(1) of the Ontario Heritage Act as it then read, an area defined as the Queen-Picton Streets Heritage Conservation District;

AND WHEREAS at the date of passing of By-law No.1667-86 there was no requirement under the Ontario Heritage Act to adopt a heritage conservation district plan by by-law;

AND WHEREAS the Ontario Heritage Act was amended by the Ontario Heritage Amendment Act, 2005, to include subsection 41.1(2) of the Act requiring that a municipality adopt a heritage conservation district plan for each district that is designated in the by-law;

AND WHEREAS subsection 41.1(2) of the Act provides for the council of a municipality to pass a by-law adopting a heritage conservation district plan for any of the designated districts in existence by by-law prior to the Ontario Heritage Amendment Act, 2005 receiving Royal Assent;

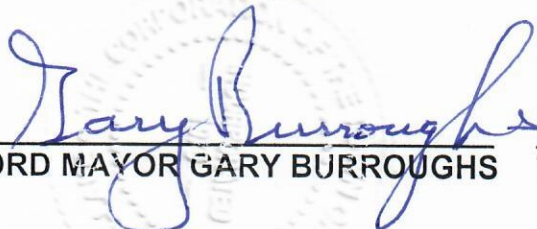
AND WHEREAS the existing Queen-Picton Streets Heritage Conservation District Plan was revised in 2009 to include a list of minor alterations that do not require a heritage permit, and has been made available for viewing by the public;

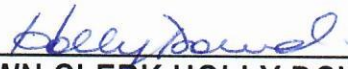
AND WHEREAS a public meeting with respect to the revised Queen-Picton Streets Heritage Conservation District Plan 1986 was held on January 25, 2010 with appropriate notice of the public meeting in accordance with the Act.

NOW THEREFORE the Council of the Corporation of the Town of Niagara-on-the-Lake enacts as follows:

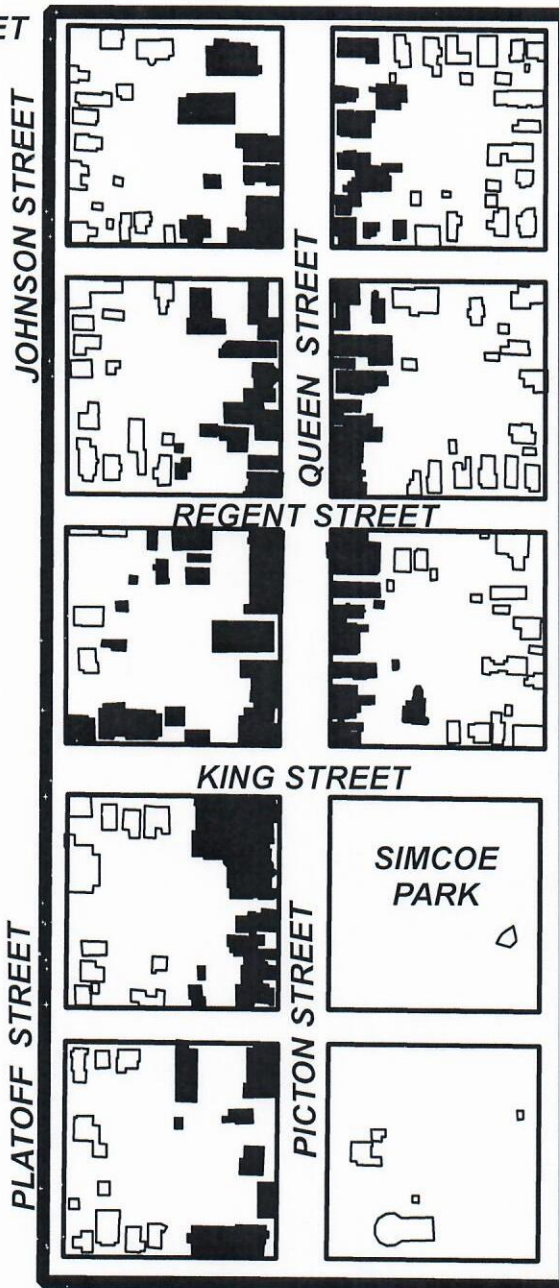
1. That the revised Queen-Picton Streets Heritage Conservation District Plan 1986 prepared by Nicholas Hill be adopted.
2. That Section 9 of the Queen-Picton Streets Heritage Conservation District Plan is amended by adding a new Section 9.4 - Minor Alterations Exempt from Heritage Permit Approval.
 - Minor repairs such as repairs to a roof, eaves trough (not a box trough) and flashing.
 - Painting the same colour as existing and as previously approved by the MHC and Council.
 - Repair of siding where the type of siding is not being changed.
 - Minor repairs, not replacement, to window components.
 - Repairs to broken window panes to original specifications.
 - Minor repairs, not replacement, to doors.
 - Repairs to an existing fence.
 - Repairs to shutters where the shutters are not being replaced.
3. That this by-law shall come into full force and effect on the date of final passage hereof.
4. The municipal solicitor is hereby authorized to cause a copy of this By-law to be registered against the properties described in Schedule 'A' hereto.
5. The Clerk is hereby authorized to cause copy of this By-law to be served on the owners of the aforesaid properties and on the Ontario Heritage Trust and to cause notice of the passing of this By-law to be published in a newspaper having general circulation in the municipality.

READ A FIRST, SECOND AND THIRD TIME AND PASSED ON THIS 1st DAY OF FEBRUARY, 2010


LORD MAYOR GARY BURROUGHS


TOWN CLERK HOLLY DOWD

GATE STREET



PRIDEAUX STREET

VICTORIA STREET

REGENT STREET

KING STREET

PLATOFF STREET

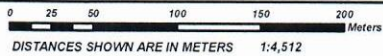
PICTON STREET

SIMCOE PARK




DAVY STREET

BYRON STREET

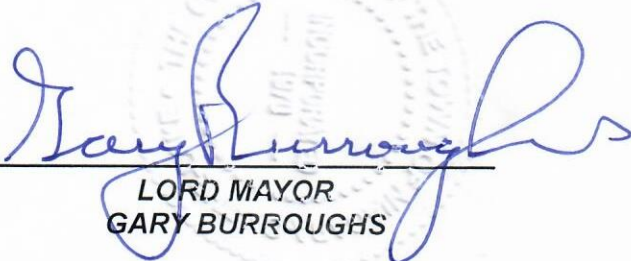
WELLINGTON STREET




SCHEDULE "A"

-  HERITAGE CONSERVATION DISTRICT BOUNDARY
-  BUILDING COMPOSING THE BUSINESS AREA
-  BUILDING COMPOSING THE RESIDENTIAL AREA

SCHEDULE "A" TO BY-LAW NO. 4362-10 OF THE TOWN OF NIAGARA-ON-THE-LAKE, AS PASSED ON THE 1ST DAY OF FEBRUARY 2010.


 LORD MAYOR
 GARY BURROUGHS


 TOWN CLERK
 HOLLY DOWD

Additional Property Identifier(s) and/or Other Information

DESCRIPTION:

All of lots 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 99, 100, 101, 102, 103, 104 and Blocks 23, 24, 31 and 32

Registered Plan No. 86

Town of Niagara-on-the-Lake, Regional Municipality of Niagara (formerly in the Town of Niagara, in the County of Lincoln)

SAVE AND EXCEPT the following three properties:-

FIRSTLY: In the Town of Niagara-on-the-Lake, Regional Municipality of Niagara, formerly in the Town of Niagara, in the County of Lincoln, and being composed of Part of Lot 100 as shown on a Plan registered in the Registry Office for the Registry Division of the Niagara North, formerly the Registry Office for the Registry Division of the County of Lincoln as Plan No. 86 for the said Town of Niagara, and more particularly described as follows:-

COMMENCING at the intersection of the northerly boundary of Johnson Street with the westerly boundary of Victoria Street;

THENCE north 55 degrees and 28 minutes west in the northerly boundary of Johnson Street, 83.6 feet;

THENCE north 34 degrees and 53 minutes east in and along a fence, 69.3 feet;

THENCE north 51 degrees and 35 minutes west, 20.2 feet;

THENCE north 33 degrees and 35 minutes east, 20.6 feet;

THENCE south 55 degrees and 49 minutes and 30 seconds east in and along a fence, 103.8 feet to a point in the westerly boundary of Victoria Street;

THENCE south 34 degrees and 44 minutes west in the said last mentioned boundary 91.75 feet more or less to the place of beginning.

As described in Instrument No. 431093.

SECONDLY: In the Town of Niagara-on-the-Lake, in the Regional Municipality of Niagara, formerly in the Town of Niagara, in the County of Lincoln, and being composed of Part of Block 31 as shown on a plan registered in the Registry Office for the Registry Division of the County of Lincoln as Plan No. 86, more particularly described as follows:-

COMMENCING at the intersection of the easterly boundary of King Street with the northerly boundary of Platoff Street;

THENCE north 34 degrees and 44 minutes east in the easterly boundary of King Street, 50.0 feet;

THENCE south 55 degrees and 16 minutes east, 100.0 feet;

THENCE south 34 degrees and 44 minutes west, 50.18 feet



Schedule

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Additional Property Identifier(s) and/or Other Information

Description Continued:

to a point in the northerly boundary of Platoff Street;

THENCE north 55 degrees and 15 minutes west in the said last mentioned boundary, 100.0 feet more or less to the place of beginning.

Previously described in Instrument No. 108139

THIRDLY: In the Town of Niagara-on-the-Lake, in the Regional Municipality of Niagara, formerly in the Town of Niagara, in the County of Lincoln, and being composed of Part of Lots 65 and 66 being a Given Road as shown as Market Street on the Niven Plan registered in the Registry Office for the Registry Division of the County of Lincoln as Plan No. 86 for the said Town of Niagara and which parcel may be more particularly described as follows:-

COMMENCING at a point in the northwesterly boundary of King Street distant therein south 34 degrees, 44 minutes west, 138.0 feet from the southwesterly boundary of Queen Street, said point being in the southwesterly boundary of a Given Road known as Market Street;

THENCE north 55 degrees, 28 minutes west along the southwesterly boundary of said Market Street, 58.2 feet to a point which said point is the Place of Beginning of the herein described parcel;

THENCE north 34 degrees, 35 minutes east, 28.0 feet to a point in a line parallel to and a perpendicular distance of 25.0 feet southerly from the northeasterly boundary of said Market Street;

THENCE north 55 degrees, 28 minutes west along said last mentioned parallel line, 118.5 feet;

THENCE south 34 degrees, 47 minutes west, 11.0 feet;

THENCE north 55 degrees, 28 minutes west, 5.5 feet;

THENCE south 34 degrees, 47 minutes west, 11.45 feet;

THENCE north 55 degrees, 28 minutes west, 57.0 feet;

THENCE north 34 degrees, 49 minutes east, 11.45 feet;

THENCE north 55 degrees, 28 minutes west, 4.5 feet;

THENCE north 34 degrees, 49 minutes east, 11.0 feet to a point in a line parallel to and a perpendicular distance of 25.0 feet southerly from the northeasterly boundary of said Market Street;

THENCE north 55 degrees, 28 minutes west along said last mentioned parallel line, 69.57 feet;

THENCE south 34 degrees, 00 minutes west, 29.0 feet to the southwesterly boundary of said Market Street;

THENCE south 55 degrees, 42 minutes east along the southwesterly boundary of said Market Street, 255.07 feet more or less to the Place of Beginning.

PREMISING that the assumed astronomic bearing of King Street is north 34 degrees, 44 minutes east and all bearings herein are related thereto.

Previously described in Instrument NO. 380359

PROFFICE
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