

The Township of Cavan Monaghan

By-law No. 2024-XX

Being a by-law to Repeal and Replace sections of Village of Millbrook By-law 85-17, Designating 74 King Street East in the Township of Cavan Monaghan (formerly Village of Millbrook) as being of Cultural Heritage Value or Interest under Part IV of the *Ontario Heritage Act*

Whereas Section 31 of the *Ontario Heritage Act*, R.S.O. 1990, provides that the Council of a municipality may repeal a by-law passed under Section 29 of the Act designating a property within the boundaries of the municipality at Council's initiative;

And Whereas a Notice of Intention to Repeal sections of Village of Millbrook By-law 85-17 designating 74 King Street East, Township of Cavan Monaghan (formerly Village of Millbrook), described further in Schedule A, has been given in accordance with Section 31 of the *Ontario Heritage Act*;

And Whereas no objection to the proposed repeal of sections of the designating By-law has been served on the Clerk of the Municipality within the prescribed time under the *Ontario Heritage Act*;

And Whereas Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, provides that the Council of a municipality may pass a by-law to designate a property within the boundaries of the municipality as being of cultural heritage value or interest;

And Whereas a Notice of Intention to Designate 74 King Street East, Township of Cavan Monaghan has been given in accordance with Section 29 of the *Ontario Heritage Act*;

And Whereas no objection to the proposed designation has been served on the Clerk of the Municipality;

And Whereas Council has consulted with its Municipal Revitalization and Heritage Advisory Committee;

And Whereas the reasons for designation are set out in Schedule A;

Now Therefore the Council of the Township of Cavan Monaghan enacts as follows:

1. The property located at 74 King Street East is designated as being of cultural heritage value or interest, as described further in Schedule A. This designation shall not preclude alterations to the property but that any and all alterations shall be in keeping with the original and present character of the property and that no alterations to the property affecting its heritage attributes as outlined in Schedule A shall be made without written consent from the Township.
2. The Township is hereby authorized to have a copy of this By-law registered against the property described above in the Land Registry Office.
3. The Clerk is hereby authorized to serve a copy of this By-law to the owner of the property and to the Ontario Heritage Trust and to provide notice of the passing of this By-law in a newspaper having general circulation in the municipality.
4. The following excerpts from By-law 85-17 are hereby repealed:
 - 1) "3. 74 King Street East";
 - 2) "(3) '74 King Street East' being more particularly described in Schedule 'A-3' attached hereto and forming part of the By-law. The reasons for the designation of this property are set out in Schedule 'B-3' attached hereto and forming part of this By-law.";
 - 3) Schedule A-3; and
 - 4) Schedule B-3.
5. All other relevant provision of By-law 85-17, as amended, shall apply unless previously amended.

Read a first, second, and third time and passed this [DAY] day of [MONTH], 2024.

Matthew Graham
Mayor

Cindy Page
Clerk

Schedule A to By-law No. 2024-XX

Section 1: Description of Property

74 King Street East, Township of Cavan Monaghan

Section 2: Location of Property

Located on the north side of King Street East, west of Bank Street South.

Section 3: Legal Description

Part of Lots 11 and 12, North side of King Street East, West of Bank Street South, Being Part of Lot 1, Concession 5, Formerly in the Village of Millbrook, Now Township of Cavan Monaghan, Geographic Village of Millbrook, County of Peterborough.

Section 4: Reasons for Designation

The property at 74 King Street East is worthy of designation under Part IV, Section 29 of the *Ontario Heritage Act* for its cultural heritage value, and meets Ontario Regulation 9/06, the provincial criteria prescribed for municipal designation under the categories of design/physical value, historical/associative value, as well as contextual value within the Township of Cavan Monaghan. The property is a representative example of a 19th century architectural style, has direct association with a notable person that is significant to the community, and is important in supporting the character of the surrounding area.

Section 5: Statement of Cultural Heritage Value or Interest

The property located at 74 King Street East in Millbrook, Ontario is part of a small collection of Queen Anne Revival style homes in Millbrook. Built circa 1885, the house is known locally as The Smith House. The yellow buff brick home displays a number of features characteristic of the Queen Anne Revival Style. These features include a steep cross gable roof, an asymmetrical front façade, decorative gable bargeboard and shakes, and a wraparound verandah. The house also features a buff brick bay on the front façade with tall, slender windows and wrought iron cresting along the top. The west façade features two balconies on the upper façade with ornate wooden columns and railings. The front entryway has been modernized but maintains the heritage arrangement with inclusion of a transom and sidelights surrounding the front door.

The lands of 74 King Street East were originally a Crown grant to Thomas Hutchinson in 1824 and the first owners of the house are believed to have been the Smiths, a family of merchants. The property was later sold to Frederick Pendrie, a partner in Fowler and Pendrie's Dry Goods Store located in the iconic Second Empire commercial block in downtown Millbrook.

This property is of historical and architectural significance to the Millbrook community. The house is tied to historically significant figures in Millbrook's economic development throughout the 19th century. It is also one of a small number of well-preserved Queen Anne Revival homes in Millbrook and contributes significantly to the heritage character of King Street.

Section 6: Heritage Attributes

- Placement and orientation of the building on the north side of King Street East
- Original scale, form, and massing of the 2 ½-storey building with an L-shaped plan
- Yellow buff brick construction with asymmetrical composition
- Wood bargeboard and wood shakes in the gable peaks complete with triangular wood detailing
- Second-storey balconies on west façade including a variety of wood detailing; wood columns, railings, gable supported by balustrade below, wood trim and corner fans and means of egress to balconies
- Masonry openings complete with flat arches
- Distinctive long one over one casement style windows
- Fenestration pattern and style
- Remaining wood windows, exterior wood storm windows, wood shutters and wood sill
- Wood window in south gable including wood surround and sill
- Front style door completed with transom and sidelights
- Bay window with wrought-iron cresting above and associated wood trim, fascia and soffit
- Off-center wraparound verandah on the southeast corner