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February 2, 2009

Ontario Heritage Trust  
10 Adelaide Street East  
Toronto, ON M5C 1J3

RECEIVED  
FEB 06 2009

Dear Sir/Madam:

**Re: Amendment of Robertson/Mels Heritage Designating By-Law**

Please be advised that an amendment to the above-noted Heritage Designating By-Law has been necessary. It was recently discovered that former Township of Delhi By-Law 35-91, adopted on May 6, 1991 and registered in the Norfolk Land Registry Office on May 10, 1991 as Instrument No. NR479086, incorrectly referenced the heritage designation to a total of nine properties. The designation should have been applied to only the Robertson/Mels residence located on Part Lot 11, Concession 7, Geographic Township of Windham, Part 2, Plan 37R-8591, Norfolk County, PIN 50261-0260(LT).

Norfolk County Council deemed it necessary to amend the Designating By-Law in order to correct the legal description of the heritage property. In accordance with the Ontario Heritage Act, affected property owners of the proposed amendment were notified and no objections were filed with the Clerk.

To facilitate the above-noted Amendment, By-Law 35-91 was repealed in its entirety by Norfolk County By-Law 2009-05 and a new Norfolk County Designating By-Law 2009-06, for the Robertson/Mels Residence only, was adopted. By-Laws 2009-05 and 2009-06, were registered in the Norfolk Land Registry Office on January 19, 2009 as Instruments NK20922 and NK20924 respectively.

Enclosed please herewith please find copies of the above-noted By-Laws.

If you have any questions, please contact the undersigned.

Yours truly

A handwritten signature in cursive script that reads "Beverley D. Wood".

Beverley D. Wood  
A.M.C.T., C.M.C., C.M.M.III  
Clerk/Manager of Council Services

Encls. - 2

p.c. Margaret Dryden, Manager  
Norfolk County Heritage & Culture Division

**Corporate Services**  
Governor Simcoe Square  
P.O. Box 545  
50 Colborne Street South, Simcoe, Ontario N3Y 4N5  
519-426-5870 Fax: 519-426-8573

**Properties**

*PIN* 50261 - 0249 LT  
*Description* PT LT 11 CON 7 WINDHAM PT 1 37R4348; NORFOLK COUNTY  
*Address* 03308 REGIONAL ROAD 25  
WINDHAM

*PIN* 50261 - 0247 LT  
*Description* PT LT 11 CON 7 WINDHAM PT 2 37R4348; NORFOLK COUNTY  
*Address* 03298 REGIONAL ROAD 25  
WINDHAM

*PIN* 50261 - 0246 LT  
*Description* PT LT 11 CON 7 WINDHAM PT 3 37R4348; S/T INTEREST IN NR516586; NORFOLK COUNTY  
*Address* 03294 REGIONAL ROAD 25  
WINDHAM

*PIN* 50261 - 0245 LT  
*Description* PT LT 11 CON 7 WINDHAM PT 4 37R4348; NORFOLK COUNTY  
*Address* 03290 REGIONAL ROAD 25  
WINDHAM

*PIN* 50261 - 0251 LT  
*Description* PT LT 11 CON 7 WINDHAM PT 1 37R5773; NORFOLK COUNTY  
*Address* 03350 REGIONAL ROAD 25  
WINDHAM

*PIN* 50261 - 0259 LT  
*Description* PT LT 10-11 CON 7 WINDHAM AS IN NR581416; NORFOLK COUNTY  
*Address* 01077 REGIONAL ROAD 9  
WINDHAM

*PIN* 50261 - 0250 LT  
*Description* PT LT 11 CON 7 WINDHAM PT 1 37R5772; NORFOLK COUNTY  
*Address* 01049 REGIONAL ROAD 9  
WINDHAM

*PIN* 50261 - 0261 LT  
*Description* PT LT 11 CON 7 WINDHAM PT 1 37R8591; NORFOLK COUNTY  
*Address* WINDHAM

*PIN* 50261 - 0260 LT  
*Description* PT LT 11 CON 7 WINDHAM PT 2 37R8591; NORFOLK COUNTY  
*Address* 01077 REGIONAL ROAD 9  
WINDHAM

**Applicant(s)**

This Order/By-law affects the selected PINs.

*Name* THE CORPORATION OF NORFOLK COUNTY  
*Address for Service* 50 COLBORNE STREET SOUTH  
SIMCOE ON N3Y 4N5

This document is being authorized by a municipal corporation BEVERLEY D. WOOD, CLERK AND DENNIS TRAVALE, MAYOR.

This document is not authorized under Power of Attorney by this party.

**Statements**

This application is based on the Municipality By-Law No. 2009-05 dated 2009/01/13.

Schedule: See Schedules

The applicant(s) hereby applies to the Land Registrar.

yyyy mm dd

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**Signed By**

Janis Lynn Phibbs

50 Colborne St. S.  
Simcoe  
N34 4N5acting for  
Applicant(s)

Signed 2009 01 19

Tel 51942658701320

Fax 5194268573

**Submitted By**

CORPORATION OF NORFOLK COUNTY

50 Colborne St. S.  
Simcoe  
N34 4N5

2009 01 19

Tel 51942658701320

Fax 5194268573

**Fees/Taxes/Payment**

Statutory Registration Fee \$60.00

Total Paid \$60.00



**BY-LAW NO. 2009-05**

OF

***The Corporation of Norfolk County***

**BEING A BY-LAW TO REPEAL FORMER TOWNSHIP OF DELHI BY-LAW 35-91, WHICH DESIGNATES THE PROPERTY KNOWN MUNICIPALLY AS PART LOT 10, PART LOT 11, CONCESSION 7, GEOGRAPHIC TOWNSHIP OF WINDHAM, NORFOLK COUNTY, UNDER THE HERITAGE ACT.**

**WHEREAS** former Township of Delhi By-Law 35-91 was passed on May 6<sup>th</sup>, 1991 and registered in the Norfolk Land Registry Office (No. 37) on May 10<sup>th</sup>, 1991 as Instrument No. NR479086;

**AND WHEREAS** an incorrect legal description was included in former Township of Delhi By-Law 35-91 which has incorrectly referenced the heritage designation to a total of nine properties;

**AND WHEREAS** the heritage designation should only be applied to the Robertson/Mels residence located on the property described as Part Lot 11, Concession 7, Geographic Township of Windham, Part 2, Plan 37R-8591, Norfolk County, PIN 50261-0260(LT);

**AND WHEREAS** it is deemed necessary to repeal former Township of Delhi By-Law 35-91 in order to exclude properties designated in error and to prepare a new By-Law 2009-06 to designate the Heritage Designation of the Robertson/Mels Residence located on Part Lot 11, Concession 7, Geographic Township of Windham, Part 2, Plan 37R-8591, Norfolk County, PIN 50261-0260 (LT).

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF NORFOLK COUNTY HEREBY ENACTS AS FOLLOWS:**

1. That former Township of Delhi By-Law 35-91, which applies to the following properties, is hereby repealed in its entirety;

Part Lot 11, Concession 7 Windham, Part 1, Plan 37R-4348, Norfolk County, PIN 50261-0249(LT);  
Part Lot 11, Concession 7 Windham, Part 2, Plan 37R-4348, Norfolk County, PIN 50261-0247(LT);  
Part Lot 11, Concession 7 Windham, Part 3, Plan 37R-4348, Norfolk County, PIN 50261-0246(LT);  
Part Lot 11, Concession 7 Windham, Part 4, Plan 37R-4348, Norfolk County, PIN 50261-0245(LT);  
Part Lot 11, Concession 7 Windham, Part 1, Plan 37R-5773, Norfolk County, PIN 50261-0251(LT);  
Part Lots 10-11, Concession 7 Windham, as in NR581416, Norfolk County, PIN 50261-0259 (LT);  
Part Lot 11, Concession 7 Windham, Part 1, Plan 37R-5772, Norfolk County, PIN 50261-0250(LT);  
Part Lot 11, Concession 7 Windham, Part 1, Plan 37R-8591, Norfolk County, PIN 50261-0261(LT);  
Part Lot 11, Concession 7, Windham, Part 2, 37R-8591, Norfolk County, PIN 50261-0260 (LT).

2. That this By-Law shall be registered in the Land Registry Office of the Division of Norfolk (No. 37).
3. That the effective date of this By-Law shall be the date of final passage thereof.

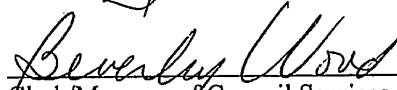
**ENACTED AND PASSED THIS 13TH DAY OF JANUARY, 2009.**

First Reading: January 13, 2009

Second Reading: January 13, 2009

Third Reading: January 13, 2009

  
\_\_\_\_\_  
Mayor

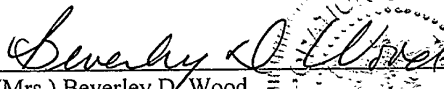
  
\_\_\_\_\_  
Clerk/Manager of Council Services

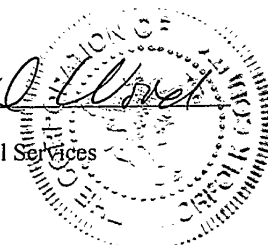
P.E.D. 08-91

**CERTIFICATION**

I, Beverley D. Wood, Clerk of The Corporation of Norfolk County, hereby certify that this is a true copy of By-Law 2009-05 passed by the Council of The Corporation of Norfolk County at its regular meeting held on the 13th day of January, 2009.

DATED at Norfolk County,  
this 15th day of January, 2009.

  
\_\_\_\_\_  
(Mrs.) Beverley D. Wood  
Clerk/Manager of Council Services



**EXPLANATORY NOTE TO BY-LAW 2009-05**

The former Township of Delhi By-Law 35-91 which was adopted on May 6<sup>th</sup>, 1991 and registered in the Norfolk Land Registry Office (No. 37) on May 10<sup>th</sup>, 1991 as Instrument No. NR479086, is being repealed to facilitate some necessary amendments.

The legal description of the property designated under former Township of Delhi By-Law 35-91 should have excluded Parts 1, 2, 3 and 4 on Plan 37R-4348, Norfolk County, which was registered prior to the Designation.

In addition, as the By-Law was brought forward in error under the new Land Titles System to four additional PINS, that the By-Law also be amended to exclude the following PINS: 50261-0251(LT), 50261-0259(LT), 50261-0261(LT) and 50261-0250(LT).