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THE CORPORATION OF THE CITY OF THOROLD

BY-LAW NO. 33-2002

A BY-LAW TO DESIGNATE THE ALLANBURG HERITAGE OAK TREE TO BE OF HISTORIC VALUE AND INTEREST

WHEREAS:

1. Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18 authorizes the Council of a municipality to enact by-laws to designate a property within the municipality including all buildings and structures thereon to be of architectural or historic value or interest.
2. The City owns the lands.
3. Council has served the Notice of Intention upon the Ontario Heritage Foundation providing Notice of Intention to designate The Allanburg Heritage Oak Tree on the Lands as being of historic value and interest and has caused such Notice of Intention to be published in the Thorold News, a newspaper having general circulation in the municipality on the 23rd day of March, 2002.
4. No Notice of Objection to the proposed designation has been served upon the City.

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF THOROLD ENACTS AS FOLLOWS:

1. In this by-law and its preambles:
 - (a) "City" means the Corporation of the City of Thorold;
 - (b) "Council" means the Council of the City;
 - (c) "Designated" or "Designation" means the designating of The Allanburg Heritage Oak Tree and the Lands upon which it is situated to be of historic value and interest pursuant to the relevant provisions in the Ontario Heritage Act, R.S.O. 1990, Chapter O.18 as amended;
 - (d) "Lands" means lands and premises and buildings or improvements thereon described in Schedule "A" annexed hereto and made part of this By-law;
 - (e) "Notice of Intention" means the Notice set out in Schedule "B" annexed to and made part of this By-law.
2. The Allanburg Heritage Oak Tree (variously called "The Allanburg White Oak Tree" or "The Allanburg White Oak") and the lands upon which it is situated as such are described in Schedule "A" annexed to this By-law are designated to be of historic value and interest.
3. The Municipal Solicitor is hereby authorized to cause a copy of this By-law and a copy of the reasons for designation, as stated in Schedule "B" to this By-law, to be registered on the title to the lands at the Registry Office for the Registry Division of Niagara South at Welland.

4. The Clerk of the City is hereby authorized to cause a copy of this by-law to be served upon the Ontario Heritage Foundation and to cause Notice of the passing of this by-law to be published in a newspaper having general circulation in the City.
5. The description in Schedule "A" annexed to and made part of this By-law may, if required, be amended by the Clerk of the City for the purposes of the registration of this By-law.

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL

THIS 7th DAY OF MAY, 2002.



Mayor *Robin Davidson*



City Clerk *John K. Bice*

SCHEDULE "A"

DESCRIPTION

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Thorold, formerly the Town of Thorold, in the Regional Municipality of Niagara, formerly the County of Welland, and being:

Lands described as being parts 6 through 12 on Plan 59R-3955, ^{Part} Lot 77, Plan M-28, in the former Township of Thorold, now in the City of Thorold, Regional Municipality of Niagara.

SCHEDULE "B"

NOTICE OF INTENTION TO DESIGNATE

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER 0.18
AND IN THE MATTER OF THE LANDS AT THE FOLLOWING LOCATION IN THE
CITY OF THOROLD, IN THE PROVINCE OF ONTARIO.

TAKE NOTICE that the Council of the Corporation of the City of Thorold intends to designate the natural feature known as The Allanburg Heritage Oak Tree as being of historic value and interest under Part IV of The Ontario Heritage Act, R.S.O. 1990.

REASONS FOR THE PROPOSED DESIGNATION:

The Allanburg Heritage Oak Tree

North side of Falls Street between Highway 20
to the east and Centre Street to the west.
Parts 6 through 12 on Plan 59R-3955, Lot 77, Plan M-28
Allanburg, City of Thorold

The Allanburg White Oak Tree has a strong historical significance in the community and is believed to date back to the 17th Century, making it well over 300 years old. The white oak is of significant age and stature (estimated at 350 years) with upper branches and likely a root system that spans out approximately 100 feet.

The Allanburg Heritage Oak Tree is registered with the Ontario Forestry Foundation and is listed on the Honour Roll of Ontario Trees (1993).

The white oak tree and its surrounding lands is an important part of the Allanburg community not only in the lives of those who live in the general vicinity but also has a long history of family gatherings and activities.

The Allanburg White Oak is clearly a link to the past history of the Allanburg community and represent a unique value to the general public because of its size, age and historical association to the City of Thorold. The designation of this tree provides an opportunity for the City of Thorold to officially recognize the life of this tree and its importance to the community as well as to those who contributed to the preservation of the Allanburg White Oak.

This tree is considered to be a link to our past history and represents a unique value to the general public because of the size, age and historical association to the community of Allanburg.

The designation of The Allanburg Heritage Oak Tree will be the first of its kind in Thorold to designate a natural feature.

Any person may object to the proposed designation within thirty (30) days after the date of the publication of the Notice of Intention by serving on the Clerk of the Corporation of the City of Thorold a notice of objection setting out the reason for the objection and all relevant facts. The last day for filing objections will be Monday, April 22, 2002. All objections received within the aforementioned time period will be referred to the Heritage Conservation Review Board for a hearing and report.

DATED at the City of Thorold this 23rd day of March, 2002.

J. K. Bice, City Clerk
Corporation of the City of Thorold
P.O. Box 1044, 8 Carleton Street South
Thorold, Ontario L2V 4A7