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January 18, 2011

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

ONTARIO HERITAGE TRUST

JAN 20 2011

RECEIVED

Re: Repeal of Designation By-law 1982-06, Town of Penetanguishene – 2 Water Street, Dr. Spohn Residence

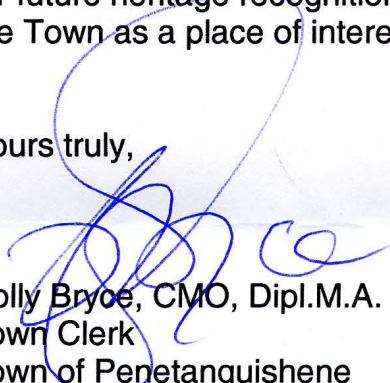
To Whom it May Concern:

As per the Ontario Heritage Act, the Town of Penetanguishene sent notice to Ontario Heritage Trust, the Property Owner of 2 Water Street, Penetanguishene and posted public notice in the local media and on the Town's website pertaining to the repeal of Designation By-law 1982-06 (2 Water Street).

Please be advised, that at the Town of Penetanguishene Council meeting on January 12, 2011, repealed said By-law. A copy of By-law 2011-01 Being a By-law to Repeal By-law 1982-6 Being a By-law to Designate the Property Known Municipally as 2 Water Street as Being of Architectural and Historical Value of Interest is enclosed for your records.

Although official designation has been repealed, the property will be considered for future heritage recognition under an established Recognition Program through the Town as a place of interest.

Yours truly,


Holly Bryce, CMO, Dipl.M.A.
Town Clerk
Town of Penetanguishene
(705) 549-7453 ex. 212

c.c. Director of Planning and Development (property file)

Encl.





THE CORPORATION OF THE TOWN OF PENETANGUISHENE

BY-LAW 2011-01

Being a By-law to Repeal By-law 1982-6 Being a By-law to Designate the Property Known Municipally as 2 Water Street as Being of Architectural and Historical Value of Interest

WHEREAS pursuant to section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, the council of a municipality may, by by-law, designate a property within the municipality to be of cultural heritage value or interest if (a) where criteria for determining whether property is of cultural heritage value or interest have been prescribed by regulation, the property meets the prescribed criteria; and (b) the designation is made in accordance with the process set out in this section;

AND WHEREAS the Council of the Town of Penetanguishene previously designated the property known municipally as 2 Water Street, Penetanguishene on January 25, 1982 under By-law 1982-6;

AND WHEREAS it has been determined by Heritage Penetanguishene and by Council that the property no longer retains the original reasons for designation in their original state;

AND WHEREAS pursuant to section 31.(3) of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, where the council of a municipality intends to repeal a by-law or part thereof designating property, it shall cause notice of intention to repeal the By-law or part thereof to be given by the clerk of the municipality;

AND WHEREAS notice of intention to repeal By-law 1982-6 was served on the owner of the property, Ontario Heritage Trust; and published in a newspaper having general circulation in the municipality;

AND WHEREAS a notice of objection was provided for which no objections were received;

NOW THEREFORE, the Council of The Corporation of the Town of Penetanguishene enacts as follows:

1. That the Property known municipally as 2 Water Street, being a designated property in the Town of Penetanguishene pursuant to the Ontario Heritage Act no longer retains the original reasons for designation in their original state which included:

- Bargeboard on the main gable and east facing gable;

- Replica finials as referenced in the designation By-law 1982-6.

2. That By-law 1982-6 being a By-law to Designate the Property Known Municipally as 2 Water Street as Being of Architectural and Historical Value of Interest be repealed in its entirety.
3. That the Clerk is hereby authorized to discharge any interest based on the notice of designation that was registered in the Land Titles Registry, notify all property owners of the repeal and cause a certified copy of this By-law to be served on the Registrar of Heritage Property with Ontario Heritage Trust.
4. That this By-law shall come into force and effect on passing.

By-law read a first, second and third time and finally passed by Council on the 12th of day January, 2011.



MAYOR Gerry Marshall

CLERK Holly Bryce