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Received

May 29, 2024

MAY 30 2024

File 12-04

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

Ontario Heritage Trust

**Re: Repeal of Part of the Designation By-law for 452 Simcoe Street North, Oshawa,
Ontario under Section 32, Part IV of the *Ontario Heritage Act***

I confirm that the Council of The Corporation of the City of Oshawa passed By-law 70-2024 on May 27, 2024 to repeal part of By-law 148-2011 designating 452 Simcoe Street North, specifically:

PIN 16311-0327 (LT) LT 11 PL 201 OSHAWA; PT LT 10 PL 201 OSHAWA AS IN
OS133684; CITY OF OSHAWA

as being of cultural heritage value or interest. By-law 70-2024 removes "clad in cedar shingles" from the Description of Heritage Attributes as contained in Schedule "A" of By-law 148-2011. A copy of By-law 148-2011 is attached for reference.

Please find served upon you pursuant to subsection 32(5) of the *Ontario Heritage Act* a copy of By-law 70-2024 to repeal part of By-law 148-2011, and a notice of the passing of by-law.

If you require further information or clarification, please contact me at the address shown or by telephone at (905) 436-3311, extension 2697 or by email to hwhilsmith@oshawa.ca.

Harrison Whilsmith, Planner A
Policy, Planning Services

Attachment

c. Sam Yoon, City Solicitor

Notice of the Passing of a By-law Under the Ontario Heritage Act

Take notice that the Council of the Corporation of the City of Oshawa passed By-law 70-2024 on the 27th day of May, 2024, under Section 32, Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18.

By-law 70-2024 repeals part of By-law 148-2011 designating 452 Simcoe Street North, specifically:

PIN 16311-0327 (LT) LT 11 PL 201 OSHAWA; PT LT 10 PL 201 OSHAWA AS IN OS133684; CITY OF OSHAWA

as being of cultural heritage value or interest. By-law 70-2024 removes “clad in cedar shingles” from the Description of Heritage Attributes as contained in Schedule “A” of By-law 148-2011.

Additional information is available for inspection in Planning Services, 8th Floor, City Hall, 50 Centre Street South between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. If you would like to obtain further details, please contact Harrison Whilsmith, Oshawa City Hall, 50 Centre Street South, Oshawa, Ontario L1H 3Z7 or by telephone at 905-436-3311, extension 2697 or by email to hwhilsmith@oshawa.ca.

Any person may, on or before the 28th day of June, 2024, send notice of appeal to the Ontario Land Tribunal and the City Clerk by setting out their objection to By-law 70-2024, together with a statement of their reasons in support of the objection and the associated fee charged by the Ontario Land Tribunal. Notice of appeal must be received by registered mail or delivered to the City Clerk of the City of Oshawa.

Dated this 29th day of May, 2024.

Mary Medeiros, City Clerk
50 Centre Street South
Oshawa, ON L1H 3Z7



By-law 70-2024
of The Corporation of the City of Oshawa

Being a by-law to repeal part of By-law 148-2011 which designates the property municipally known as 452 Simcoe Street North, specifically PIN 16311-0327 (LT) LT 11 PL 201 OSHAWA; PT LT 10 PL 201 OSHAWA AS IN OS133684; CITY OF OSHAWA (the "Subject Site"), as being of cultural heritage value or interest pursuant to Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18.

Whereas Section 32, Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18 (the "Ontario Heritage Act") provides that the owner of property designated under the Ontario Heritage Act may apply to the Council of a municipality to repeal a by-law passed under Section 29 of the Ontario Heritage Act, or part thereof, designating a property; and,

Whereas on November 28, 2011, City Council passed By-law 148-2011, being a by-law to designate the Subject Site under Part IV of the Ontario Heritage Act; and,

Whereas on February 26, 2024, City Council considered Correspondence Item CNCL-24-21, being a request from the registered owner of the Subject Site to repeal part of By-law 148-2011 in order to remove "clad in cedar shingles" from the description of heritage attributes associated with the Subject Site, and directed staff to publish notice of the registered owner's application to repeal part of By-law 148-2011 in accordance with Section 32(3) of the Ontario Heritage Act and then report back to City Council once the process set out under Section 32 of the Ontario Heritage Act was complete; and,

Whereas the Notice of Application to Repeal a Designation By-law has been given in accordance with Section 32(3) of the Ontario Heritage Act, and pursuant to the City of Oshawa's Public Notice Policy; and,

Whereas the last day for filing a Notice of Objection to the Notice of Application to Repeal a Designation By-law was April 2, 2024; and,

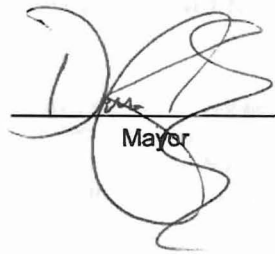
Whereas no objection to the proposed repeal of part of By-law 148-2011 has been served on the Clerk of the municipality within the prescribed timeframe under Section 32(4) of the Ontario Heritage Act; and,

Whereas on May 27, 2024, pursuant to Report ED-24-52, City Council passed a motion to consent to the registered owner's application to repeal part of By-law 148-2011 in accordance with Section 32(5), Part IV of the Ontario Heritage Act.

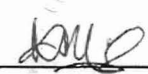
Therefore it is enacted as a by-law of The Corporation of the City of Oshawa as follows:

1. The Subject Site constituting the property municipally known as 452 Simcoe Street North, legally described as PIN 16311-0327 (LT) LT 11 PL 201 OSHAWA; PT LT 10 PL 201 OSHAWA AS IN OS133684; CITY OF OSHAWA, shall continue to be designated as being of cultural heritage value or interest as enacted in By-law 148-2011.
2. The following excerpt from the Description of Heritage Attributes, as contained in Schedule "A" of By-law 148-2011, is hereby repealed:
 - a. "clad in cedar shingles".
3. All other relevant provisions of By-law 148-2011, as amended, shall apply unless otherwise amended.
4. A copy of this by-law shall be registered against the Subject Site in the Land Registry and Land Titles Offices for the Land Registry Division of Durham (No. 40).
5. The City Clerk is hereby authorized to serve a copy of this by-law on the Ontario Heritage Trust and the registered owner of the Subject Site, and to publish notice of the passing of this by-law.

By-law passed this twenty-seventh day of May, 2024.



Mayor



City Clerk