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The City of
Niagara Falls
Canada



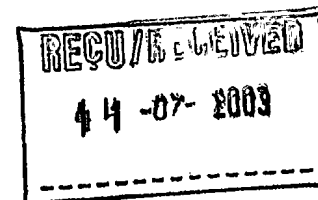
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Vic: T. Hanson-Curtwright
Niagara Falls

Doug Darbyson
Director



July 8, 2003

REGISTERED MAIL

Marjorie Mercer
Executive Directors Office
Ontario Heritage Foundation
10 Adelaide Street East
Toronto, Ontario
M5C 1J3

Dear Ms. Mercer:

**Re: Notice of Intention to Conduct a
Partial Repeal of Heritage Designation By-law for
the Copper Beech Tree within the Drummond Hill Cemetery**

The Council of the Corporation of the City of Niagara Falls intends to conduct a partial repeal of By-law No. 2002-134 being a by-law to designate a property as having historic value and interest under Part IV of the Ontario Heritage Act. The intent is to amend the legal description which currently describes the tree as being "within" the Drummond Hill Cemetery. Since that designation, a more detailed and accurate legal description has been obtained by way of reference plan 59R-11813 which should be included in the designation by-law as Schedule "A", thus replacing the old Schedule "A". The enclosed notice provides a brief description of the significance of the property and the manner in which objection to the notice of intention to repeal a by-law or part thereof may be served. This public notice is being published in the Niagara Falls Review in accordance with the requirements of the Ontario Heritage Act on Friday, July 11, 2003

Should you require additional information, please contact me at 905 356 7521, ext. 4342.

Yours truly,

Bill Matson
Assistant Planner

BM:pb
Attach.

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✓ 7/13/03
RA

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IN THE MATTER OF THE ONTARIO HERITAGE ACT,
R.S.O. 1990, SECTION 32

AND IN THE MATTER OF THE LAND REFERRED TO AS
THE HISTORIC COPPER BEECH TREE WITHIN THE
DRUMMOND HILL CEMETERY, IN THE CITY OF NIAGARA
FALLS, IN THE PROVINCE OF ONTARIO.

**NOTICE OF INTENTION TO REPEAL A PORTION OF DESIGNATING
BY-LAW 2002-134 (UNDER THE ONTARIO HERITAGE ACT)**

TAKE NOTICE that the Council of the Corporation of the City of Niagara Falls, on the 12TH day of May 2003, decided to repeal a portion of a property known municipally as the historic copper beech tree, as a property with significant historic value and interest under the Ontario Heritage Act, R.S.O.

Short Statement of the Reasons for Repealing a Portion of the Designation:

The Copper Beech Tree was planted in Drummond Hill Cemetery in 1914 to commemorate the 100th anniversary of the Battle of Lundy's Lane (July 25, 1814) which was described as being the most fiercely fought and the bloodiest battle of the War of 1812. The action centered on the heights of Lundy's Lane, now known as Drummond Hill. City Council designated the tree in 2002 under the Ontario Heritage Act. The designation is registered with the whole of the property including the Drummond Hill Cemetery.

The original intention behind the designation of the tree was not to include all of the Cemetery. City Council intends to amend the legal description of Schedule "A" of designating By-law 2002-134 to reflect that only the existing Copper Beech Tree and its lands immediately around the trunk are designated under the Ontario Heritage Act.

Any person may within 30 days of the date of this notice, send by registered mail or deliver to the Clerk of the City of Niagara Falls, notice of objection to the proposed partial repeal of the designating by-law together with a statement of the reasons for the objection and all relevant facts. If such a notice of objection is received, the City Council shall refer the matter to the Conservation Review Board.

Dated at Niagara Falls this 11th day of July, 2003.

Dean Iorfida, City Clerk