



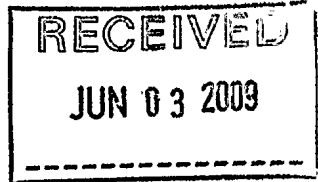
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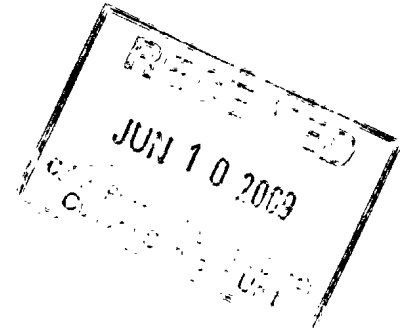
June 2, 2009

REGISTERED MAIL

Mr. Richard Moorhouse, Executive Director,
Ontario Heritage Trust
10 Adelaide Street East
Toronto, ON M5C 1J3

Dear Mr. Moorhouse:

**Re: Reverend William Leeming House
5781 Highland Avenue, Niagara Falls, ON
Request to Repeal Designating By-law No. 2002-054**



On May 4, 2009, the Council of the Corporation of the City of Niagara Falls refused the request by the owner to repeal the designating by-law for the Reverend William Leeming House at 5781 Highland Avenue. Council denied the request after considering Planning staff report (PD-2009-37, attached) which found the exterior elements in the reasons for designation had not changed and also to allow staff the opportunity to investigate, with the owner, the relocation of the house.

Enclosed is a copy of the Notice of Refusal which is sent to you in accordance with the requirements of the Ontario Heritage Act.

Should you have any questions or require further information, please contact me.

Yours truly,

Peggy Boyle
Assistant Planner

PB:mb

Encl.

c. Dean Iorfida, City Clerk

SAHISTORY\INV\Highland5781.dp\Ontario Heritage Trust.ltr.wpd

Working Together to Serve Our Community

Community Services Department
Planning & Development
Ext 4334 Fax 905-356-2354
ppoyle@niagarafalls.ca



**NOTICE OF REFUSAL
TO
REPEAL
DESIGNATING BY-LAW NO. 2002-054**

**PURSUANT TO THE PROVISIONS OF THE ONTARIO HERITAGE ACT
R.S.O. 1990, SECTION 32**

TAKE NOTICE that the Council of the Corporation of the City of Niagara Falls made a decision to refuse the requested repeal detailed below on the 4th day of May, 2009.

**Reverend William Leeming House
5781 Highland Avenue**

PURPOSE AND EFFECT OF THE REPEAL

The purpose and effect of the request of the owner is to repeal the designating by-law to allow for the dismantling and removal of the Rev. William Leeming House at 5781 Highland Avenue.

EXPLANATION OF REFUSAL

Council denied the request to repeal on May 4, 2009, on the basis of Report PD-2009-37 (attached) for the following reasons:

- that the significant exterior elements included in the reasons for designation have not changed; and
- in order to allow staff the opportunity to investigate, with the owner, the relocation of the house.

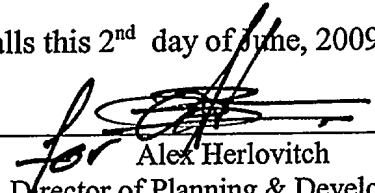
APPEAL TO THE CONSERVATION BOARD

The property owner may appeal the refusal of the request to repeal to the Conservation Review Board by filing a notice of appeal, setting out the reasons for the appeal with the Clerk of the Corporation of the City of Niagara Falls, within 30 days of the receipt of this notice. Receipt of Notice is deemed to be 7 days from the date of mailing.

The last day for filing a notice of appeal is July 9th , 2009.

The decision of the Council of the Corporation of the City of Niagara Falls is final if a notice of appeal is not received before or on the last day for filing a notice of appeal.

Dated at the City of Niagara Falls this 2nd day of June, 2009.



Alex Herlovitch
Director of Planning & Development
City of Niagara Falls
4310 Queen Street, P.O. Box 1023
Niagara Falls, ON L2E 6X5