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**NOTICE OF
AMENDING BY-LAW NO. 2014-102**

**PURSUANT TO THE PROVISIONS OF
THE ONTARIO HERITAGE ACT R.S.O. 1990, SECTION 30.1,**

AND IN THE MATTER OF THE LANDS AND PREMISES KNOWN MUNICIPALLY AS

Stamford White Oak Tree

TAKE NOTICE that the Council of the Corporation of the City of Niagara Falls passed a by-law amending Designating By-law 2001-176 on the 12th day of August, 2014.

PURPOSE AND EFFECT OF THE AMENDMENT

The amendment to the designating by-law has updated the legal description contained in Schedule A and the Reasons for Designation contained in Schedule B.

EXPLANATION OF AMENDMENT

The 2001 by-law described the heritage attributes of the property in general terms. Schedule B, Reasons for Designation has been revised to describe the associative and architectural value of the property including the setting and also updated to reflect a more detailed description of the property and the heritage attributes contained within.

Dated at the City of Niagara Falls this 11th day of November, 2014.

A handwritten signature in black ink, appearing to read "Alex Herlovitch", written over a horizontal line.

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

I, the undersigned, Deputy Clerk of The Corporation of the City of Niagara Falls, hereby certify the foregoing to be a true and correct copy of
By
Given under my hand and the seal of the said Corporation this day of
..... 2014
..... Deputy Clerk

CITY OF NIAGARA FALLS

By-law No. 2014 - 102

A by-law to amend By-law No. 2001-176, being a by-law to designate the Stamford White Oak Tree, located on the east side of Portage Road at Carman Street, to be of cultural heritage value and significance.

WHEREAS By-law No. 2001-176 designated the Stamford White Oak Tree located on the east side of Portage Road at Carman Street to be of cultural heritage value and interest;

AND WHEREAS pursuant to Section 30.1 (2) (a) , the council of a municipality may by by-law amend a by-law designating property under Section 29 of the *Ontario Heritage Act* to clarify or correct the statement explaining the property's cultural heritage value or interest or the description of the property's heritage attributes;

AND WHEREAS the requirement for Council to consult with its Municipal Heritage Committee pursuant to Section 30.1 (5) has been fulfilled;

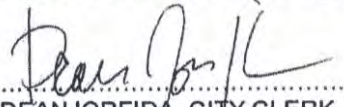
AND WHEREAS The Corporation of the City of Niagara Falls has caused to be served on the owner and the Ontario Heritage Trust, a Notice of the proposed Amendment;

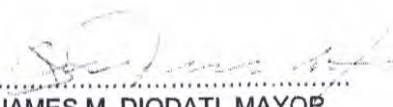
AND WHEREAS no objections have been filed with the Clerk of the Municipality;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS ENACTS AS FOLLOWS:

1. That By-law 2001-176 be amended by deleting Schedule "B" thereto and substituting Schedule "B" attached hereto.
2. The City Solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule "A" hereto in the proper Land Registry Office.
3. The City Clerk is hereby authorized to cause a copy of this by-law to be served upon the owner of the property and upon the Ontario Heritage Trust.

Passed this twelfth day of August, 2014.


.....
DEAN IORFIDA, CITY CLERK


.....
JAMES M. DIODATI, MAYOR

First Reading: August 12, 2014
Second Reading: August 12, 2014
Third Reading: August 12, 2014

SCHEDULE "A" to BY-LAW NO. 2014-102

Part of Township Lot 43, Stamford, Part of Township Lot 56, Stamford, being a Forced Rd; known as Portage Rd; lying between Church's Lane and the northerly limit of Township Lot 60, Stamford, Niagara Falls.

SCHEDULE "B" to BY-LAW NO. 2014 - 102

Description of the property – Stamford White Oak Tree

The Stamford White Oak tree is located on the east side of Portage Rd at Carman Street and opposite Stamford Green. The tree is thought to be over 300 years old and given its proximity to Portage Road means this tree has witnessed many travelers while serving as a guide post.

Statement of Cultural Heritage Value

The location of the White Oak is a contributing factor to why it has become a cultural icon. Portage Road was considered to be a vital link in the transportation route between Lake Ontario and Lake Erie. It is well documented that Portage Road was used to move troops and supplies from lake to lake during the War of 1812.

The White Oak is thought to be the only tree remaining from the original forest growth that covered the Stamford Township. Trees were obstacles to the pioneer. He had to cut them down and remove the logs before he could plant crops. The White Oak's proximity to Portage Road is probably what saved it.

In 1983, the tree was deemed to be unhealthy and a safety risk due to branches that were falling off and was scheduled to be removed. The public rallied around the tree and saved it. The City of Niagara Falls and the Niagara Falls Heritage Foundation shared the \$7,500 cost of medicating and pruning the tree in hopes of preserving it for another 100 years.

The average diameter of a mature white oak measured at breast height is said to be between 2 and 4 feet. The Stamford White Oak had a diameter of 5'1" with a circumference of almost 16 ft. at the time of original designation in 2001.

Key attributes that reflect the heritage value of the Stamford White Oak Tree include:

- Location of the White Oak tree in proximity to Portage Rd. a well-documented transportation link between Lakes Erie and Ontario.
- Longevity of the tree at this particular location
- Thought to be only tree remaining from original forest growth in Stamford
- Link to the history of Stamford representing a unique value to public because of its size, age and historical association to the City.