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Ce document est tiré du registre aux fins de la *Loi sur le patrimoine de l'Ontario*, accessible à partir du site Web de la Fiducie du patrimoine ontarien sur **[www.heritagetrust.on.ca](http://www.heritagetrust.on.ca)**.



ONTARIO HERITAGE TRUST

NOV 08 2017

RECEIVED

November 3, 2017

Ms. Teresa Maljar-Hupel  
Assistant Registrar  
Ontario Heritage Trust  
10 Adelaide Street East  
Toronto, ON M5C 1J3

Dear Ms. Maljar-Hupel:

**Re: Repealing By-laws for Reverend William Leeming House, 5781 Highland Avenue, Niagara Falls**  
**Repealing By-laws for Stamford White Oak Tree, Portage Road, Niagara Falls**

Please find enclosed copies of the repealing By-laws for the above two noted properties for which you have previously received Notices of Passing.

If you have any questions, please do not hesitate to contact me.

Yours truly,

Peggy Boyle, CAHP  
Assistant Planner

PB:ce  
Attach.

S:\HISTORY\INV\Highland5781.dp\Appeal\OHT Ltr with Repealing By-laws.docx

*Working Together to Serve Our Community*

Planning, Building, &  
Development  
Ext 4334 Fax 905-356-2354  
pboyle@niagarafalls.ca



ONTARIO HERITAGE TRUST

NOV 03 2017

RECEIVED

November 1, 2017

**REGISTERED MAIL**

Ms. Beth Hanna, Executive Director  
Ontario Heritage Trust  
10 Adelaide Street East,  
Toronto, ON M5C 1J3

Dear Ms. Hanna:

**Re: Stamford White Oak Tree  
Portage Road, Niagara Falls, ON  
Notice of Passing of Repealing Designating By-laws  
No. 2001-176 & 2014-102**

On September 26, 2017, the Council of the Corporation of the City of Niagara Falls passed a by-law to repeal the designating by-law for the Stamford White Oak Tree.

Enclosed is a copy of the Notice of Passing of the By-law to Repeal the Designating By-law which is served on 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, CAHP  
Assistant Planner

PB:pb

Attach.

c. Clerk,

S:\HISTORY\INV\Portage-StamfordOakTree.dp\Ltr to OHT re Repeal Nov 2017.docx

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**NOTICE OF PASSING OF A BY-LAW TO  
REPEAL DESIGNATING BY-LAWS  
NOS. 2001-176 and 2014-102**

**PURSUANT TO THE PROVISIONS OF THE  
ONTARIO HERITAGE ACT R.S.O. 1990,  
SECTION 31**

**TAKE NOTICE that the Council of the Corporation of the City of Niagara Falls  
passed a By-law No. 2017-103 on the 26<sup>th</sup> day of September, 2017,**

**STAMFORD WHITE OAK TREE**

**PURPOSE AND EFFECT OF THE REPEAL**

The purpose of By-law No. 2017-103 is to repeal By-law No. 2001-176 and By-law No. 2014-102 which were adopted to designate the subject property as a property of cultural heritage value and interest.

**EXPLANATION OF THE REPEAL**

Council approved the request of staff to repeal on October 27, 2015 on the basis that the tree suffered a catastrophic structural failure and collapsed on August 22, 2015.

**Please note there is no appeal to this by-law. The decision of the Council of the Corporation of the City of Niagara Falls is final.**

Dated at the City of Niagara Falls this 2nd day of November, 2017.

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

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

**Properties**

**PIN** 64276 - 0034 LT  
**Description** PT TWP LT 43 STAMFORD; PT TWP LT 56 STAMFORD BEING A FORCED RD;  
KNOWN AS PORTAGE RD; LYING BTN CHURCH'S LANE & THE NLY LIMIT OF TWP  
LT 60 STAMFORD; CITY OF NIAGARA FALLS  
**Address** NIAGARA FALLS

**Applicant(s)**

This Order/By-law affects the selected PINs.

**Name** THE CORPORATION OF THE CITY OF NIAGARA FALLS  
**Address for Service** City Hall  
4310 Queen Street  
P.O.Box 1023  
Niagara Falls, ON L2E 6X5

This document is being authorized by a municipal corporation through Kenneth L. Beaman, City Solicitor, on behalf of The Corporation of the City of Niagara Falls.

This document is not authorized under Power of Attorney by this party.

**Statements**

This application is based on the Municipality By-law See Schedules.

**Signed By**

Kenneth Lloyd Beaman	4310 Queen St. P.O. Box 1023 Niagara Falls L2E 6X5	acting for Applicant(s)	Signed	2017 10 11
Tel 905-356-7521				
Fax 905-371-2892				

I have the authority to sign and register the document on behalf of the Applicant(s).

**Submitted By**

THE CORPORATION OF THE CITY OF NIAGARA FALLS	4310 Queen St. P.O. Box 1023 Niagara Falls L2E 6X5	2017 10 12
Tel 905-356-7521		
Fax 905-371-2892		

**Fees/Taxes/Payment**

Statutory Registration Fee	\$63.35
Total Paid	\$63.35

**File Number**

Applicant Client File Number : 2017-05

CITY OF NIAGARA FALLS

By-law No. 2017- 103

I, the undersigned, Clerk of the Corporation of the City of Niagara Falls, hereby certify the foregoing to be a true and correct copy of

BY-LAW 2017-103  
of the said City. Given under my hand and the seal of the said Corporation this 25th day of August 2017.

WILLIAM GLEN WATSON, Clerk

Being a by-law to repeal By-law 2001-176 and 2014-102, Designation By-laws, under the *Ontario Heritage Act*, designating the property known as the Stamford White Oak Tree, Portage Road and Carman Street, as being of cultural heritage value and interest.

**WHEREAS** the Ontario Heritage Act, R.S.O. 1990, s.29 authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and/or structures thereon, within the municipality to be of cultural heritage value or interest;

**AND WHEREAS** the lands and premises known as the Stamford White Oak Tree in the City of Niagara Falls was designated to be of cultural heritage value and interest by By-law 2001-176 passed on August 13, 2001 and amended by By-law No. 2014-102 on August 12, 2014 and registered on title to the property as Instrument numbers SN150432 and SN414368, respectively;

**AND WHEREAS** the tree suffered a catastrophic structural failure and collapsed on August 22, 2015;

**AND WHEREAS** the Council of the Corporation of the City of Niagara Falls granted approval to repeal the by-law on October 27, 2015 due to the collapse of the tree;

**AND WHEREAS** no objections were received from members of the public to the Notice of Intention to Repeal the by-law;

**AND WHEREAS** the remnant components of the tree were demolished and removed;

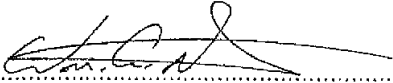
**AND WHEREAS** the Ontario Heritage Act, R.S.O. 1990, s.31 authorizes the Council of a municipality to repeal a designating by-law;

**NOW THEREFORE** the Council of The Corporation of the City of Niagara Falls enacts as follows:

1. By-law Number 2001-176 and 2014-102 are hereby repealed;
2. The Clerk is hereby authorized to cause a copy of this By-law to be served on the owner of the aforesaid property and on the Ontario Heritage Trust, to cause notice of the passing of this by-law to be published in a newspaper having general circulation in the municipality and to cause reference to said property to be deleted from the Register established in subsection 27 of the Act; and
3. The City Solicitor is hereby authorized to cause a copy of this by-law to be registered against the whole of the property described in Schedule "A" hereto in the proper land registry office.

WILLIAM GLEN WATSON, a Commissioner, etc.,  
Acting City Clerk, for the City of Niagara Falls,  
Regional Municipality of Niagara,  
Province of Ontario

Passed this twenty-sixth day of September, 2017.



.....  
BILL MATSON, ACTING CITY CLERK



.....  
JAMES M. DIODATI, MAYOR

First Reading: September 26, 2017  
Second Reading: September 26, 2017  
Third Reading: September 26, 2017