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THE CORPORATION OF THE TOWN OF WHITBY

In the Regional Municipality of Durham

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July 26, 2011

ONTARIO HERITAGE TRUST

JUL 28 2011

RECEIVED

Jim Leonard, Registrar
Ontario Heritage Trust
Heritage Programs and Operation
10 Adelaide Street East
Toronto, ON M5C 1J3

RE: Planning Report, PL 3-11
The Robert Spence House – 709 Centre Street South and the Request to Repeal
Heritage Designation By-law No. 2655-89
Our File: G20 (Jan. 17)

Please be advised that By-law No. 6438-11, being a By-law to repeal By-law No. 2655-89, a By-law to designate 709 Centre Street South as being of Architectural and Historical Value, was passed by the Council of the Town of Whitby on January 17, 2011 and registered on May 19, 2011 as Instrument No. DR 992087.

A certified true copy of By-law No. 6438-11 is enclosed for your reference.

Further information regarding this matter may be obtained by contacting the undersigned at (905) 430-4302.


Debi A. Wilcox, CMO, CMM III
Town Clerk

daw/ss
Enc.

cc: R. Short, Director of Planning
M. McDonnell, Manager, Downtown Development

THE CORPORATION OF THE TOWN OF WHITBY

BY-LAW NO. 6438-11

CEMENTED TRUE COPY

Doris A. Wilcox
CLERK

TOWN OF WHITBY

BEING A BY-LAW TO REPEAL BY-LAW NO. 2655-89, A BY-LAW TO
DESIGNATE 709 CENTRE STREET SOUTH AS BEING OF ARCHITECTURAL
AND HISTORICAL VALUE

WHEREAS Section 32 of the Ontario Heritage Act provides that an owner of property designated under Part IV may apply to the Council of the municipality to repeal the by-law or part thereof;

WHEREAS Council, after consultation with the Municipal Heritage Committee shall consider an application and within 90 days of receipt of the request shall refuse the application or consent to the application and cause notice of the intention to repeal the by-law to be served on the owner and the Ontario Heritage Trust and publish notice of the intention to repeal the by-law in a newspaper of general circulation within the municipality;

WHEREAS the owners of 709 Centre Street South have requested that the By-law passed to designate their property be repealed to address property insurance issues;

AND WHEREAS the Municipal Heritage Committee has been consulted regarding the proposed repeal; and

WHEREAS the Council of the Town of Whitby has served upon the owner of the property and upon the Ontario Heritage Trust, notice of intention to repeal the by-law and has published such notice of intention in the local newspaper having general circulation in the municipality in accordance with legislated requirements; and

WHEREAS no notice of objection to the proposed repeal by-law has been served on the Clerk of the Town of Whitby;


NOW THEREFORE, the Council of the Corporation of the Town of Whitby enacts as follows:


1. That By-law No. 2655-89 is hereby repealed in its entirety;
2. The Town Clerk is hereby authorized and directed to cause a copy of this By-law to be registered against the property in the Land Registry Office; and

By-Law No. 6438-11 (Continued)

3. The Town Clerk has hereby caused a copy of this By-law to be served upon the owners of the property and upon the Ontario Heritage Trust and has published notice of the By-law in the local newspaper having general circulation in the municipality.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 17th DAY OF JANUARY, A.D., 2011.


Debi A. Wilcox, Town Clerk


Patricia Perkins, Mayor