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K. Gonyou

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	TECHNICAL AMENDMENT TO BY-LAW NO. L.S.P.-3389-65 MATHERS CEMETERY MEETING ON JUNE 20, 2016

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, Municipal Council **AMEND** designating By-law No. L.S.P.-3389-65 to correct the municipal address of the Mathers Cemetery from 3557 Colonel Talbot Road to 3551 Colonel Talbot Road, pursuant to Section 30.1(2) of the *Ontario Heritage Act*.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The effect of the recommended action is to correct an error in the address identified within the designating by-law for the Mathers Cemetery.

BACKGROUND

The Mathers Cemetery is a significant cultural heritage resource. The cemetery contains the graves of three members of the Mathers family who were early pioneers in the former Westminster Township. The Mathers Cemetery was designated under Part IV of the *Ontario Heritage Act* on March 26, 2007. The municipal address identified within the designating by-law for the Mathers Cemetery is 3557 Colonel Talbot Road (Appendix A). The Mathers Cemetery is owned by the City of London.

A fire on February 23, 2016 destroyed the home located at 3557 Colonel Talbot Road. The home was destroyed (and since demolished) (Appendix B). The demolition address uncovered an error with the Mathers Cemetery address.

ANALYSIS

The municipal address assigned to the Mathers Cemetery is 3551 Colonel Talbot Road. The legal description of the Mathers Cemetery described in the designating by-law matches the legal description of the Mathers Cemetery property identified in Reference Plan 33R3853. The 3557 Colonel Talbot Road address identified within the designating by-law was an error and should be corrected to 3551 Colonel Talbot Road. Section 30.1(2) of the *Ontario Heritage Act* permits the correction of technical errors to designating by-laws.

The London Advisory Committee on Heritage (LACH) was consulted regarding this matter at its meeting held on June 8, 2016. The LACH supported the staff recommendation to amend the designating by-law for the Mathers Cemetery.

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CONCLUSION

A technical amendment to the designating by-law for the Mathers Cemetery should be undertaken, pursuant to Section 30.1(2) of the *Ontario Heritage Act*, to correct the address identified within the designating by-law.

PREPARED BY:	SUBMITTED BY:
KYLE GONYOU HERITAGE PLANNER URBAN REGENERATION	JIM YANCHULA, MCIP, RPP MANAGER, URBAN REGENERATION
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

2016-06-09

Attach:

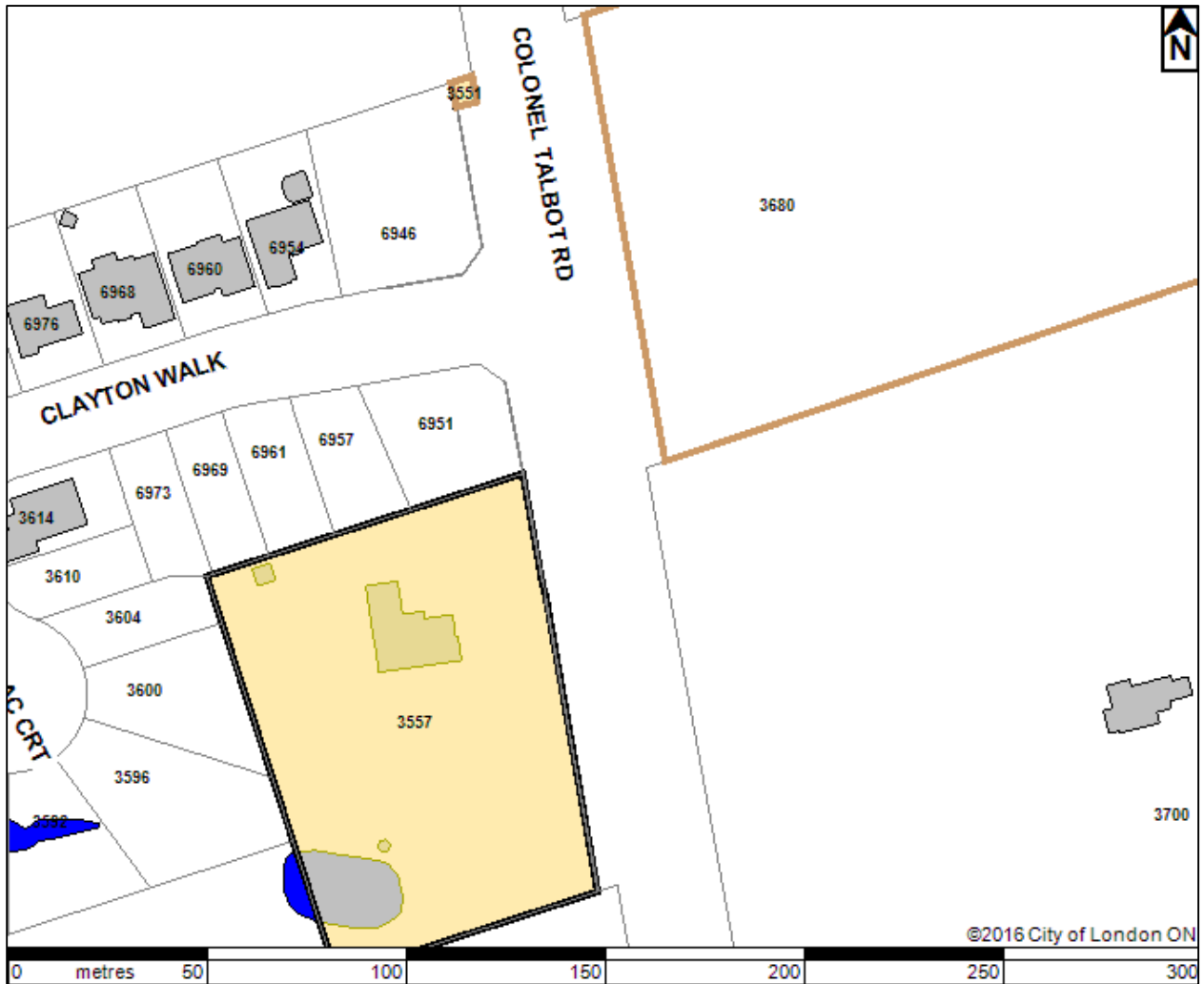
- Appendix A: Property Location 3551 Colonel Talbot Road and 3551 Colonel Talbot Road
- Appendix B: Photographs

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APPENDIX A: Property Location – 3551 Colonel Talbot Road and 3557 Colonel Talbot Road



Note: 3551 Colonel Talbot Road, the small parcel north of the intersection of Colonel Talbot Road and Clayton Walk is the location of the Mathers Cemetery. The designating by-law for the Mathers Cemetery inadvertently refers to 3557 Colonel Talbot Road, also highlighted.

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APPENDIX B: Photographs



Image 1: Mathers Cemetery (3551 Colonel Talbot Road).



Image 2: 3557 Colonel Talbot Road. Note: the dwelling formerly located at this address burnt on February 23, 2016 and was subsequently demolished.