

## Third Avenue United Church - 304 3rd Avenue North – Heritage Designation Bylaw Amendment Request

### ISSUE

The owners of the former Third Avenue United Church, St. Vincent of Lerins Orthodox Church, have requested an amendment to Bylaw No. 9413, the Third Avenue United Church Heritage Designation Bylaw, 2017, to allow the Casavant organ to be removed from the building.

### RECOMMENDATION

That a report be forwarded to the Standing Policy Committee on Planning, Development and Community Services, with a recommendation to City Council:

1. That the City Solicitor be requested to prepare an amendment to Bylaw No. 9413, Third Avenue United Church Heritage Designation Bylaw, 2017, with such amendment limited to amending the bylaw to remove the Casavant organ from the designation; and
2. That the General Manager, Community Services Division, be requested to prepare the required notices for advertising the proposed bylaw amendment.

### BACKGROUND

The Municipal Heritage Property Designation (Designation) for this building, under [Bylaw No. 9413, the Third Avenue United Church Heritage Designation Bylaw, 2017](#), designated the exterior original structure of the building and two interior elements, being the hammer-beam rafters and the Casavant organ (organ).

The Municipal Heritage Advisory Committee, at their meeting on September 7, 2017, identified the importance of the hammer-beam rafters and organ and recommended their inclusion in the Designation. Administration had not originally included the interior elements in the proposed Designation to allow flexibility for adaptive reuse within the building. The Standing Policy Committee on Planning, Development and Community Services at their meeting on November 7, 2017, heard from the Saskatoon Heritage Society regarding the interior elements, considered the application to designate, and recommended the two interior elements be included in the Designation.

City Council, at its meeting on November 28, 2017, considered the Designation and resolved the two interior elements be included in the Municipal Heritage Property Designation.

St. Vincent of Lerins Orthodox Church purchased the building in 2021. On March 21, 2023, representatives from St. Vincent of Lerins Orthodox Church made a presentation to the Municipal Heritage Advisory Committee regarding their pending request to amend Bylaw No. 9413, Third Avenue United Church Heritage Designation Bylaw, 2017.

Heritage Designation Bylaw Amendment Process

Municipal Heritage Property Designation and management of such municipal bylaws is governed by the *Heritage Property Act*, where the process for repealing or amending a bylaw is outlined in section 17(1). The Municipal Heritage Advisory Committee must be consulted on any requests to amend the Heritage Designation Bylaw before it can be voted on during a regular or special meeting of City Council. The Statement of Significance for the property is included (see Appendix 1).

**DISCUSSION/ANALYSIS**

St. Vincent of Lerins Orthodox Church (the Church) discovered the organ needs expensive repairs to restore the musical quality of the instrument. During their research to locate a company to repair the organ, the Church discovered the organ had been overhauled twice in the past; once in the 1950s and again in the 1980s.

The Church argues, since the organ has been largely refurbished, many of the original parts have been replaced and therefore would no longer be the original 1913 organ. Consequently, the Church believes the organ should not be considered the heritage asset it was purported to be when the Municipal Heritage Designation Bylaw was passed by City Council. For these reasons, the Church submitted a request to Administration to amend the bylaw to remove the organ from the Designation (see Appendix 2).

The Church does not have financial resources to repair the organ and they do not use it in their worship and would prefer to use the funds they have to maintain the building itself. Furthermore, because they cannot repair it, they believe the current value of the organ lies solely in its physical features. The Church would like to remove the organ from the building and donate it to a museum or similar venue that would make the organ available for public viewing.

**FINANCIAL IMPLICATIONS**

There are no financial implications.

**APPENDICES**

1. Statement of Significance – Third Avenue United Church – 304 3<sup>rd</sup> Avenue North
2. Request to the Municipal Heritage Advisory Committee

**REPORT APPROVAL**

Written by: Kellie Grant, Heritage and Design Coordinator  
Reviewed by: Darryl Dawson, Manager, Development Review  
Lesley Anderson, Director of Planning and Development  
Approved by: Lynne Lacroix, General Manager, Community Services Division