

Authority: Toronto and East York Community Council Item TE28.8, as adopted by City of Toronto Council on December 16, 17 and 18, 2013; CC5.9, as adopted by City of Toronto Council on March 31, April 1 and 2, 2015 and Section 169-26 of City of Toronto Municipal Code Chapter 169, Officials, City

## CITY OF TORONTO

**Bill 1016**

**BY-LAW -2017**

**To provide for the entering into of a heritage easement agreement for the conservation of the property known municipally as 28 Howard Street (formerly 28-30 Howard Street).**

Whereas the *Ontario Heritage Act* authorizes the council of a municipality to enact by-laws providing for the entering into of easements or covenants with owners of real property or interests in real property, for the conservation of property of cultural heritage value or interest; and

Whereas by the adoption of Toronto and East York Community Council Item 28.8 at its meeting held on December 16, 17 and 18, 2013, as amended by Item CC5.9, as adopted by City of Toronto Council on March 31, April 1 and 2, 2015, City Council authorized the entering into of a heritage easement agreement for the property known municipally as 76 Howard Street and further authorized the relocation of the William Whitehead House, located at 76 Howard Street, to 28-30 Howard Street (now known as 28 Howard Street); and

Whereas the heritage easement agreement for the property at 76 Howard Street provides that upon relocation of the William Whitehead House the owner shall enter into a replacement heritage easement agreement to be registered on title to the property at 28 Howard Street; and

Whereas the authority to enact a by-law authorizing the replacement heritage easement agreement for 28 Howard Street was inadvertently omitted; and

Whereas the City Solicitor is authorized to process by-laws where an action is authorized by Council and if the recommendation to introduce the bill has been omitted;

The Council of the City of Toronto enacts:

1. The entering into of a heritage easement agreement with the owner of the lands known municipally as 28 Howard Street (formerly 28-30 Howard Street), (William Whitehead House) more particularly described in Schedule A attached to this by-law and being property of cultural heritage value or interest, is authorized.
2. The City Solicitor is authorized to cause the heritage easement agreement authorized by this by-law to be registered on title to the property described in Schedule A to this by-law in the proper Land Registry Office.

Enacted and passed on October , 2017.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)

**SCHEDULE A**

LEGAL DESCRIPTION  
28 HOWARD STREET

PIN 21086-0123 (LT)

PART LT 3, PLAN 360, DESIGNATED AS PARTS 2 AND 5, PLAN 66R-28628  
City of Toronto, Province of Ontario  
Land Titles Division of the Toronto Registry Office (No. 66)