



**STAFF REPORT
ACTION REQUIRED**

**11 Spadina Road – Intention to Designate, Part IV,
Section 29, Ontario Heritage Act and Authority to Enter
into a Heritage Easement Agreement**

Date:	October 27, 2008
To:	Toronto Preservation Board Toronto and East York Community Council
From:	Director, Policy and Research, City Planning Division
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	

SUMMARY

This report recommends that City Council state its intention to designate the property at 11 Spadina Road (George Stinson House) under Part IV, Section 29 of the Ontario Heritage Act, and grant authority to enter into a Heritage Easement Agreement for the property. The property was listed on the City of Toronto Inventory of Heritage Properties in 1974.

The property at 11 Spadina Road is owned by the City of Toronto, which is planning to sell it. Toronto’s Official Plan requires that, when a city-owned heritage property is sold, a Heritage Easement Agreement will be secured. City Legal advises that properties with Heritage Easement Agreements should also be designated under the Ontario Heritage Act. To enable City Council to state its intention to designate the property and authorize a Heritage Easement Agreement in 2008, this report will be considered by the Toronto and East York Community Council, followed by the Toronto Preservation Board.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Following consultation with the Toronto Preservation Board, City Council state its intention to designate the property at 11 Spadina Road (George Stinson House) under Part IV, Section 29 of the Ontario Heritage Act;

2. If there are no objections to the designation in accordance with Section 29(6) of the Ontario Heritage Act, the solicitor be authorized to introduce the Bills in Council designating the property under Part IV, Section 29 of the Ontario Heritage Act;
3. If there are objections in accordance with Section 29(7) of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Conservation Review Board;
4. Authority be granted by City Council for the execution of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of the property at 11 Spadina Road (George Stinson House); and
5. The City Solicitor be authorized to introduce the necessary Bill in Council authorizing the Heritage Easement Agreement.

Financial Impact

There are no financial implications resulting from the adoption of this report. The public Notice of Intention to Designate will be advertised on the City's web site in accordance with the City of Toronto Act provisions.

ISSUE BACKGROUND

The property at 11 Spadina Road is currently owned by the City of Toronto, which is planning to sell the site. Toronto's Official Plan requires that, when a city-owned heritage property is sold, a Heritage Easement Agreement is secured. Because a Heritage Easement Agreement is not considered applicable law under the Building Code Act, the City Solicitor recommends that any property with a Heritage Easement Agreement should also be designated under the Ontario Heritage Act.

To allow this report to be considered by City Council in 2008, it will go to the Toronto and East York Community Council for its meeting of November 18, 2008, followed by the Toronto Preservation Board on November 27, 2008. The recommendations of the Community Council and the Toronto Preservation Board will be before City Council at its meeting of December 1 and 2, 2008.

COMMENTS

The property at 11 Spadina Road is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value, and meets the criteria for municipal designation prescribed by the Province of Ontario. Located on the east side of Spadina Road in the first block north of Bloor Street West, the George Stinson House (1890) is a well-designed late 19th century semi-detached house form building that contributes to an understanding of the community where it is visually and historically linked to its surroundings.

A location map (Attachment No. 1) and photographs (Attachment No. 2) are attached. The Reasons for Designation (Attachment No. 3) are intended to be posted on the City of Toronto's web site and served on the property owner and the Ontario Heritage Trust according to the provisions of the Ontario Heritage Act. The Reasons for Designation include a statement of the cultural heritage value of the property with a description of its heritage attributes.

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment No. 1: Location Map
Attachment No. 2: Photographs
Attachment No. 3: Reasons for Designation