

## **251 King Street East (The National Hotel) – Demolition of a Designated Heritage Property - Supplemental**

<b>Date:</b>	October 20, 2009
<b>To:</b>	Toronto Preservation Board Toronto and East York Community Council
<b>From:</b>	Director, Policy and Research, City Planning Division
<b>Wards:</b>	Ward 28 - Toronto Centre-Rosedale
<b>Reference Number:</b>	

### **SUMMARY**

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This is a supplemental report in response to an application to demolish the heritage property at 251 King Street East, received by Heritage Preservation Services on October 19, 2009, in accordance with Section 30(2) and 34(1) of the Ontario Heritage Act. The supplemental report recommends that City Council refuse the proposed demolition of the heritage property at 251 King Street East. Notice of the Council decision must be given to the owner on or before January 17, 2010.

### **RECOMMENDATIONS**

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**The City Planning Division recommends that:**

1. City Council refuse the request to demolish the property at 251 King Street East in accordance with Section 30(2) and 34(1) of the Ontario Heritage Act.
2. If the refusal of the demolition permit under the Ontario Heritage Act is appealed to the Ontario Municipal Board, the City Solicitor and City staff be authorized to appear before the Ontario Municipal Board in support of City Council's refusal.

#### **Financial Impact**

There are no financial implications resulting from the adoption of this report.

## **DECISION HISTORY**

The property at 251 King Street East was listed on the City of Toronto Inventory of Heritage Properties on June 20, 1973.

In response to applications for rezoning and site plan approval submitted on July 21, 2008 for the subject site, a preliminary report (July 28, 2008) from the Acting Director of Community Planning, Toronto and East York District was considered by Toronto and East York Community Council at its meeting on July 7, 2008, and by City Council at its meeting on July 15, 2008.

Following an appeal by the applicant to the Ontario Municipal Board on June 12, 2009, to Council's failure to approve the applications, the applicant submitted on June 18 and 19, 2009, applications to demolish the listed heritage property under the Ontario Building Code and under the Ontario Heritage Act respectively.

In response to the application to demolish, following consultation by staff with the Toronto Preservation Board at its meeting on August 5, 2009, City Council at its meeting on August 5 and 6, 2009, stated its intention to designate the property at 251 King Street East under Part IV, Section 29 of the Ontario Heritage Act. No objections to this designation were received by the City Clerk's Office. The bill has been drafted and will be on the agenda of City Council for its meeting on October 26<sup>th</sup> and 27<sup>th</sup>, 2009.

## **ISSUE BACKGROUND**

A report is currently on the agenda for the October 22, 2009 meeting of the Toronto Preservation Board in which staff is recommending refusal to demolish the heritage property at 251 King Street in response to the proposed rezoning application No. 08186000 STE OZ for 251-255 King Street East. The original development application was made when the subject property was listed on the City's heritage inventory, but was not designated under Part IV of the Ontario Heritage Act. However, at the time of staff report, council had already stated its intention to designate the property and that is reflected in the contents of the report and the recommendations.

Subsequent to the October 5, 2009 staff report being placed on the Toronto Preservation Board agenda, the applicant submitted an application to demolish the heritage property under Sections 30(2) and 34(1) of the Ontario Heritage Act.

## **COMMENTS**

Under the provisions of the Ontario Heritage Act, Council must, following consultation with its municipal heritage committee, make a decision within 90 days after receipt of an application to demolish. Ninety days following receipt of the application to demolish 251 King Street East is January 17, 2010.

While the demolition of the building is contemplated in the October 5, 2009 staff report, this supplemental report is being provided to Council to give procedural clarity and to

ensure that the requirements of the Ontario Heritage Act are being met. Both reports will be considered by Toronto East York Community Council and by City Council at its meeting on November 30th and December 1, 2009.

## **CONTACT**

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## **SIGNATURE**

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