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**City Council**

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**Motion without Notice**

MM45.22	ACTION			Ward: 20
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**5 Eireann Quay – Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act - by Councillor Vaughan, seconded by Councillor Thompson**

*\* This Motion has been deemed urgent by the Chair. Council has added this Motion to the agenda for debate.*

*\* This Motion is subject to a re-opening of Item EX36.6. A two-thirds vote is required to re-open that Item.*

**Recommendations**

Councillor Vaughan, seconded by Councillor Thompson, recommends that:

1. City Council state its intention to designate the property at 5 Eireann Quay (Canada Malting Complex) 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.

**Summary**

At its meeting of November 30, December 1, 2, 4 and 7, 2009, City Council considered a report on the preservation of the Canada Malting Silos, located at 5 Eireann Quay (EX36.6). Although the recommendations from the joint staff report were adopted (including a recommendation to preserve the iconic silo structures) Council inadvertently failed to adopt the recommendations of the attached City Planning Division report recommending that council state its intention to designate the structures under Part IV of the Ontario Heritage Act. The designation report and staff recommendations were endorsed by the Toronto Preservation Board at its meeting on March 27, 2008.

As part of the Council-adopted phased development of the site, designation of the property would ensure that the silos be incorporated within the overall site planning, that demolition or alteration of the site will require council consent under the Ontario Heritage Act and that standard heritage conservation practices will be applied.

The adoption of the recommendations included in this motion will have no effect upon the previous recommendations associated with Executive Committee Item 36.6, already adopted by Council. This item is urgent so that the recommendations in this motion can align with the previous decision of council without delaying the urgent required work to stabilize the silos and cease their rapid deterioration. A demolition tender package for a portion of the site is currently being prepared by Facilities and Real Estate staff.

**REQUIRES RE-OPENING:**

Executive Committee Item 36.6 (City Council - November 30, December 1, 2, 4 and 7, 2009), as it relates to the staff report titled, “5 Eireann Quay – Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act.”

(Submitted to City Council on January 26 and 27, 2010 as MM45.22)