

City Council

Motion without Notice

MM39.34	ACTION			Ward:28
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Authority for a Heritage Easement Agreement - 252-264 Adelaide Street East - by Councillor Pam McConnell, seconded by Councillor Peter Milczyn

- * This Motion has been deemed urgent by the Chair.*
- * This Motion is not subject to a vote to waive referral.*
- * This Motion has been added to the agenda and is before Council for debate.*

Bill 1397 has been submitted on this Item.

Recommendations

Councillor Pam McConnell, seconded by Councillor Peter Milczyn, recommends that:

1. City Council adopt the following recommendations contained in the report (September 24, 2013) from the Acting Director, Urban Design, City Planning:
 - "1. City Council grant authority for the execution of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of the property at 252-264 Adelaide Street East using substantially the form of easement agreement prepared by the City Solicitor and on file with the City Clerk, subject to such amendments as may be deemed necessary by the City Solicitor in consultation with the Chief Planner and Executive Director, City Planning.
 2. City Council authorize the City Solicitor to introduce any necessary bill in Council authorizing the entering into of the Heritage Easement Agreement for the property at 252-264 Adelaide Street East."

Summary

As a condition of a minor variance application for a 21-storey residential condominium tower on the property at 105 George Street, the Committee of Adjustment required the owners of the

adjacent severed heritage property at 252-264 Adelaide Street East to enter into a Heritage Easement Agreement with the City of Toronto. Under Section 37 of the Ontario Heritage Act, Council authority is required for the execution of a Heritage Easement Agreement.

A report requesting City Council authority for the execution of a Heritage Easement Agreement for the property at 252-264 Adelaide Street East was before the Toronto Preservation Board at its meeting on October 3, 2013, and the staff recommendations were adopted by the Toronto Preservation Board without amendment. If this report were to continue through the normal reporting schedule, it would not be considered by City Council until its meeting on November 13 and 14, 2013. The condominium tower is currently under construction.

This motion is urgent as necessary building permits for the under construction development at 252-264 Adelaide Street East are conditional on this Heritage Easement Agreement being executed.

(Submitted to City Council on October 8 and 9, 2013 as MM39.34)

Background Information (City Council)

Member Motion MM39.34

(September 24, 2013) Report from the Acting Director, Urban Design, City Planning on Authority for a Heritage Easement Agreement - 252-264 Adelaide Street East (Ward 28) (<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-62455.pdf>)

(October 7, 2013) Transmittal from the Toronto Preservation Board on a heritage easement agreement for 252-264 Adelaide Street East (MM39.34a) (<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-62428.pdf>)