

Discharge of Historical Designation and Heritage Easement Agreement - 333 Bloor Street East (Downtown)

(City Council on February 1, 2 and 3, 2000, adopted this Clause, without amendment.)

The Toronto Community Council again recommends that City Council not support the repeal of the designation By-law 107-89 nor the discharge of the heritage easement agreement CA32714 for the property at 333 Bloor Street East (formerly known as 321 Bloor Street East, the Confederation Life Insurance Company Building).

The Toronto Community Council submits the following Clause 55 of Report No. 12 of the Toronto Community Council, headed “Discharge of Historical Designation and Heritage Easement Agreement – 333 Bloor Street East (Downtown)”:

(City Council on September 28 and 29, 1999, referred this Clause, back to the Toronto Community Council for further consideration.)

The Toronto Community Council recommends that City Council not support the repeal of the designation By-law 107-89 nor the discharge of the heritage easement agreement CA32714 for the property at 333 Bloor Street East (formerly known as 321 Bloor Street East, the Confederation Life Insurance Company Building).

The Toronto Community Council submits the following report (June 29, 1999) from the Acting Managing Director, Toronto Historical Board:

Purpose:

This report responds to the property owner’s request to repeal the historical designation and discharge the heritage easement agreement.

Funding Sources, Financial Implications and Impact Statement:

Not applicable.

Recommendation:

That the Toronto Community Council not support the repeal of the designation By-law 107-89 nor the discharge of the heritage easement agreement CA32714 for the property at 333 Bloor Street East (formerly known as 321 Bloor Street East, the Confederation Life Insurance Company Building).

Background:

The property at 333 Bloor Street East (formerly 321 Bloor Street East, the Confederation Life Insurance Company Building) was designated under Part IV of the Ontario Heritage Act, by City

Council By-law 107-89 on January 26, 1989. It is also subject to a heritage easement agreement, CT32714, registered on title on June 15, 1989. The property is owned by Rogers Cantel.

Heritage Toronto received a communication dated June 18, 1999 from the City Clerk regarding a letter from Mr. Stephen LeDrew, acting for the owner, requesting the discharge of the historical designation and heritage easement agreement.

Heritage Toronto dealt with this matter at its May 5, 1999, meeting, in response to a letter dated February 12, 1999, from Mr. Robert Cook of Oriolco Developments Inc. requesting the same. Heritage Toronto adopted a motion not to support the request.

Comments:

The property at 333 Bloor Street East has undergone extensive renovations over the last several years to accommodate the new Rogers Cantel campus. Several alterations affecting the heritage attributes of the building came before Heritage Toronto for consideration. The alterations were permitted as they could be reversed by the current or future owner.

At its May 5, 1999, meeting, Heritage Toronto heard from Mr. Cook and Mr. LeDrew with respect to the request to discharge the historical designation and heritage easement agreement. The Board was advised that the owner wishes to be given freedom to make changes to the property without having to come to the Board. The deputants were asked whether Heritage Toronto had been unreasonable to deal with during the recent renovations; they indicated the Board had been very reasonable to deal with.

The former City of Toronto has entered into over 200 heritage easement agreements for the preservation of heritage properties in perpetuity. Permitting the repeal of the designation by-law and the discharge of the heritage easement agreement so that the owner can easily make changes to the property without review by Heritage Toronto would be precedent setting and would negate the purpose of Council's express intent to protect this property.

Conclusion:

This request should not be granted.

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(City Council on September 28 and 29, 1999, had before it, during consideration of the foregoing Clause, a communication (September 24, 1999) from Mr. Stephen LeDrew, Morris/Rose/Ledgett, Barristers and Solicitors, on behalf of Rogers Cantel, requesting that consideration of the foregoing Clause be deferred for approximately two months to

accommodate the negotiations being undertaken with the Toronto Historical Board, and advising that Rogers Cantel agrees not to exercise its right under s.32(3) of the Ontario Heritage Act.)

(City Council also had before it, during consideration of the foregoing Clause, a communication (September 27, 1999) from Mr. Richard L. Stromberg, Manager, Historic Preservation, Heritage Toronto, supporting Mr. Stephen LeDrew's request that the Clause be deferred to permit further discussions.)