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City Manager's Office  
Legal Services

Monday, May 03, 2010

Our File No. D-2110-0025 2000

**Regent Square Properties**  
c/o Raymond Stanton  
5405 Eglinton Avenue West  
Suite 214  
Toronto, ON M9C 5K6



**Tom Austin, Vice-President Finance and Chief Financial Officer**  
University of Ontario Institute of Technology  
2000 Simcoe Street North  
Oshawa, ON L1H 7K4

**Ontario Heritage Trust**  
10 Adelaide Street East  
Toronto, ON M5C 1J3

**Re: Notice of Passing of By-law 31-2010 (Regent Theatre Heritage Designation By-law)**

Pursuant to Section 30.1(9) on the Ontario Heritage Act and Section 4 of By-law 31-2010, please find attached a copy of By-law 31-2010 as passed by Council of The Corporation of the City of Oshawa on the 26<sup>th</sup> day of April, 2010.

If you require any further information, please do not hesitate to contact me directly at 905-436-5636 at extension 2231.

Thank you.

Marian O'Connor  
Legal Assistant  
Legal Services

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Encls.

being a by-law to amend the legal description contained in By-law 4-2001, of the Corporation of the City of Oshawa with respect to lands municipally known as 44-50 King Street East.

Recitals:

1. WHEREAS on January 15, 2001 City Council passed By-law 4-2001 to designate the property known as the Regent Theatre, located at 44-50 King Street East, as being of architectural and historical interest pursuant to the *Ontario Heritage Act*.
2. WHEREAS the legal description in By-law 4-2001 applies to the entire lot that existed at the time and which is located on the west side of Victoria Street between King Street East and Bond Street East including the Regent Theatre building and the former parking lot to the north of the building.
3. WHEREAS on October 27, 2009 the City approved an application to remove Part Lot Control which facilitated the creation of two lots: one lot occupied by the Regent Theatre building legally described as Part 3, Plan 40R-26093 and owned by the University of Ontario Institute of Technology and the other lot being the former parking area legally described as Parts 1 and 2, Plan 40R-26093 and now municipally known as 55 Bond Street East.
4. WHEREAS the lot occupied by the former parking area is now owned by Regent Square Property Corp. and a five-storey university building is being constructed on this lot.
5. WHEREAS on January 9, 2010 Regent Square Property Corp. requested the legal description in By-law 4-2001 be changed to ensure it does not apply to the lot now being developed for the five-storey university building (55 Bond Street East).
6. WHEREAS on January 28, 2010 Heritage Oshawa passed a resolution in support of amending By-law 4-2001 in order to ensure that the legal description of the property only applies to the new lot that is occupied by the Regent Theatre building.
7. Whereas on February 22, 2010 Council passed a resolution directing that the legal description of the property subject to By-law 4-2001 be amended to ensure the heritage designation only relates to the new lot occupied by the Regent Theatre building and more specifically described as Part 3, Plan 40R-26093.
8. WHEREAS approval of the request is appropriate since 55 Bond Street East has no architectural or historical value.
9. WHEREAS on March 12, 2010 written notice of the proposed by-law amendment was given to the University of Ontario Institute of Technology and to Regent Square Property Corp. in accordance with Subsection 30.1(3) of the *Ontario Heritage Act*, and no notice of objection has been received from either owner.


NOW THEREFORE IT IS ENACTED as a by-law of the Corporation of the City of Oshawa by its Council as follows:

1. By-law 4-2001, is amended by deleting Section 1 and replacing it with the following:  
  
"1. The Property, including all facilities, features and structures on it which are described in Schedule "A" to this By-law, located at 44-50 King Street East, more particularly described as:  
  
Part 3, Plan 40R-26093, City of Oshawa, Regional Municipality of Durham;  
  
is hereby designated as being of architectural and historical interest."
2. The City Clerk is hereby authorized to provide a copy of this By-law to the owner of 44-50 King Street East (University of Ontario Institute of Technology), the owner of 55 Bond Street East (Regent Square Property Corp.) and to the Ontario Heritage Trust.
3. A copy of this By-law shall be registered against the property described above in the Land Registry and Land Titles Offices for the Land Registry Division of Whitby (No. 40).

By-law passed this twenty-sixth day of April, 2010.



Mayor



City Clerk