
Toronto Preservation Board

Meeting No.	29	Contact	Margaret Sexton, Committee Secretary
Meeting Date	Thursday, November 26, 2009	Phone	416-392-6316
Start Time	2:00 PM	E-mail	msexton@toronto.ca
Location	Committee Room 1, City Hall	Chair	Robert Saunders

Toronto Preservation Board		
Robert Saunders, Chair Adriana Balen, Vice-Chair Mary Louise Ashbourne Alan Dudeck Patrice A. Dutil	Paul Gogan Prishram Jain Geoff Kettel Yew-Thong Leong David Le Roy	Councillor Kyle Rae Jennifer Rieger Councillor Michael Thompson Councillor Adam Vaughan

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Declarations of Interest under the Municipal Conflict of Interest Act

Speakers/Presentations:

A complete list will be distributed at the meeting

Confirmation of Minutes - October 22, 2009

Communications/Reports

PB29.1	ACTION			Ward: 22
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129 St. Clair Avenue West – Amendment to Reasons for Designation and Passage of Designating By-law under Part IV, Section 29 of the Ontario Heritage Act

Origin

(October 26, 2009) Report from Director, Policy and Research, City Planning Division

Recommendations

The City Planning Division recommends that:

1. City Council adopt the revised Reasons for Designation as set out in Attachment No. 4 of this report.
2. Upon receipt of the owner's withdrawal of its notice of objection, the City Solicitor be authorized to introduce a bill in Council with the amended Reasons for Designation as set out in Attachment No. 4, designating the property under Part IV, Section 29 of the Ontario Heritage Act.

Summary

This report recommends that City Council amend the Reasons for Designation for the property at 129 St. Clair Avenue West (Deer Park United Church) as adopted by Council at its meeting of October 29 and 30, 2008, and that Council pass the by-law designating the property at 129 St. Clair Avenue West under Part IV, Section 29 of the Ontario Heritage Act.

Following its meeting of October 2008, City Council served notice of its intention to designate the property at 129 St. Clair Avenue West under Part IV, Section 29 of the Ontario Heritage Act. On December 23, 2008, the legal representative of Deer Park United Church, owner of the subject property, submitted an objection to the notice of intention to designate and the matter was referred to the Conservation Review Board. The owner has now agreed to withdraw its objections subject to minor revisions to the original Reasons for Designation (Attachment No. 3) and their replacement by the revised Reasons for Designation (Attachment No. 4).

Heritage Preservation Services is satisfied that the revised Reasons for Designation will ensure that the property's cultural heritage values and attributes are preserved.

Financial Impact

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

Background Information

Staff Report - (October 26, 2009) 129 St. Clair Avenue West - Amendment to Reasons for Designation and Passage of Designating By-law under Part IV, Section 29 of the Ontario Heritage Act

(<http://www.toronto.ca/legdocs/mmis/2009/pb/bgrd/backgroundfile-25300.pdf>)

PB29.2	ACTION			Ward: 20
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395-405 Huron Street and 80 bpNichol Lane – Amendments to Reasons for Designation and Passage of Designating By-laws under Part IV, Section 29 of the Ontario Heritage Act

Origin

(October 28, 2009) Report from Director, Policy and Research, City Planning Division

Recommendations

The City Planning Division recommends that:

1. City Council adopt the revised Reasons for Designation for the properties at 395-405 Huron Street (Campus Co-op) as set out in Attachment No. 4A of this report.
2. City Council adopt the revised Reasons for Designation for the property at 80 bpNichol Lane (Coach House Books) as set out in Attachment No. 4B of this report.
3. Upon receipt of the University of Toronto's withdrawal of its notices of objection to the proposed designations of the properties at 305-405 Huron Street and 80 bpNichol Lane, the City Solicitor be authorized to introduce the bills in Council with the amended Reasons for Designation as set out in Attachments Nos. 4A and 4B, designating the properties under Part IV, Section 29 of the Ontario Heritage Act.

Summary

This report recommends that City Council amend the Reasons for Designation for the properties at 395-405 Huron Street (Campus Co-op) as adopted by Council at its meeting of December 12 and 13, 2007, amend the Reasons for Designation for the property at 80 bpNichol Lane (Coach House Books) as adopted by Council at its meeting of May 26 and 27, 2008, and that Council pass the by-laws designating the properties at 395-405 Huron Street and 80 bpNichol Lane under Part IV, Section 29 of the Ontario Heritage Act.

Following its meeting of December 12 and 13, 2007, City Council served notice of its intention to designate the properties at 395-405 Huron Street under Part IV, Section 29 of the Ontario Heritage Act. On February 15, 2008, the University of Toronto submitted an objection to the notice of intention to designate and the matter was referred to the Conservation Review Board.

In a letter dated July 15, 2008, the university also objected to Council's notice of intention to designate the adjoining property at 80 bpNichol Lane, which followed the Council meeting of May 26 and 27, 2008 and was referred to the Conservation Review Board. The University of Toronto has agreed to withdraw its two objections subject to minor revisions to the original Reasons for Designations (Attachments Nos. 3A and 3B) and their replacement by the Revised Reasons for Designation (Attachments Nos. 4A and 4B).

Heritage Preservation Services is satisfied that the revised Reasons for Designation will ensure that the properties' cultural heritage values and attributes are preserved.

Financial Impact

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

Background Information

Staff Report - (October 28, 2009) 395-405 Huron Street and 80 bpNichol Lane - Amendments to Reasons for Designation and Passage of Designating By-laws under Part IV, Section 29 of the Ontario Heritage Act

(<http://www.toronto.ca/legdocs/mmis/2009/pb/bgrd/backgroundfile-25301.pdf>)

PB29.3	ACTION			Ward: 20
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104 John Street - Alteration to a Heritage Property and Intention to Designate, Part IV, Section 29, Ontario Heritage Act and Authority to Enter Into a Heritage Easement Agreement

Origin

(November 5, 2009) Report from Director, Policy and Research, City Planning Division

Recommendations

The City Planning Division recommends that:

1. City Council approve the alterations to the heritage property at 104 John Street, substantially in accordance with the Conservation Plan drawings prepared by Goldsmith Borgal & Company Ltd. Architects, dated June 17, 2009, and on file with the Manager, Heritage Preservation Services subject to the following conditions:
 - a. prior to Zoning By-Law Amendment approval, the owner shall:

submit a Conservation and Rehabilitation Plan prepared by a qualified heritage consultant which has included the following items: (1) "blow-up" elevations and sections of the heritage property; (2) existing conditions assessment; (3) feasibility study to further explore the method in which relocation of the structure would occur so that the integrity of the heritage structure is not physically compromised;
 - b. prior to Site Plan approval, the owner shall:

provide additional information, based on the proposed Conservation Plan, to include documentation substantially in accordance with that outlined within Section 3.2.1 Option A (page 12) of the submitted Heritage Conservation Plan. Specifically, a detailed plan shall also be submitted to outline mitigation measures that address construction impacts relative to the on-site heritage structures.

submit plans for interpretive panels or other interpretive materials to communicate the development history of the property including the research content, design and location of the interpretive materials. The interpretation plan shall include panels or materials at both the existing location of the heritage building and the proposed location within the development site. All above components of the plan shall be to the satisfaction of the Manager of Heritage Preservation Services.

provide a landscape plan for the subject property to the satisfaction of the Manager of Heritage Preservation Services.

- c. prior to the issuance of any building permit, including a permit for the demolition, excavation, and/or shoring on the subject property, the owner shall:

provide a Letter of Credit in a form and in an amount satisfactory to the Manager, Heritage Preservation Services to secure all work included in the Conservation Plan;

provide final plans satisfactory to the Manager of Heritage Preservation Services;

- d. prior to the release of the Letter of Credit the applicant shall:

provide evidence and documentation that the project scheme has been implemented, per the approved Conservation Plan, satisfactory to the Manager of Heritage Preservation Services.

2. City Council state its intention to designate the property at 104 John Street under Part IV, Section 29 of the Ontario Heritage Act.
3. If there are no objections to the designation in accordance with Section 29(6) of the Ontario Heritage Act, the City Solicitor be authorized to introduce the Bill in Council designating the property under Part IV of the Ontario Heritage Act.
4. If there are any 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.
5. 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.

6. The City Solicitor be authorized to introduce the necessary bill in Council authorizing the entering into a Heritage Easement Agreement.

Summary

This report addresses an application to permit a new 42 storey tower at the northeast corner of the site with an eight storey building and six storey podium covering the westerly half of the subject property. The project would include 443 residential condominium units, a hotel with 104 rooms and retail uses at the lower levels of the development. A total of 388 parking spaces are proposed to be located in an underground parking facility. The project includes relocation of the heritage building at 104 John Street from the northeast to southeast corner of the subject property. The structure would be moved approximately 57 metres southward along the John Street frontage from its current location.

This report recommends that City Council approve the proposed alterations to the heritage property at 104 John Street and also designate the property under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value as a rare surviving example of residential row architecture in the area formerly known as “New Town.” The property also contributes to the historic and contextual fabric that exists within the King - Spadina Secondary Plan area.

Financial Impact

There are no financial implications resulting from the adoption of this report. The public Notice of Intention to Designate will be advertised on the City’s web site in accordance with the City of Toronto Act provisions.

Background Information

Staff Report - (November 5, 2009) 104 John Street - Alteration to a Heritage Property and Intention to Designate, Part IV, Section 29, Ontario Heritage Act and Authority to Enter Into a Heritage Easement Agreement

<http://www.toronto.ca/legdocs/mmis/2009/pb/bgrd/backgroundfile-25299.pdf>

PB29.4	ACTION			Ward: 32
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Kingswood Road South Heritage Conservation District

Origin

(November 10, 2009) Report from Director, Policy and Research, City Planning Division

Recommendations

The City Planning Division recommends that:

1. City Council designate by by-law the area shown on Attachment No. 1 as the Kingswood Road South Heritage Conservation District, in accordance with Section 41 of the Ontario Heritage Act;
2. City Council adopt by by-law the Kingswood Road South Heritage Conservation

District Plan, dated June 5, 2009, as the District Plan for the Kingswood Road South Heritage Conservation District, for use by property owners, City staff, advisory committees and City Council when making decisions regarding matters set out under Section 42 of the Ontario Heritage Act;

3. City Council amend the District Plan Section 8.5.1 to read, “Contributing Buildings shall not be demolished;”
4. If there are any objections to the by-law under Section 41 of the Ontario Heritage Act, the City Solicitor be directed to appear before the Ontario Municipal Board to defend the by-law;
5. Until such time as the by-law designating the area as the Kingswood Road South Heritage Conservation District comes into force or is repealed, all properties within the area, unless designated under Part IV of the Ontario Heritage Act, be listed in the City’s Inventory of Heritage Properties.
6. The height limit and minimum lot frontages in the zoning by-law be reviewed and amended as necessary to more closely match the guidelines in this District Plan.

Summary

The purpose of this report is to recommend the designation of the Kingswood Road South area as a Heritage Conservation District and to recommend the adoption of the district plan by bylaw, as required under the Ontario Heritage Act (OHA). The District plan was prepared by E.R.A. Architects Inc. and was led by the community. Heritage Preservation Staff (HPS) have reviewed the plan and believe the plan meets the requirements of the OHA.

Financial Impact

There are no financial implications resulting from the adoption of this report. The public Notices of Intention to Designate will be advertised on the City’s web site in accordance with the City of Toronto Act provisions. This proposed Heritage Conservation District will add almost 200 properties to the Inventory. It is also noted that adding properties to the Inventory by means of Heritage Conservation District designations dramatically increases the workload of Heritage Preservation Services, requiring staff to review all building permits, Committee of Adjustment, Rezoning and Official Plan amendment applications within legislated timeframes. Over time this will create pressure to increase staff resources.

Background Information

Staff Report - (November 10, 2009) Kingswood Road South Heritage Conservation District (<http://www.toronto.ca/legdocs/mmis/2009/pb/bgrd/backgroundfile-25302.pdf>)

Attachment 2 - (June 5, 2009) Kingswood Road South Heritage Conservation District (<http://www.toronto.ca/legdocs/mmis/2009/pb/bgrd/backgroundfile-25305.pdf>)

PB29.5	ACTION			Ward: 29
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2 O'Connor Drive - Alteration to a Heritage Property and Intention to Designate, Part IV, Section 29, Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement

Origin

(November 12, 2009) Report from Director, Policy and Research, City Planning Division

Recommendations

The City Planning Division recommends that:

1. City Council state its intention to designate the property at 2 O'Connor Drive under Part IV of the Ontario Heritage Act;
2. If there are no objections to the designation in accordance with Section 26(6) of the Ontario Heritage Act, the City Solicitor be authorized to introduce the Bills in Council designating the property under Part IV 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;
4. City Council approve the alterations to the heritage property at 2 O'Connor Drive, substantially in accordance with the heritage conservation plans and elevations and heritage impact statement, "2 O'Connor Drive, Heritage Impact Statement, dated revised August 20, 2009" all prepared by E.R.A Architects Inc., date stamped received by the City Planning Division August 27, 2009, and on file with the Manager, Heritage Preservation Services, subject to the following conditions:
 - a. Prior to the passing of Bills in Council the owner shall:

enter into a Heritage Easement Agreement with the City for the protection and long term maintenance of the heritage property at 2 O'Connor Drive, subject to the approved alterations, to the satisfaction of the Manager, Heritage Preservation Services;
 - b. Prior to final site plan approval the owner shall:

provide a Detailed Conservation Plan, prepared by a qualified heritage consultant (Heritage Consultant) to the satisfaction of the Manager, Heritage Preservation Services that includes: as-found record of the existing house including photographs keyed to plans and elevations of all the visible exteriors and interiors; detailed descriptions for the proposed heritage conservation work; description of the reversibility of alterations; schedule of long term conservation and maintenance requirements; and cost estimates for the conservation work;

provide final development plans, a landscape plan that enhances the heritage

character and views of the front façade of the heritage building and exterior lighting plan for the heritage building, to the satisfaction of the Manager, Heritage Preservation Services;

- c. Prior to the issuance of any building permit for the heritage property located at 2 O'Connor Drive, including a permit for the demolition, excavation, and/or shoring of the subject property, the owner shall provide the following:

building permit drawings, including specifications for heritage conservation work prepared by the Heritage Consultant to the satisfaction of the Manager, Heritage Preservation Services;

Letter of Credit, in a form and an amount satisfactory to the Chief Planner and Executive Director, City Planning Division, to secure all work included in the Detailed Conservation Plan;

- d. Prior to the release of the Letter of Credit, the owner shall:

complete the heritage conservation work to the satisfaction of the Manager, Heritage Preservation Services;

provide a notice of substantial completion for the heritage conservation work prepared by the Heritage Consultant to the satisfaction of the Manager, Heritage Preservation Services;

submit final as-built photographs of the exterior and significant interiors of the heritage building at 2 O'Connor Drive satisfactory to the Manager, Heritage Preservation Services;

- 5. City Council grant authority for the execution of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owners of 2 O'Connor Drive for the property at 2 O'Connor Drive;
- 6. The City Solicitor be authorized to introduce the necessary Bill in Council authorizing the entering into of the Heritage Easement Agreement.

Summary

This application proposes to develop the site at 2 O'Connor Drive, 2, 6, and 12 Fernwood Gardens with a 4-storey, 65-unit, residential-care and assisted living facility. The John F. Taylor house, a listed heritage property located at 2 O'Connor Drive, will be preserved, partially restored and incorporated into the development proposal. All other buildings are to be demolished, including three buildings containing 36 residential rental units that are not proposed to be replaced. The applicant is applying for Official Plan Amendment, Rezoning and demolition under Municipal Code Chapter 667.

The Community Planning staff report for this application recommended refusal. The key concerns noted in the report included lack of retention or replacement of the affordable rental housing and the fit of the proposal with the planned context of Fernwood Gardens. However

the Toronto and East York Community Council (TEYCC) voted to approve the application at their meeting of November 10, 2009 and requested planning staff to prepare a report to come back to the January 12, 2010 meeting of TEYCC with conditions of approval for the application.

Following on the direction from TEYCC, this report provides a review of the applications as they relate to proposed conservation of the property under the Ontario Heritage Act, and recommends that Council designate the property at 2 O'Connor Drive under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value and ensure the preservation of the heritage attributes of the property.

Financial Impact

There are no financial implications resulting from the adoption of this report. The public Notice of Intention to Designate will be advertised on the City's web site in accordance with the City of Toronto Act provisions.

Background Information

Staff Report - (November 12, 2009) 2 O'Connor Drive - Alteration to a Heritage Property and Intention to Designate, Part IV, Section 29, Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement

(<http://www.toronto.ca/legdocs/mmis/2009/pb/bgrd/backgroundfile-25310.pdf>)

PB29.6	Information			
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Trees Have a Story

Summary

Trees Ontario and the Ontario Urban Forest Council have developed a program and other like-minded community members wanting to take pride in historically or culturally significant trees.

Background Information

Letter - (October 28, 2009) from Ontario Urban Forest Council

(<http://www.toronto.ca/legdocs/mmis/2009/pb/bgrd/backgroundfile-25312.pdf>)

PB29.7	Information			
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Minutes of the Community Preservation Panels

Origin

(November 17, 2009) Memo from Chairs, Community Preservation Panels

Summary

- a. North York Community Preservation Panel
 - i. Minutes of the meeting held on September 16, 2009

- b. Etobicoke York Community Preservation Panel
 - i. Minutes of the meeting held on November 2, 2009
- c. Scarborough Community Heritage Preservation Panel
 - i. Minutes of the meeting held on November 10, 2009

Background Information

North York Community Preservation Panel - Minutes dated September 16, 2009

(<http://www.toronto.ca/legdocs/mmis/2009/pb/bgrd/backgroundfile-25304.pdf>)

Etobicoke York Community Preservation Panel - Minutes dated November 2, 2009

(<http://www.toronto.ca/legdocs/mmis/2009/pb/bgrd/backgroundfile-25303.pdf>)

Scarborough Community Heritage Preservation Panel - Minutes dated November 10, 2009

(<http://www.toronto.ca/legdocs/mmis/2009/pb/bgrd/backgroundfile-25311.pdf>)

PB29.8	ACTION			
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Toronto Preservation Board 2010 Schedule of Meetings

Origin

(November 19, 2009) Memo from Committee Secretary

Summary

Submitting, for approval, the Toronto Preservation Board 2010 Schedule of Meetings:

January 21, 2010

February 18, 2010

March 25, 2010

April 30, 2010

May 28, 2010

June 30, 2010

July 29, 2010

Background Information

2010 Toronto Preservation Board Meeting Schedule

(<http://www.toronto.ca/legdocs/mmis/2009/pb/bgrd/backgroundfile-25313.pdf>)