

November 26, 2009

To: Toronto and East York Community Council

From: Toronto Preservation Board

Subject: 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

Recommendations:

The Toronto Preservation Board recommended to the Toronto and East York Community Council 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.**

Background:

The Toronto Preservation Board on November 26, 2009, considered the report (November 5, 2009), from the Director, Policy and Research, City Planning Division, respecting 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.

The Toronto Preservation Board considered a submission (Undated), from Sharon Vattay, Goldsmith Borgal & Company Ltd., Architects.

Sharon Vattay, Goldsmith Borgal & Company Ltd., Architects addressed the Toronto Preservation Board.

City Clerk
Margaret Sexton