



**STAFF REPORT
ACTION REQUIRED**

**355 King Street West - Alteration of a Designated
Heritage Property - Conditions**

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| Date: | May 11, 2011 |
| To: | City Council |
| From: | Gary Wright, Chief Planner and Executive Director, City Planning |
| Wards: | Ward 20 – Trinity Spadina |
| Reference Number: | CC11032 |

SUMMARY

At its April 21, 2011 meeting, the Toronto and East York Community Council considered a staff report recommending that City Council refuse the application for the proposed alterations to the heritage property at 355 King Street West. This property was designated under Part IV of the Ontario Heritage Act by Toronto City Council on January 13, 1992, by By-law 115-92.

The Toronto and East York Community Council requested the Manager, Heritage Preservation Services to report directly to City Council for its meeting on May 17 and 18, 2011, recommending appropriate conditions to secure the conservation strategy as proposed by the applicant and described in the Heritage Impact Assessment for 355 King Street West, dated February 2, 2011.

The application has been made by the owner to obtain a heritage permit under Section 33 of the Ontario Heritage Act. Under the Act, Council must respond to a heritage permit application within 90 days from the issuance of a Notice of Receipt of a complete application. The application is currently incomplete.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Should City Council approve the alterations to the heritage property at 355 King Street West (Canadian Westinghouse Building) under Section 33 of the Ontario Heritage Act in accordance with the plans and drawings prepared by ERA Architects dated February 2, 2011, and on file with the Manager, Heritage Preservation Services, that the approval be subject to the following conditions:
 - a. prior to Site Plan approval, the owner shall:
 - i. submit a Conservation Plan substantially in accordance with the Heritage Impact Assessment prepared by ERA Architects, dated February 2, 2011 to include drawings, to the satisfaction of the Manager of Heritage Preservation Services that provide enlarged elevations and sections of the retained heritage building façades at 1:50 scale including, but not limited to, the following: (1) street level design and entries; (2) window specifications for all heritage facade elevations; (3) return side wall details; (4) façade retention plan, including demolition plans and drawings related to removal of the south and east walls, the shoring of the north and west walls and all protective measures for the heritage façades during construction; (5) a restoration plan (including any required repair work and masonry conservation) for the retained portion of the heritage building;
 - ii. enter into a Heritage Easement Agreement for the retained portion of 355 King Street West with the City.
 - b. 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:
 - i. 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;
 - ii. provide final plans satisfactory to the Manager of Heritage Preservation Services.

- c. prior to the release of the Letter of Credit the applicant shall:
 - i. provide a certificate of completion, prepared by a qualified heritage consultant, satisfactory to the Manager of Heritage Preservation Services.
2. City Council grant authority for the execution of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owners of 355 King Street West.
3. The City Solicitor be authorized to introduce the necessary bill in Council authorizing the entering into of a Heritage Easement Agreement.

Financial Impact

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

DECISION HISTORY

The Toronto and East York Community Council requested the Manager, Heritage Preservation Services to report directly to City Council for its meeting on May 17 and 18, 2011, recommending appropriate conditions to secure the conservation strategy as proposed by the applicant and described in the Heritage Impact Assessment for 355 King Street West, dated February 2, 2011.

Toronto and East York Community Council decision may be viewed through the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.TE6.6>

The property at 355 King Street West was designated by Toronto City Council under Part IV, Section 29 of the Ontario Heritage Act by Toronto City Council on January 13, 1992, by By-law No. 115-92.

The requirement of the owner to obtain a heritage permit under Section 33 of the Ontario Heritage Act, prior to Site Plan approval, for the property at 355 King Street West is a condition of the Rezoning Application adopted by City Council on August 25, 2010. While the Zoning By-law is in place, it does not determine retention of the heritage property in whole or in part. As of the date of this report, no site plan application has been filed.

City Council's decision may be viewed through the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.TE36.11>

ISSUE BACKGROUND

This designated property is part of a larger development proposal for 355 King St. West, part of 343 King Street West and 119 Blue Jays Way to erect 42 and 47 storey condominium towers on a 7 storey podium building. The development proposes 661 residential units and 4,066 sq. m. of non-residential gross floor area. Four hundred and twenty parking spaces are proposed in 5 levels below grade. The project incorporates the north and west walls of the heritage designated Westinghouse Building and provides a mid block pedestrian connection from Mercer Street to King Street.

The conditions recommended in this report are necessary to ensure that appropriate conservation work is undertaken by the applicant within their heritage permit and site plan approvals process.

CONTACT

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SIGNATURE

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