

February 21, 2012

To: City Council

From: Toronto Preservation Board

Subject: Alteration to a Designated Heritage Property (revised application) – 129 St. Clair Avenue West (Deer Park United Church)  
[To be considered with Item TE13.4]

**Recommendations:****The Toronto Preservation Board recommends that:**

1. **City Council consent to the alteration of the designated heritage property located at 129 St. Clair Avenue West (former Deer Park United Church) subject to the following conditions:**
  - a. **That the alterations to the building be completed in accordance with the Heritage Impact Assessment dated November 16, 2011 and the addendum dated February 7, 2012 both prepared by E.R.A. Architects Inc., and the architectural drawings submitted by Diamond and Schmitt Architects dated July, 2010 and re-issued February 8, 2012 and that the retained portion of the designated property be shored, stabilized, kept in-situ and protected during construction of this project.**
  - b. **Prior to the introduction of the Bill in Council for the zoning by-law amendment, the owner shall enter into a Heritage Easement Agreement for 129 St. Clair Avenue West to the satisfaction of the Manager, Heritage Preservation Services and the City Solicitor, with the agreement to be registered on title to the lands in a manner satisfactory to the City Solicitor.**
  - c. **Prior to final site plan approval, the owner shall provide the following to the satisfaction of the Manager, Heritage Preservation Services:**
    - i. **an as-found record of the existing building including photographs keyed to plans and elevations of all the visible exteriors and interiors;**
    - ii. **a detailed Conservation Plan for the conservation work described in the November 12, 2011 Heritage Impact Assessment and the February 7, 2012 addendum (E.R.A. Architects Inc.), to be prepared by a qualified heritage consultant, detailing recommended interventions, exterior restoration, estimated costs and a schedule of short and long term maintenance requirements;**

- iii. an Interpretation Plan
  - iv. a Heritage Lighting Plan
  - v. site plan drawings in accordance with the approved Heritage Impact Assessment and re-zoning drawings;
  - vi. a final landscape plan that supports the heritage character of the heritage building; and
  - vii. a Letter of Credit, in a form and an amount satisfactory to the Chief Planner and Executive Director, City Planning Division, to secure all restoration and interpretation work included in the detailed Conservation Plan.
- d. Prior to the issuance of any heritage permit pursuant to the Ontario Heritage Act, including a permit for alteration of any structure on the subject property, and including any permit for shoring or excavation on the subject property, or any portion of such property:
- i. the related zoning by-law amendment shall be in full force and effect;
  - ii. the owner shall have obtained final site plan approval from the Chief Planner and Executive Director, City Planning;
  - iii. the owner shall submit final plans and drawings to the satisfaction of the Manager, Heritage Preservation Services; and
  - iv. an easement and permanent access to the courtyard for the general public, to be entered into at such time as is satisfactory to the Chief Planner and Executive Director, City Planning.
- e. Prior to the release of the Letter of Credit, the owner shall provide a Letter of Substantial completion for the restoration work, signed by the project architect and heritage consultant to the satisfaction of the Manager, Heritage Preservation Services.
2. City Council grant authority for the City Solicitor to enter into a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of the property.
  3. City Council authorize the City Solicitor to introduce any necessary bill in Council to enter into the Heritage Easement Agreement.
  4. City Council receive the report (January 5, 2012) from the Acting Director, Policy and Research, City Planning for information.

Background:

The Toronto Preservation Board on February 21, 2012, considered the following:

1. Report (February 16, 2012) from the Acting Director, Policy and Research, City Planning, respecting Alteration to a Designated Heritage Property (revised application) 129 St. Clair Avenue West (Deer Park United Church).
2. Letter (Undated) from Ernest D. Boyden, Foxbar Neighbourhood Association.

The following persons addressed the Toronto Preservation Board:

- Ernest D. Boyden, Foxbar Neighbourhood Association and filed a submission
- Cynthia A. MacDougall, McCarthy Tetrault LLP
- Michael McClelland, E.R.A. Architects Inc.
- Don Schmitt, Architect, Diamond & Schmitt Architects
- Julian Smith, Willowbank
- Councillor Josh Matlow, Ward 22 St. Paul's

For City Clerk

Margaret Sexton

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