



Decision Letter

Toronto Preservation Board

PB6.5	ACTION	Adopted		Ward: 8
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Alterations to a Heritage Property, Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act, and Authority to Enter into a Heritage Easement Agreement - 50 Eglinton Avenue West

Board Decision

The Toronto Preservation Board recommends to the North York Community Council that:

1. City Council include the property at 50 Eglinton Avenue West on the City of Toronto's Heritage Register.
2. City Council state its intention to designate the property at 50 Eglinton Avenue West under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance: 50 Eglinton Avenue West (Reasons for Designation) attached as Attachment 6 to the report (May 8, 2019) from the Senior Manager, Heritage Preservation Services.
3. If there are no objections to the designations in accordance with the Ontario Heritage Act, City Council authorize the City Solicitor to introduce the bill in Council designating the property under Part IV, Section 29 of the Ontario Heritage Act.
4. If there are objections in accordance with the Ontario Heritage Act, City Council direct the City Clerk to refer the designation to the Conservation Review Board.
5. If the designations are referred to the Conservation Review Board, City Council authorize the City Solicitor and appropriate staff to attend any hearing held by the Conservation Review Board in support of Council's decision on the designation of the property.
6. City Council approve the alterations to the heritage property at 50 Eglinton Avenue West in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a 32-storey tower on the lands known municipally as 50-60 Eglinton Avenue West, with such alterations substantially in accordance with plans and drawings (update issued April 19, 2019) prepared by Turner Fleischer Architects and Hariri Pontarini Architects, and on file with the Senior Manager, Heritage Preservation Services; and the Heritage Impact Assessment, prepared by ERA Architects Inc., issued February 27, 2019 (with Addendum issued April 12, 2019) and on file with the Senior Manager, Heritage Preservation Services, all subject to and in accordance with a Conservation Plan satisfactory to the Senior Manager, Heritage Preservation Services and subject to the following additional conditions:
 - a. That as a condition of the Section 37 Agreement as approved by the Local Planning Appeal Tribunal, the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the property at 50 Eglinton Avenue West in accordance with the plans and drawings (update issued April 19, 2019) prepared by Turner Fleischer Architects and Hariri Pontarini Architects, and on file with the Senior Manager, Heritage Preservation Services, the Heritage Impact Assessment prepared by ERA Architects Inc. issued February 27, 2019 (with Addendum issued April 12, 2019) and in accordance with the Conservation Plan required in Recommendation 6.a.2 below to the satisfaction of the Senior Manager, Heritage Preservation Services including registration of such agreement to the satisfaction of the City Solicitor;
 2. Provide a detailed Conservation Plan, prepared by a qualified heritage consultant, that is consistent with the conservation strategy set out in the Heritage Impact Assessment prepared by ERA Architects Inc. issued February 27, 2019 (with Addendum issued April 12, 2019) to the satisfaction of the Senior Manager, Heritage Preservation Services;
 3. Enter into and register on the property at 50 Eglinton Avenue West one or more agreements with the City pursuant to Section 37 of the Planning Act to the satisfaction of the City Solicitor, the Chief Planner and Executive Director, City Planning, and the Senior Manager, Heritage Preservation Services with such facilities, services and matters to be set forth in the related site specific Zoning By-law Amendment giving rise to the proposed alterations.
- b. That prior to final Site Plan approval for the proposed Zoning By-law Amendment by City Council for the property located at 50-60 Eglinton Avenue West, the owner shall:
1. Provide final site plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 6.a.2 above to the satisfaction of the Senior Manager, Heritage Preservation Services;
 2. Have obtained final approval for the necessary Zoning By-law Amendment required for the subject property, such Amendment to have come into full force and effect;
 3. Provide a Heritage Lighting Plan that describes how the exterior of the heritage property will be sensitively illuminated to enhance its heritage character to the satisfaction of the Senior Manager, Heritage Preservation Services and thereafter shall implement such Plan to the satisfaction of the Senior Manager Heritage Preservation Services;
 4. Submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Preservation Services;
 5. Provide an Interpretation Plan for the subject property, to the satisfaction of the Senior Manager, Heritage Preservation Services and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Preservation Services;
- c. That prior to the issuance of any permit for all or any part of the property 50-60 Eglinton Avenue West, including a heritage permit or a building permit, but excluding permits for

repairs and maintenance and usual and minor works for the existing heritage buildings as are acceptable to the Senior Manager, Heritage Preservation Services, the owner shall:

1. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 6.a.2 above, including a description of materials and finishes, to be prepared by the project architect and a qualified heritage consultant to the satisfaction of the Senior Manager, Heritage Preservation Services;
2. Provide a Letter of Credit, including provision for upwards indexing, in a form and amount and from a bank satisfactory to the Senior Manager, Heritage Preservation Services to secure all work included in the approved Conservation Plan, and approved Interpretation Plan.

d. That prior to the release of the Letter of Credit required in Recommendation 1.c.2 above, the owner shall:

1. Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work and the required interpretive work has been completed in accordance with the Conservation Plan and Interpretation Plan and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Preservation Services;
2. Provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Preservation Services.

7. City Council authorize the entering into of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of the property at 50 Eglinton Avenue West in a form and content satisfactory to the City Solicitor and the Chief Planner and Executive Director, City Planning.

8. City Council authorize the City Solicitor to introduce the necessary bill in Council authorizing the entering into of a Heritage Easement Agreement for the property at 50 Eglinton Avenue West.

Origin

(May 8, 2019) Report from the Senior Manager, Heritage Preservation Services, Urban Design, City Planning

Summary

This report recommends that Toronto City Council approve the proposed alterations to the heritage property located within the proposed development site at 50-60 Eglinton Avenue West, linked with the proposed redevelopment of the site and per the settlement offer submitted to the City on July 13, 2018, and adopted by Council on July 23, 2018, in conjunction with an appeal to the Local Planning Appeals Tribunal ("LPAT") of the application for Zoning By-law Amendment, that Council include the property at 50 Eglinton Avenue West on the City of Toronto's Heritage Register, that Council state its Intention to Designate the property included in the proposed development site (50-60 Eglinton West) under Part IV, Section 29 of the

Ontario Heritage Act, and that Council grant authority to enter into a Heritage Easement Agreement for the subject property.

Background Information

(May 8, 2019) Report and Attachments 1-6 from the Senior Manager, Heritage Preservation Services, Urban Design, City Planning - Alterations to a Heritage Property, Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act, and Authority to Enter into a Heritage Easement Agreement - 50 Eglinton Avenue West
(<http://www.toronto.ca/legdocs/mmis/2019/pb/bgrd/backgroundfile-133222.pdf>)