

PH11.3a



Toronto Preservation Board

Meeting No.	11	Contact	Ellen Devlin, Committee Administrator
Meeting Date	Tuesday, November 12, 2019	Phone	416-392-7033
Start Time	9:30 AM	E-mail	teycc@toronto.ca
Location	Committee Room 3, City Hall	Chair	Ms. Sandra Shaul

PB11.4	ACTION	Adopted		Ward: 12
--------	--------	---------	--	----------

Alterations to Designated Heritage Property at 140 Merton Street

Board Decision

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

1. City Council approve the alterations to the heritage property at 140 Merton Street in accordance with Section 33 of the Ontario Heritage Act, to allow for alterations, with such alterations substantially in accordance with plans and drawings prepared by Montgomery Sisam Architects Inc., dated September 3, 2019, and on file with the Senior Manager, Heritage Preservation Services and the Heritage Impact Assessment (HIA), dated July 4, 2019, prepared by ERA Architects Inc., 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 the related site-specific Zoning By-law Amendment permitting the proposed alterations has been enacted by City Council and has come into full force and effect in a form and with content acceptable to City Council, as determined by the Chief Planner and Executive Director, City Planning, in consultation with the Senior Manager, Heritage Preservation Services.

b. That prior to final Site Plan approval for the development contemplated for 140 Merton Street, the leaseholder of the City-owned property shall:

1. Execute and register on title the Heritage Easement Agreement with the City, pursuant to City of Toronto By-law 1021-2017 for the heritage property at 140 Merton Street, substantially in accordance with plans and drawings prepared by Montgomery Sisam Architects Inc., dated September 3, 2019, submitted with the Heritage Impact Assessment prepared by ERA Architects Inc., dated July 4, 2019, subject to and in accordance with the approved Conservation Plan required in Recommendation 1.b.2, all to the satisfaction of the Senior Manager, Heritage Preservation Services, and registered on title to the satisfaction of the City Solicitor;

2. Provide a detailed Conservation Plan prepared by a qualified heritage consultant

that is substantially in accordance with the conservation strategy set out in the Heritage Impact Assessment for 140 Merton Street, prepared by ERA Architects Inc., dated July 4, 2019, all to the satisfaction of the Senior Manager, Heritage Preservation Services;

3. Provide final site plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 1.b.2 to the satisfaction of the Senior Manager, Heritage Preservation Services;

4. 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;

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;

6. Provide a detailed Landscape Plan for the subject property satisfactory to the Senior Manager, Heritage Preservation Services.

c. That prior to the issuance of any permit for all or any part of the property at 140 Merton Street, including a heritage permit or a building permit, but excluding permits for repairs and maintenance and usual and minor works for the existing heritage building as are acceptable to the Senior Manager, Heritage Preservation Services, the leaseholder of the City-owned property 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 1.b.2, 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; and

3. Provide full documentation of the existing heritage property at 140 Merton Street, including two (2) printed sets of archival quality 8" x 10" colour photographs with borders in a glossy or semi-gloss finish and one (1) digital set on a CD in tiff format and 600 dpi resolution keyed to a location map, elevations and measured drawings, and copies of all existing interior floor plans and original drawings as may be available, to the satisfaction of the Senior Manager, Heritage Preservation Services.

d. That prior to the release of the Letter of Credit required in Recommendation 1.c 2. above, the leaseholder of the City-owned property 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; and

2. Provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Preservation Services.

Origin

(October 24, 2019) Report from the Senior Manager, Heritage Preservation Services, Urban Design, City Planning

Summary

This report recommends that City Council approve the proposed alterations for the designated heritage property at 140 Merton Street, in connection with a City-initiated Zoning By-law Amendment and the proposed redevelopment of the site as part of the City's Housing Now Initiative.

As authority to enter a Heritage Easement Agreement ("HEA") has been provided per City of Toronto By-law 1021-2017, the report provides a recommendation that such HEA be executed and registered on title prior to final Site Plan Approval at 140 Merton Street which is designated under Part IV of the Ontario Heritage Act.

A City-initiated zoning by-law amendment will be presented to City Council in December 2019 with the goal of creating new affordable housing units on City-owned lands. The Housing Now Initiative for the 140 Merton Street property proposes to develop the site as a seniors' rental building with community space on the ground and second floor levels. Specifically, the project consists of an 18-storey mixed-use building consisting of 180 residential units, with a target of delivering 100% of the units as affordable seniors housing. The project will include over 2,000 square metres of community service space. The proposed development also includes a total of 45 parking spaces located in a one level underground parking garage.

The heritage property will be completely retained in situ for 12 metres of depth from the street facing façade. The project will not significantly impact the three dimensional form of the building as viewed from the public realm. Should the alterations to the subject property be approved, staff recommends that the leaseholder of the City-owned property be required to enter into a HEA and register it on title for the lands municipally known as 140 Merton Street in order to ensure the long-term protection of the heritage property.

Background Information

(October 24, 2019) Report and Attachments 1-4 from the Senior Manager, Heritage Preservation Services, Urban Design, City Planning - Alterations to Designated Heritage Property at 140 Merton Street

<http://www.toronto.ca/legdocs/mmis/2019/pb/bgrd/backgroundfile-139598.pdf>

Communications

(November 12, 2019) E-mail from Sharon Mourer (PB.Supp.PB11.4.1)

Speakers

Sharon Mourer
Dan Eylon

Declared Interests

The following member(s) declared an interest:

Elizabeth Sisam - as Montgomery Sisam is her husband's firm.

Written Declaration: <http://app.toronto.ca/tmmis/viewDeclaredInterestFile.do?id=8995>