



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

PB11.1	ACTION	Adopted		Ward: 10
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Alterations to Heritage Properties at 89-109 Niagara Street and Authority to Amend the Existing Heritage Easement Agreement at 89-109 Niagara 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 properties at 89 - 109 Niagara Street in accordance with Section 33 of the Ontario Heritage Act, to allow for alterations to the heritage properties on the lands known municipally as 89 - 109 Niagara Street, with such alterations substantially in accordance with plans and drawings prepared by Core Architects Inc., dated July 31, 2019, and on file with the Senior Manager, Heritage Preservation Services and the Heritage Impact Assessment (HIA), dated July 29, 2019, prepared by Philip Goldsmith, Architect, 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 giving rise to 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, and any required minor variances have been approved by the Committee of Adjustment as the case may be, 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 89 - 109 Niagara Street, the owner shall:

1. Amend the existing Heritage Easement Agreement, registered on the title for the heritage property at 89 - 109 Niagara Street, Instrument No. AT3953795 dated July 22, 2015, substantially in accordance with plans and drawings prepared by Core Architects Inc., dated July 31, 2019, submitted with the Heritage Impact Assessment prepared by Philip Goldsmith, Architect, dated July 29, 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.

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 89 - 109 Niagara Street, prepared by Philip Goldsmith, dated July 29, 2019, all to the satisfaction of the Senior Manager, Heritage Preservation Services.

3. Enter into and register on the properties at 89 - 109 Niagara Street one or more agreements with the City pursuant to Section 37 of the Planning Act, all to the satisfaction of the City Solicitor 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, and any required minor variances, giving rise to the proposed alterations, including amongst other matters, securing the final project specifications, preparation and thereafter the implementation of a Heritage Lighting Plan, a Signage Plan, an Interpretation Plan and requiring a letter of credit to secure all work included in the approved Conservation Plan and approved Interpretation Plan, including provision for upwards indexing, all to the satisfaction of the Senior Manager, Heritage Preservation Services.

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

5. Provide a Heritage Lighting Plan that describes how the exterior of the heritage properties will be sensitively illuminated to enhance their 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;

6. Provide an Interpretation Plan for the subject properties, 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;

7. 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 properties at 89 - 109 Niagara 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 owner shall:

1. Have obtained final approval for the necessary Zoning By-law Amendment or minor variances required for the subject property, such Amendment or minor variances to have come into full force and effect;

2. 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 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;

3. 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;

4. Provide full documentation of the existing heritage properties at 89 - 109 Niagara 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.

e. That prior to the release of the Letter of Credit required in Recommendation 1.c.3 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.

Origin

(October 25, 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 heritage properties at 89 - 109 Niagara Street, in connection with the proposed redevelopment of the site per the application for Site Plan Approval.

This report also recommends that City Council give authority to amend the existing Heritage Easement Agreement (HEA) for the properties at 89 - 109 Niagara Street which are designated under Part IV of the Ontario Heritage Act.

A Zoning Amendment Application was submitted in March 2012 which proposed a similar scale project to that which is currently proposed. It involved the conservation of the building massing of the heritage properties and added two new buildings at the south portion of the site of 12 and 14 stories respectively. The application and subsequently executed HEA proposed substantively whole building conservation with minimal changes to the heritage buildings both externally and internally.

Since that time, the Site Plan has been submitted and the Conservation Strategy for the project revised. The major difference between the previous and revised proposal is that the current

strategy removes the interior of the heritage properties. All four existing buildings will be conserved with their visible facades entirely retained in situ. A fourth floor is proposed at 95-97 Niagara Street, as in the previous approved proposal, however the new floor now includes a contemporary design. A fifth floor will be added to the group of three buildings from 95-109 Niagara Street (89-91 Niagara Street is already a 5-storey building having had a late 19th century fifth floor added).

The conservation strategy will not significantly impact the three dimensional form of the buildings as viewed from the public realm. Should the alterations to the subject property be approved, staff recommends that the property owner be required to amend the existing Heritage Easement Agreement at 89-109 Niagara Street in order to ensure the long-term protection of the heritage properties.

Background Information

(October 25, 2019) Report and Attachments 1 - 4 from the Senior Manager, Heritage Preservation Services, Urban Design, City Planning - Alterations to Heritage Properties at 89 - 109 Niagara Street and Authority to Amend the Existing Heritage Easement Agreement at 89 - 109 Niagara Street

<http://www.toronto.ca/legdocs/mmis/2019/pb/bqrd/backgroundfile-139599.pdf>

Speakers

Philip Goldsmith

Victor Closson