



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

PB11.2	ACTION	Amended		Ward: 10
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Alterations to Heritage Properties, Authority to Enter into a Heritage Easement Agreement and Designation Under Part IV, Section 29, of the Ontario Heritage Act - 301 (303), 305 (309, 311), 315 and 319 King Street West

Board Decision

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

1. City Council state its intention to designate the property at 305 (309, 311) King Street West under Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Significance: 305 (309, 311) King Street West (Reasons for Designation) attached as Attachment 6 to the report (October 29, 2019) from the Senior Manager, Heritage Preservation Services.
2. If there are no objections to the designation in accordance with the Ontario Heritage Act, City Council authorize the City Solicitor to introduce the necessary bills in Council.
3. If there are objections to the designation in accordance with the Ontario Heritage Act, City Council direct the City Clerk to refer the designation to the Conservation Review Board.
4. If the designation is 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.

Decision Advice and Other Information

The Toronto Preservation Board did not adopt the following recommendations:

1. City Council approve the alterations to the heritage properties at 301 (303), 305 (309, 311), 315 and 319 King Street West in accordance with Section 33 of the Ontario Heritage Act, to allow for the redevelopment of the site located within the block bounded generally by King Street West, John Street, Blue Jays Way and Mercer Street, in conjunction with the related Zoning By-law Amendment application currently under appeal to the Local Planning Appeal

Tribunal, and substantially in accordance with the revised plans and drawings dated October 28, 2019 prepared by Scott Shields Architects Inc. and on file with the Senior Manager, Heritage Preservation Services, and the Heritage Impact Assessment (HIA), prepared by Philip Goldsmith Architect dated October 25, 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, prior to issuance of a Local Planning Appeal Tribunal order in connection with the related Zoning By-law Amendment appeal for the properties at 301 (303), 305 (309, 311), 315 and 319 King Street West the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the properties at 301 (303), 305 (309, 311), 315 and 319 King Street West substantially in accordance with plans and drawings dated October 28, 2019 prepared by Scott Shields Architects Inc., and on file with the Senior Manager, Heritage Preservation Services, and in accordance with the Conservation Plan required in Recommendation 1.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 for 301 (303), 305 (309, 311), 315 and 319 King Street West prepared by Philip Goldsmith Architect dated October 25, 2019, to the satisfaction of the Senior Manager, Heritage Preservation Services;

3. Enter into and register on the properties at 301 (303), 305 (309, 311), 315 and 319 King Street 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 Division, and the Senior Manager, Heritage Preservation Services securing the facilities, services and matters set forth in the recommendations to this report which are related to the site specific Zoning By-law Amendment application giving rise to the proposed alterations;

4. Withdraw their appeal(s) of the King-Spadina Heritage Conservation District Plan, and if not an appellant, but rather a party to such appeals, the owner shall withdraw as a party and not seek any party or participant status on the appeals;

b. That prior to receiving final Site Plan approval for a development as proposed in the related Zoning By-law Amendment application under appeal to the LPAT for the properties at 301 (303), 305 (309, 311), 315 and 319 King Street West, the owner shall:

1. Provide final Site Plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 1.a.2 of this report to the satisfaction of the Senior Manager, Heritage Preservation Services;

2. Have obtained a final order from the LPAT approving the necessary Zoning By-law Amendment required for the development of the subject properties, with such Amendment having come into full force and effect;

3. Provide an Interpretation Plan for the subject properties, to the satisfaction of the Senior Manager, Heritage Preservation Services and thereafter the owner shall implement such Plan to the satisfaction of the Senior Manager, Heritage Preservation Services;
 4. Provide a Heritage Lighting Plan that describes how the heritage properties will be sensitively illuminated to enhance their heritage character to the satisfaction of the Senior Manager, Heritage Preservation Services and thereafter the owner shall implement such Plan to the satisfaction of the Senior Manager Heritage Preservation Services;
 5. Submit a Signage 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 properties at 301 (303), 305 (309, 311), 315 and 319 King Street West, including a heritage permit or a building permit, but excluding permits for repairs, maintenance and usual and minor works acceptable to the Senior Manager, Heritage Preservation Services, the owner shall:
1. Have obtained a final order from the LPAT approving the necessary Zoning By-law Amendments required for the alterations to the properties at 301 (303), 305 (309, 311), 315 and 319 King Street West, with such Amendments being in a form and with content acceptable to the Director, Urban Design, City Planning, in consultation with the Senior Manager, Heritage Preservation Services, City Planning, and having come into full force and effect;
 2. Provide building permit drawings for the specific phase of work for which the permit is being sought, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 1.a.2 of this report, including a description of materials and finishes to be prepared by the project architect and qualified heritage consultant to the satisfaction of the Senior Manager, Heritage Preservation Services; and
 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 and Interpretation Plans.
- d. That prior to the release of the Letter of Credit required in Recommendation 1.c.3 to this report from the Senior Manager, Heritage Preservation Services, the owner shall:
1. Have obtained final Site Plan approval for the subject properties, issued by the Chief Planner and Executive Director, City Planning Division;
 2. Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work has been completed in accordance with the Conservation Plan and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Preservation Services; and

3. Provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Preservation Services.
2. City Council authorize the entering into of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of the properties at 301 (303), 305 (309, 311), 315 and 319 King Street West in a form and with content satisfactory to the Chief Planner and Executive Director and City Solicitor.
3. City Council authorize the City Solicitor to introduce the necessary bill in Council authorizing the entering into of Heritage Easement Agreements for the properties at 301 (303), 305 (309, 311), 315 and 319 King Street West.

Origin

(October 29, 2019) Report from the Senior Manager, Heritage Preservation Services, Urban Design, City Planning

Summary

This report recommends that City Council approved the proposed alterations to the heritage properties at 301 (303), 305 (309, 311), 315 and 319 King Street West in accordance with Section 33 of the Ontario Heritage Act to allow for the construction of a 50-storey tower on the site as per the with-prejudice revised proposal submitted to the City in conjunction with an appeal to the Local Planning Appeal Tribunal (LPAT) regarding an application for a Zoning By-law amendment to permit a 50-storey mixed-use building on the subject properties.

This report also recommends that City Council state its intention to designate the listed heritage property at 305 (309, 311) King Street West under Part IV, Section 29 of the Ontario Heritage Act and to give authority to enter into a Heritage Easement Agreement for all the subject properties.

Background Information

(October 29, 2019) Report and Attachments 1-6 from the Senior Manager, Heritage Preservation Services, Urban Design, City Planning - Alterations to Heritage Properties, Authority to Enter into a Heritage Easement Agreement and Designation Under Part IV, Section 29, of the Ontario Heritage Act - 301 (303), 305 (309, 311), 315 and 319 King Street West

<http://www.toronto.ca/legdocs/mmis/2019/pb/bgrd/backgroundfile-139757.pdf>

(October 29, 2019) Report from the Senior Manager, Heritage Preservation Services, Urban Design, City Planning - Alterations to Heritage Properties, Authority to Enter into a Heritage Easement Agreement and Designation Under Part IV, Section 29, of the Ontario Heritage Act - 301 (303), 305 (309, 311), 315 and 319 King Street West - Notice of Pending Report

<http://www.toronto.ca/legdocs/mmis/2019/pb/bgrd/backgroundfile-139600.pdf>

Speakers

(November 8, 2019) Philip Goldsmith