



Decision Letter

Toronto Preservation Board

Meeting No.	12	Contact	Ellen Devlin, Committee Administrator
Meeting Date	Monday, December 2, 2019	Phone	416-392-7033
Start Time	9:30 AM	E-mail	teycc@toronto.ca
Location	Committee Room 2, City Hall	Chair	Ms. Sandra Shaul

PB12.4	ACTION	Adopted		Ward: 9
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Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act, Inclusion on the Heritage Register, Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement - 90 Croatia Street - 980 Dufferin Street

Board Recommendations

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

1. City Council include the property at 90 Croatia Street (980 Dufferin Street) on the City of Toronto's Heritage Register.
2. City Council state its intention to designate the property at 90 Croatia Street (980 Dufferin Street) under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance: 90 Croatia Street (980 Dufferin Street) (Reasons for Designation) attached as Attachment 4 to the report (November 14, 2019) from the Senior Manager, Heritage Preservation Services, City Planning.
3. If there are no objections to the designations in accordance with Section 29(6) of the Ontario Heritage Act, City Council authorize the City Solicitor to introduce the bills in Council designating the property under Part IV, Section 29 of the Ontario Heritage Act.
4. If there are objections in accordance with Section 29(7) of the Ontario Heritage Act, City Council direct the City Clerk to refer the designation to the Conservation Review Board.
5. 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 on the designation of the property.
6. City Council approve the alterations to the heritage property at 90 Croatia Street (980 Dufferin Street), specifically Kent Pubic School, in accordance with Section 33 of the Ontario Heritage Act to allow for the construction of a multi-building development complex with alterations to the heritage building in conjunction with an appeal to the Local Planning Appeal

Tribunal (the "LPAT") for the requested amendments to the Zoning By-law and Official Plan for the lands municipally known as 90 Croatia Street, 980 Dufferin Street and 1141 Bloor Street (collectively the "Lands") comprised of the revised plans and drawings prepared by Hariri Pontarini Architects dated November 13, 2019 and the Heritage Impact Assessment (HIA) prepared by ERA Architects Inc. dated November 1, 2019 both 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. Prior to issuance of an Local Planning Appeal Tribunal order for the Zoning By-law Amendment for the Lands, the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the property at 90 Croatia Street (980 Dufferin Street) substantially in accordance with plans and drawings prepared by Hariri Pontarini Architects dated November 13, 2019, and the Heritage Impact Assessment (HIA) prepared by ERA Architects Inc. dated November 1, 2019, subject to and in accordance with the approved Conservation Plan required in Recommendation 6.a.2, all to the satisfaction of the Senior Manager, Heritage Preservation Services including execution of such agreement to the satisfaction of the City Solicitor; and
2. The owner shall 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 the Lands dated November 1, 2019, to the satisfaction of the Senior Manager, Heritage Preservation Services.

b. Prior to Final Site Plan approval in connection with the Zoning By-law and Official Plan Amendment for the Lands, or any part of the Lands, the owner shall:

1. Provide final site plan drawings including drawings related to the approved Conservation Plan required in Recommendation 6.a.2 to the satisfaction of the Senior Manager, Heritage Preservation Services;
2. 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;
3. Provide a Heritage Lighting Plan that describes how 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; and
4. Provide a detailed Landscape Plan for the subject property satisfactory to the Senior Manager, Heritage Preservation Services.

c. Prior to the issuance of any permit for all, or any part of the Lands, 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. Obtain final approval for the necessary Zoning By-law and Official Plan amendments required for the alterations to the Lands, where such amendments to have been approved by City Council and by the Local Planning Appeal Tribunal Order and such amendments have come into effect in a form and with content acceptable to the City;

2. 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 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; 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 Plan, Heritage Lighting Plan, Landscape Plan, and Interpretation Plan.

d. That prior to the release of the Letter of Credit required in Recommendation 6.c.3. the owner shall:

1. Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation, lighting, interpretation and landscape work has been completed in accordance with the relevant approved plans 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 90 Croatia Street (980 Dufferin Street) in a form and with content satisfactory to the City Solicitor and 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 90 Croatia Street (980 Dufferin Street).

Origin

(November 14, 2019) Report from the Senior Manager, Heritage Preservation Services

Summary

This report recommends that City Council state its intention to designate 90 Croatia Street - 980 Dufferin Street, formerly known as the Kent School, under Part IV, Section 29 of the Ontario Heritage Act and give authority to enter into a Heritage Easement Agreement for this property. This report also recommends that City Council approve the alterations proposed for the property at 90 Croatia Street - 980 Dufferin Street - in accordance with Section 33 of the Ontario Heritage Act to allow for the construction of a multi-building development complex on the site as per the revised plans and drawings submitted to the City in conjunction with an appeal to the Local Planning Appeal Tribunal ("LPAT") and the subsequent mediation of the

application to amend the Zoning By-law and Official Plan.

Background Information

(November 14, 2019) Report and attachments 1-5 from the Senior Manager, Heritage Preservation Services - Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act, Inclusion on the Heritage Register, Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement - 90 Croatia Street - 980 Dufferin Street (<http://www.toronto.ca/legdocs/mmis/2019/pb/bgrd/backgroundfile-140265.pdf>)

Speakers

Douglas De Gannes

Julie Tyndorf