

January 16, 2012

To: Toronto and East York Community Council

From: Toronto Preservation Board

Subject: Alteration to Designated Heritage Property and Authority to Enter into a Heritage Easement Agreement – 129 St. Clair Avenue West (Deer Park United Church)

Recommendations:

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

- 1. City Council consent to the alteration of the designated heritage property located at 129 St. Clair Avenue West (former Deer Park United Church) subject to the following conditions:**
 - a. That the alterations to the building be completed in accordance with the Heritage Impact Assessment prepared by E.R.A. Architects Inc., dated December 13, 2010 and the architectural drawings submitted by Diamond and Schmitt Architects dated July, 2010 and re-issued November 16, 2011 for the re-zoning application, and that the retained portion of the designated property be shored, stabilized, kept in-situ and protected during construction of this project.**
 - b. Prior to the introduction of the Bill in Council for the zoning by-law amendment, the owner shall enter into a Heritage Easement Agreement for 129 St. Clair Avenue West to the satisfaction of the Manager, Heritage Preservation Services and the City Solicitor, with the agreement to be registered on title to the lands in a manner satisfactory to the City Solicitor.**
 - c. Prior to final site plan approval, the owner shall provide the following to the satisfaction of the Manager, Heritage Preservation Services:**
 - i. an as-found record of the existing building including photographs keyed to plans and elevations of all the visible exteriors and interiors;**
 - ii. a detailed Conservation Plan for the conservation work described in the December 13, 2010 Heritage Impact Assessment prepared by E.R.A. Architects, to be prepared by a qualified heritage consultant, detailing recommended interventions, exterior restoration, estimated costs and a schedule of short and long term maintenance requirements;**

- iii. **an Interpretation Plan**
 - iv. **a Heritage Lighting Plan**
 - v. **site plan drawings in accordance with the approved Heritage Impact Assessment and re-zoning drawings;**
 - vi. **a final landscape plan that supports the heritage character of the heritage building;**
 - vii. **a Letter of Credit, in a form and an amount satisfactory to the Chief Planner and Executive Director, City Planning Division, to secure all restoration and interpretation work included in the detailed Conservation Plan.**
- d. **Prior to the issuance of any heritage permit pursuant to the Ontario Heritage Act, including a permit for alteration of any structure on the subject property, and including any permit for shoring or excavation on the subject property, or any portion of such property:**
- i. **the related zoning by-law amendment shall be in full force and effect;**
 - ii. **the owner shall have obtained final site plan approval from the Chief Planner and Executive Director, City Planning; and**
 - iii. **the owner shall submit final plans and drawings to the satisfaction of the Manager, Heritage Preservation Services.**
- e. **Prior to the release of the Letter of Credit, the owner shall provide a Letter of Substantial completion for the restoration work, signed by the project architect and heritage consultant to the satisfaction of the Manager, Heritage Preservation Services.**
2. **City Council grant authority for the City Solicitor to enter into a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of the property.**
3. **City Council authorize the City Solicitor to introduce any necessary bill in Council to enter into the Heritage Easement Agreement.**

Background:

The Toronto Preservation Board on January 16, 2012, considered the report (January 5, 2012) from the Acting Director, Policy and Research, City Planning, respecting Alteration to Designated Heritage Property and Authority to Enter into a Heritage Easement Agreement – 129 St. Clair Avenue West (Deer Park United Church).

The following persons addressed the Toronto Preservation Board.

- Cynthia McDougall, Diamond Corporation
- Michael McClelland, E.R.A. Architects Inc.
- Karen Melville, Foxbar Neighbourhood Association

For City Clerk

Margaret Sexton

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