

January 16, 2012

**To:** Toronto and East York Community Council

**From:** Toronto Preservation Board

**Subject:** Alteration to Designated Heritage Properties and Amendment of Associated Heritage Easement Agreements – 1, 3-5 and 7-9 Sultan Street and 11 St. Thomas Street

**Recommendations:**

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

- 1. City Council consent to the alteration of the six designated heritage properties located at 1,3,5, 7 and 9 Sultan Street and 11 St. Thomas Street subject to the following conditions:**
  - a. That the retained portions of the designated properties identified in the Heritage Impact Assessment prepared by E.R.A. Architects Inc., dated December 15, 2011 and architectural drawings submitted by Harari Pontarini Architects dated December 12, 2011 be braced, shored, stabilized and kept in situ during construction of this project, barring the inability of the owner to secure necessary lane closures on Sultan Street.**
  - b. If the owner is unable to secure approval for required lane closures on Sultan Street and are therefore unable to retain portions of the designated property at 1 Sultan Street in situ during construction, the retained portions of 1 Sultan Street shall be documented, removed, stored and reconstructed subject to site plan approval and to the satisfaction of the Manager, Heritage Preservation Services.**
  - c. That raised entries for 3 and 9 Sultan Street, and 11 St. Thomas Street will be modified for accessibility only in the event that it is required for tenancies and will be subject to site plan approval. Should arrangement of tenancies and uses, such as a sole ground floor tenant, allow for barrier-free access from the street to be provided at other locations, the remaining entries for 3 and 9 Sultan Street and 11 St. Thomas Street will instead be retained and restored to modest stoops with stairs subject to site plan approval to the satisfaction of the Manager, Heritage Preservation Services.**
  - d. Prior to the introduction of the Bill in Council for the zoning by-law amendment, the owner shall enter into an agreement with the City to amend the existing Heritage Easement Agreements for 1, 3, 5, 7 and 9 Sultan Street and 11 St. Thomas Street, to the satisfaction of the Manager, Heritage**

**Preservation Services and the City Solicitor, with the amended agreements to be registered on title to the lands in a manner satisfactory to the City Solicitor to reflect the changes as described in this report, including a Conservation Plan, in accordance with the Heritage Impact Assessment prepared by E.R.A. Architects Inc., dated December 15, 2011.**

- e. Prior to final Site Plan Approval, the owner shall:
    - i. provide site plan drawings to the satisfaction of the Manager, Heritage Preservation Services; and**
    - ii. provide a Letter of Credit in a form and amount satisfactory to the Manager, Heritage Preservation Services, for all alteration and restoration work contained in the approved Conservation Plan.****
  - f. 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.****
  - g. 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 amend the Heritage Easement Agreements under Section 37 of the Ontario Heritage Act with the owner of the properties.**
  - 3. City Council authorize the City Solicitor to introduce any necessary bill in Council to amend the Heritage Easement Agreements.**

Background:

The Toronto Preservation Board on January 16, 2012, considered the report (December 22, 2011) from the Acting Director, Policy and Research, City Planning, respecting Alteration to Designated Heritage Properties and Amendment of Associated Heritage Easement Agreements – 1, 3-5 and 7-9 Sultan Street and 11 St. Thomas Street.

For City Clerk

Margaret Sexton