

**City Clerk's Office** 

Ulli S. Watkiss City Clerk

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May 7, 2013

To: Toronto and East York Community Council

From: Toronto Preservation Board

Subject: Alterations to a Designated Heritage Property, Amendment of Designation By-law – 15 Shuter Street/178 Victoria Street (Massey Music Hall)

## **Recommendations:**

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

- City Council approve the proposed alterations to the heritage property at 15 Shuter Street / 178 Victoria Street (Massey Hall), including the removal of the Albert Building, to allow for the construction of a six storey addition with a two level basement and a two level mechanical penthouse on the south side of the existing concert hall substantially in accordance with the plans and drawings prepared by Kuwabara Payne McKenna Blumberg Architects dated September 28, 2012 and date stamped received by the City Planning Division October 4, 2012 for Site Plan Application No. 12 256738 STE 27 SA, and in accordance with the HIA Assessment (HIA) prepared by Goldsmith Borgal and Company Ltd. Architects dated April 8, 2013, subject to the following conditions:
  - a. That prior to Final Site Plan approval the owner shall:
    - i. Provide a Phase 1 Conservation Plan detailing all conservation work required to the property at 15 Shuter Street / 178 Victoria Street as pertaining to the removal of the Albert Building, the stabilization of the south wall of Massey Hall following the removal of the Albert Building, construction of the new two storey basement and partial at-grade back of house, including a detailed estimate of costs for this conservation work, to be prepared by a qualified heritage consultant to the satisfaction of the Manager, Heritage Preservation Services.
    - ii. Submit an Interpretation Plan that interprets the cultural heritage value of the property at 15 Shuter Street / 178 Victoria Street and describes the evolution of the site including proposed methods of commemorating the Albert Building, to the satisfaction of the Manager, Heritage Preservation Services.

- iii. Submit a Lighting Plan that describes how the Shuter and Victoria Street elevations of the heritage property at 15 Shuter Street / 178 Victoria Street will be sensitively illuminated at night to enhance the building's heritage character and landmark status to the satisfaction of the Manager, Heritage Preservation Services.
- iv. Execute a Heritage Easement Agreement with the City for the property at 15 Shuter Street / 178 Victoria Street to the satisfaction of the Manager, Heritage Preservation Services, and register such agreement to the satisfaction of the City Solicitor.
- b. That prior to the issuance of any heritage permit for the property at 15 Shuter Street / 178 Victoria Street, including a permit for the removal of the Albert Building, the owner shall:
  - i. Obtain final site plan approval for Site Plan Application No. 12 256738 STE 27 SA from the Chief Planner, City Planning Division.
  - ii. Obtain final approval for the necessary zoning by-law amendments required for the alterations to the property at 15 Shuter Street / 178 Victoria, such amendments having been enacted by City Council and having come into full force and effect in a form and with content acceptable to City Council as determined by the Chief Planner.
  - iii. Submit final building permit plans and drawings for the proposed six storey addition to Massey Hall including the two level basement and the two level mechanical penthouse, satisfactory to the Manager, Heritage Preservation Services.
  - iv. Enter into and register against title to the lands known municipally in 2012 as 15 Shuter Street / 178 Victoria Street (the "Massey Hall Lands) and the lands known municipally in 2012 as 197, 197R, 199, and 201 Yonge Street (the "197 Yonge Street Lands"), an agreement between the City, the owner of the 197 Yonge Street Lands and the owner of the Massey Hall Lands (the "Three Party Agreement), pursuant to a fully in force and effect Zoning By-law Amendment and Section 37 Agreement for the 197 Yonge Street Lands, which is enacted by City Council and is in a form and with content acceptable to City Council as determined by the Chief Planner. Such Three Party Agreement to secure the conveyance of the Conveyance Lands as defined in the attached report, to Massey Hall, and to secure the limited purpose of the Conveyance Lands, and additionally to secure related easement(s) to Massey Hall, and a Construction Phasing Plan and schedule for the timing of construction for the Massey Hall alterations in conjunction with the redevelopment of the 197 Yonge Street Lands, all to the satisfaction of the City Solicitor, the Chief Planner and the Manager, Heritage **Preservation Services.**
  - v. Obtain the conveyance in escrow of the Conveyance Lands as defined in the attached report (April 10, 2013) from the Director, Urban Planning, City Planning Division, together with the related easement(s), to the satisfaction of the City Solicitor.

- vi. Obtain any consents to sever required by the Planning Act for the conveyance and easement(s) required in Recommendation 1b) iv. and v. above.
- vii. Provide a Letter of Credit in a form and amount satisfactory to the Manager, Heritage Preservation Services to secure the Phase 1 Conservation work, and to be held by the City as a rolling Letter of Credit until the completion of all subsequent phases of the Conservation Plan in accordance with the HIA prepared by Goldsmith Borgal and Company Ltd. Architects dated April 8, 2013.
- c. That prior to the release of the Letter of Credit, the owner shall:
  - i. Provide replacement Schedule B photographs for the Heritage Easement Agreement for the heritage property at 15 Shuter Street / 178 Victoria Street to the satisfaction of the Manager, Heritage Preservation Services.
  - ii. Provide a certificate of completion prepared by a qualified heritage consultant confirming that the conservation work as generally described in the HIA prepared by Goldsmith Borgal and Company Ltd. Architects dated April 8, 2013 and as detailed in the Conservation Plan to be submitted and approved by the Manager, Heritage Preservation Services, in phases, has been completed in accordance with these documents and to the satisfaction of the Manager, Heritage Preservation Services.
- 2. City Council amend By-law No. 501-75 of the former City of Toronto under Section 30.1 of the Ontario Heritage Act to revise the Reasons for Designation to explain the cultural heritage value or interest of the property at 15 Shuter Street / 178 Victoria Street and describe its heritage values.
- 3. City Council authorize the execution of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of the Massey Hall Lands, The Corporation of Massey Hall and Roy Thomson Hall, known municipally as 15 Shuter Street / 178 Victoria Street.
- 4. City Council authorize the City Solicitor to introduce any necessary bill in Council authorizing the entering into of a Heritage Easement Agreement for the Massey Hall lands.

## Background:

The Toronto Preservation Board on May 2, 2013, considered a report (April 10, 2013) from the Director, Urban Design, City Planning Division, respecting Alterations to a Designated Heritage Property, Amendment of Designation By-law – 15 Shuter Street/178 Victoria Street (Massey Music Hall).

The following persons addressed the Toronto Preservation Board:

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- Sharon Vattay, Goldsmith Borgal and Company Architects Limited Colleen Smith, The Corporation of Massey Hall and Roy Thompson Hall -

For City Clerk

Janette Gerrard

Interested Persons c.

http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2013.PB22.3