

**City Council****Notice of Motion**

MM6.12	ACTION			Ward:27
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**Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act - 61 St. Nicholas Street - by Councillor Kristyn Wong-Tam, seconded by Councillor Josh Matlow**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Toronto and East York Community Council. A two-thirds vote is required to waive referral.*

*The Toronto Preservation Board has submitted a transmittal on this Item (MM6.12a with recommendations)*

**Recommendations**

Councillor Kristyn Wong-Tam, seconded by Councillor Josh Matlow, recommends that:

1. City Council adopt the following recommendations contained in the report (March 30, 2015) from the Director, Urban Design, City Planning:

1. City Council state its intention to designate the property at 61 St. Nicholas Street (Elm Cottage) under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance: 61 St. Nicholas Street (Reasons for Designation) attached as Attachment No. 3 to the report (March 30, 2015) from the Director, Urban Design, City Planning Division.
2. If there are no objections to the designation in accordance with Section 29(6) of the Ontario Heritage Act, City Council authorize the City Solicitor to introduce the bill in Council designating the property under Part IV, Section 29 of the Ontario Heritage Act.
3. 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.
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 on the designation of the property.

## Summary

At its meeting of April 24, 2015, the Toronto Preservation Board considered a report from the Director, Urban Design, City Planning, recommending City Council state its intention to designate the property at 61 St. Nicholas Street under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value.

61 St. Nicholas Street is one of a series of ten row houses, at 45-63 St. Nicholas Street adopted by City Council for inclusion on the Heritage Register on March 15, 1974.

The property at 61 St. Nicholas Street is included in the section of Yonge Street south of Bloor Street West that is being considered as a potential Heritage Conservation District under Part V of the Ontario Heritage Act. On February 11, 2015, City Council approved the Historic Yonge Street Study Area Designation By-law No. 277-2015. The purpose of the heritage conservation district study is to examine the character and appearance of the area to determine if it should be preserved as a heritage conservation district and to consider and make recommendations with regard to the establishment of a district plan to guide changes to properties located within the district. The By-law prohibits for a period of one year and set limitations with respect to the alteration, demolition or removal of buildings or structures within the study area boundaries on Historic Yonge Street between Davenport Road and College Street while the City completes a heritage conservation district study.

Prior to the passage of the above by-law, the owners of the property at 61 St. Nicholas Street had submitted a rezoning application and a building permit for minor alterations to the property. When Council issues an Intention to Designate the property under Part IV, Section 29 of the Ontario Heritage Act, the approved permits will be released.

## Background Information (City Council)

Member Motion MM6.12

(March 30, 2015) Report from the Director, Urban Design, City Planning on Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act - 61 St. Nicholas Street (<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-79657.pdf>)

Attachment 1 - Location Map

(<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-79658.pdf>)

Attachment 2 - Photographs

(<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-79659.pdf>)

Attachment 3 - Reasons for Designation (Statement of Significance)

(<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-79660.pdf>)

Attachment 4 - Heritage Property Research and Evaluation Report

(<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-79661.pdf>)

(April 27, 2015) Transmittal from the Toronto Preservation Board on Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act - 61 St. Nicholas Street(MM6.12a)

(<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-79708.pdf>)