

March 29, 2016

To: North York Community Council

From: Toronto Preservation Board

Subject: **Alteration to a Designated Heritage Property and Authority to Enter into a Heritage Easement Agreement - 172 Finch Avenue West (Arthur Waine House)**

**Recommendations:**

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

1. City Council approve the alteration to the heritage property at 172 Finch Avenue West, in accordance with Section 33 of the Ontario Heritage Act, to allow for the relocation of the historic Arthur Waine House to the rear of the designated property in accordance with the "Schedule 'A' Revised Drawings" dated October 19, 2015, prepared by Quadrangle Architects Limited, attached to the OMB decision issued on October 23, 2015, OMB Case No. PL141059; and substantially in accordance with the Heritage Impact Assessment prepared by ERA Architects Inc. dated May 9, 2013 and 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. That prior to final Site Plan approval for the alteration to the property located at 172 Finch Avenue West the owner shall:
  - i. Enter into a Heritage Easement Agreement with the City for the property at 172 Finch Avenue West in accordance with the plans and drawings dated October 19, 2015, prepared by Quadrangle Architects Limited, attached to the OMB decision issued on October 23, 2015, OMB Case No. PL141059, on file with the Senior Manager, Heritage Preservation Services, and in accordance with the Conservation Plan required in Recommendation 1.a.iii in the report (March 2, 2016) from the Chief Planner and Executive Director, City Planning Division to the satisfaction of the Senior Manager, Heritage Preservation Services including registration of such agreement to the satisfaction of the City Solicitor;
  - ii. At its sole cost and expense, register the Heritage Easement Agreement on title to the satisfaction of the City Solicitor;
  - iii. Provide a detailed Conservation Plan prepared by a qualified heritage consultant that includes, but is not limited to, a comprehensive Building Relocation Plan prepared by a qualified engineer and an Interpretation Plan that is consistent with

the conservation strategy set out in the Heritage Impact Assessment for 172 Finch Avenue West prepared by ERA Architects Inc. dated May 9, 2013, to the satisfaction of the Senior Manager, Heritage Preservation Services; and

iv. Provide final site plan drawings related to the approved Conservation Plan required in Recommendation 1.a.iii in the report (March 2, 2016) from the Chief Planner and Executive Director, City Planning Division to the satisfaction of the Senior Manager, Heritage Preservation Services.

b. That prior to the issuance of any permit for all or any part of the property at 172 Finch Avenue West, including a heritage permit or a building permit but excluding permits for repairs, maintenance and usual and minor works acceptable to the Senior Manager, Heritage Preservation Services, the owner shall:

i. Have obtained final site plan approval for such property, issued by the Chief Planner and Executive Director, City Planning Division;

ii. Provide full building permit drawings, including notes and specifications for the relocations, conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 1.a.iii in the report (March 2, 2016) from the Chief Planner and Executive Director, City Planning Division, including a description of materials and finishes to be prepared by the project architect and qualified heritage consultant to the satisfaction of the Senior Manager, Heritage Preservation Services; and

iii. 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.

c. That prior to the release of the Letter of Credit required in Recommendation 1.b.iii in the report (March 2, 2016) from the Chief Planner and Executive Director, City Planning Division, the owner shall:

i. Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work has been completed in accordance with the Conservation Plan and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Preservation Services; and

ii. Provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Preservation Services.

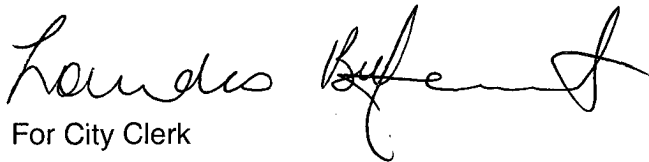
2. City Council authorize the entering into of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of the property at 172 Finch Avenue West in a form and content satisfactory to the Chief Planner and Executive Director and City Solicitor.

3. 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 172 Finch Avenue West.

4. City Council amend By-law No. 1597-2012 under Section 30.1(1) of the Ontario Heritage Act to revise the legal description following the relocation of the Arthur Waine House in accordance with the alterations set out in the report (March 2, 2016) from the Chief Planner and Executive Director, City Planning Division.

**Background:**

The Toronto Preservation Board on March 24, 2016, considered a report (March 2, 2016) from Chief Planner and Executive Director, City Planning Division, regarding Alteration to a Designated Heritage Property and Authority to Enter into a Heritage Easement Agreement - 172 Finch Avenue West (Arthur Waine House).

A handwritten signature in black ink, appearing to read "L. Bettencourt". The signature is written in a cursive style with a large, stylized initial "L".

For City Clerk

L. Bettencourt

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PB13.1>