

April 22, 2016

To: Toronto and East York Community Council

From: Toronto Preservation Board

Subject: **Alterations to a Designated Heritage Property and Authority to Enter into a Heritage Easement Agreement - 774-776 Yonge Street (William Luke Buildings)**

Recommendations:

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

1. City Council approve the alterations to the heritage property at 774-776 Yonge Street in accordance with Section 33 of the Ontario Heritage Act, to allow for construction of a proposed development comprised of an 80-storey (294 metres plus a 10 metre mechanical penthouse) mixed-use building at 1-11 Bloor Street West, and 768-784 Yonge Street, and a 19 metre building at 760-762 Yonge Street, with alterations to the heritage property to be substantially in accordance with the plans and drawings prepared by Foster and Partners dated March 10, 2016, and the Heritage Impact Assessment (HIA) prepared by Goldsmith Borgal and Company Ltd. Architects dated March 28, 2016, and on file with the Senior Manager, Heritage Preservation Services and subject to the following conditions:

- a. That the related Zoning By-Law Amendment giving rise to the proposed alterations has been enacted by City Council and has come into full force and effect in a form and with content acceptable to City Council, as determined by the Chief Planner and Executive Director, City Planning Division in consultation with the Senior Manager, Heritage Preservation Services.
- b. That prior to the introduction of the Bills for the Zoning By-law Amendment by City Council the owner shall:
 - i. enter into a Heritage Easement Agreement with the City to the satisfaction of the Chief Planner and Executive Director, City Planning, the City Solicitor and the Senior Manager, Heritage Preservation Services for the property at 774-776 Yonge Street in accordance with the plans and drawings prepared by Foster and Partners dated March 10, 2016, the Heritage Impact Assessment (HIA) prepared by Goldsmith Borgal and Company Ltd. Architects dated March 28, 2016, and the approved Conservation Plan required in Recommendation 1.b.iii in the report of April 13, 2016 from the Chief Planner and Executive Director, City Planning Division and on file with the Senior Manager, Heritage Preservation Services;

ii. enter into and register on the subject development site at 1-11 Bloor Street West, 768-784 Yonge Street, and 760-762 Yonge Street one or more agreements with the City pursuant to Section 37 of the Planning Act to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning and the Senior Manager, Heritage Preservation Services with such facilities, services and matters to be set forth in the related site specific Zoning By-Law Amendment giving rise to the proposed alterations; and

iii. provide a Conservation Plan to the satisfaction of the Senior Manager, Heritage Preservation Services, prepared by a qualified heritage consultant that is consistent with the conservation strategy set out in the Heritage Impact Assessment (HIA) prepared by Goldsmith Borgal and Company Ltd. Architects, dated March 28, 2016, and on file with the Senior Manager, Heritage Preservation Services, and that provides a detailed description with supporting documentation of the methods for restoration/ replacement of the foundations of the retained building elevations at 774-776 Yonge Street.

c. That prior to final Site Plan Approval for the proposed development at 1-11 Bloor Street West, 768-784 Yonge Street, and 760-762 Yonge Street:

i. the owner shall provide final site plan drawings including drawings related to the approved Conservation Plan required in Recommendation 1.b.iii in the report of April 13, 2016 from the Chief Planner and Executive Director, City Planning Division to the satisfaction of the Senior Manager, Heritage Preservation Services;

ii. the related Zoning By-law Amendment giving rise to the proposed alterations shall be in full force and effect in a form and with content acceptable to City Council, as determined by the Chief Planner and Executive Director, City Planning Division, in consultation with the Senior Manager, Heritage Preservation Services;

iii. the owner shall provide a Lighting Plan that describes how the heritage property at 774-776 Yonge Street will be sensitively illuminated to enhance its heritage character to the satisfaction of the Senior Manager, Heritage Preservation Services; and

iv. the owner shall work with representatives from the local heritage community on an interpretation plan for the site, such interpretation plan to be to the satisfaction of the Senior Manager, Heritage Preservation Services, prior to the issuance of any heritage permit as set out in conditions i. d. iv. and 1. d. v., with the approved plan to be presented to the Toronto Preservation Board prior to site plan approval.

d. That prior to the issuance of any heritage permit for the property at 774-776 Yonge Street, including a heritage permit or a building permit, but excluding permits for repairs and maintenance of the existing heritage building, the owner shall:

i obtain final approval for the necessary Zoning By-law Amendment giving rise to the proposed alterations as set out in the report of April 13, 2016 from the Chief Planner and Executive Director, City Planning Division, such Zoning By-law Amendment to have been enacted by City Council and to have come into full force

and effect in a form and with content acceptable to City Council as determined by the Chief Planner and Executive Director, City Planning Division, in consultation with the Senior Manager, Heritage Preservation Services;

ii. have obtained final site plan approval for the development at 1-11 Bloor Street West, 768-784 Yonge Street, and 760-762 Yonge Street, issued by the Chief Planner and Executive Director, City Planning Division;

iii. provide full building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 1.b.iii in the report of April 13, 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 a qualified heritage consultant to the satisfaction of the Senior Manager, Heritage Preservation Services;

iv. provide an Interpretation Plan that interprets the heritage property at 774-776 Yonge Street, to the satisfaction of the Senior Manager, and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Preservation Services, the interpretation to be located in publicly accessible areas of the proposed development;

v. provide an Interpretation Plan that commemorates the former "His Majesty's Theatre" building at 780 Yonge Street, to the satisfaction of the Senior Manager, and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Preservation Services, that includes the importance of this building as one of the first Canadian ballet schools and its associative value with Boris Volkoff (1925-1975) known as the "father of Canadian ballet" who had his dance studio in this building, the commemoration to be located in publicly accessible areas of the proposed development;

vi. provide a Signage Plan for the heritage property at 774-776 Yonge Street to the satisfaction of the Senior Manager, Heritage Preservation Services;

vii. provide full documentation of the existing heritage property, including two (2) printed sets of archival quality 8" x 10" colour photographs with borders in a glossy or semi-gloss finish and one (1) digital set on a CD in tiff format and 600 dpi resolution keyed to a location map, elevations and measured drawings, and copies of all existing interior floor plans and original drawings as may be available, to the satisfaction of the Senior Manager, Heritage Preservation Services; and

viii. provide a Letter of Credit for the subject property, 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, the approved Interpretation Plan, and the approved Lighting Plan.

e. Prior to the release of the Letter of Credit the owner shall:

i. provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the work has been completed in accordance with the approved Conservation Plan, the approved Interpretation Plan, and the approved Lighting Plan, and that an appropriate standard of conservation has been maintained 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 774-776 Yonge Street in a form and content satisfactory to the Chief Planner and Executive Director, City Planning and the 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 774-776 Yonge Street.

Background:

The Toronto Preservation Board on April 21, 2016, considered a report (April 13, 2016) Report from the Chief Planner and Executive Director, City Planning Division regarding Alterations to a Designated Heritage Property and Authority to Enter into a Heritage Easement Agreement - 774-776 Yonge Street (William Luke Buildings)

Communications

(April 15, 2016) Letter from Kathryn Holden, Bay Cloverhill Community Association (PB.Supp.PB14.4.1)

(<http://www.toronto.ca/legdocs/mmis/2016/pb/comm/communicationfile-59927.pdf>)

(April 19, 2016) Letter from Rick Whitten-Stovall, Bay Cloverhill Community Association President (PB.Supp.PB14.4.2)

(<http://www.toronto.ca/legdocs/mmis/2016/pb/comm/communicationfile-59986.pdf>)

(April 20, 2016) Presentation from Emad Ghattas, Goldsmith Borgal and Company Ltd. Architects (PB.Supp.PB14.4.3)

(<http://www.toronto.ca/legdocs/mmis/2016/pb/comm/communicationfile-60088.pdf>)

Speakers

Chris Borgal, Goldsmith Borgal and Company Ltd. Architects

Kathryn Holden, Bay Cloverhill Community Association

For City Clerk

L. Bettencourt

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PB14.4>