



Toronto Preservation Board

PB36.5	ACTION	Adopted		Ward:20
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Request for Direction - Alterations to Heritage Properties, Intention to Designate under Part IV Section 29 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreements - 485, 489, 495, 511, 519, 521, 523, 527 and 529 King Street West

Board Decision

The Toronto Preservation Board recommends that:

1. City Council approve the alterations to the heritage properties at 489, 495, 511, 519, 521, 523, 527 and 529 King Street West in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a new mixed use development incorporating the heritage buildings on the lands known municipally in the year 2018 as 489-539 King Street West, with such alterations substantially in accordance with plans and drawings dated June 14, 2018, prepared by Bjarke Ingels Group and the Heritage Impact Assessment (HIA), prepared by ERA Architects Inc., dated October 5, 2017, re-issued with Addendum dated June 14, 2018, all on file with the Senior Manager, Heritage Preservation Services; and 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 City Council direct staff to continue discussions with the applicant and authorize the City Solicitor, in consultation with the Chief Planner and Executive Director, City Planning, and the Ward Councillor, to accept a revised proposal, subject to satisfactory resolution of outstanding issues, including reducing shadow impacts from the proposed structure on King Street West, confirmation that a clear 5.0 metre step-back will be provided above the majority of the new base-building height along the King Street West frontage, confirmation of an agreement regarding the required easements and/or agreement (s) required on the adjacent property at 485 King Street West and appropriate office replacement;

b. That City Council authorize the City Solicitor and the Chief Planner and Executive Director, City Planning to continue to work with the owner on the final form of the By-law to be presented as part of the settlement at the Local Planning Appeal Tribunal (LPAT).

c. That City Council authorize the City Solicitor and the Chief Planner and Executive Director, City Planning to prepare and present a settlement, to be presented to the LPAT jointly with the owner, with such terms and conditions as may be appropriate for the development, including the following conditions:

1. Prior to issuance of an LPAT Order in connection with the Official Plan and

Zoning By-law Amendments appeal for the properties at 489, 495, 511, 519, 521, 523, 527 and 529 King Street West the owner shall:

- a. Enter into a Heritage Easement Agreement with the City for the properties at 485 King Street West and with 489, 495, 511, 519, 521, 523, 527 and 529 King Street West in accordance with the plans and drawings dated June 14, 2018, prepared by Bjarke Ingels Group and the Heritage Impact Assessment (HIA), prepared by ERA Architects Inc., dated October 5, 2017, re-issued with Addendum dated June 14, 2018 and on file with the Senior Manager, Heritage Preservation Services; and in accordance with the Conservation Plan required in Recommendation 1.c.1.b, to the satisfaction of the Senior Manager, Heritage Preservation Services including registration of such agreement to the satisfaction of the City Solicitor;
- b. Provide a detailed Conservation Plan, prepared by a qualified heritage consultant, that is consistent with the conservation strategy set out in the Heritage Impact Assessment for 489, 495, 511, 519, 521, 523, 527 and 529 King Street West prepared by ERA Architects Inc, dated October 5, 2017 with Addendum dated June 14, 2018, to the satisfaction of the Senior Manager, Heritage Preservation Services.
- c. Enter into and register on the properties at 489, 495, 511, 519, 521, 523, 527 and 529 King Street West one or more agreements with the City pursuant to Section 37 of the Planning Act to the satisfaction of the City Solicitor, 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 Official Plan and Zoning By-law Amendments giving rise to the proposed alterations.

2. That prior to final Site Plan approval for the proposed Official Plan and Zoning By-law Amendments by City Council, for the properties at 489, 495, 511, 519, 521, 523, 527 and 529 King Street West the owner shall:

- a. Provide final site plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 1.c.1.b, to the satisfaction of the Senior Manager, Heritage Preservation Services.
- b. Have obtained final approval for the necessary Official Plan and Zoning By-law Amendments required for the subject property, such Amendments to have come into full force and effect.
- c. Provide a Heritage Lighting Plan that describes how the exterior of the heritage properties will be sensitively illuminated to enhance their heritage character to the satisfaction of the Senior Manager, Heritage Preservation Services and thereafter shall implement such Plan to the satisfaction of the Senior Manager Heritage Preservation Services.
- d. Provide an Interpretation Plan for the subject properties, to the satisfaction of the Senior Manager, Heritage Preservation Services and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage

Preservation Services.

e. Submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Preservation Services.

3. That prior to the issuance of any permit for all or any part of the properties at 489, 495, 511, 519, 521, 523, 527 and 529 King Street West, including a heritage permit or a building permit, but excluding permits for repairs and maintenance and usual and minor works for the existing heritage building as are acceptable to the Senior Manager, Heritage Preservation Services, the owner shall:

a. Have obtained final approval for the necessary Official Plan and Zoning By-law Amendments required for the subject properties, such Amendment to have come into full force and effect.

b. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 1.c.1.b 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.

c. 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, Heritage Lighting Plan, and Interpretation Plan.

d. Provide full documentation of the existing heritage properties, 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.

4. That prior to the release of the Letter of Credit required in Recommendation 1.c.3.c, the owner shall:

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

b. Provide replacement Heritage Easement Agreement photographs for the properties at 489, 495, 511, 519, 521, 523, 527 and 529 King street West to the satisfaction of the Senior Manager, Heritage Preservation Services.

5. The owner shall withdraw its appeal(s) of the King-Spadina Heritage Conservation

District Plan upon the Ontario Municipal Board order allowing the appeal in part of the Zoning Amendments, bringing such Bylaws into force, and if not an appellant, but rather a party to such appeals, the owner shall withdraw as a party and not seek any party or participant status on the appeals.

2. City Council state its intention to designate the property at 495 King Street West under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance: 495 King Street West (Reasons for Designation) attached as Attachment 6 to this report (July 10, 2018) from the Director, Urban Design, City Planning.
3. City Council state its intention to designate the property at 519 King Street West under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance: 519 King Street West (Reasons for Designation) attached as Attachment 7 to this report (July 10, 2018) from the Director, Urban Design, City Planning.
4. City Council state its intention to designate the property at 521 King Street West under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance: 521 King Street West (Reasons for Designation) attached as Attachment 8 to this report (July 10, 2018) from the Director, Urban Design, City Planning.
5. City Council state its intention to designate the property at 523 King Street West (includes 525 King Street West) under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance: 523 King Street West (Reasons for Designation) attached as Attachment 9 to this report (July 10, 2018) from the Director, Urban Design, City Planning.
6. City Council state its intention to designate the property at 527 King Street West under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance: 527 King Street West (Reasons for Designation) attached as Attachment 10 to this report (July 10, 2018) from the Director, Urban Design, City Planning.
7. City Council state its intention to designate the property at 529 King Street West under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance: 529 King Street West (Reasons for Designation) attached as Attachment 11 to this report (July 10, 2018) from the Director, Urban Design, City Planning.
8. If there are no objections to the designations in accordance with Section 29(6) of the Ontario Heritage Act, City Council authorize the City Solicitor to introduce the bills in Council designating the properties under Part IV, Section 29 of the Ontario Heritage Act.
9. If there are objections in accordance with Section 29(7) of the Ontario Heritage Act, City Council direct the City Clerk to refer the designations to the Conservation Review Board.
10. If the designations are 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.
11. City Council authorize the entering into of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of the properties at 485, 489, 495, 511, 519, 521, 523, 527 and 529 King Street West in a form and with content satisfactory to the Chief Planner and Executive Director, City Planning and City Solicitor.

12. City Council authorize the City Solicitor to introduce the necessary bill in Council authorizing the entering into of Heritage Easement Agreements for the properties at 485, 489, 495, 511, 519, 521, 523, 527 and 529 King Street West.

Origin

(July 10, 2018) Report from the Director, Urban Design, City Planning

Summary

This report recommends that City Council approve the alterations proposed for the heritage properties located at 489, 495, 511, 519, 521, 523 (includes 525), 527 and 529 King Street West in connection with the proposed development on the properties at 489-539 King Street West, that Council state its intention to designate the properties under Part IV, Section 29 of the Ontario Heritage Act, and that Council grant authority to enter into a Heritage Easement Agreement for the subject properties including the adjacent property at 485 King Street West.

Background Information

(June 28, 2018) Report from the Director, Urban Design, City Planning - Request for Direction - Alterations to Heritage Properties, Intention to Designate under Part IV Section 29 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreements - 485, 489, 495, 511, 519, 521, 523, 527 and 529 King Street West - Notice of Pending Report

<http://www.toronto.ca/legdocs/mmis/2018/pb/bgrd/backgroundfile-117940.pdf>

(July 10, 2018) Report and Attachments 1-12 from the Director, Urban Design, City Planning - Request for Direction - Alterations to Heritage Properties, Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act and Authority to Enter into Heritage Easement Agreements - 485, 489, 495, 511, 519, 521, 523, 527 and 529 King Street West

<http://www.toronto.ca/legdocs/mmis/2018/pb/bgrd/backgroundfile-118612.pdf>