



Decision Letter

Toronto Preservation Board

Meeting No.	28	Contact	Lourdes Bettencourt, Committee Secretary
Meeting Date	Thursday, December 14, 2017	Phone	416-392-7033
Start Time	9:30 AM	E-mail	teycc@toronto.ca
Location	Committee Room 2, City Hall	Chair	Jennifer Rieger

PB28.5	ACTION	Adopted		Ward:30
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Alterations to a Heritage Property, Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement - 462 Eastern Avenue

Board Decision

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 462 Eastern Avenue in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a nine-storey building and alterations to the existing building on the lands known municipally in the year 2017 as 462 Eastern Avenue, with such alterations substantially in accordance with plans and drawings prepared by Diamond Schmitt Architects, dated November 3, 2017, date-stamped received by City Planning November 9, 2017, and on file with the Senior Manager, Heritage Preservation Services; and the Heritage Impact Assessment (HIA), prepared by Goldsmith Borgal Architects, dated November 3, 2017, date-stamped received by City Planning November 3, 2017, 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 the property at 462 Eastern Avenue be designated under Part IV, Section 29 of the Ontario Heritage Act.

b. That the related site specific Zoning By-law Amendment and Official Plan Amendment giving rise to the proposed alterations is supported by City Council, and comes into full force and effect in a form and with content acceptable to City Council, as determined by the Acting Chief Planner and Executive Director, City Planning Division, in consultation with the Senior Manager, Heritage Preservation Services.

c. That prior to any Ontario Municipal Board Order issuing in connection with the Zoning By-law Amendment, Official Plan Amendment and Site Plan Approval application, the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the property at 462 Eastern Avenue in accordance with the plans and drawings dated November 3, 2017, prepared by Diamond Schmitt Architects, date-stamped received by the City Planning

Division November 9, 2017, and on file with the Senior Manager, Heritage Preservation Services, the Heritage Impact Assessment prepared by Goldsmith Borgal Architects, dated November 3, 2017, and in accordance with the Conservation Plan required in Recommendation 1.c.2 below to the satisfaction of the Senior Manager, Heritage Preservation Services including registration of such agreement to the satisfaction of the City Solicitor.

2. Provide a Conservation Plan prepared by a qualified heritage consultant that is consistent with the conservation strategy set out in the Heritage Impact Assessment for 462 Eastern Avenue, prepared by Goldsmith Borgal Architects, dated November 3, 2017, to the satisfaction of the Senior Manager, Heritage Preservation Services.

3. Provide final site plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 1.c.2 above to the satisfaction of the Senior Manager, Heritage Preservation Services.

4. Provide a Heritage Lighting Plan that describes how the exterior of the heritage property will be sensitively illuminated to enhance its 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.

5. Provide a detailed landscape plan for the subject property, satisfactory to the Senior Manager, Heritage Preservation Services.

6. Provide an Interpretation Plan for the subject property, 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.

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

d. That prior to the issuance of any permit for all or any part of the property at 462 Eastern Avenue, 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:

1. Have obtained final approval for the necessary Zoning By-law Amendment and Official Plan Amendment required for the alterations to the property at 462 Eastern Avenue, such amendments to have come into full force and effect in a form and with content acceptable to City Council, as determined by the Acting Chief Planner and Executive Director, City Planning Division, in consultation with the Senior Manager, Heritage Preservation Services.

2. 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.2 above 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.

3. 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, Lighting Plan, and Interpretation Plan.

e. That prior to the release of the Letter of Credit required in Recommendation 1.d.3 above the owner shall:

1. 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 and Interpretation Plan and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Preservation Services.

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

2. City Council state its intention to designate the property at 462 Eastern Avenue under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance: 462 Eastern Avenue (Reasons for Designation) attached as Attachment No. 7 to the report (November 21, 2017) from the Acting Chief Planner and Executive Director, City Planning Division.

3. 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 bill in Council designating the property under Part IV, Section 29 of the Ontario Heritage Act.

4. 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.

5. 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.

6. City Council authorize the entering into of a heritage easement agreement under Section 37 of the Ontario Heritage Act with the owner of 462 Eastern Avenue in a form and content satisfactory to the City Solicitor and the Acting Chief Planner and Executive Director, City Planning Division.

7. City Council authorize the City Solicitor to introduce the necessary bill in Council authorizing the entering into a heritage easement agreement for the property at 462 Eastern Avenue.

Origin

(November 21, 2017) Report from the Acting Chief Planner and Executive Director, City Planning Division

Summary

This report recommends that City Council designate the property at 462 Eastern Avenue under Part IV of the Ontario Heritage Act, endorse the conservation strategy generally described for the property and give authority to enter into a Heritage Easement Agreement (HEA) with the owner of the property. The property at 462 Eastern Avenue is listed on the City of Toronto's Heritage Register. The applicant is proposing to alter the existing 4-storey building with 2-storey addition and to construct a new mid-rise building behind. The related Zoning By-law Amendment, Official Plan Amendment and Site Plan applications have been appealed to the Ontario Municipal Board. Under the Ontario Heritage Act there is no appeal to the Ontario

Municipal Board from a decision of City Council respecting the alteration of a heritage building designated under Part IV of the Act, however an owner may request a review of a decision by the Conservation Review Board, which then results in recommendations to City Council.

Background Information

(November 21, 2017) Report and Attachments 1 - 8 from the Acting Chief Planner and Executive Director, City Planning - Alterations to a Heritage Property, Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement - 462 Eastern Avenue

<http://www.toronto.ca/legdocs/mmis/2017/pb/bgrd/backgroundfile-109762.pdf>