



Decision Letter

Toronto Preservation Board

PB35.2	ACTION	Amended		Ward:20
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Alterations to a Heritage Property, Amendment of a Designation By-law and Authority to Enter into a Heritage Easement Agreement - 517 Wellington Street West

Board Decision

The Director, Urban Design, City Planning, recommends that:

1. City Council approve the alterations to the heritage property at 517 Wellington Street West in accordance with Section 33 of the Ontario Heritage Act to allow for alterations to the existing building on the lands known municipally in the year 2018 as 517 Wellington Street West (including 495 Wellington Street West, 31 Portland Street and 510 Front Street West), with such alterations substantially in accordance with plans and drawings prepared by Sweeny and Co. Architects, dated April 13, 2018, on file with the Senior Manager, Heritage Preservation Services, and the Heritage Impact Assessment (HIA), prepared by ERA Architects Inc., dated April 13, 2018, 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 related site specific 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 the City Council, as determined by the Chief Planner and Executive Director, City Planning, in consultation with the Senior Manager, Heritage Preservation Services;

b. That prior to the introduction of the bills for such Zoning By-law Amendment by City Council for the property at 517 Wellington Street West:

1. By-law No. 758-79 shall be amended under Section 30.1 of the Ontario Heritage Act to update and revise the Statement of Significance and legal description;

2. The owner shall enter into a Heritage Easement Agreement with the City for the property at 517 Wellington Street West in accordance with plans and drawings dated April 13, 2018, prepared by Sweeny and Co. Architects, dated April 13, 2018, on file with the Senior Manager, Heritage Preservation Services, and in accordance with the Conservation Plan required in Recommendation 1.b.3 in the report dated June 6, 2018 from the Director, Urban Design, 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;

3. The owner shall 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 517 Wellington Street West prepared by ERA Architects Inc. dated April 13, 2018, to the satisfaction of the Senior Manager, Heritage Preservation Services;

4. The owner shall enter into and register on the property at 517 Wellington 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 Zoning By-law Amendment giving rise to the proposed alterations;

5. That 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 By-laws 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.

c. That prior to Final Site Plan approval in connection with the Zoning By-law Amendment for the property at 517 Wellington Street West the owner shall:

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

2. Have obtained final approval for the necessary Zoning By-law Amendment required for the subject properties, such amendment to have been enacted by City Council and to have come into full force and effect;

3. 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;

4. Provide a Heritage Lighting Plan that describes how 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, 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 517 Wellington Street 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:

1. Have obtained final approval for the necessary Zoning By-law Amendment required for the subject properties, such Amendment to have been enacted by City Council and to have come into full force and effect;

2. Provide building permit drawings for the specific phase of work for which the permit is being sought, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Part 1.b.3. above, 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

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 and the Interpretation Plan; and

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

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

2. 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

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

2. City Council amend City of Toronto By-law 758-79, designating the property at 517 Wellington Street West under Part IV of the Ontario Heritage Act, to update and revise the Reasons for Designation and the legal description in accordance with the Reasons for Designation: 517 Wellington Street West attached as Attachment 7 to the report (June 6, 2018) from the Director, Urban Design, City Planning.

3. If there are no objections to the amendment of the by-law in accordance with the Ontario Heritage Act, City Council authorize the City Solicitor to introduce the necessary bill in Council.

4. If there are objections to the amendment of the by-law in accordance with the Ontario Heritage Act, City Council direct the City Clerk to refer the amendment of the by-law and the designation to the Conservation Review Board.

5. If the amendment of the by-law 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.

6. City Council authorize the entering into of Heritage Easement Agreements under Section 37 of the Ontario Heritage Act with the owner of the property at 517 Wellington Street West in a form and with content satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor.

7. City Council authorize the City Solicitor to introduce the necessary bill in Council authorizing the entering into of Heritage Easement Agreements for the property at 517 Wellington Street West.

Origin

(June 6, 2018) Report from the Director, Urban Design, City Planning

Summary

This report recommends that City Council endorse the conservation strategy generally described for the heritage property at 517 Wellington Street West (includes 495 Wellington Street West, 31 Portland Street, and 510 Front Street West), amend the designation by-law for the property and give authority to enter into a Heritage Easement Agreement (HEA) with the property owner. The property at 517 Wellington Street West is designated under Part IV of the Ontario Heritage Act by By-law No.758-79. The applicant is proposing to retain the heritage building on the site and construct a commercial building complex comprised of 10- and 15-storey components. City Council's approval of the proposed alterations to the heritage property and authority to amend the designation by-law and enter into a Heritage Easement Agreement is required under the Ontario Heritage Act.

Background Information

(June 6, 2018) Report and Attachments 1-8 from the Director, Urban Design, City Planning - Alterations to a Heritage Property, Amendment of a Designation By-law and Authority to Enter into a Heritage Easement Agreement - 517 Wellington Street West

(<http://www.toronto.ca/legdocs/mmis/2018/pb/bgrd/backgroundfile-116349.pdf>)

(June 19, 2018) Revised Attachment 7

(<http://www.toronto.ca/legdocs/mmis/2018/pb/bgrd/backgroundfile-117201.pdf>)

Speakers

John Gillanders

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