



## Toronto Preservation Board

<b>Meeting No.</b>	2	<b>Contact</b>	Ellen Devlin, Committee Administrator
<b>Meeting Date</b>	Monday, January 21, 2019	<b>Phone</b>	416-392-7033
<b>Start Time</b>	9:30 AM	<b>E-mail</b>	teycc@toronto.ca
<b>Location</b>	Committee Room 2, City Hall		

PB2.5	ACTION	Adopted		Ward: 13
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### **Alterations to Heritage Property, Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement - 363-365 Yonge Street, 385-391 Yonge Street, 367 Yonge Street, and 381 Yonge Street**

#### **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 properties at 363-365 Yonge Street, 367 Yonge Street, 381 Yonge Street and 385-391 Yonge Street in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a 85-storey tower on the lands known municipally as 363 Yonge Street, with such alterations substantially in accordance with plans and drawings dated November 18, 2018, prepared by KPF Architects, and on file with the Senior Manager, Heritage Preservation Services; and the Heritage Impact Assessment, prepared by ERA Architects Inc., June 14, 2018, 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 issuance of a Local Planning Appeals Tribunal Order (Case No. PL171277) in connection with the Zoning By-law Amendment appeal for the property at 363 Yonge Street the owner:

1. Enter into a Heritage Easement Agreement with the City for the property at 363-365 Yonge Street, 367 Yonge Street, 381 Yonge Street and 385-391 Yonge Street in accordance with the plans and drawings dated November 18, 2018, prepared by KPF Architects, and on file with the Senior Manager, Heritage Preservation Services, the Heritage Impact Assessment prepared by ERA Architects Inc., June 14, 2018, and in accordance with the Conservation Plan required in Recommendation 1.a.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 detailed Conservation Plan, prepared by a qualified heritage consultant, that is consistent with the conservation strategy set out in the Heritage Impact Assessment prepared by ERA Architects Inc., June 14, 2018, to the satisfaction of the Senior Manager, Heritage Preservation Services;
  3. Enter into and register on the properties at 363-365 Yonge Street, 367 Yonge Street, 381 Yonge Street and 385-391 Yonge Street 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.
- b. That prior to final Site Plan approval for the proposed Zoning By-law Amendment by City Council for the property located at 363-365 Yonge Street, 367 Yonge Street, 381 Yonge Street and 385-391 Yonge Street, the owner shall:
1. Provide final site plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 1.a.2 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 property, such Amendment to have come into full force and effect;
  3. 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;
  4. Submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Preservation Services;
  5. 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;
- c. That prior to the issuance of any permit for all or any part of the property 363-365 Yonge Street, 367 Yonge Street, 381 Yonge Street and 385-391 Yonge Street, including a heritage permit or a building permit, but excluding permits for repairs and maintenance and usual and minor works for the existing heritage buildings 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 required for the subject property, such Amendment to have come into full force and effect;
  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.a.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, and approved Interpretation Plan.

d. That prior to the release of the Letter of Credit required in Recommendation 1.c.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 include the property at 367 Yonge Street on the City of Toronto's Heritage Register, in accordance with the Statement of Significance: 367 Yonge Street attached as Attachment 7 to the report (January 14, 2019) from the Senior Manager, Urban Design/Heritage, City Planning.

3. City Council include the property at 381 Yonge Street on the City of Toronto's Heritage Register, in accordance with the Statement of Significance: 381 Yonge Street attached as Attachment 8 to the report (January 14, 2019) from the Senior Manager, Urban Design/Heritage, City Planning.

4. City Council state its intention to designate the property at 363-365 Yonge Street under Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Significance: 363-365 Yonge Street (Reasons for Designation) attached as Attachment 6 to the report (January 14, 2019) from the Senior Manager, Urban Design/Heritage, City Planning.

5. City Council state its intention to designate the property at 367 Yonge Street under Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Significance: 367 Yonge Street (Reasons for Designation) attached as Attachment 7 to the report (January 14, 2019) from the Senior Manager, Urban Design/Heritage, City Planning.

6. City Council state its intention to designate the property at 381 Yonge Street under Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Significance: 381 Yonge Street (Reasons for Designation) attached as Attachment 8 to the report (January 14, 2019) from the Senior Manager, Urban Design/Heritage, City Planning.

7. City Council state its intention to designate the property at 385-391 Yonge Street (including 3 Gerrard Street East) under Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Significance: 385-391 Yonge Street (Reasons for Designation) attached

as Attachment 9 to the report (January 14, 2019) from the Senior Manager, Urban Design/Heritage, 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 bill 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 designation to the Conservation Review Board.

10. 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 properties.

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 363-365 Yonge Street, 367 Yonge Street, 381 Yonge Street and 385-391 Yonge Street in a form and content satisfactory to the City Solicitor and the Chief Planner and Executive Director, City Planning.

12. City Council authorize the City Solicitor to introduce the necessary bill in Council authorizing the entering into of a heritage easement agreement for the properties at 363-365 Yonge Street, 367 Yonge Street, 381 Yonge Street and 385-391 Yonge Street.

## **Origin**

(January 14, 2019) Report from the Senior Manager, Urban Design/Heritage, City Planning

## **Summary**

This report recommends that Toronto City Council approve the proposed alterations to heritage properties located within the proposed development site at 363 Yonge Street, that Council include the properties at 367 Yonge Street and 381 Yonge Street on the City of Toronto's Heritage Register, that Council state its Intention to Designate the four properties included in the proposed development site (363-365 Yonge Street, 367 Yonge Street, 381 Yonge Street and 385-391 Yonge Street) 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.

The Richard S. Williams Block at 363-365 Yonge was amongst some of the earliest properties recognized on the City of Toronto's Heritage Register (March 15, 1974).

## **Background Information**

(January 17, 2019) Report and Attachments 1 - 10 from Senior Manager, Urban Design/Heritage, City Planning - Alterations to Heritage Property, Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement - 363-365 Yonge Street, 385-391 Yonge Street, 367 Yonge Street, and 381 Yonge Street

(<http://www.toronto.ca/legdocs/mmis/2019/pb/bgrd/backgroundfile-123716.pdf>)

(January 8, 2019) Report from Senior Manager, Urban Design/Heritage, City Planning - Alterations to Heritage Property, Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement - 363-365 Yonge Street, 385-391 Yonge Street, 367 Yonge Street, and 381 Yonge Street - Notice of Pending Report

<http://www.toronto.ca/legdocs/mmis/2019/pb/bgrd/backgroundfile-123448.pdf>

### **Speakers**

Ryan Love, ERA Architects Inc.

Michael McClelland, Principal, ERA Architects

### **Declared Interests**

The following member(s) declared an interest:

Robert Allsopp - as his firm is doing work on this property