



Decision Letter

Toronto Preservation Board

Meeting No.	9	Contact	Ellen Devlin, Committee Administrator
Meeting Date	Monday, September 23, 2019	Phone	416-392-7033
Start Time	9:30 AM	E-mail	teycc@toronto.ca
Location	Committee Room 2, City Hall	Chair	Sandra Shaul

PB9.2	ACTION	Adopted		Ward: 10
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Alterations to Designated Heritage Properties, Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement - 96 Spadina Avenue and 379 and 383 Adelaide Street West

Board Recommendations

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

1. City Council state its intention to designate the property at 96 Spadina Avenue under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance (Reasons for Designation): 96 Spadina Avenue (Attachment 2) attached to the report (September 10, 2019) from the Senior Manager, Heritage Preservation Services, City Planning.
2. City Council state its intention to designate the property at 379 Adelaide Street West under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance (Reasons for Designation): 379 Adelaide Avenue West (Attachment 3); attached to the report (September 10, 2019) from the Senior Manager, Heritage Preservation Services, City Planning.
3. City Council state its intention to designate the property at 383 Adelaide Street West under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance (Reasons for Designation): 383 Adelaide Avenue West (Attachment 4) attached to the report (September 10, 2019) from the Senior Manager, Heritage Preservation Services, City Planning.
4. If there are no objections to the, 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.
5. If there are objections to the designations, City Council direct the City Clerk to refer the designations to the Conservation Review Board.

6. 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 designations of the properties.

7. City Council authorize the entering into Heritage Easement Agreement(s) under Section 37 of the Ontario Heritage Act with the owner of 96 Spadina Avenue and 379 and 383 Adelaide Street West in a form and content satisfactory to the City Solicitor and the Chief Planner and Executive Director, City Planning.

8. City Council authorize the City Solicitor to introduce the necessary bill in Council authorizing the entering into Heritage Easement Agreement(s) for the properties at 96 Spadina Avenue and 379 and 383 Adelaide Street West.

9. City Council approve the alterations to the heritage properties at 96 Spadina Avenue and 379 and 383 Adelaide Street West in accordance with Section 33 of the Ontario Heritage Act, to allow for alterations to the heritage properties on the lands known municipally as 96 Spadina Avenue and 379 and 383 Adelaide Street West, with such alterations substantially in accordance with plans and drawings prepared by Sweeney and Company Architects, dated July 18, 2019, and on file with the Senior Manager, Heritage Preservation Services and the Heritage Impact Assessment (HIA), dated December 5, 2017 with the HIA Addendum, dated August 16, 2019, prepared by ERA Architects Inc., 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 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 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, the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the properties at 96 Spadina Avenue and 379 and 383 Adelaide Street West substantially in accordance with plans and drawings prepared by Sweeney and Company Architects, dated July 18, 2019, and on file with the Senior Manager, Heritage Preservation Services and the Heritage Impact Assessment (HIA), dated December 5, 2017 with the HIA Addendum, dated August 16, 2019, prepared by ERA Architects Inc., subject to and in accordance with the approved Conservation Plan required in Recommendation 7.b.2, all to the satisfaction of the Senior Manager, Heritage Preservation Services including execution of such agreement to the satisfaction of the City Solicitor;

2. Provide a detailed Conservation Plan prepared by a qualified heritage consultant that is substantially in accordance with the conservation strategy set out in the Heritage Impact Assessment and HIA Addendum for 96 Spadina Avenue and 379 and 383 Adelaide Street West, prepared by ERA Architects Inc., dated December 5, 2017 and August 16, 2019 respectively, all to the satisfaction of the Senior Manager, Heritage Preservation Services;

3. Enter into and register on the properties at 96 Spadina Avenue and 379 and 383 Adelaide Street West one or more agreements with the City pursuant to Section 37 of the Planning Act, all to the satisfaction of the City Solicitor 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, including amongst other matters, securing the final project specifications, preparation and thereafter the implementation of a Heritage Lighting Plan, a Signage Plan, an Interpretation Plan and requiring a letter of credit to secure all work included in the approved Conservation Plan and approved Interpretation Plan, including provision for upwards indexing, all to the satisfaction of the Senior Manager, Heritage Preservation Services;
 4. Withdraw their appeal(s) of the King-Spadina Heritage Conservation District Plan, 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, for the development contemplated for 96 Spadina Avenue and 379 and 383 Adelaide Street West, the owner shall:
1. Provide final site plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 7.b.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 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;
 4. 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;
 5. Provide a detailed Landscape Plan for the subject property satisfactory to the Senior Manager, Heritage Preservation Services.
- d. That prior to the issuance of any permit for all or any part of the properties at 96 Spadina Avenue and 379 and 383 Adelaide 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:
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 7.b.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;
 4. Provide full documentation of the existing heritage property at 96 Spadina Avenue and 379 and 383 Adelaide Street West, 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.
- e. That prior to the release of the Letter of Credit required in Recommendation 7.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.

Origin

(September 10, 2019) Report from the Senior Manager, Heritage Preservation Services, Urban Design, City Planning

Summary

This report recommends that City Council approve the proposed alterations for the heritage properties at 96 Spadina Avenue and 379 and 383 Adelaide Street West, in connection with a Zoning Amendment Application proposing a 16-storey redevelopment of the site that will contain retail uses at grade with office uses above. This report also recommends that City Council state its intention to designate 96 Spadina Avenue (Darling Building), 379 Adelaide Street West (Gage Building) and 383 Adelaide Street West (Lorne Building) under Part IV, Section 29 of the Ontario Heritage Act and give authority to enter into Heritage Easement Agreement(s) for these properties.

The conservation strategy for the heritage properties would retain, internally and externally, the two heritage commercial buildings at 96 Spadina Avenue and 379 Adelaide Street West. The

property at 383 Adelaide Street West (Lorne Building) is proposed for partial retention. The street facing façade will be retained in situ and a substantive portion of the east return wall will be disassembled and rebuilt in its original location following construction. Further, the conservation strategy proposes rehabilitation and restoration of the heritage properties to their period of significance (time of construction) based on archival information.

Background Information

Report and Attachments 1-6 from the Senior Manager, Heritage Preservation Services, Urban Design, City Planning - Alterations to Designated Heritage Properties, Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement - 96 Spadina Avenue and 379 and 383 Adelaide Street West (<http://www.toronto.ca/legdocs/mmis/2019/pb/bgrd/backgroundfile-137465.pdf>)

Speakers

Julie Tyndorf, ERA Architects
Hugh Clark, Allied REIT