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July 15, 2020

Via email to <nycc@toronto.ca>

North York Community Council
City of Toronto
North York Civic Centre
Main floor, 5100 Yonge St.
Toronto, ON M2N 5V7

Attention: Members of Community Council
Attention: Ms. Marie Greig

Dear Sirs and Mesdames:

Re: North York Community Council (July 15, 2020 Session)

Agenda Item –NY16.4 - Inclusion on the City of Toronto's Heritage Register, Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act, Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement - 1150 Eglinton Avenue East

I am writing on behalf of Don Mills (ARH) Ltd. (the “**Owner**”), the registered owner of the lands at 1150 Eglinton Avenue East, which are the subject of the abovementioned agenda item to be considered by the North York Community Council at its meeting of July 15, 2020.

The Owner supports the staff recommendations to Community Council as provided by the Senior Manager, Heritage Planning, Urban Design, City Planning to Community Council, dated July 14, 2020 and as reflected on the City’s website at <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.NY16.4> on July 15, 2020 and in the attached PDF of the recommendations.

I trust this correspondence will be of assistance in the Community Council's consideration of the matter.

Yours truly,
McCarthy Tétrault LLP

Per:



Cynthia A. MacDougall

CAM

Tracking Status

- This item will be considered by [North York Community Council](#) on July 15, 2020. It will be considered by City Council on July 28, 2020, subject to the actions of the North York Community Council.

North York Community Council consideration on July 15, 2020

NY 16.4	ACTION	9:45 AM	Ward: 16
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Inclusion on the City of Toronto's Heritage Register, Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act, Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement - 1150 Eglinton Avenue East

Supplementary materials were posted on July 8, 2020:

- Letter from Toronto Preservation Board added Supplementary materials were posted on July 14, 2020:

- Revised report (March 13, 2020) from the Senior Manager, Heritage Planning, Urban Design, City Planning - changes to Recommendations 2, 6, 7 and 8, and Attachment 5.

Statutory - Ontario Heritage Act, RSO 1990

Origin

(March 13, 2020) Report from the Senior Manager, Heritage Planning, Urban Design, City Planning

Recommendations:

The Senior Manager, Heritage Planning, Urban Design, City Planning recommends that:

1. City Council include the property at 1150 Eglinton Avenue East on the City of Toronto's Heritage Register.
2. City Council state its intention to designate the portion of the property at 1150 Eglinton Avenue East generally identified as Block 12 of the Draft Plan of Subdivision as approved by the Local Planning Appeal Tribunal In its decision/orders issued November 2, 2018, January 21, 2019, and July 10, 2019 in PL171369) (the "Heritage Property") under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance: 1150 Eglinton Avenue East (Reasons for Designation) attached as Attachment No 4 to the report March 13, 2020 from the Senior Manager, Heritage Planning, Urban Design, City Planning.
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 approve the alterations to the heritage property at 1150 Eglinton Avenue East, in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a 60-acre master planned community known as Crosstown on the lands known municipally in the year 2020 as 84⁴ Don Mills Road and 1150 Eglinton Avenue East, with such alterations substantially in accordance with plans and drawings dated March 12, 2020, prepared by Core Architects Inc. and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning (the "Plans"); and the Heritage Impact Assessment ("the HIA"), dated February 13, 2018, and Status Update of Heritage Matters for 1150 Eglinton, dated November 12, 2019 both prepared by Goldsmith Borgal and Company Ltd. Architects, and on file with the Senior Manager, Heritage Planning, all subject to and in accordance with a Conservation Plan satisfactory to the Senior Manager, Heritage Planning and subject to the following additional conditions:

a. that prior to final Site Plan approval for the heritage property located at 1150 Eglinton Avenue East the owner shall:

1. enter into a Heritage Easement Agreement with the City for the Block 12 Lands, substantially in accordance with the plans and drawings dated March 12, 2020 (the "Plans"), prepared by Core Architects Inc. and on file with the Senior Manager, Heritage Planning

the Heritage Impact Assessment, dated February 13, 2018 and the Status Update of Heritage Matters for 1150 Eglinton, dated November 12, 2019, both prepared by Goldsmith Borgal & Company Ltd. Architects, and in accordance with the Conservation Plan required in Recommendation 6.a.2 to the satisfaction of the Senior Manager, Heritage Planning 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, dated February 13, 2018 and the Status Update of Heritage Matters for 1150 Eglinton, dated November 12, 2019, both prepared by Goldsmith Borgal & Company Ltd. Architects, (the "HIA"), to the satisfaction of the Senior Manager, Heritage Planning;

3. provide final site plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 6.a.2 to the satisfaction of the Senior Manager, Heritage Planning;

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 Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager Heritage Planning;

5. provide a detailed landscape plan for the heritage property,

satisfactory to the Senior Manager, Heritage Planning;

6. provide an Interpretation Plan for the heritage property, to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning; and

7. Submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Planning;

b. that prior to the issuance of any permit for all or any part of the heritage property 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 Planning, the owner shall:

1. provide building permit drawings for the subject phase, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 6.a.2, 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 Planning; and

2. 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 Planning to secure all work included in the approved Conservation Plan, Lighting Plan, Interpretation Plan and Landscape Plan;

c. that prior to the release of the Letter of Credit required in Recommendation 6.b.2 above, City Planning Division, 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 Planning; and

2. provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Planning.

7. City Council authorize the entering into of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of the heritage property 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 of a Heritage Easement Agreement for the heritage property.

Summary:

This report recommends that City Council include the property at 1150 Eglinton Avenue East on the City of Toronto's Heritage Register, and state its intention to designate the property under Part IV, Section 29 of the Ontario Heritage Act, approve the alterations proposed for the heritage property in connection with a proposed development of the subject property and that Council grant authority to enter into a Heritage Easement Agreement for the subject property.

The Former IBM (Canada) Headquarters building is located within Block 12 of the 60-acre master planned Crosstown community. Five buildings are proposed within Block 12, including three residential towers of 32, 39 and 34 storeys respectively, located behind the south facade of the IBM building. The new construction will incorporate approximately 50% of the total elevation of the IBM building as a base building.

Financial Impact:

There are no financial implications resulting from the adoption of this report.

Background Information:

(March 13, 2020) Revised Report and Attachments 1-5 from the Senior Manager, Heritage Planning, Urban Design, City Planning on Inclusion on the City of Toronto's Heritage Register, Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act, Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement for 1150 Eglinton Avenue East

(<http://www.toronto.ca/legdocs/mmis/2020/ny/bgrd/backgroundfile-151074.pdf>)

(March 5, 2020) Report and Attachments 1-5 from the Senior Manager, Heritage Planning, Urban Design, City Planning on Inclusion on the City of Toronto's Heritage Register, Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act, Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement for 1150 Eglinton Avenue East (<http://www.toronto.ca/legdocs/mmis/2020/ny/bgrd/backgroundfile-148365.pdf>)

4a Inclusion on the City of Toronto's Heritage Register, Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act, Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement - 1150 Eglinton Avenue East

Origin

(July 2, 2020) Letter from the Toronto Preservation Board

Recommendations:

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

1. City Council include the property at 1150 Eglinton Avenue East on the City of Toronto's Heritage Register.

2. City Council state its intention to designate the property at 1150 Eglinton Avenue East under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance: 1150 Eglinton Avenue East (Reasons for Designation) attached as Attachment 4 to the report (March 5, 2020) from the Senior Manager, Heritage Planning, Urban Design, City

Planning.

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 approve the alterations to the heritage property at 1150 Eglinton Avenue East, in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a 60-acre master planned community known as Crosstown on the lands known municipally in the year 2020 as 84⁴ Don Mills Road and 1150 Eglinton Avenue East, with such alterations substantially in accordance with plans and drawings dated October 25, 2019 prepared by Core Architects Inc. and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning; and the Heritage Impact Assessment (HIA), prepared by Goldsmith Borgal and Company Ltd. Architects, dated February 13, 2018, and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning, all subject to and in

accordance with a Conservation Plan satisfactory to the Senior Manager, Heritage Planning, Urban Design, City Planning and subject to the following additional conditions:

a. that prior to final Site Plan approval for the proposed Official Plan Amendment and Zoning By-law Amendment by City Council, for the property located at 1150 Eglinton Avenue East the owner shall:

1. enter into a Heritage Easement Agreement with the City for the property at 1150 Eglinton Avenue East in accordance with the plans and drawings dated October 25, 2019, prepared by Core Architects Inc. and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning, the Heritage Impact Assessment prepared by Goldsmith Borgal and Company Ltd. Architects, dated February 13, 2018, and in accordance with the Conservation Plan required in Recommendation 6.a.2 to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning 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 for 1150 Eglinton Avenue East prepared by Goldsmith Borgal and Company Ltd. Architects, dated February 13, 2018 to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning;

3. provide final site plan drawings substantially in accordance with the

approved Conservation Plan required in Recommendation 6.a.2 to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning;

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 Planning, Urban Design, City Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning;

5. provide a detailed landscape plan for the subject property, satisfactory to the Senior Manager, Heritage Planning, Urban Design, City Planning;

6. provide an Interpretation Plan for the subject property, to the satisfaction of the Senior Manager, Heritage Planning including, but not limited to, commemoration of the original Parkin design (both interior and exterior), the history of IBM within Don Mills and to also include exploration of restoring interior lobby spaces back to their original design for interpretive purposes; and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning; and

7. submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning;

b. that prior to the issuance of any permit for all or any part of the property at 1150 Eglinton Avenue East 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 Planning, Urban Design, City Planning, the owner shall:

1. provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 6.a.2, 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 Planning, Urban Design, City Planning; and

2. 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 Planning, Urban Design, City Planning to secure all work included in the approved Conservation Plan, Lighting Plan, Interpretation Plan and Landscape Plan;

c. that prior to the release of the Letter of Credit required in Recommendation 6.b.2 above, City Planning, 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 Planning, Urban Design, City Planning; and

2. provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

7. City Council authorize the entering into of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of the property at 1150 Eglinton Avenue East 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 of a Heritage Easement Agreement for the property 1150 Eglinton Avenue East.

9. City Council request the Senior Manager, Heritage Planning, Urban Design, City Planning to report back on a Cultural Heritage Landscape designation for the Eglinton Corridor between the East and West branches of the Don River.

10. City Council request the Senior Manager, Heritage Planning, Urban Design, City Planning to report back on the outstanding properties assessed in the Don Mills Crossing Cultural Heritage Resource Assessment Study.

Summary:

This report recommends that City Council include the property at 1150 Eglinton Avenue East on the City of Toronto's Heritage Register, and state its intention to designate the property under Part IV, Section 29 of the Ontario Heritage Act, approve the alterations proposed for the heritage property in connection with a proposed development of the subject property and that Council grant authority to enter into a Heritage Easement Agreement for the subject property.

The Former IBM (Canada) Headquarters building is located within Block 12 of the 60-acre master planned Crosstown community. Five buildings are proposed within Block 12, including three residential towers of 32, 39 and 34 storeys respectively, located behind the south facade of the IBM building. The new construction will incorporate approximately 50 percent of the total elevation of the IBM building as a base building.

Background Information:

(July 2, 2020) Letter from the Toronto Preservation Board on Inclusion on the City of Toronto's Heritage Register, Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act, Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement - 1150 Eglinton Avenue East

(<http://www.toronto.ca/legdocs/mmis/2020/ny/bgrd/backgroundfile-149635.pdf>)

Attachment 1 to the Letter from Letter from Toronto Preservation Board - Letter (July 2, 2020) from Anne-Marie E. Branch

Attachment 2 to the Letter from Toronto Preservation Board - Letter (June 30 2020) from Geoff Kettel and Alex Grenzebach, North York Community Preservation Panel

(<http://www.toronto.ca/legdocs/mmis/2020/ny/bgrd/backgroundfile-149617.pdf>)

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Attachment 3 to the Letter from Toronto Preservation Board - Submission
(June 30, 2020) from Nicolas Barrette, GBCA Architects Ltd.
(<http://www.toronto.ca/legdocs/mmis/2020/ny/bgrd/backgroundfile-149636.pdf>)
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Source: Toronto City Clerk at
www.toronto.ca/council

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