



## Decision Letter

### Toronto Preservation Board

<b>Meeting No.</b>	13	<b>Contact</b>	Ellen Devlin, Committee Administrator
<b>Meeting Date</b>	Monday, January 27, 2020	<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 4, City Hall	<b>Chair</b>	Sandra Shaul

PB13.2	ACTION	Adopted		Ward: 4
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#### **Inclusion on the City of Toronto's Heritage Register and 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 - 41 Wabash Avenue**

##### **Board Decision**

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

1. City Council include the property at 41 Wabash Avenue on the City of Toronto's Heritage Register.
2. City Council state its intention to designate the property at 41 Wabash Avenue under Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Significance: 41 Wabash Avenue (Reasons for Designation) attached as Attachment 4 to the report (January 6, 2020) from the Senior Manager, Heritage Preservation Services, City Planning.
3. If there are no objections to the designation 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 proposed 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 to designate the property.
6. City Council approve the alterations to the heritage property at 41 Wabash Avenue, in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of additions to the existing warehouse building and its integration into a new residential development to provide fifteen (15) townhouses, on the lands known municipally as 41 Wabash

Avenue, with such alterations substantially in accordance with plans and drawings dated December 17, 2019, prepared by RAW Architects and on file with the Senior Manager, Heritage Preservation Services; subject to and in accordance with the Preliminary Conservation Plan prepared by ERA Architects, dated December 19, 2019 and on file with the Senior Manager, Heritage Preservation Services, satisfactory to the Senior Manager, Heritage Preservation Services and subject to the following additional conditions:

a. 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 property at 41 Wabash Street in accordance with the plans and drawings dated December 17, 2019, prepared by RAW Architects, and on file with the Senior Manager, Heritage Preservation Services, the Preliminary Conservation Plan revised on December 19, 2019 prepared by ERA Architects Inc., and in accordance with the Final Conservation Plan required in Recommendation 6.a.2 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 Final Conservation Plan, prepared by a qualified heritage consultant, that is consistent with the conservation strategy set out in the Preliminary Conservation Plan for 41 Wabash Avenue revised on December 19, 2019 prepared by ERA Architects Inc., to the satisfaction of the Senior Manager, Heritage Preservation Services.

b. That prior to final Site Plan approval for the proposed Zoning By-law Amendment by City Council for the property located at 41 Wabash Avenue, the owner shall:

1. Provide final site plan drawings substantially in accordance with the approved Final Conservation Plan required in Recommendation 6.a.2. 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 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 at 41 Wabash 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. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Final 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 Preservation Services.

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 Preservation Services to secure all work included in the approved Final Conservation Plan and Interpretation Plan.

d. That prior to the release of the Letter of Credit required in Recommendation 6.c.2, 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 Final 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.

7. City Council authorize the entering into of a heritage easement agreement under Section 37 of the Ontario Heritage Act with the owner of 41 Wabash Street 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 a heritage easement agreement for the property at 41 Wabash Street.

### **Origin**

(January 6, 2020) Report from the Senior Manager, Heritage Preservation Services, Urban Design, City Planning

### **Summary**

This report recommends that City Council include the property at 41 Wabash Avenue 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 for its cultural heritage value. It also recommends that City Council approve the alterations proposed for this property in accordance with Section 33 of the Ontario Heritage Act in connection with Local Official Plan and Zoning By-law amendment applications that include the construction of additions to the existing warehouse building and its integration into a new residential development to provide fifteen (15) townhouses. This report also recommends that City Council give authority to enter into a Heritage Easement Agreement for the property.

### **Background Information**

(January 6, 2020) Report and Attachments 1-5 from the Senior Manager, Heritage Preservation Services, Urban Design, City Planning - Inclusion on the City of Toronto's Heritage Register and 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 - 41 Wabash Avenue

<http://www.toronto.ca/legdocs/mmis/2020/pb/bgrd/backgroundfile-141871.pdf>

**Speakers**

Janice Quieta, ERA Architects

Alexandra Palmer

Emma Cohlmeier, ERA Architects