



Decision Letter

Toronto Preservation Board

Meeting No.	13	Contact	Ellen Devlin, Committee Administrator
Meeting Date	Monday, January 27, 2020	Phone	416-392-7033
Start Time	9:30 AM	E-mail	teycc@toronto.ca
Location	Committee Room 4, City Hall	Chair	Sandra Shaul

PB13.3	ACTION	Adopted		Ward: 13
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Amendment of a Designating By-Law, Alterations to a Designated Heritage Property and Authority to Enter into a Heritage Easement Agreement - 197 King Street East

Board Decision

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

1. City Council amend City of Toronto By-law 91-91, designating the property at 197 King Street East under Part IV of the Ontario Heritage Act, to update and revise the Reasons for Designation in accordance with the Reasons for Designation: 197 King Street East attached as Attachment 4 to this report.
2. 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.
3. 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.
4. 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.
5. City Council approve the alterations to the heritage property at 197 King Street East, in accordance with Section 33 of the Ontario Heritage Act, to allow for the rehabilitation of the existing building into an eight storey hotel (plus mechanical penthouse) on the lands known municipally in the year 2020 as 197 King Street East, with such alterations substantially in accordance with plans and drawings dated February 12, 2019 and revised September 30, 2019, prepared by Studio JCI, and on file with the Senior Manager, Heritage Preservation Services; and the Heritage Impact Assessment (HIA), prepared by GBCA Architects, dated December 12, 2019, 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 the issuance of any permit for all or any part of the property at 197 King Street 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 Preservation Services, the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the property at 197 King Street East in accordance with the plans and drawings dated February 12, 2019 and revised September 30, 2019, prepared by Studio JCI, and on file with the Senior Manager, Heritage Preservation Services, the Heritage Impact Assessment prepared by GBCA Architects, dated December 12, 2019, and in accordance with the Conservation Plan required in Recommendation 5.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 Conservation Plan, prepared by a qualified heritage consultant, that is consistent with the conservation strategy set out in the Heritage Impact Assessment for 197 King Street East prepared by GBCA Architects, dated December 12, 2019, to the satisfaction of the Senior Manager, Heritage Preservation Services;
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. 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;
5. Submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Preservation Services;
6. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 5.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;
7. 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, Lighting, and Interpretation Plan.

b. That prior to the release of the Letter of Credit required in Recommendation 5.a.7 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, the required interpretive work, and the required heritage lighting work has been completed in accordance with the Conservation Plan, Interpretation Plan and Heritage Lighting 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.

6. City Council authorize the entering into of a heritage easement agreement under Section 37 of the Ontario Heritage Act with the owner of 197 King Street East in a form and content satisfactory to the City Solicitor and the Chief Planner and Executive Director, City Planning.

7. 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 197 King Street East.

Origin

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

Summary

This report recommends that City Council approve alterations proposed for the heritage property located at 197 King Street East, the Nealon House, in connection with a proposed redevelopment of the subject property, state its intention to amend former City of Toronto By-law 91-91 and in so doing, update the Statement of Significance, and that Council grant authority to enter into a Heritage Easement Agreement for the subject property.

Background Information

(January 6, 2020) Report and Attachments 1 - 6 from the Senior Manager, Heritage Preservation Services, Urban Design, City Planning - Amendment of a Designating By-Law, Alterations to a Designated Heritage Property and Authority to Enter into a Heritage Easement Agreement - 197 King Street East

(<http://www.toronto.ca/legdocs/mmis/2020/pb/bgrd/backgroundfile-141863.pdf>)