



## 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

PB13.5	ACTION	Amended		Ward: 13
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#### **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 at 191, 193, 195 and 197 Church Street**

##### **Board Decision**

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

1. City Council state its intention to designate the properties at 191, 193, 195 and 197 Church Street under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance: 191, 193 and 197 Church Street (Reasons for Designation) attached as Attachment 5 Statement of Significance: 191, 193 and 197 Church Street (Reasons for Designation) and Attachment 6 Statement of Significance: 195 Church Street to the report, January 21, 2020, from the Senior Manager, Heritage Preservation Services.
2. If there are no objections to the designations in accordance with 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.
3. If there are objections in accordance with the Ontario Heritage Act, City Council direct the City Clerk to refer the designations to the Conservation Review Board.
4. 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 designation of the properties.

##### **Decision Advice and Other Information**

The Toronto Preservation Board did not adopt the following recommendations contained in the report (January 21, 2020) from the Senior Manager, Heritage Preservation Services, Urban Design, City Planning:

5. City Council approve the alterations to the heritage properties at 191, 193, 195 and 197 Church Street in accordance with Section 33 of the Ontario Heritage Act, to allow for the

construction of a 39-storey tower on the lands known municipally as 191 - 201 Church Street, with such alterations substantially in accordance with plans and drawings dated November 14, 2019, prepared by IBI Group Architects, and on file with the Senior Manager, Heritage Preservation Services; and the Heritage Impact Assessment, prepared by Goldsmith Borgal and Company Ltd. Architects dated February 8, 2019, and revised August 7, 2019, and November 14, 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 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 191, 193, 195 and 197 Church Street in accordance with plans and drawings dated November 14, 2019, prepared by IBI Group Architects, and on file with the Senior Manager, Heritage Preservation Services, the Heritage Impact Assessment prepared by Goldsmith Borgal and Company Ltd. Architects dated February 8, 2019, and revised August 7, 2019, and November 14, 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 that is consistent with the conservation strategy set out in the Heritage Impact Assessment prepared by Goldsmith Borgal and Company Ltd. Architects, issued January 25, 2018 (3rd issue November 14, 2019) 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 or its delegate for the property located at 191- 201 Church Street, the owner shall:

1. Provide final site plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 5.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 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 191- 201 Church 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. 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;

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 Conservation Plan, and approved Interpretation Plan.

d. That prior to the release of the Letter of Credit required in Recommendation 5.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 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.

6. 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 191, 193, 195 and 197 Church Street 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 of a Heritage Easement Agreement for the properties at 191, 193, 195 and 197 Church Street.

## **Origin**

(January 7, 2020) Report from the Senior Manager, Heritage Preservation Services, Urban Design, City Planning

## Summary

This report recommends that City Council state its intention to designate the properties at 191, 193, 195 and 197 Church Street under Part IV, Section 29 of the Ontario Heritage Act, approve the proposed alterations to the heritage properties located within the proposed development site at 191 - 201 Church Street, linked with the proposed redevelopment of the site, and that Council grant authority to enter into a Heritage Easement Agreement for the subject properties. The properties at 191, 193, 195 and 197 Church Street were included in the inaugural list of properties added to the City of Toronto's Inventory of Heritage Properties on June 20, 1973. The original building at 195 Church Street was demolished following a fire in 1956 and the property remained a vacant lot for 25 years. The current infill structure was built in 1981-1982 as a compatible replacement that re-establishes the unity of the historic row.

The proposed development comprises a three-storey podium and 39-storey tower for mixed-use development with residential space and commercial space, including both office and retail uses. The proposal entails demolition of 199 and 201 Church Street and the partial retention of 191, 193, 195 and 197 Church Street: The west elevations of all four townhouses will be retained in situ with partially reconstructed firewalls and cornice to retain the three dimensional character of the buildings.

## Background Information

(January 21, 2020) Report and Attachments 1-7 from the Senior Manager, Heritage Preservation Services, Urban Design, City Planning - 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 at 191, 193, 195 and 197 Church Street (<http://www.toronto.ca/legdocs/mmis/2020/pb/bgrd/backgroundfile-145165.pdf>)

(January 7, 2020) Report from the Senior Manager, Heritage Preservation Services, Urban Design, City Planning - 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 at 191, 193, 195 and 197 Church Street - Notice of Pending Report (<http://www.toronto.ca/legdocs/mmis/2020/pb/bgrd/backgroundfile-141895.pdf>)

## Speakers

Emad Ghattas, GBCA Architects

Mitch Gascoyne, UT Development, Centre Court