



Decision Letter

Toronto Preservation Board

Meeting No.	16	Contact	Ellen Devlin, Committee Administrator
Meeting Date	Thursday, August 27, 2020	Phone	416-392-7033
Start Time	9:30 AM	E-mail	teycc@toronto.ca
Location	Committee Room 2, City Hall	Chair	Sandra Shaul

PB16.7	ACTION	Adopted		Ward: 13
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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 - 3 Mutual Street, 98, 100, 102 and 104 Queen Street East

Board Decision

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

1. City Council include the properties at 100, 102 and 104 Queen Street East on the City of Toronto's Heritage Register.
2. City Council state its intention to designate the property at 98 Queen Street East under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance (Reasons for Designation) attached as Attachment 6 to the report (August 7, 2020) from the Senior Manager, Heritage Preservation, Urban Design, City Planning.
3. City Council state its intention to designate the properties at 100, 102 and 104 Queen Street East under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance (Reasons for Designation) attached as Attachment 7 to the report (August 7, 2020) from the Senior Manager, Heritage Preservation, Urban Design, City Planning.
4. City Council state its intention to designate the property at 3 Mutual Street East under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance (Reasons for Designation) attached as Attachment 8 to the report (August 7, 2020) from the Senior Manager, Heritage Preservation, Urban Design, City Planning.
5. 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.
6. 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.
7. 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 property.

8. City Council approve the alterations to the heritage properties in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a 34-storey tower on the lands known municipally as 90-104 Queen Street East and 3 Mutual Street, with such alterations substantially in accordance with plans and drawings dated February 14, 2020, prepared by IBI Group Architects, and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning and the Heritage Impact Assessment prepared by ERA Architects Inc., dated July 23, 2019, with supplemental material December 18, 2019, February 14, 2020 and March 5, 2020 all on file with the Senior Manager, Heritage Preservation, Urban Design, City Planning, all subject to and in accordance with a Conservation Plan satisfactory to the Senior Manager, Heritage Preservation, Urban Design, City Planning and subject to the following additional conditions:

a. That the related site specific Zoning By-law Amendment giving rise to the proposed alterations have been enacted by the City Council and have come into full force and effect in a form and with content acceptable to the City Council, as determined by the Chief Planner and Executive Director, City Planning, in consultation with the Senior Manager, Heritage Preservation, Urban Design, City Planning.

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 3 Mutual Street, 98, 100, 102 and 104 Queen Street East in accordance with plans and drawings dated February 14, 2020, prepared by IBI Group Architects, and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning and the Heritage Impact Assessment prepared by ERA Architects Inc., dated July 23, 2019, with supplemental material December 18, 2019, February 14, 2020 and March 5, 2020 and in accordance with the Conservation Plan required in Recommendation 8.b.2. below to the satisfaction of the Senior Manager, Heritage Preservation, 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 prepared by ERA Architects Inc. dated July 23, 2019, with supplemental material December 18, 2019, February 14, 2020 and March 5, 2020 all to the satisfaction of the Senior Manager, Heritage Preservation, Urban Design, City Planning.

3. Enter into and register on the property at 90-104 Queen Street East and 3 Mutual Street one or more agreements with the City pursuant to Section 37 of the Planning Act to the satisfaction of the City Solicitor, the Chief Planner and Executive Director, City Planning, and the Senior Manager, Heritage Preservation, Urban Design, City Planning 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.

c. That prior to final Site Plan approval for the proposed Zoning By-law Amendment by City Council for the property located at 90-104 Queen Street East and 3 Mutual Street, the owner shall:

1. Provide final site plan drawings substantially in accordance with the approved

Conservation Plan required in Recommendation 8.b.2. above to the satisfaction of the Senior Manager, Heritage Preservation, Urban Design, City Planning.

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 Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Preservation, Urban Design, City Planning.
4. Submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Preservation, Urban Design, City Planning.
5. Provide a comprehensive, publically accessible Interpretation Plan that conveys the early development history of the subject properties with a focus on the life and work of Richard Bigley, to the satisfaction of the Senior Manager, Heritage Preservation, Urban Design, City Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Preservation, Urban Design, City Planning.

d. That prior to the issuance of any permit for all or any part of 90-104 Queen Street East and 3 Mutual 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 properties as are acceptable to the Senior Manager, Heritage Preservation, 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 8.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, Urban Design, City Planning.
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, Urban Design, City Planning, to secure all work included in the approved Conservation Plan and approved Interpretation Plan.
3. Provide full documentation of all buildings and structures on 90-104 Queen Street East and 3 Mutual Street, 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, Urban Design, City Planning.

e. That prior to the release of the Letter of Credit required in Recommendation 8.d.2. 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, Urban Design, City Planning.

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

9. 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 98, 100, 102 and 104 Queen Street East and 3 Mutual Street, in a form and with content satisfactory to the City Solicitor and the Chief Planner and Executive Director, City Planning.

10. 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 3 Mutual Street, 98, 100, 102 and 104 Queen Street East.

Decision Advice and Other Information

Liz McFarland, Heritage Planner and Guy Zimmerman, Heritage Planner, Heritage Preservation, Urban Design, City Planning gave a presentation 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 - 3 Mutual Street, 98, 100, 102 and 104 Queen Street East.

Origin

(August 7, 2020) Report from the Senior Manager, Heritage Planning, Urban Design, City Planning

Summary

This report recommends that City Council include the properties at 100, 102 and 104 Queen Street East on the City of Toronto's Heritage Register, state its Intention to Designate the properties at 3 Mutual Street, 98, 100, 102 and 104 Queen Street East under Part IV, Section 29 of the Ontario Heritage Act, approve the alterations to the heritage properties located within the proposed development site at 90-104 Queen Street East and 3 Mutual Street, and that Council grant authority to enter into a Heritage Easement Agreement for the subject properties.

The proposed development comprises a three-storey podium and 34-storey tower for mixed-use development with residential and commercial space. The proposal entails demolition of 90, 92 and 94 Queen Street East and the partial retention of 3 Mutual Street and 98, 100, 102 and 104 Queen Street East. At 3 Mutual Street, the west elevation and north elevation will be retained to a depth of 9.3 metres, with the south return wall partially reconstructed to retain the three dimensional character of the building. The south elevations of 98, 100, 102 and 104 Queen Street East will be retained in situ, and the east and west return walls of 98 Queen Street East (the Bigley Building) will be partially reconstructed.

Background Information

(August 7, 2020) Report and Attachments 1-9 from the Senior Manager, Heritage Planning, Urban Design, City Planning - 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 - 3 Mutual Street, 98, 100, 102 and 104 Queen Street East

<http://www.toronto.ca/legdocs/mmis/2020/pb/bgrd/backgroundfile-155594.pdf>

(August 26, 2020) Presentation from the Heritage Planner, Heritage Preservation, Urban

Design, City Planning - 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 - 3 Mutual Street, 98, 100, 102 and 104 Queen Street East

<http://www.toronto.ca/legdocs/mmis/2020/pb/bgrd/backgroundfile-156111.pdf>

Communications

(August 26, 2020) Submission from Evan Manning, Project Manager, ERA Architects Inc. (PB.Supp.PB16.7.1)

<http://www.toronto.ca/legdocs/mmis/2020/pb/comm/communicationfile-117800.pdf>

Speakers

Michael McClelland, Principal, ERA Architects Inc.