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June 11, 2021

**VIA EMAIL**

Toronto Preservation Board  
Toronto City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2

**Attention: Ellen Devlin, Committee Secretariat**

Dear Sirs/Madames:

**RE: Toronto Preservation Board Meeting on June 16, 2021  
Item 25.8 – Intention to Designate under Part IV, Section 29 of the Ontario Heritage  
Act – 2 Valleyanna Drive (Ward 15)**

We are the lawyers for York-Kirtling Inc. ("**York-Kirtling**"), being the owner of the property municipally known as 2 Valleyanna Drive (the "**Property**"), which is located at the northeast corner of Bayview Avenue and Valleyanna Drive, south of Lawrence Avenue East.

We have reviewed the Report from the Senior Manager, Heritage Planning, Urban Design, City Planning to the Toronto Preservation Board and North York Community Council dated May 25, 2021 (the "**Staff Report**") recommending that City Council state its intention to designate the Property under Part IV, Section 29 of the *Ontario Heritage Act*. On behalf of York-Kirtling, we are writing to provide our preliminary comments in respect of the proposed recommendation and the reasons in support thereof as set out in the Staff Report.

At the outset, we confirm that York-Kirtling supports the proposed designation. The existing 2-storey gatehouse, which is estimated to have been designed by the notable Toronto Arts and Crafts architect, Eden Smith, is a heritage resource worthy of protection and conservation.

As a related point, York-Kirtling has filed an application for a zoning by-law amendment (City File No. 20 151274 NNY 15 OZ), which is referred to generally in the Staff Report (the "**Application**"). As submitted, the Application proposes to fully conserve and restore the existing 2-storey gatehouse, as well as the original estate stone retaining wall (now on public property) that has become structurally compromised over the years. The proposal would introduce a 3-storey (9.6 metre) addition to the north that will facilitate an additional four three-bedroom dwelling units on the Property, for a total of five units (including the dwelling unit that currently occupies the gatehouse). The proposed design follows a highly iterative pre-application process with Staff from various City Divisions, including Heritage Preservation. The result of this design-driven exercise is a proposal that engages the highest standards in heritage conservation, with an architectural response that is striking.

While York-Kirtling generally supports the proposed designation in principle, it has concerns with the proposed Statement of Significance set out in Attachment 3 of the Staff Report.

The gatehouse was designed and constructed to serve as the physical and visual entryway to the original 100-acre Annandale estate. Despite the municipal address, which was assigned to the gatehouse when the Annandale estate was subdivided into 20 residential lots, the orientation of the gatehouse maintains its visual connection to Bayview Avenue as its primary frontage. Despite this, the Statement of Significance contains a number of references suggesting that the elevation facing Bayview Avenue is the "rear (west) elevation." We submit that the Statement of Significance should be modified to clearly identify the relationship between the gatehouse and Bayview Avenue (as the frontage), in order to accurately reflect the historical and contextual value of the Property.

The "Description" of the Property in the Statement of Significance states that 2 Valleyanna Drive is comprised of a two-storey, L-shaped building, that is set behind *"a low, stone wall fronting Bayview Avenue, with a continuous row of Siberian elm trees that line the property to the north."* The main body of the Staff Report contains similar references to the stone wall and Siberian elm trees under the heading "Architectural Description." However, both the stone wall and the existing Siberian elm trees are in fact located within the municipal boulevard, and as such the Statement of Significance misstates the physical characteristics of the Property.

To be clear, York-Kirtling agrees that the existing stone retaining wall is an important cultural heritage resource. Historically, the wall formed part of the composition of development to the Annandale estate along the Bayview Avenue frontage together with the gatehouse. Visually the connection between the two heritage resources remains, despite the different ownership. As stated above, the Application proposes to fully restore the retaining wall through the redevelopment process.

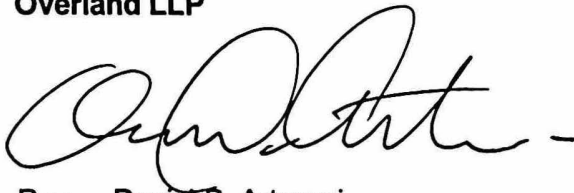
The Siberian elm trees, on the other hand, are an invasive specie that were not originally planted as part of the Annandale estate. The Staff Report does not identify the Siberian elm trees as a heritage resource, and York-Kirtling agrees that these trees do not have cultural heritage value. The Siberian elm trees have structurally undermined the stone retaining wall and pose an ongoing risk to further deteriorating the historical integrity of this important heritage resource. The conservation strategy for the stone retaining wall proposed as part of the Application contemplates removal of the invasive specie in order to ensure the long-term protection for the stone retaining wall.

York-Kirtling acknowledges the efforts made by Staff to advance a qualitative review of the heritage value of the gatehouse and stone-wall, and it remains committed to continuing this ongoing dialogue with Staff. We submit that the issues generally set out above should be addressed, and the Reasons for Designation should be developed and refined, in conjunction with the final determination of the Application, which is currently before the Ontario Land Tribunal. The Application provides an opportunity to ensure the conservation and restoration of important cultural heritage resources. It is appropriate that future changes to the existing physical context as contemplated by the conservation strategy should inform the Statement of Significance.

As a related point, the Application demonstrates a firm commitment to the conservation and restoration of the remaining elements of the Annandale estate along the Bayview Avenue frontage that have cultural heritage value. The Property is currently listed on the City of Toronto Heritage Register, and York-Kirtling has not filed any applications to demolish or alter the existing structures on the Property. In short, the existing heritage resources are not under threat, and York-Kirtling is requesting that the proposed designation be deferred so that the final Statement of Significance is determined in conjunction with a final determination of the Application.

Please provide us with written notice of the decision in this matter and the consideration of this item by City Council and any Committee of City Council. Our contact information is provided herein.

Yours truly,  
**Overland LLP**

A handwritten signature in black ink, appearing to read "Daniel B. Artenosi", followed by a horizontal line.

Per: Daniel B. Artenosi  
Partner