

Toronto Preservation Board

Meeting No. 36

Meeting Date Monday, July 11, 2022

Start Time 9:30 AM

Location Video Conference

Contact Ellen Devlin, Committee Administrator

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Chair Sandra Shaul

PB36.14	ACTION	Adopted		Ward: 13
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Alterations to a Heritage Property Designated under Part V of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement - 234-236, 240 and 242 King Street East

Board Decision

The Toronto Preservation Board recommends that:

1. City Council consent to the application to alter the designated properties at 234-236, 240 and 242 King Street East, with conditions, under Part V, Section 42 of the Ontario Heritage Act for the reasons stated in the report (June 17, 2022) from the Senior Manager, Heritage Planning, Urban Design, City Planning and with such alterations substantially in accordance with the plans and drawings dated March 19, 2022, revised May 3, 2022, prepared by IBI Group and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning and the Heritage Impact Assessment prepared by ERA Architects Inc., dated December 9, 2020, revised May 3, 2022 and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning, all subject to and in accordance with the Conservation Plan satisfactory to the Senior Manager, Heritage Planning, Urban Design, City Planning, subject to the following conditions:

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

b. That prior to final Site Plan approval for the proposal, for the properties located at 234-236, 240 and 242 King Street East the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the properties at 234-236, 240 and 242 King Street East in accordance with the plans and drawings dated March 19, 2022, revised May 3, 2022, prepared by IBI Group and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning, the Heritage Impact Assessment prepared by ERA Architects Inc., dated December 9, 2020, revised May 3, 2022, and in accordance with the Conservation Plan required in Recommendation 1.a.2, to the satisfaction of the Senior Manager, Heritage Planning, 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 for the properties at 234-236, 240 and 242 King Street East prepared by ERA Architects Inc., dated December 9, 2020, revised May 3, 2022, to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

3. Provide final Site Plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 1.a.2 to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

4. Provide a Heritage Lighting Plan that describes how the exterior of the heritage properties will be sensitively illuminated to enhance their heritage character to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

5. Provide a detailed Landscape Plan for the subject properties, satisfactory to the Senior Manager, Heritage Planning, Urban Design, City Planning.

6. Provide an Interpretation Plan for the subject properties, to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

7. Submit a Signage Plan for the subject properties to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

c. That prior to the issuance of any permit for all or any part of the properties at 234-236, 240 and 242 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 Planning, Urban Design, City Planning, the owner shall:

1. Have entered into the Heritage Easement Agreement required in Recommendation 1.b.1, in accordance with the approved Conservation Plan required in Recommendation 1.b.2, to the

satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning, including registration of such agreement to the satisfaction of the City Solicitor.

2. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 1.b.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 Planning, Urban Design, City Planning.

3. 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 Planning, Urban Design, City Planning, to secure all work included in the approved Conservation Plan, Heritage Lighting Plan and Interpretation Plan.

d. That prior to the release of the Letter of Credit required in Recommendation 1.c. 3, 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 approved Conservation Plan, Heritage Lighting Plan and Interpretation Plan and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

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

2. 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 234-236, 240 and 242 King Street East in a form and content satisfactory to the City Solicitor and the Chief Planner and Executive Director, City Planning.

3. 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 234-236, 240 and 242 King Street East.

Decision Advice and Other Information

Michael Seaman, Program Manager, Heritage Preservation, Urban Design, City Planning gave a presentation on Alterations to a Heritage Property Designated under Part V of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement - 234-236, 240 and 242 King Street East.

Origin

(June 30, 2022) Report from the Senior Manager, Heritage Planning, Urban Design, City Planning

Summary

At its meeting on July 11, 2022, the Toronto Preservation Board considered Item [PB36.14](#) and made recommendations to City Council.

Summary from the report (June 30, 2022) from the Senior Manager, Heritage Planning, Urban Design, City Planning:

This report recommends that City Council approve the alterations proposed for the heritage properties at 234-236, 240 and 242 King Street East (designated under Part V of the Ontario Heritage Act as part of the St. Lawrence Neighbourhood Heritage Conservation District) in connection with the development of the subject site. The development application was appealed to the Ontario Land Tribunal and a settlement was recently accepted by City Council.

The development site contains three heritage properties that are all contributing properties within the St. Lawrence Neighbourhood Heritage Conservation District: 234-236 King Street East, 240 King Street East and 242 King Street East. The property at 234-236 King Street East contains the Carolyn Smith Building, a three-storey commercial warehouse building designed in the Italianate style and built in 1888. The property at 240 King Street East contains a two-storey commercial warehouse building designed in a vernacular Victorian style dating to 1884. The property at 242 King Street East contains a one-storey commercial building constructed in 1942.

The development application proposes a 43-storey mixed-use tower that incorporates the retained facades of the heritage buildings at 234-236 and 240 King Street East and the panelized and reconstructed façade of 242 King Street East as part of the base building. The heritage facades are proposed to be restored with minor modifications to support ground floor retail uses. The proposed alterations conserve the onsite and adjacent heritage buildings and are consistent with the policy framework, including the St. Lawrence Neighbourhood Heritage Conservation District Plan. The heritage impacts of the development proposal are appropriately mitigated through the overall conservation strategy.

Background Information

(June 30, 2022) Report and 4 attachments from the Senior Manager, Heritage Planning, Urban Design, City Planning on Alterations to a Heritage Property Designated under Part V of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement - 234-236, 240 and 242 King Street East

(<https://www.toronto.ca/legdocs/mmis/2022/pb/bgrd/backgroundfile-228527.pdf>)

(July 8, 2022) Staff Presentation - Alterations to a Heritage Property Designated under Part V of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement - 234-236, 240 and 242 King Street East

(<https://www.toronto.ca/legdocs/mmis/2022/pb/bgrd/backgroundfile-228558.pdf>)

Communications

(July 11, 2022) Submission from Daniel Lewis, ERA Architects (PB.New)

(July 11, 2022) Submission from Daniel Lewis, ERA Architects (PB.New)

(<https://www.toronto.ca/legdocs/mmis/2022/pb/comm/communicationfile-154804.pdf>)

Speakers

Daniel Lewis, ERA Architects