

Toronto Preservation Board

Meeting No. 36**Contact** Ellen Devlin, Committee Administrator**Meeting Date** Monday, July 11, 2022**Phone** 416-392-7033**Start Time** 9:30 AM**E-mail** hertpb@toronto.ca**Location** Video Conference**Chair** Sandra Shaul

PB36.5	ACTION	Adopted		Ward: 10
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Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement - 462 Wellington Street West

Board Decision

The Toronto Preservation Board recommends that:

1. City Council approve the alterations to the heritage property to permit a 15-storey (50 metres) mixed-use building with office, retail and senior's retirement residential uses at 462 Wellington Street West, in accordance with Section 33 of the Ontario Heritage Act, with such alterations substantially in accordance with plans and drawings dated April 14, 2022, prepared by Giannone Petricone Associates Inc. Architects, and on file with the Senior Manager, Heritage Planning and the Heritage Impact Assessment (HIA), prepared by Philip Goldsmith, dated April 14, 2022 and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning, all subject to and in accordance with a Conservation Plan satisfactory to the Senior Manager, Heritage Planning, Urban Design, City Planning and subject to the following additional 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 the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the property at 462 Wellington

Street West in accordance with the plans and drawings dated April 14, 2022, prepared by Giannone Petricone Associates Inc. Architects, and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning; and the Heritage Impact Assessment (HIA), prepared by Philip Goldsmith, dated April 14, 2022, and in accordance with the 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 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 462 Wellington Street West, prepared by Philip Goldsmith, dated April 14, 2022, to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

3. Recommendation b.1. and 2. above are required to be satisfied prior to the introduction of the bill for any Zoning By-law Amendment related to the property, unless other legal mechanisms are utilized so as to satisfy the City Solicitor that no Building Permit will be issued until such time as the Owner has entered into the Heritage Easement Agreement and registered the agreement on title. In any case, the Conservation Plan must be accepted and the Heritage Easement Agreement must be entered into and registered no later than December 9, 2022, or such later date as may be agreed by the owner and the Senior Manager, Heritage Planning, Urban Design, City Planning in writing, failing which this condition will be determined to be unfulfilled.

c. That prior to final Site Plan approval for the proposal, for the property located at 462 Wellington Street West, the owner shall:

1. Provide final Site Plan drawings substantially 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.

2. 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, Urban Design, City Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

3. Submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

4. Provide an Interpretation Plan for the subject property, 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.

d. That prior to the issuance of any permit for all or any part of the property at 462 Wellington Street West, 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 a Heritage Easement Agreement with the City required in Recommendation 1.b.1.
 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, Lighting Plan and Interpretation Plan.
 4. Provide full documentation of the existing heritage property, 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 Planning, Urban Design, City Planning.
- e. That prior to the release of the Letter of Credit required in Recommendation 1.d.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 Conservation 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 462 Wellington Street West 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 property at 462 Wellington Street West.

Decision Advice and Other Information

Dan DiBartolo, Planner, Heritage Preservation, Urban Design, City Planning gave a presentation on Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement - 462 Wellington Street West.

Origin

(June 17, 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 [PB36.5](#) and made recommendations to City Council.

Summary from the report (June 17, 2022) from the Senior Manager, Heritage Planning, Urban Design, City Planning:

This report recommends that City Council approve the proposed alterations under Section 33 of the Ontario Heritage Act for the heritage property at 462 Wellington Street West, in connection with the proposed redevelopment of the site. This report also recommends that City Council grant authority to enter into a Heritage Easement Agreement for this property.

The property at 462 Wellington Ave West is listed on the City of Toronto's Heritage Register. It is also considered as contributing within the Council-approved King-Spadina Heritage Conservation District (under appeal). At its meeting on May 11 and 12, 2022, City Council issued a Notice of Intention to Designate under Part IV of the Ontario Heritage Act for this property.

The property at 462 Wellington Street West is situated on the north side of Wellington Street West between Portland Street and Spadina Avenue in the King-Spadina neighbourhood. It contains the Northrop & Lyman Co. Building, a five-storey factory/warehouse type building that was constructed in 1917 for Northrop & Lyman Co. Ltd.

This application proposes to amend the zoning by-law to permit a 15-storey (50 metres) mixed-use building with office, retail and senior's retirement residential uses, including a total of 134 independent, assisted living and memory care dwelling units and suites. The existing heritage building at 462 Wellington Street West is on the west portion of the site currently occupied with office uses. The heritage building is proposed to be conserved entirely and in situ and re-used for office purposes with retail uses at grade. The proposal includes a total of 23,053 square metres of gross floor area, of which 7,850 square metres is proposed for non-residential uses. A Privately-Owned and Publicly-Accessible Open Space (POPS) is proposed at the north end of the site.

Background Information

(June 17, 2022) Report and Attachments 1-4 from the Senior Manager, Heritage Planning, Urban Design, City Planning - Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement - 462 Wellington Street West

<https://www.toronto.ca/legdocs/mmis/2022/pb/bgrd/backgroundfile-227984.pdf>

(July 8, 2022) Staff Presentation - Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement - 462 Wellington Avenue West

<https://www.toronto.ca/legdocs/mmis/2022/pb/bgrd/backgroundfile-228588.pdf>

Speakers

Philip Goldsmith