

Toronto Preservation Board

Meeting No.	38	Contact	Ellen Devlin, Committee Administrator
Meeting Date	Tuesday, September 20, 2022	Phone	416-392-7033
Start Time	9:30 AM	E-mail	hertpb@toronto.ca
Location	Video Conference	Chair	Sandra Shaul

PB38.3	ACTION	Adopted		Ward: 11
--------	--------	---------	--	----------

Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement - 183 Avenue Road

Board Decision

The Toronto Preservation Board recommends that:

1. City Council approve the alterations to the heritage property at 183 Avenue Road in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a 10-storey building, with such alterations to be substantially in accordance with architectural drawings dated June 30, 2021 prepared by Brisbin Brook Beynon Architects and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning and the Heritage Impact Assessment (HIA), prepared by ERA Architects Ltd dated March 8, 2018 and Heritage Impact Assessment Memorandum prepared by ERA Architects August 25, 2022 and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning, all subject to and in accordance with a Conservation Plan required in Recommendation 1.a.2. satisfactory to the Senior Manager, Heritage Planning, Urban Design, City Planning and subject to the following conditions:

a. That prior to any Ontario Land Tribunal Order being issued in connection with the Zoning By-law Amendment appeal for 183-189 Avenue Road and 109-11 Pears Avenue the owner shall complete the following matters all to the satisfaction of the City Solicitor:

1. Enter into a Heritage Easement Agreement with the City for the property at 183 Avenue Road substantially in accordance with plans and drawings prepared by Brisbin Brook Beynon Architects dated June 30, 2021 and the Heritage Impact Assessment prepared by ERA Architects Inc. dated March 8, 2018 along with an Heritage Impact Assessment Addendum

prepared by ERA Architects Inc., dated August 25, 2022 and in accordance with the approved Conservation Plan required in Recommendation 1.a.2. below all to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning including execution of such agreement to the satisfaction of the City Solicitor.

2. Provide a detailed Conservation Plan prepared by a qualified heritage consultant that is substantially in accordance with the conservation strategy set out in the Heritage Impact Assessment for 183 Avenue Road prepared by ERA Architects Inc. dated March 8, 2018, Heritage Impact Assessment Addendum prepared by ERA architects Inc. dated August 25, 2022 and the architectural plans and drawings prepared by Brisbin Brook Beynon Architects dated June 30, 2021, to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

b. Prior to Final Site Plan approval in connection with the Zoning By-law Amendment for the properties at 183-189 Avenue Road, City Council require that the owner shall:

1. Provide final site plan drawings including drawings related to the approved Conservation Plan required in Recommendation 1.a.2. above to the satisfaction of the Senior Manager, Heritage Planning, 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 an Interpretation Plan for the 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.

4. Provide a Signage Plan for the proposed development to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

5. Provide a Heritage Lighting Plan that describes how the exterior of the heritage properties will be sensitively illuminated to enhance their heritage features 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.

c. Prior to the issuance of any permit for all or any part of the properties at 183-189 Avenue Road, including a heritage permit, a building permit or a demolition 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 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.

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.a.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 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.

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 flash drive 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;

d. Prior to the release of the Letter of Credit required in Recommendation 1.c.3. above, City Council require that the owner shall:

1. Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work, required heritage lighting work and the required interpretive work has been completed in accordance with the Conservation Plan, 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 183 Avenue Road 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 183 Avenue Road.

Origin

(August 26, 2022) Report from the Senior Manager, Heritage Planning, Urban Design, City Planning

Summary

At its meeting on September 20, 2022, the Toronto Preservation Board considered Item [PB38.3](#) and made recommendations to City Council.

Summary from the report (August 26, 2022) from the Senior Manager, Heritage Planning, Urban Design, City Planning:

This report recommends that City Council approve the alterations proposed for the property at 183 Avenue Road under Section 33 of the Ontario Heritage Act and grant authority to enter into a Heritage Easement Agreement for this property. This is in connection with a Zoning By-law Amendment application for properties at 183-189 Avenue Road and 109-11 Pears Avenue that was appealed to the Ontario Land Tribunal ("OLT").

The settlement offer included in-situ retention of the west elevation of 183 Avenue Road and partial in-situ retention of the north and south walls. The applicant is now proposing an alternative conservation approach that includes the removal and reconstruction of the south elevation; due to access difficulties on the south side making in-situ conservation of the south wall problematic. In mitigation of this loss of original fabric additional conservation measures are proposed for the heritage building.

Located on the east side of Avenue Road north of Davenport Road, the property at 183 Avenue Road contains a three storey, late Victorian era, red brick house-form building that was constructed in 1901. The building is amongst the earliest surviving house-form buildings on this portion of the east side of Avenue Road and represents the earliest period in the historical evolution of Avenue Road. It was designated under Part IV of the Ontario Heritage Act (By-law 805-2021) by Council on October 4, 2021.

Background Information

(August 26, 2022) Report and Attachments 1-3 from the Senior Manager, Heritage Planning, Urban Design, City Planning - Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement - 183 Avenue Road

(<https://www.toronto.ca/legdocs/mmis/2022/pb/bqrd/backgroundfile-229422.pdf>)