

Toronto Preservation Board

Meeting No. 35**Meeting Date** Tuesday, June 14, 2022**Start Time** 9:30 AM**Location** Video Conference**Contact** Ellen Devlin, Committee Administrator**Phone** 416-392-7033**E-mail** hertpb@toronto.ca**Chair** Sandra Shaul

PB35.3	ACTION	Adopted		Ward: 10
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Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement - 241 Richmond Street West and 133 John Street

Board Decision

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

1. City Council approve the alterations to the heritage property and permit a 40-storey mixed-use building at 241 Richmond Street West and 133 John Street, in accordance with Section 33 of the Ontario Heritage Act, with such alterations substantially in accordance with plans and drawings dated March 11, 2022, prepared by Architects Alliance, and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning and the Heritage Impact Assessment (HIA), prepared by ERA Architects Inc., dated March 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 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:

1. Enter into a Heritage Easement Agreement with the City for the properties at 241 Richmond

Street West and 133 John Street in accordance with the plans and drawings dated March 11, 2022, prepared by Architects Alliance, and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning; and the Heritage Impact Assessment (HIA), prepared by ERA Architects Inc., dated March 14, 2022, and in accordance with the Conservation Plan required in Recommendation 1.b.2 below, 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 241 Richmond Street West and 133 John Street, prepared by ERA Architects Inc., dated March 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 properties located at 241 Richmond Street West and 133 John Street, the owner shall:

1. Provide final Site Plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 1.b.2 above 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 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.

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 properties, to the satisfaction of the Senior Manager, Heritage 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 properties at 241 Richmond Street West and 133 John 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 building(s) as are acceptable to the Senior Manager, Heritage Planning, the owner shall:

1. Have entered into a Heritage Easement Agreement with the City required in Recommendation 1.b.1 above.
 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 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 upward 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 properties, 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 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 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 241 Richmond Street West and 133 John Street 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 241 Richmond Street West and 133 John Street.

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 - 241 Richmond Street West and 133 John Street.

Origin

(May 24, 2022) Report from the Senior Manager, Heritage Planning, Urban Design, City Planning

Summary

At its meeting on June 14, 2022, the Toronto Preservation Board considered Item [PB35.3](#) and made recommendations to City Council.

Summary from the report (May 24, 2022) from the Senior Manager, Heritage Planning, Urban Design, City Planning:

This report recommends that City Council approve the proposed alterations for the heritage properties at 241 Richmond Street West and 133 John Street 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.

At the City Council meeting on February 2, 2022, a Notice of Intention to Designate was approved under Part IV of the Ontario Heritage Act for this property. The appeal period for the Notice of Intention to Designate expired 30 days following the publication of the Notice. As no objections were received, the designation by-law was passed on April 7, 2022. This report recommends City Council approve the alterations proposed under Section 33 of the Ontario Heritage Act for the heritage property in connection with a proposed development, and grant authority to enter into a Heritage Easement Agreement for the subject property.

The subject properties are located on the east side of John Street between Richmond Street West and Nelson Street. The southeast corner of Richmond and John contains the building at 241 Richmond Street West, a two-storey commercial building constructed in three phases (1936, 1940 and 1948) in the Art Moderne style by the leading Toronto architecture firm, Page & Steele. The Second Empire style house-form building at 133 John Street anchoring the same block at Nelson Street represents the only surviving building in a larger grouping of dwellings constructed on the east side of John Street in the 1870s.

In conjunction with a Zoning Amendment Application (File No. 21- 171253 STE 10 OZ) and a Site Plan Application (File No. 21- 171254 STE 10 SA), the development proposes to construct a 40-storey mixed-use building with ground floor retail and 459 residential units above. The project also will feature a two-storey and eight-storey base. The two-storey base encompasses the northern portion of the Site and incorporates the existing heritage structure at 241 Richmond Street West. The eight-storey base encompasses the southern portion of the site and incorporates the house form heritage property at 133 John Street. Both existing heritage buildings at 241 Richmond Street West and 133 John Street are proposed to be conserved, albeit with the alterations described in this report. This application is to be reviewed concurrently with the submitted planning applications.

Background Information

(May 24, 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 - 241 Richmond Street West and 133 John Street

<https://www.toronto.ca/legdocs/mmis/2022/pb/bgrd/backgroundfile-226574.pdf>

(June 10, 2022) Staff Presentation - Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement - 241 Richmond Street West and 133 John Street

<https://www.toronto.ca/legdocs/mmis/2022/pb/bgrd/backgroundfile-227090.pdf>

Communications

(June 13, 2022) E-mail from Adam Wynne (PB.Supp)

Speakers

Neil Phillips, Project Manager, ERA Architects Inc.

Adam Wynne