

Toronto Preservation Board

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

PB35.5	ACTION	Adopted		Ward: 12
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Alterations to Heritage Properties and Authority to Enter into a Heritage Easement Agreement - 1404 and 1420 Yonge Street and Demolition of a Heritage Property - 1406 Yonge 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 properties at 1404 Yonge Street and 1420 Yonge Street (including entrance addresses at 1418, 1422, 1424, 1426 and 1428 Yonge Street), in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a 40-storey tower, with such alterations to be substantially in accordance with architectural drawings dated May 10, 2022, prepared by IBI Group and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning and the Heritage Impact Assessment (HIA), prepared by Goldsmith Borgal and Company Ltd. Architects, dated May 3, 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 Official Plan Amendment and 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 1404 Yonge Street and 1420 Yonge Street in accordance with the plans and drawings dated May 10, 2022, prepared by IBI Group and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning the Heritage Impact Assessment prepared by Goldsmith Borgal and Company Ltd. Architects, dated May 3, 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 1404 Yonge Street and 1420 Yonge Street prepared by Goldsmith Borgal and Company Ltd. Architects, dated May 3, 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 proposed Official Plan Amendment and Zoning By-law Amendment for the properties located at 1406 Yonge Street and 1420 Yonge Street (including entrance addresses at 1418, 1422, 1424, 1426 and 1428 Yonge 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. Have obtained final approval for the necessary Official Plan Amendment and Zoning By-law Amendment required for the subject property, such Amendment to have come into full force and effect;

3. 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.

4. Provide a detailed landscape plan for the subject property, satisfactory to the Senior

Manager, Heritage Planning, Urban Design, City Planning.

5. 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.

6. Submit a Signage Plan for the subject property 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 1404 Yonge Street and 1420 Yonge Street (including entrance addresses at 1418, 1422, 1424, 1426 and 1428 Yonge 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 buildings 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.

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, Heritage 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 USB flash drive in tiff format and 600 dpi resolution keyed to a location map, elevations and measured drawings, and copies of all 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, 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 approve the request to remove the heritage property at 1406 Yonge Street under Section 34 of the Ontario Heritage Act, to allow for the construction of a 40-storey tower, with such removal to be undertaken substantially in accordance with architectural drawings dated May 10, 2022, prepared by IBI Group and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning and the Heritage Impact Assessment (HIA), prepared by Goldsmith Borgal and Company Ltd. Architects, dated May 3, 2022 and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning subject to the following additional conditions:

a. That the related site-specific Official Plan Amendment and Zoning By-law Amendment permitting the proposed removal 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 the issuance of any permit for all or any part of the property at 1406 Yonge Street, including a heritage permit or a building permit, the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the properties at 1404 and 1420 Yonge Street in accordance with the plans and drawings dated May 10, 2022, prepared by IBI Group and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning, the Heritage Impact Assessment prepared by Goldsmith Borgal & Company Ltd. Architects, dated May 3, 2022 and in accordance with the Conservation Plan required in Recommendation 1.b.2 above, 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 for the development at 1404-1406 Yonge Street and 1420 Yonge Street, 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, Heritage Lighting Plan and Interpretation Plan.

4. Provide full documentation of the existing heritage property at 1406 Yonge Street, 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.

3. City Council authorize the entering into of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of 1404 and 1420 Yonge Street (including entrance addresses at 1418, 1422, 1424, 1426 and 1428 Yonge Street) in a form and content satisfactory to the City Solicitor and the Chief Planner and Executive Director, City Planning.

4. 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 1404 and 1420 Yonge Street (including entrance addresses at 1418, 1422, 1424, 1426 and 1428 Yonge Street).

Decision Advice and Other Information

Ragini Dayal, Planner, Heritage Preservation, Urban Design, City Planning gave a presentation on Alterations to Heritage Properties and Authority to Enter into a Heritage Easement Agreement - 1404 and 1420 Yonge Street and Demolition of a Heritage Property - 1406 Yonge 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 [PB35.5](#) 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 alterations proposed for the heritage properties at 1404 Yonge Street and 1420 Yonge Street (including entrance addresses at 1418, 1422, 1424, 1426 and 1428 Yonge Street) under Part IV, Section 33 of the Ontario Heritage Act and approve the demolition proposed for the heritage property at 1406 Yonge Street under Part IV, Section 34 of the Ontario Heritage Act 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 1404 and 1420 Yonge Street.

Located on the west side of Yonge Street just south of St. Clair Avenue within the Deer Park neighbourhood, the properties at 1404-1406 Yonge Street form the end of a row of 3-storey main street commercial buildings that were constructed in 1932 in the Spanish Colonial Revival style. To their immediate north, and separated by a driveway entry into St. Michael's Cemetery, the adjacent 1420 Yonge Street contains a complete block of four, 2-storey main street commercial row buildings that were also constructed in 1932. City Council issued a Notice of Intention to Designate under Part IV of the Ontario Heritage Act for each of these properties at its meeting on April 6, 2022.

In conjunction with an Official Plan Amendment application and a Zoning Bylaw Amendment application, the development proposal is for a 40-storey tower that would encompass the front façade of the heritage building at 1420 Yonge Street, which will be conserved in-situ. The project also proposes the demolition of the building at 1406 Yonge Street, and the repair and conservation of the newly exposed north wall of 1404 Yonge Street. The proposed alterations are consistent with the existing heritage policy framework and the demolition of 1406 Yonge Street is considered acceptable within the broader conservation strategy. The heritage impacts of the development proposal will be appropriately mitigated.

Background Information

(May 24, 2022) Report and Attachments 1-4 from the Senior Manager, Heritage Planning, Urban Design, City Planning - Alterations to Heritage Properties and Authority to Enter into a Heritage Easement Agreement - 1404 and 1420 Yonge Street and Demolition of a Heritage Property - 1406 Yonge Street

<https://www.toronto.ca/legdocs/mmis/2022/pb/bgrd/backgroundfile-226579.pdf>

(June 10, 2022) Staff Presentation - Alterations to Heritage Properties and Authority to Enter into a Heritage Easement Agreement - 1404 and 1420 Yonge Street and Demolition of a Heritage Property - 1406 Yonge Street

<https://www.toronto.ca/legdocs/mmis/2022/pb/bgrd/backgroundfile-227093.pdf>

Communications

(June 13, 2022) Submission from Adam Brown (PB.Supp)

<https://www.toronto.ca/legdocs/mmis/2022/pb/comm/communicationfile-152399.pdf>

Speakers

Christopher Borgal, GBCA architects