

Toronto Preservation Board

Meeting No.	8	Contact	Matthew Green, Committee Administrator
Meeting Date	Thursday, July 13, 2023	Phone	416-392-4666
Start Time	9:30 AM	E-mail	hertpb@toronto.ca
Location	Video Conference	Chair	Sandra Shaul

PB8.3	ACTION	Adopted		Ward: 13
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33 and 37 Maitland Street - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act

Board Decision

The Toronto Preservation Board recommends that:

1. City Council state its intention to designate the properties at 33 Maitland Street under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance; 33 Maitland Street (Reasons for Designation) attached as Attachment 3, to the report (June 23, 2023) from the Senior Manager, Heritage Planning, Urban Design, City Planning.
2. City Council state its intention to designate the properties at 37 Maitland Street under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance; 37 Maitland Street (Reasons for Designation) attached as Attachment 4, to the report (June 23, 2023) from the Senior Manager, Heritage Planning, Urban Design, City Planning.
3. If there are no objections to the designation, City Council authorize the City Solicitor to introduce the Bill in Council designating the property under Part IV, Section 29 of the Ontario Heritage Act.

Decision Advice and Other Information

Clint Robertson, Planner, Heritage Preservation, Urban Design, City Planning gave a presentation on 33 and 37 Maitland Street - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act.

Origin

(June 23, 2023) Report from the Senior Manager, Heritage Planning, Urban Design, City Planning

Summary

At its meeting on July 13, 2023 the Toronto Preservation Board considered Item [PB8.3](#) and made recommendations to City Council.

Summary from the report (June 23, 2023) from the Senior Manager, Heritage Planning, Urban Design, City Planning:

This report recommends that City Council state its intention to designate the properties at 33 and 37 Maitland Street under Part IV, Section 29 of the Ontario Heritage Act for their cultural heritage value.

The subject properties are adjacent to each other and are located mid-block on the south side of Maitland Street between Yonge Street and Church Street in the Church - Wellesley Village. 33 Maitland Street, known as "The Biltmore Apartments," is a three-storey apartment building designed with a brick exterior and Arts and Crafts influences. City Council recently included the property on the Heritage Register on February 7, 2023. The property immediately to the east at 37 Maitland Street is an 1858 house in the style of a Georgian-style villa with Italianate influences. The two-storey house is finished in red brick with buff brick detailing. The property was included on the City of Toronto's Heritage Inventory (now the Heritage Register) in 1974.

Staff have completed the Research and Evaluation Report for the properties at 33 and 37 Maitland Street and determined that each property meets Ontario Regulation 9/06, the criteria prescribed for municipal designation under Part IV, Section 29 of the Ontario Heritage Act on the basis of the design / physical, historical / associative, and contextual values of each property. As such, each property is a significant built heritage resource.

On September 14, 2022, the City received Official Plan and Zoning By-law Amendment applications and a Site Plan Control application to permit the redevelopment of the subject site. The proposal is for a 49-storey residential building that incorporates the existing building at 37 Maitland Street and demolishes the three-storey apartment building at 33 Maitland Street. The new development is proposed to include 429 dwelling units, including 36 rental replacement units to offset the lost of units at 33 Maitland Street (The Biltmore Apartments). The Official Plan and Zoning By-law Amendment Applications are currently the subject of an appeal to the Ontario Land Tribunal.

A Heritage Impact Assessment (HIA) completed by GBCA Architecture dated November 24, 2022 was submitted to support the application.

In June 2019, the More Homes, More Choice Act, 2019 (Bill 108) received Royal Assent. Schedule 11 of this Act included amendments to the Ontario Heritage Act. The Bill 108 Amendments to the Ontario Heritage Act came into force on July 1, 2021, which included a shift in Part IV designations related to Planning Act applications that would trigger a "Prescribed Event." Section 29(1.2) of the Ontario Heritage Act restricts City Council's ability

to give notice of its intention to designate a property under the Act to within 90 days after the City Clerk gives notice of a complete application.

The City Clerk issued a complete application notice on December 22, 2022. The property owner has provided a waiver to extend the 90-day timeline to August 30, 2023. Council must make a decision at its July 19-21, 2023, meeting to provide sufficient time for the City Clerk to issue a notice of intention to designate before the waiver expires.

On November 28, 2022, the More Homes Built Faster Act, 2022 (Bill 23) received Royal Assent. Schedule 6 of the More Homes Built Faster Act which amended the Ontario Heritage Act and came into effect on January 1, 2023. A property may be designated under Part IV, Section 29 of the Ontario Heritage Act, if it meets two or more of the nine criteria. Both of these two properties each meets three criteria relating to design/physical, historical/associative, and contextual values.

Background Information

(July 23, 2023) Report and attachment 1 - 4 from the Senior Manager, Heritage Planning, Urban Design, City Planning on 33 and 37 Maitland Street - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act

(<https://www.toronto.ca/legdocs/mmis/2023/pb/bgrd/backgroundfile-238114.pdf>)

Staff Presentation on 33 and 37 Maitland Street - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act

(<https://www.toronto.ca/legdocs/mmis/2023/pb/bgrd/backgroundfile-238340.pdf>)

Communications

(July 13, 2023) E-mail from Adam Wynne (PB.Supp)

Speakers

Adam Wynne