

## Toronto Preservation Board

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

<b>PB8.7</b>	<b>ACTION</b>	Adopted		Ward: 13
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### **294 - 298 and 300 Sherbourne Street - Construction of a Building and Alterations to a Designated Heritage Property within the Garden District Heritage Conservation District**

**Confidential Attachment - The receiving of advice that is subject to solicitor-client privilege**

#### **Board Decision**

The Toronto Preservation Board recommends that:

1. City Council adopt the recommendations contained in Confidential Attachment 1 to the report (June 27, 2023) from the City Solicitor.
2. City Council authorize the public release of the confidential recommendations contained in Confidential Attachment 1 to the report (June 27, 2023) from the City Solicitor if adopted by City Council.
3. City Council direct that all other information contained in Confidential Attachment 1 to the report (June 27, 2023) from the City Solicitor is to remain confidential at the discretion of the City Solicitor as it contains advice which is subject to solicitor-client privilege.

#### **Origin**

(June 27, 2023) Report from the City Solicitor

#### **Summary**

At its meeting on July 13, 2023 the Toronto Preservation Board considered Item [PB8.7](#) and made recommendations to City Council.

Summary from the report (June 27, 2023) from the City Solicitor:

On July 2, 2021, Official Plan and Zoning By-law Amendment applications were submitted for the properties at 294 - 298 Sherbourne Street which proposed to construct a 10-storey student residence with 7-storey tower element stepped back 3 metres from a 3-storey podium on vacant, non-contributing designated properties within the Garden District Heritage Conservation District. On December 13, 2021, Heritage Permit applications were submitted to erect the above-noted structure on 294 - 298 Sherbourne Street.

On January 14, 2022, the applicant appealed the Official Plan and Zoning By-law Amendment applications due to Council not making a decision within the time frame in the Planning Act. On April 6, 2022, the applicant appealed Council's refusal of the Heritage Permit application under Section 42 of the Ontario Heritage Act to the Ontario Land Tribunal (the "OLT").

On June 12, 2023, the owner submitted a with-prejudice settlement offer (the "Settlement Offer") with respect to its appeals. The Settlement Offer includes a new Heritage Permit application under Section 42 of the Ontario Heritage Act to alter the on-site heritage resource located at 300 Sherbourne Street, which property was acquired by the owner and incorporated into a new development proposal and conservation strategy.

This report has been prepared in consultation with staff from City Planning, including Heritage Planning. This report deals specifically with matters related to the Toronto Preservation Board and requested alterations under Section 42 of the Ontario Heritage Act. A further report from the City Solicitor will be prepared in consultation with staff to provide further advice and detail with regard to the Revised Proposal under the Planning Act. The sole focus of this Report is the requested alterations pursuant to Section 42 of the Ontario Heritage Act.

The City Solicitor requires further directions for upcoming Ontario Land Tribunal proceedings relating to the Official Plan Amendment, Zoning and Heritage appeals.

## **Background Information**

(June 27, 2023) Report from the City Solicitor on 294 - 298 and 300 Sherbourne Street - Construction of a Building, Alterations to a Designated Heritage Property within Garden District Heritage Conservation District

(<https://www.toronto.ca/legdocs/mmis/2023/pb/bgrd/backgroundfile-238036.pdf>)

Public Attachment 1 - Heritage Impact Assessment for 294-300 Sherbourne Street prepared by ERA Architects dated June 23, 2023 - Part 1

(<https://www.toronto.ca/legdocs/mmis/2023/pb/bgrd/backgroundfile-238134.pdf>)

Public Attachment 1 - Heritage Impact Assessment for 294-300 Sherbourne Street prepared by ERA Architects dated June 23, 2023 - Part 2

(<https://www.toronto.ca/legdocs/mmis/2023/pb/bgrd/backgroundfile-238135.pdf>)

Confidential Attachment 1

