

Toronto Preservation Board

Meeting No.	3	Contact	Ellen Devlin, Committee Administrator
Meeting Date	Thursday, February 16, 2023	Phone	416-392-7033
Start Time	9:30 AM	E-mail	hertpb@toronto.ca
Location	Video Conference	Chair	Sandra Shaul

PB3.1	ACTION	Amended		Ward: 11
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191, 193, 195, 199 College Street and 74 and 76 Henry 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 to the Planning and Housing Committee that:

1. City Council state its intention to designate the property at 191 College Street under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance; 191 College Street (Reasons for Designation) attached as Attachment 3, to the report (January 25, 2023) from the Senior Manager, Heritage Planning, Urban Design, City Planning.
2. City Council state its intention to designate the property at 193 College Street under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance; 193-195 College Street (Reasons for Designation) attached as Attachment 4, to the report (January 25, 2023) from the Senior Manager, Heritage Planning, Urban Design, City Planning.
3. City Council state its intention to designate the property at 195 College Street under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance; 193-195 College Street (Reasons for Designation) attached as Attachment 4, to the report (January 25, 2023) from the Senior Manager, Heritage Planning, Urban Design, City Planning.
4. City Council state its intention to designate the property at 199 College Street under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance; 199 College Street (Reasons for Designation) attached as Attachment 5, to the report (January 25, 2023) from the Senior Manager, Heritage Planning, Urban Design, City Planning.

5. City Council state its intention to designate the property at 74 Henry Street under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance; 74-76 Henry Street (Reasons for Designation) attached as Attachment 6, to the report (January 25, 2023) from the Senior Manager, Heritage Planning, Urban Design, City Planning.

6. City Council state its intention to designate the property at 76 Henry Street under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance; 74-76 Henry Street (Reasons for Designation) attached as Attachment 6, to the report (January 25, 2023) from the Senior Manager, Heritage Planning, Urban Design, City Planning.

7. If there are no objections to the designation, City Council authorize the City Solicitor to introduce the Bill in Council designating these properties under Part IV, Section 29 of the Ontario Heritage Act.

Decision Advice and Other Information

The Toronto Preservation Board requested Heritage Planning staff to provide a revised Attachment 6 directly to the March 29, 2023 City Council meeting, revised by deleting:

"Note: No heritage attributes are identified on the rear (west) elevations."

Megan Albinger, Planner, Heritage Preservation, Urban Design, City Planning gave a presentation on 191, 193, 195, 199 College Street and 74 and 76 Henry Street - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act.

Origin

(January 25, 2023) Report from the Senior Manager, Heritage Planning, Urban Design, City Planning

Summary

At its meeting on February 16, 2023, the Toronto Preservation Board considered Item [PB3.1](#) and made recommendations to City Council.

Summary from the report (January 25, 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 191-199 College Street (including entrance address at 197 College Street), and 74-76 Henry Street under Part IV, Section 29 of the Ontario Heritage Act for their cultural heritage value.

The subject properties are located on the southwest corner of College and Henry streets and comprise part of a collection of surviving representative examples of late 19th-century semi-detached house form buildings with detailing from the Victorian period. They support and maintain the historical character of College Street and the residential neighbourhood that developed on the south side of the street across from the University of Toronto campus, as well

as the transition that occurred as College Street evolved into the present-day commercial thoroughfare.

On April 24, 2018, City Council listed several properties on College Street (including the subject properties at 191, 193, 195, and 199 College Street) on the Heritage Register. The College Street properties were originally identified for their cultural heritage value and interest in the College Street Study, which was undertaken by the City's Planning Division beginning in 2013 and through community engagement in co-ordination with the development of the College Street Urban Design Guidelines (University Avenue to Bathurst Street) with the Official Plan and the Site and Area Specific Policy (SASP) adopted by Council in May 2017. The subject properties at 74-76 Henry Street are outside the boundary of SASP 533 and are not on the Heritage Register.

Staff have completed the Research and Evaluation Report for the properties at 191-199 College Street and 74-76 Henry Street and determined that the properties meet Ontario Regulation 9/06, the criteria prescribed for municipal designation under Part IV, Section 29 of the Ontario Heritage Act regarding design/physical and contextual value. As such, the properties are significant built heritage resources.

In May and August 2022, the City received Official Plan Amendment, Site Plan Control and Zoning By-law Amendment applications related to the proposed redevelopment of the subject properties. The proposal would add a 31-storey tower atop a seven-storey podium, and the proposal includes partial retention and restoration of the subject properties in-situ.

A Heritage Impact Assessment (HIA) is required for all development applications that affect listed and designated properties and will be considered when determining how a heritage property is to be conserved. Designation also enables City Council to review proposed alterations or demolitions to the property and enforce heritage property standards and maintenance. A revised HIA, dated May 4, 2022, completed by ERA Architects Inc. was submitted to support the application, replacing an earlier version dated April 29, 2022.

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 now 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.

A "Prescribed Event" is a point of time when the application for an Official Plan Amendment, Zoning By-law Amendment and/or Draft Plan of Subdivision Application has been deemed complete and the City Clerk provides notice of that complete application to the public in accordance with the Planning Act.

The City Clerk issued a complete application notice on August 26, 2022. The property owner provided a waiver to extend the 90-day timeline established under Bill 108 until April 14, 2023.

Council must make its decision at its March 29-31 meeting to provide sufficient time for the City Clerk to issue a notice of the 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 amended prescribed event requirements under Section 29(1.2) of the Ontario Heritage Act and came into effect on January 1, 2023.

As of January 1, 2023, should a property be subject to an Official Plan Amendment, Zoning By-law Amendment and/or Draft Plan of Subdivision Application that would trigger a Prescribed Event, the property must be listed in the heritage register prior to the Prescribed Event occurring to designate a property. This requirement does not apply to this Prescribed Event, including the properties located at 74 and 76 Henry Street, since it occurred prior to January 1, 2023.

The application currently under review was deemed complete prior to Bill 23 changes to the Ontario Heritage Act coming into force, however, the Part IV designation must be in compliance with the Province's amended O. Reg. 9/06 under the Ontario Heritage Act, which is in effect as of January 1, 2023. The revised regulation establishes nine provincial criteria for determining whether a property is of cultural heritage value or interest. A property may be designated under Part IV, Section 29 of the Act if it meets two or more of the provincial criteria for determining whether it is of cultural heritage value or interest.

Background Information

(January 25, 2023) Report and Attachments 1-6 from the Senior Manager, Heritage Planning, Urban Design, City Planning - 191, 193, 195, 199 College Street and 74 and 76 Henry 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-234185.pdf>

Staff Presentation - 191, 193, 195, 199 College Street and 74 and 76 Henry 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-234526.pdf>

Communications

(February 16, 2023) E-mail from Adam Wynne (PB.New)

(February 16, 2023) E-mail from Philip Wharton (PB.New)

Speakers

Adam Wynne