

## Toronto Preservation Board

<b>Meeting No.</b>	5	<b>Contact</b>	Matthew Green, Committee Administrator
<b>Meeting Date</b>	Monday, April 24, 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>PB5.1</b>	<b>ACTION</b>	Adopted		Ward: 3
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### **4888 Dundas Street West - 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 4888 Dundas Street West under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance; 4888 Dundas Street West (Reasons for Designation) attached as Attachment 3, to the report, April 6, 2023, from the Senior Manager, Heritage Planning, Urban Design, City Planning.
2. 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.

#### **Origin**

(April 6, 2023) Report from the Senior Manager, Heritage Planning, Urban Design, City Planning

#### **Summary**

At its meeting on April 24, 2023, the Toronto Preservation Board considered Item [PB5.1](#) and made recommendations to City Council.

Summary from the report (April 6, 2023) from the Senior Manager, Heritage Planning, Urban Design, City Planning:

This report recommends that City Council state its intention to designate the property at 4888 Dundas Street West under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value.

Located in the village of Islington area of Etobicoke on the north side of Dundas Street West, midblock between Burnhamthorpe Road and Burnhamthorpe Crescent, the property located at 4888 Dundas Street West, Alexander MacPherson House/Village of Islington Post Office (1887-1906) and Telephone Exchange (1912-1925), contains a brick Italianate house dating from 1879. The house helps to recall the historic development and location of the village of Islington.

The property was listed on the City's Heritage Register in 2006.

Staff have completed the Research and Evaluation Report for the property at 4888 Dundas Street West and determined that the property meets Ontario Regulation 9/06, the criteria prescribed for municipal designation under Part IV, Section 29 of the Ontario Heritage Act under design/physical value, historical/associative value, and contextual value. As such, the property is a significant built heritage resource.

On April 28, 2022, the City received an Official Plan Amendment and Zoning By-law Amendment application related to the proposed redevelopment of the subject property. The proposal is for a 12-storey building to be developed around the existing house on the north and west sides.

A Heritage Impact Assessment completed by GBCA Architects and dated April 26, 2022 was submitted to support the application. An Heritage Impact Assessment 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.

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 June 10, 2022. The property owner has provided a waiver to extend the 90-day timeline established under Bill 108 until one month before the final recommendation report for the Official Plan Amendment and Zoning Bylaw

Amendment applications for the subject property is to be considered by the Etobicoke York Community Council. Therefore Council must make a decision at the meeting preceding its decisions on the proposed Official Plan and Zoning Bylaw amendments 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 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 a Prescribed Event that has 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 Ontario Heritage Act, if it meets two or more of the nine criteria. The property meets four criteria relating to design/physical, historical/associative, and contextual values.

Designation also enables City Council to review proposed alterations or demolitions to the property and enforce heritage property standards and maintenance.

### **Background Information**

(April 6, 2023) Report and Attachments 1-3 from the Senior Manager, Heritage Planning, Urban Design, City Planning on 4888 Dundas Street West - 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-235696.pdf>)

### **Communications**

(April 21, 2023) Letter from Calvin Lantz, Stikeman Elliot LLP (PB.Supp)  
(<https://www.toronto.ca/legdocs/mmis/2023/pb/comm/communicationfile-167809.pdf>)