

Toronto Preservation Board

Meeting No.	5	Contact	Matthew Green, Committee Administrator
Meeting Date	Monday, April 24, 2023	Phone	416-392-4666
Start Time	9:30 AM	E-mail	hertpb@toronto.ca
Location	Video Conference	Chair	Sandra Shaul

PB5.3	ACTION	Adopted		Ward: 11
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15 Elm 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 15 Elm Street under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance: 15 Elm Street (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.

Decision Advice and Other Information

Liz McFarland, Planner, Heritage Preservation, Urban Design, City Planning gave a presentation on 15 Elm Street - Notice of Intention to Designate a 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 [PB5.3](#) 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 15 Elm Street under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value for its design, associative and contextual values.

Located on the south side of Elm Street between Yonge and Bay streets, the property at 15 Elm Street contains a 2-storey house-form building completed by 1868. The Georgian Revival style property represents a rare surviving example of a Confederation-era house-form building and is part of a broader collection of 19th-century dwellings adapted at street level in the early-20th century to accommodate commercial storefronts. This residential/commercial mixed-use typology continues to define the south side of Elm Street between Yonge and Bay Streets within the city's historic St. John's Ward "The Ward" neighbourhood. On the north side of Elm Street, the Richardsonian Romanesque St. George's Hall (Arts & Letters Club) and the YMCA, both completed in 1891 and located at 14 and 18 Elm Street, respectively, are designated under the Ontario Heritage Act and complete the remaining heritage building stock from this early period at the east end of Elm Street. Together, this 19th-century collection of various historic building types and uses speaks to the uniqueness of Elm Street – a destination for locals and visitors alike.

On September 13, 2022, the City received a Zoning By-law Amendment application to redevelop the subject site by demolishing the existing buildings at 15 and 17 Elm Street and constructing a new 30-storey mixed use building. The redevelopment proposes 174 dwelling units resulting in a total of 14,163 sq. m of residential gross floor area and 200 sq. m of non-residential GFA which results in a total Floor Space Index of 18.12. (22 202864 STE 11 OZ).

A 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. The property is not listed on the Heritage Register, however, a Cultural Heritage Evaluation Report completed by ERA Architects Inc. and dated December 22, 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 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 November 10, 2022.

The property owner has provided a waiver to extend the 90-day timeline established under Bill 108 through May 26, 2023. As such, City Council must make a decision at its May 10, 2023 meeting to provide sufficient time for 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 amended prescribed event requirements under Section 29(1.2) of the Ontario Heritage Act and came into effect on 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 came into 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 15 Elm 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-235725.pdf>

Staff Presentation - 15 Elm 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-236002.pdf>

Communications

(April 21, 2023) Letter from David Bronskill, Goodmans LLP - Part 1 of 2 (PB.Supp)

(April 21, 2023) Letter from David Bronskill, Goodmans LLP - Part 2 of 2 (PB.Supp)

(April 23, 2023) E-mail from Adam Wynne (PB.Supp)

Speakers

Adam Wynne