

Toronto Preservation Board

Meeting No.	4	Contact	Ellen Devlin, Committee Administrator
Meeting Date	Thursday, March 23, 2023	Phone	416-392-7033
Start Time	9:30 AM	E-mail	hertpb@toronto.ca
Location	Video Conference	Chair	Sandra Shaul

PB4.7	ACTION	Adopted		Ward: 10
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41 - 53 Fraser Avenue, 135 Liberty Street and 42 Pardee Avenue - Alterations to Designated Properties, Demolition of a Building on a Designated Property and Authority to Enter into a Heritage Easement Agreement

Board Decision

The Toronto Preservation Board recommends to the Toronto and East York Community Council that:

1. City Council approve:

a. the alterations to the designated heritage properties at 41 Fraser Avenue, 47 Fraser Avenue and 135 Liberty Street, in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a new 10 and 11-storey building substantially in accordance with the plans and drawings dated June 10, 2022 prepared by Sweeny & Co. Architects and the Heritage Impact Assessment dated February 3, 2023 prepared by ERA Architects Inc. all subject to and in accordance with a Conservation Plan satisfactory to the Senior Manager, Heritage Planning, Urban Design, City Planning and subject to conditions as set out below.

b. the demolition of the powerhouse building at 42 Pardee Avenue, in accordance with Section 34 (1)2 of the Ontario Heritage Act to allow for the construction of a new 10 and 11-storey building substantially in accordance with the plans and drawings dated June 10, 2022 prepared by Sweeny & Co. Architects and the Heritage Impact Assessment dated February 3, 2023 prepared by ERA Architects Inc. all subject to, and in accordance with, a Conservation Plan satisfactory to the Senior Manager, Heritage Planning, Urban Design, City Planning, and subject to the conditions as set out below.

2. City Council direct that its consent to the application to alter the designated properties at 41 Fraser Avenue, 47 Fraser Avenue and 135 Liberty Street Avenue under Part IV, Section 33 of the Ontario Heritage Act and its consent to demolish the designated power house building at 42 Pardee Avenue, under Part IV, Section 34(1) 2 of the Ontario Heritage Act are also subject to the following conditions:

a. That the related Zoning By-law Amendment permitting the proposed alterations and the proposed demolition of the power house building have been enacted by City Council and have come into full force and effect in a form and with content acceptable to City Council, as determined by the Chief Planner and Executive Director, City Planning, in consultation with the Senior Manager, Heritage Planning, Urban Design, City Planning.

b. That prior to the introduction of the bills for such Zoning By-law Amendment by City Council the owner shall:

1. Enter into a Heritage Easement Agreement(s) with the City for the properties at 41 Fraser Avenue, 47 Fraser Avenue and 135 Liberty Street substantially in accordance with plans and drawings dated June 10, 2022 prepared by Sweeny & Co. Architects and the Heritage Impact Assessment dated February 3, 2023 prepared by ERA Architects Inc., subject to and in accordance with the approved Conservation Plan required in Recommendation 2.b.2, to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning including execution of such agreement(s) to the satisfaction of the City Solicitor.

2. Provide a detailed Conservation Plan prepared by a qualified heritage consultant that is substantially in accordance with the conservation strategy set out in the Heritage Impact Assessment for 41 Fraser Avenue, 47 Fraser Avenue and 135 Liberty Street dated February 3, 2023 prepared by ERA Architects Inc., to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

c. That prior to Final Site Plan approval in connection with the Zoning By-law Amendment for the properties at 41 Fraser Avenue, 47 Fraser Avenue and 135 Liberty Street the owner shall:

1. Provide final Site Plan drawings including drawings related to the approved Conservation Plan required in Recommendation 2.b.2 to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

2. Have obtained final approval for the necessary Zoning By-law Amendment required for the subject property, such Amendment to have come into full force and effect

3. Provide an Interpretation Plan for the subject properties, to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

4. Provide a Heritage Lighting Plan that describes how the heritage properties will be sensitively illuminated to enhance their heritage character to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager Heritage Planning.

5. Submit a Signage Plan for the proposed development to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

6. Provide a detailed Landscape Plan for the properties at 41 Fraser Avenue, 47 Fraser Avenue and 135 Liberty Street, satisfactory to the Senior Manager, Heritage Planning, Urban Design, City Planning.

d. That prior to the issuance of any permit for all or any part of the properties at 41 Fraser Avenue, 47 Fraser Avenue and 135 Liberty Street, including a heritage permit or a building permit, but excluding permits for repairs and maintenance and usual and minor works for the existing heritage buildings as are acceptable to the Senior Manager, Heritage Planning, Urban Design, City Planning, the owner shall:

1. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 2.b.2 above including a description of materials and finishes, to be prepared by the project architect and a qualified heritage consultant to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

2. Provide a Letter of Credit, including provision for upwards indexing in a form and amount and from a bank satisfactory to the Senior Manager, Heritage Planning, Urban Design, City Planning to secure all work included in the approved Conservation Plan, Heritage Lighting Plan and Interpretation Plan.

3. Provide full documentation of the existing heritage property, including two (2) printed sets of archival quality 8" x 10" colour photographs with borders in a glossy or semi-gloss finish and one (1) digital set on a flash drive in tiff format and 600 dpi resolution keyed to a location map, elevations and measured drawings, and copies of all existing interior floor plans and original drawings as may be available, to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning;

e. That prior to the release of the Letter of Credit required in Recommendation 2.d.2 above, the owner shall:

1. Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work, required heritage lighting work, and the required interpretive work has been completed in accordance with the Conservation Plan, Lighting Plan and Interpretation Plan and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

2. Provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.
3. City Council authorize the entering into of a Heritage Easement Agreement(s) under Section 37 of the Ontario Heritage Act with the owner(s) of 41 Fraser Avenue, 47 Fraser Avenue and 135 Liberty Street in a form and content satisfactory to the City Solicitor and the Chief Planner and Executive Director, City Planning.
4. City Council authorize the City Solicitor to introduce the necessary Bill(s) in Council authorizing the entering into of a Heritage Easement Agreement for the properties at 41 Fraser Avenue, 47 Fraser Avenue and 135 Liberty Street.

Decision Advice and Other Information

Anne Fisher, Program Manager, Heritage Preservation, Urban Design, City Planning gave a presentation on 41 - 53 Fraser Avenue, 135 Liberty Street and 42 Pardee Avenue - Alterations to Designated Properties, Demolition of a Building on a Designated Property and Authority to Enter into a Heritage Easement Agreement.

Origin

(March 2, 2023) Report from the Senior Manager, Heritage Planning, Urban Design, City Planning

Summary

At its meeting on March 23, 2023, the Toronto Preservation Board considered Item [PB4.7](#) and made recommendations to City Council.

Summary from the report (March 2, 2023) from the Senior Manager, Heritage Planning, Urban Design, City Planning:

This report recommends that City Council approve the proposed alterations to the designated properties at 41 Fraser Avenue, 47 Fraser Avenue and 135 Liberty Street (and the entrance addresses at 39, 47a, 49, 49a, 53 and 53A Fraser Avenue, 38 and 42 Pardee Avenue) and grant authority to enter into a Heritage Easement Agreements for the properties. This report also recommends approval of the proposed demolition of the former power house building at 42 Pardee Avenue, which is designated under Part IV of the Ontario Heritage Act.

This application is in connection with a Zoning By-law Amendment application that seeks permission to construct two additions above the heritage buildings. The proposed addition fronting onto Fraser Avenue would rise to 10-storeys and an addition fronting onto Pardee Avenue would rise to 11-storeys. Four of the five heritage buildings would be retained and incorporated as part of the new linked building complex. The two storey power house building at 42 Pardee Avenue would be demolished.

The subject properties contain the former E. W. Gillett Co. Ltd. factory complex which was constructed in 1911-12 with later additions in 1922 and 1941-2. The complex contains a collection of buildings, 1 - 4 stories in height with a prominent five-storey corner building with

a crenellated roofline and which includes buildings that reflect the Neo-Gothic and Streamlined Moderne styles.

This report recommends that City Council approve the proposed alterations for the heritage properties at 41 Fraser Avenue, 47 Fraser Avenue and 135 Liberty Street in connection with the proposed redevelopment. The proposed development includes the conservation and rehabilitation of all of the heritage buildings on the site apart from the former power house building at 42 Pardee Avenue which is proposed to be demolished. The materials from the former power house building would be salvaged to allow for the construction of a new building that commemorates the form and design of the original power house.

Background Information

(March 2, 2023) Report and Attachments 1 - 5 from the Senior Manager, Heritage Planning, Urban Design, City Planning on 41 - 53 Fraser Avenue, 135 Liberty Street and 42 Pardee Avenue - Alterations to Designated Properties, Demolition of a Building on a Designated Property and Authority to Enter into a Heritage Easement Agreement - Approval Report (<https://www.toronto.ca/legdocs/mmis/2023/pb/bgrd/backgroundfile-234879.pdf>)
Staff Presentation - 41 - 53 Fraser Avenue, 135 Liberty Street and 42 Pardee Avenue - Alterations to Designated Properties, Demolition of a Building on a Designated Property and Authority to Enter into a Heritage Easement Agreement (<https://www.toronto.ca/legdocs/mmis/2023/pb/bgrd/backgroundfile-235152.pdf>)