

## Toronto Preservation Board

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|---------------------|--------------------------|----------------|---------------------------------------|
| <b>Meeting No.</b>  | 4                        | <b>Contact</b> | Ellen Devlin, Committee Administrator |
| <b>Meeting Date</b> | Thursday, March 23, 2023 | <b>Phone</b>   | 416-392-7033                          |
| <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>PB4.4</b> | <b>ACTION</b> | Adopted |  | Ward: 10 |
|--------------|---------------|---------|--|----------|

### **164 Bathurst Street - Alterations to a Heritage 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 the alterations to the heritage property at 164 Bathurst Street, in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of an 18-storey mixed-use residential building, with such alterations substantially in accordance with plans and drawings dated February 15, 2023, prepared by Kirkor Architects and Planners, and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning; and the Heritage Impact Assessment for 164 Bathurst Street dated February 13, 2023 prepared by Goldsmith Borgal & Company Ltd. Architects, and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning, 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:

a. That the related site specific Official Plan Amendment and Zoning By-law Amendment giving rise to the proposed alterations have been enacted by the City Council and have come into full force and effect in a form and with content acceptable to the 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 Official Plan Amendment and Zoning By-law Amendment by City Council, the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the property at 164 Bathurst Street in accordance with the plans and drawings dated February 15, 2023 prepared by Kirkor Architects and Planners, and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning, the Heritage Impact Assessment for 164 Bathurst Street dated February 13, 2023 prepared by Goldsmith Borgal & Company Ltd. Architects, and in accordance with the Conservation Plan required in Recommendation 1.b.2 below to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning, including registration of such agreement 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 164 Bathurst Street dated February 13, 2023 prepared by Goldsmith Borgal & Company Ltd. Architects, to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

c. That prior to final Site Plan approval for the proposed Official Plan Amendment and Zoning By-law Amendment by City Council, for the property located at 164 Bathurst Street the owner shall:

1. Provide final Site Plan drawings including drawings related to the approved Conservation Plan required in Recommendation 1.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 property, 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 property will be sensitively illuminated to enhance its 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.

d. That prior to the issuance of any permit for all or any part of the property at 164 Bathurst 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 building 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 1.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.

e. That prior to the release of the Letter of Credit required in Recommendation 1.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.

2. City Council authorize the entering into of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of 164 Bathurst Street in a form and content satisfactory to the City Solicitor and the Chief Planner and Executive Director, City Planning.

3. City Council authorize the City Solicitor to introduce the necessary Bill in Council authorizing the entering into of a Heritage Easement Agreement for the property at 164 Bathurst Street.

### **Decision Advice and Other Information**

Erin Smith, Planner, Heritage Preservation, Urban Design, City Planning gave a presentation on 164 Bathurst Street - Alterations to a Heritage 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 [PB4.4](#) 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 property at 164 Bathurst Street in connection with the proposed redevelopment of the site and grant authority to enter into a Heritage Easement Agreement for the property.

The subject property is located at the southwest corner of Bathurst Street and Richmond Street West. Oriented towards Bathurst Street, the building's primary component is a two-and-a-half-storey building, with a two-storey component along Richmond Street West. Dating to c. 1875, the property is a representative example of a mixed-use commercial building with Italianate style influences that is a significant remnant of the nineteenth-century streetscape to which it has long contributed. The property was designated under the Ontario Heritage Act in 2022 through by-law 68-2022.

In conjunction with an Official Plan and Zoning Amendment Application (21 181257 STE 10 OZ) and Site Plan Application (22 139971 STE 10 SA), the redevelopment proposes an 18-storey mixed-use residential building, with a six-storey podium and two levels of below-ground parking on the properties located at 152-164 Bathurst Street and 623-627 Richmond Street West. The property at 164 Bathurst Street is proposed to be integrated into the new development with its north and east facades, and returns of the south and west facades, retained in-situ within the new construction. A combination of rehabilitation and restoration is proposed for the exterior and ground floor shopfronts.

This report recommends that City Council approve the proposed alterations for the heritage property at 164 Bathurst Street. Staff are satisfied that the impacts have been appropriately mitigated through the overall proposed conservation strategy and that the cultural heritage values, attributes and character of the designated heritage property at 164 Bathurst Street will be conserved.

## **Background Information**

(March 2, 2023) Report and Attachments 1 - 5 from the Senior Manager, Heritage Planning, Urban Design, City Planning on 164 Bathurst Street - Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement

(<https://www.toronto.ca/legdocs/mmis/2023/pb/bgrd/backgroundfile-234880.pdf>)

Staff Presentation - 164 Bathurst Street - Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement

(<https://www.toronto.ca/legdocs/mmis/2023/pb/bgrd/backgroundfile-235164.pdf>)

## **Speakers**

Adam Sheffer