

## Toronto Preservation Board

**Meeting No.** 14**Contact** Matthew Green, Committee Administrator**Meeting Date** Thursday, February 15, 2024**Phone** 416-392-4666**Start Time** 9:30 AM**E-mail** hertpb@toronto.ca**Location** Video Conference

PB14.3	ACTION	Adopted		Ward: 13
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### **179-185 King Street East - Alteration and Erection of a Building on a Property Designated under Part V of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement - Request for Directions**

**Confidential Attachment - This report contains advice or communications that are subject to solicitor-client privilege. This report contains information regarding potential litigation.**

#### **Board Decision**

The Toronto Preservation Board recommends that:

1. City Council adopt the recommendations contained in the Confidential Attachment 1 to the report (January 31, 2024) from the City Solicitor.
2. City Council authorize the public release of the confidential recommendations contained in Confidential Attachment 1 to the report (January 31, 2024) from the City Solicitor, if adopted by City Council.
3. City Council direct that all other information contained in Confidential Attachment 1 to the report (January 31, 2024) from the City Solicitor is to remain confidential at the discretion of the City Solicitor, as it contains advice which is subject to solicitor-client privilege.

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

Neil MacKay, Planner, Urban Design, Heritage Planning, City Planning gave a presentation on 179-185 King Street East - Alteration and Erection of a Building on a Property Designated under Part V of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement - Request for Directions.

## Origin

(January 31, 2024) Report from the City Solicitor

## Summary

At its meeting on February 15, 2024 the Toronto Preservation Board considered Item [PB14.3](#) and made recommendations to City Council.

Summary from the report (January 31, 2024) from the City Solicitor:

On August 18, 2022, a Zoning By-law Amendment application for 179-185 King Street East was submitted to permit a 33-storey mixed-use building with 7,600 square metres of non-residential gross floor area and 190 dwelling units above. Portions of the facades of the existing designated heritage buildings were proposed to be integrated into the development.

On March 24, 2023, the applicant appealed the application to the Ontario Land Tribunal due to Council's failure to make a decision within the time frame in the Planning Act. Following the appeal, the applicant acquired 175 King Street East and submitted a revised Zoning By-law Amendment application on August 14, 2023. The revised application for 175-185 King Street East was for a 35-storey mixed-use building with 500 square metres of non-residential gross floor area and 394 dwelling units above.

On January 20, 2024 the applicant submitted a without prejudice settlement offer (the "Settlement Offer") that included an application under Section 42 of the Ontario Heritage Act to alter the on-site heritage resources and erect a new structure within a designated Heritage Conservation District.

The City Solicitor requires further direction with respect to the heritage application and the upcoming Ontario Land Tribunal proceedings relating to the zoning and site plan appeals.

## Background Information

(January 31, 2024) Report from the City Solicitor on 179-185 King Street East - Alteration and Erection of a Building on a Property Designated under Part V of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement - Request for Directions

(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-242769.pdf>)

Attachment 1 - Covering letter from Aird & Berlis LLP dated January 20, 2024, which describes the revised proposal, and accompanied the heritage permit application and updated Heritage Impact Assessment

(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-242790.pdf>)

Attachment 2 - Location Map

(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-242791.pdf>)

Attachment 3 - Photographs

(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-242792.pdf>)

Attachment 4 - Plans and Drawings

(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-242793.pdf>)

Attachment 5 - Renderings

(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-242794.pdf>)

Confidential Attachment 1

Staff Presentation on 179-185 King Street East - Alteration and Erection of a Building on a Property Designated under Part V of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement - Request for Directions

(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-243082.pdf>)

## **Communications**

(February 14, 2024) E-mail from John Ambrose (PB.Supp)

## **Speakers**

Dan Eylon, ERA Architects Inc.