

## Toronto Preservation Board

<b>Meeting No.</b>	15	<b>Contact</b>	Matthew Green, Committee Administrator
<b>Meeting Date</b>	Monday, March 18, 2024	<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>	Julia Rady

PB15.4	ACTION	Adopted		Ward: 10
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### **355 Adelaide Street West - Alterations and Demolition to Heritage Attributes at a Designated Property under Sections 33 and 34(1)1 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement**

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

#### **Board Decision**

The Toronto Preservation Board recommends that:

1. City Council adopt the confidential instructions to staff contained in the Confidential Attachment 1 to the report (March 1, 2024) from the City Solicitor.
2. City Council authorize the public release of the confidential instructions to staff contained in Confidential Attachment 1 to the report (March 1, 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 (March 1, 2024) from the City Solicitor is to remain confidential at the discretion of the City Solicitor, as it is about litigation before the Ontario Land Tribunal and contains advice or communications that are subject to solicitor-client privilege.

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

Ragini Dayal, Planner, Urban Design, Heritage Planning, City Planning gave a presentation on 355 Adelaide Street West - Alterations and Demolition to Heritage Attributes at a Designated Property under Sections 33 and 34(1)1 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement.

The Toronto Preservation Board recessed its public session to meet in closed session to consider this item as it relates to the receiving of advice that is subject to solicitor-client privilege and contains information regarding litigation or potential litigation.

## **Origin**

(March 1, 2024) Report from the City Solicitor

## **Summary**

At its meeting on March 18, 2024 the Toronto Preservation Board considered Item [PB15.4](#) and made recommendations to City Council.

Summary from the report (March 1, 2024) from the City Solicitor:

The owner appealed its Zoning By-law Amendment application for 353 - 355 Adelaide Street West, 46 Charlotte Street and 16 Oxley Street to the Ontario Land Tribunal in the fall of 2023 due to Council's failure to make a decision on the application within the time prescribed by the Planning Act.

In February 2023, the applicant revised its Zoning By-law Amendment application, increasing the proposed height of the building to 58 storeys (187 metres, including mechanical), revised the Oxley Street portion of the building to 6 storeys, increased the number of residential units to 503 units and decreased the amount of retail and office space to 2,802 square metres. The heritage building continued to be incorporated into the proposed development. The revised proposal is now the subject of the appeal before the Ontario Land Tribunal.

The focus of this report is the owner's application under Section 33 and 34(1)1 of the Ontario Heritage Act which requests City Council's consent to alterations and demolition of a heritage attribute to the property at 355 Adelaide Street West. Council requires the advice of the Toronto Preservation Board in respect of matters which may impact a designated heritage property.

## **Background Information**

(March 1, 2024) Report from the City Solicitor on 355 Adelaide Street West - Alterations and Demolition to Heritage Attributes at a Designated Property under Sections 33 and 34(1)1 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement (<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-243692.pdf>)

Confidential Attachment 1

Staff Presentation on 355 Adelaide Street West - Alterations and Demolition to Heritage Attributes at a Designated Property under Sections 33 and 34(1)1 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement (<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-244232.pdf>)

## **Motions**

*Motion to Meet in Closed Session moved by Robert Allsopp (Carried)*

10.40 a.m. - That the Toronto Preservation Board meet in closed session to consider the following:

PB15.4 - 355 Adelaide Street West - Alterations and Demolition to Heritage Attributes at a Designated Property under Sections 33 and 34(1)1 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement (Ward 10)

Reason for Confidentiality - advice or communications that are subject to solicitor-client privilege and information regarding litigation or potential litigation.

*Motion to Adopt Item moved by Julia Rady (Carried)*