



## Decision Letter

### 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

PB15.12	ACTION	Adopted		Ward: 14
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#### **415 Broadview Avenue - Alterations to and Demolition of Heritage Attributes of a Designated Property 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 (March 4, 2024) from the City Solicitor.
2. City Council authorize the public release of the confidential recommendations contained in Confidential Attachment 1 to the report (March 4, 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 4, 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 415 Broadview Avenue - Alterations to and Demolition of Heritage Attributes of a Designated Property and Authority to Enter into a Heritage Easement Agreement - Request for Directions.

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 4, 2024) Report from the City Solicitor

## **Summary**

At its meeting on March 18, 2024 the Toronto Preservation Board considered Item [PB15.12](#) and made recommendations to City Council.

Summary from the report (March 4, 2024) from the City Solicitor:

On January 20, 2022, an Official Plan and Zoning By-law amendment application was submitted for the subject property seeking permission to construct a 10-storey building with 60 residential units adding to, and modifying, the existing heritage church building onsite.

On August 15, 2022, the applicant appealed the application to the Ontario Land Tribunal due to Council not making a decision within the time frame in the Planning Act.

On August 18, 2023, the City of Toronto received applications to alter and demolish heritage attributes of the property at 415 Broadview Avenue under Sections 33 and 34 of the Ontario Heritage Act to allow for the construction of a modified development application comprised of a seven-storey mixed-use building with commercial units at grade and residential units above. The revised proposal involved the demolition of the Sunday School wing, demolition of a portion of the church's gable roof and alterations to the retained portion of the church. Staff recommended refusal as the submitted heritage permit was incomplete and therefore did not demonstrate satisfactory conservation of the heritage resources. The report was deferred by City Council and no decision was made.

On January 17, 2024, the applicant submitted a with prejudice settlement offer (the "Settlement Offer") for a six-storey addition containing residential units. The offer included sufficient information for Heritage Planning to evaluate the Ontario Heritage Act applications.

An Ontario Land Tribunal hearing is scheduled for June 10, 2024, with procedural filing dates occurring in spring 2024. The City Solicitor requires further directions for upcoming Ontario Land Tribunal proceedings relating to the Official Plan and rezoning appeal.

## **Background Information**

(March 4, 2024) Report from the City Solicitor on 415 Broadview Avenue - Alterations to and Demolition of Heritage Attributes of a Designated Property and Authority to Enter into a Heritage Easement Agreement - Request for Directions  
(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-243674.pdf>)

Attachment 1 - Covering email from Goodmans LLP dated January 17, 2024, which describes the revised proposal

(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-243675.pdf>)

Attachment 2 - Location Map

(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-243676.pdf>)

Attachment 3 - Photographs

(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-243677.pdf>)

Attachment 4 - Plans and Drawings

(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-243678.pdf>)

Attachment 5 - Renderings

(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-243679.pdf>)

Confidential Attachment 1

Staff Presentation on 415 Broadview Avenue - Alterations to and Demolition of Heritage Attributes of a Designated Property and Authority to Enter into a Heritage Easement Agreement - Request for Directions

(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-244238.pdf>)

## **Motions**

*Motion to Meet in Closed Session moved by Julia Rady (Carried)*

2:54 p.m. - That the Toronto Preservation Board meet in closed session to consider the following:

PB15.12 - 415 Broadview Avenue - Alterations to and Demolition of Heritage Attributes of a Designated Property and Authority to Enter into a Heritage Easement Agreement - Request for Directions (Ward 14)

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

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