

Toronto Preservation Board

Meeting No.	16	Contact	Matthew Green, Committee Administrator
Meeting Date	Thursday, March 28, 2024	Phone	416-392-4666
Start Time	9:30 AM	E-mail	hertpb@toronto.ca
Location	Video Conference	Chair	Julia Rady

PB16.10	ACTION	Amended		Ward: 12
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1196-1204 Yonge Street and 1206-1210 Yonge Street - Alterations to and the Demolition of Heritage Attributes at Designated Heritage Properties at 1206-1210 Yonge Street, Demolition of a Heritage Property at 1196-1204 Yonge Street and Authority to Enter into a Heritage Easement Agreement

Confidential Attachment - The receiving of advice that is subject to solicitor-client privilege and 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 (March 13, 2024) report from the City Solicitor.
2. City Council authorize the public release of the confidential instructions to staff contained in Confidential Attachment 1 and Confidential Appendix "A" to the report (March 13, 2024) from the City Solicitor, if adopted by City Council, at the discretion of the City Solicitor.
3. City Council direct that all other information contained in Confidential Attachment 1 to the report (March 13, 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.
4. City Council request Heritage Planning to work with the applicants on a Reconstruction Plan for 1196-1210 Yonge Street to seek that the bricks are not painted, and are reconstructed and returned to their original and historically accurate brick colour.

Decision Advice and Other Information

Dan Dibartolo, Planner, Urban Design, Heritage Planning, City Planning gave a presentation on 1196-1204 Yonge Street and 1206-1210 Yonge Street - Alterations to and the Demolition of Heritage Attributes at Designated Heritage Properties at 1206-1210 Yonge Street, Demolition of a Heritage Property at 1196-1204 Yonge Street 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 13, 2024) Report from the City Solicitor

Summary

At its meeting on March 28, 2024 the Toronto Preservation Board considered Item [PB16.10](#) and made recommendations to City Council.

Summary from the report (March 13, 2024) from the City Solicitor:

This report addresses the owner's applications under Section 33, 34(1)1 and 34(1)2 of the Ontario Heritage Act which request City Council's consent to alterations to the designated property at 1206-1210 Yonge Street, demolition of heritage attributes of the property at 1206-1210 Yonge Street, and demolition of a building or structure on the property at 1196-1204 Yonge Street. City Council requires the advice of the Toronto Preservation Board in respect of matters which may impact a designated heritage property.

Located on the west side of Yonge Street, directly north of Birch Avenue within the Summerhill neighbourhood, and adjacent to the Deer Park, Ramsden Park and South Rosedale neighbourhoods, the properties at 1196-1204 Yonge Street comprise a main street commercial block building constructed in 1889. The adjacent three properties at 1206-1210 Yonge Street to the north contain 2-storey main street commercial row buildings constructed together in 1907-1908. The subject properties are all designated under Part IV of the Ontario Heritage Act.

In November 2021, the City received a Zoning By-Law Amendment application for redevelopment of the site for a 15-storey mixed-use building, having a non-residential gross floor area of 200.80 square metres, and a residential gross floor area of 10,225.60 square metres with 59 residential units. In April 2022, a Site Plan Control Application was submitted revising the proposal to a 14-storey mixed-use building with 67 residential units.

On November 7, 2022, the applicant appealed to the Ontario Land Tribunal ("OLT"), as a result of City Council not making a decision with respect to the Zoning By-law and Site Plan Control applications within the timeframe legislated by the Planning Act.

On August 25, 2022, ERA Architects Inc., on behalf of the applicant, filed two (2) Heritage Permit Applications for demolition under Section 34(1)2 of the Ontario Heritage Act with respect to 1196-1204 Yonge Street and 1206-1210 Yonge Street.

On February 13, 2024, the owner submitted new applications under sections 33, 34(1)1 and 34(1)2 of the Ontario Heritage Act. The new construction will incorporate the existing heritage buildings at 1206-1210 Yonge Street as part of the podium of the new building and demolish and reconstruct the existing heritage buildings at 1196-1204 Yonge as part of the podium of the new building. Approval is required for this proposal under Section 33 of the Ontario Heritage Act to permit alterations to the designated property at 1206-1210 Yonge Street. Approval is also required under Section 34(1)1 of the Ontario Heritage Act for the removal of heritage attributes of the designated property at 1206-1210 Yonge Street. The attributes that are proposed to be removed are:

- the raised main entrances to provide for universal access, which will also expand the proportions of the original configuration and architectural features to bring the storefronts to grade; and
- potentially a wooden cornice, if restoration of the original cornice is not possible in accordance with the Conservation Plan.

Approval is also required under Section 34(1)2 of the Ontario Heritage Act for the demolition of a heritage building or structure on the designated property at 1196-1204 Yonge Street.

Background Information

(March 13, 2024) Report from the City Solicitor on 1196-1204 Yonge Street and 1206-1210 Yonge Street - Alterations to and the Demolition of Heritage Attributes at Designated Heritage Properties at 1206-1210 Yonge Street, Demolition of a Heritage Property at 1196-1204 Yonge Street and Authority to Enter into a Heritage Easement Agreement
(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-244331.pdf>)

Confidential Attachment 1

Confidential Appendix A

Staff Presentation on 1196-1204 Yonge Street and 1206-1210 Yonge Street - Alterations to and the Demolition of Heritage Attributes at Designated Heritage Properties at 1206-1210 Yonge Street, Demolition of a Heritage Property at 1196-1204 Yonge Street and Authority to Enter into a Heritage Easement Agreement
(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-244633.pdf>)

Motions

Motion to Meet in Closed Session moved by Geoff Kettel (Carried)

2:21 p.m. - That the Toronto Preservation Board meet in closed session to consider the following:

PB16.10 - 1196-1204 Yonge Street and 1206-1210 Yonge Street - Alterations to and the Demolition of Heritage Attributes at Designated Heritage Properties at 1206-1210 Yonge Street, Demolition of a Heritage Property at 1196-1204 Yonge Street and Authority to Enter into a Heritage Easement Agreement

Reason for Confidentiality - The receiving of advice that is subject to solicitor-client privilege and information regarding litigation or potential litigation.

Motion to Amend Item (Additional) moved by Adam Wynne (Carried)

That the Toronto Preservation Board recommend that:

1. City Council request Heritage Planning to work with the applicants on a Reconstruction Plan for 1196-1210 Yonge Street to seek that the bricks are not painted, and are reconstructed and returned to their original and historically accurate brick colour.

Motion to Adopt Item as Amended moved by Geoff Kettel (Carried)