



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

80-86 Lynn Williams Street - Alteration and Demolition to Heritage Attributes at a Designated Property under Part IV of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement - Request for Directions

Date: August 14, 2024

To: Toronto Preservation Board and City Council

From: City Solicitor

Wards: Ward 10 - Spadina-Fort York

REASON FOR CONFIDENTIAL INFORMATION

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

SUMMARY

On October 18, 2023, a Zoning By-law Amendment application was submitted for a development at 70-86 Lynn Williams Street to permit a 43-storey mixed-use building containing 588 rental units, demolishing the north half of the heritage building located on the 80-86 Lynn Williams Street portion of the site, and retaining the south half fronting onto Lynn Williams Street. On April 17, 2024, City Council refused the Zoning By-law Amendment application and the applicant appealed City Council's decision on the application to the Ontario Land Tribunal (OLT).

On July 26, 2024, the applicant submitted an application under Section 33 and Section 34(1)1 of the *Ontario Heritage Act* for the alteration to and demolition of heritage attributes to the property at 80-86 Lynn Williams Street.

For reasons set out in Confidential Attachment 1 to this report, this matter is urgent.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the recommendations contained in the Confidential Attachment 1 to this report from the City Solicitor.
2. City Council authorize the public release of the confidential recommendations contained in Confidential Attachment 1 to this report from the City Solicitor and Confidential Appendix "A", if adopted by City Council.
3. City Council direct that all other information contained in Confidential Attachment 1 to this report 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.

FINANCIAL IMPACT

There is no financial impact arising from the adoption of the Confidential Recommendations beyond what has already been approved in the current year's budget.

DECISION HISTORY

On June 16, 2005, City Council adopted Zoning By-law Amendment 600-2005 which directed that if re-development occurred to the northern portion of the warehouse, that the southern portion must be "retained and restored."

<https://www.toronto.ca/legdocs/bylaws/2005/law0600.pdf>

On September 30, 2005, City Council adopted Zoning By-law 853-2005 which amended maps for Bylaw 600-2005.

<https://www.toronto.ca/legdocs/bylaws/2005/law0853.pdf>

On February 2, 2006, City Council included the property at 80 - 86 Lynn Williams Street on the City of Toronto's Heritage Register.

<https://www.toronto.ca/legdocs/2006/agendas/council/cc060131/cofa.pdf>

On March 20-22, 2024, City Council stated its intention to designate the property at 80 - 86 Lynn Williams Street (including the structure address of 130 East Liberty Street) under Part IV, Section 29 of the *Ontario Heritage Act*.

<https://secure.toronto.ca/council/agenda-item.do?item=2024.PH10.7>

On April 17, 2024, City Council adopted TE12.10 - 70-86 Lynn Williams Street - Zoning By-law Amendment Application - Decision Report - Refusal which includes the subject property at 80-86 Lynn Williams Street.

<https://secure.toronto.ca/council/agenda-item.do?item=2024.TE12.10>

At its meeting of June 26, 2024, City Council enacted a by-law designating the property at 80-86 Lynn Williams Street under Part IV, Section 29 of the *Ontario Heritage Act*, after considering the objection to the designation.

<https://www.toronto.ca/legdocs/bylaws/2024/law0701.pdf>

COMMENTS

Heritage Property

The property at 80 - 86 Lynn Williams Street (including the structure address of 130 East Liberty Street), also known as the A. R. Williams Machinery Company Warehouse, is located in Toronto's Liberty Village neighbourhood, on the north side of Lynn Williams Street, mid-block between Hanna Avenue and Western Battery Road.

The property contains a 59-metre-long, brick warehouse building constructed in 1928-29 with a two-storey central mass flanked by one-storey wings. Defining features of the building include its bands of clerestory windows on the second-storey east and west walls. A 10-ton travelling crane traverses the central portion of the building. The interior features an exposed steel column with cross braces which support the structure and crane runway, as well as an open ceiling with steel trusses. The south half of the building was renovated for office use in 2005, while the northerly portion is unused. The property is part of a concentration of listed and designated industrial heritage buildings within the Liberty Village vicinity and included on the City of Toronto's Heritage Register.

The property's full Statement of Significance along with list of heritage attributes can be found in Designation By-law 701-2024.

The City Solicitor requires further instructions on this matter. This report is about ongoing litigation before the OLT and contains advice or communications that are subject to solicitor-client privilege.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

1. Confidential Attachment 1 - Confidential Information
2. Confidential Appendix "A" - Confidential Information