

Toronto Preservation Board

Meeting No.	12	Contact	Matthew Green, Committee Administrator
Meeting Date	Thursday, December 7, 2023	Phone	416-392-4666
Start Time	9:30 AM	E-mail	hertpb@toronto.ca
Location	Video Conference	Chair	Sandra Shaul

PB12.4	ACTION	Adopted		Ward: 14
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309 Cherry Street - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act

Board Decision

The Toronto Preservation Board recommends that:

1. City Council state its intention to designate the property at 309 Cherry Street under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance; 309 Cherry Street (Reasons for Designation) attached as Attachment 3 to the report (November 16, 2023) from the Senior Manager, Heritage Planning, Urban Design, City Planning:
2. If there are no objections to the designation, City Council authorize the City Solicitor to introduce the Bill in Council designating the property under Part IV, Section 29 of the Ontario Heritage Act.

Decision Advice and Other Information

Emma Doedens, Planner, Urban Design, Heritage Planning, City Planning gave a presentation on 309 Cherry Street - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act.

Origin

(November 16, 2023) Report from the Senior Manager, Heritage Planning, Urban Design, City Planning

Summary

At its meeting on December 7, 2023 the Toronto Preservation Board considered Item [PB12.4](#) and made recommendations to City Council.

Summary from the report (November 16, 2023) from the Senior Manager, Heritage Planning, Urban Design, City Planning:

This report recommends that City Council state its intention to designate the property at 309 Cherry Street under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value according to the Statement of Significance and description of Heritage Attributes found in Attachment 3.

Located in the Port Lands at the southeast corner of Cherry Street and Villiers Street, the subject property at 309 Cherry Street is approximately bounded by Cherry Street to the east, Villiers Streets to the north, and Commissioners Street to the south.

The subject property contains two detached buildings: the first building was constructed in 1920 and the second was constructed in 1941. The first building on the property at 309 Cherry Street is a two-storey institutional building constructed in 1920 as a banking hall and offices for the Bank of Montreal; it was designed by the esteemed architectural firm Darling & Pearson in the Classical Revival style. Toronto Harbour Commissioners leased the property to the Bank of Montreal for a period of 21 years; however, few new industries had moved to the area by 1925 and by 1926 the Bank of Montreal ceased operations at this location.

Separated by a laneway to the south, the second building on the subject property is a two-to-four-storey industrial building constructed in 1941 as an oil storage warehouse for Canadian Oil Companies Ltd (formerly misidentified as the William McGill and Company building). It was designed by the architect N. A. Armstrong and represents a vernacular industrial building with noticeable features of the Art Moderne style. By 1942, the Canadian Oil Companies leased the former Bank of Montreal building for their offices and continued to use both buildings until the mid-1960s when the company was purchased by Shell Canada, a subsidiary of the British oil and gas company Shell.

The former Bank of Montreal building was added to the City's Inventory of Heritage Properties (now, Heritage Register) on August 18, 1976. The former Canadian Oil Companies warehouse was added to the City's Heritage Register on February 11, 2003; however, it was misidentified as the William McGill and Company building.

Staff researched the subject property, and the two buildings were evaluated individually and collectively against the criteria prescribed in Ontario Regulation 9/06. A property may be designated under Part IV, Section 29 of the Ontario Heritage Act, if it meets two or more of the nine criteria.

Staff have determined that the property at 309 Cherry Street meets Ontario Regulation 9/06, the criteria prescribed for municipal designation under Part IV, Section 29 of the Ontario Heritage Act under design / physical, historical / associative, and contextual values, the attributes of which are reflected in the Statement of Significance (Attachment 3).

On March 16, 2023, the City received a consolidated revised Zoning By-law Amendment application for two previously submitted and appealed Zoning By-law Amendment applications (16 271912 STE 30 OZ and 12 131809 STE 30 OZ). The consolidated Zoning By-law application resubmission is related to the proposed redevelopment of the subject property for two building blocks comprised of two towers (39-storeys and 47-storeys) on individual U-shaped, multi-storey (8-11-storey) podiums with residential and commercial uses. The new development will be bound by Cherry Street, Villiers Street, Commissioners Street, and the proposed future Foundry Street (west of and parallel to Munition Street). The application proposes the retention of the three elevations and structural elements of the former Bank of Montreal and adaptive re-use of the former Canadian Oil Companies warehouse in situ for commercial use; however, the precise degree of retention of this structure has yet to be determined and is the subject of further discussions with the applicant. Additionally, on November 15, 2021, the City received a Draft Plan of Subdivision application (21 234718 STE 14 SB) related to the same proposed redevelopment as described above.

City Clerks issued a complete application notice for the Draft Plan of Subdivision application on March 4, 2022. On March 24, 2022, a waiver was provided extending the 90 days time period in which City Council must make a decision regarding Part IV designation in respect to the above noted applications under the Ontario Heritage Act until March 2023 which was further extended to March 31, 2024. In order to meet prescribed timelines under the Ontario Heritage Act, Council must make a decision at its March 20, 2024 meeting to provide sufficient time for the City Clerk to issue a notice of intention to designate before the waiver expires.

The Prescribed Event occurred on this property before January 1, 2023, therefore, Section 29(1.2) 1 of the Ontario Heritage Act does not apply to require the property be included in the City's Heritage register prior to Council stating the notice of intention to designate on this property.

Designation enables City Council to review proposed alterations or demolitions to the property and enforce heritage property standards and maintenance.

Background Information

(November 16, 2023) Report and Attachments 1 - 3 from the Senior Manager, Heritage Planning, Urban Design, City Planning on 309 Cherry Street - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act
(<https://www.toronto.ca/legdocs/mmis/2023/pb/bgrd/backgroundfile-241180.pdf>)
Staff Presentation on 309 Cherry Street - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act
(<https://www.toronto.ca/legdocs/mmis/2023/pb/bgrd/backgroundfile-241337.pdf>)

Motions

Motion to Adopt Item moved by Barbara McPhail (Carried)