



Decision Letter

Toronto Preservation Board

Meeting No. 13

Contact Matthew Green, Committee
Administrator

Meeting Date Thursday, January 18, 2024

Phone 416-392-4666

Start Time 9:30 AM

E-mail hertpb@toronto.ca

Location Video Conference

PB13.4	ACTION	Adopted		Ward: 13
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127 (121-123) Church Street and 89 Queen Street East - Alterations to Heritage Properties and 119 Church Street - Removal of a Heritage Building; Authority to Enter into a Heritage Easement Agreement

Board Decision

The Toronto Preservation Board recommends that:

1. City Council approve the alterations to the heritage properties at 127 (121 and 123 Church Street) and 89 Queen Street East, in accordance with Section 33 of the Ontario Heritage Act, and the removal and partial reassembly of the building at 119 Church in accordance with Section 34 of the Ontario Heritage Act, to allow for the construction of a 59-storey plus mechanical penthouse mixed-use building, with such alterations substantially in accordance with the plans and drawings dated November 10, 2023, prepared by Arcadis and on file with the Senior Manager, Heritage Planning and the Heritage Impact Assessment prepared by GBCA Architects, dated November 10, and on file with the Senior Manager, Heritage Planning, all subject to and in accordance with the Conservation Plan satisfactory to the Senior Manager, Heritage Planning and subject to the following additional conditions:

a. That the related site-specific Zoning By-law Amendment permitting the proposed alterations has been enacted by City Council and has come into full force and effect in a form and with content acceptable to City Council, as determined by the Chief Planner and Executive Director, City Planning, in consultation with the Senior Manager, Heritage Planning.

b. That prior to the introduction of the bills for such Zoning By-law Amendment by City Council, the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the properties at 119 and 127 (121-123) Church Street and 89 Queen Street East substantially in accordance with the plans and drawings dated November 10, 2023, prepared by Arcadis and on file with the Senior Manager, Heritage Planning, the Heritage Impact Assessment prepared by GBCA Architects, dated November 10, 2023, subject to and in accordance with the Conservation Plan required in Recommendation 1.b.2, to the satisfaction of the Senior Manager, Heritage Planning including execution of such agreement to the satisfaction of the City Solicitor.

2. Provide a detailed Conservation Plan that includes an appropriate strategy for all ground level storefronts and a Reconstruction Strategy for the building at 119 Church Street, to be prepared by a qualified heritage consultant that is substantially in accordance with the conservation strategy set out in the Heritage Impact Assessment for the properties at 127 (121-123) Church Street and 89 Queen Street East prepared by GBCA Architects, dated November 10, 2023, to the satisfaction of the Senior Manager, Heritage Planning.

c. That prior to Site Plan approval for the proposed Zoning By-law Amendment for the properties located at 119 and 127 (121-123) Church Street and 89 Queen Street East, the subject owner shall:

1. Provide final Site Plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 1.b.2 to the satisfaction of the Senior Manager, Heritage Planning.

2. Provide a Heritage Lighting Plan that describes how the exterior of the heritage properties will be sensitively illuminated to enhance its heritage character to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning.

3. Provide an Interpretation Plan for the subject properties, to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning.

4. Submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Planning.

d. That prior to the issuance of any permit for all or any part of the properties at 119 and 127 (121-123) Church Street and 89 Queen Street East, including a heritage permit or a building permit, but excluding permits for repairs and maintenance and usual and minor works for the existing heritage building as are acceptable to the Senior Manager, Heritage Planning the owner shall:

1. Have entered into a Heritage Easement Agreement with the City required in Recommendation 1.b.1.

2. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 1.b.2, including a description of materials and finishes, to be prepared by the project architect and a qualified heritage consultant to the satisfaction of the Senior Manager, Heritage Planning.

3. Provide a Letter of Credit, including provision for upward indexing, in a form and amount and from a bank satisfactory to the Senior Manager, Heritage Planning to secure all work included in the approved Conservation Plan, Heritage Lighting Plan and Interpretation Plan.

4. Provide full documentation of the existing building at 125-127 Church Street, including two (2) printed sets of archival quality 8" x 10" colour photographs with borders in a glossy or semi-gloss finish and one (1) digital set on a USB flash drive in tiff format and 600 dpi resolution keyed to a location map, elevations and measured drawings, and copies of all existing interior floor plans and original drawings as may be available, to the satisfaction of the Senior Manager, Heritage Planning.

e. That prior to the release of the Letter of Credit required in Recommendation 1.d.3, the owner shall:

1. Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work and the required interpretive work has been completed in accordance with the Conservation Plan, Heritage Lighting Plan and Interpretation Plan and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Planning.

2. Provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Planning.

2. City Council authorize the entering into of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of the properties at 119 and 127 (121-123) Church Street and 89 Queen Street East in a form and content satisfactory to the City Solicitor and the Chief Planner and Executive Director, City Planning.

3. City Council authorize the City Solicitor to introduce the necessary Bill in Council authorizing the entering into of a Heritage Easement Agreement for the properties at 119 and 127 (121-123) Church Street and 89 Queen Street East.

Origin

(December 22, 2023) Report from the Senior Manager, Heritage Planning, Urban Design, City Planning

Summary

At its meeting on January 18, 2024 the Toronto Preservation Board considered Item [PB13.4](#) and made recommendations to City Council.

Summary from the report (December 22, 2023) from the Senior Manager, Heritage Planning, Urban Design, City Planning:

This report recommends that City Council approve the alterations proposed for the heritage properties at 127 (121-123) Church Street and 89 Queen Street East under Section 33 of the Ontario Heritage Act and approve the full removal and partial reconstruction of the building on the property at 119 Church Street under Section 34 of the Ontario Heritage Act, in connection with the development of the subject site.

On December 13, 14 and 15, 2023 City Council adopted the staff report recommending designation of the subject properties under Part IV of the Ontario Heritage Act. All of the subject properties were designated for their design and contextual value, with 119 and 123 Church Street and 89 Queen Street East also having historical or associative value.

The property at 127 Church Street includes two buildings with entrance addresses of 121-123 Church Street, both of which are representative examples of the late-Victorian style and surviving examples of the fine-grained commercial building typology that emerged along Church Street during the late 19th century. The property at 119 Church Street contains a building with design and physical value as a representative example of an early-Twentieth century commercial / factory type building with Edwardian Classicist detailing. The property at 89 Queen Street East is a surviving example of an early purpose-built apartment building type constructed in the initial period of their development in the city and is one of the first mixed-use commercial and apartment building typologies.

The development application proposes a 59-storey plus mechanical penthouse mixed-use building with retail at grade and residential units above. The front facades of the heritage buildings at 89 Queen Street East and 121-123 Church Street are proposed to be retained in situ while the front façade of the heritage building at 119 Church Street will be panelized and reassembled in its original location and configuration.

Staff are of the opinion that the proposed alterations conserve the heritage properties at 127 (121 and 123) Church Street and 89 Queen Street East and are consistent with the existing policy framework. While the building at 119 Church Street will not be conserved, its primary street-facing wall and related attributes will be reassembled in its original location. The heritage impacts of the development proposal are appropriately mitigated through the overall conservation strategy.

Background Information

(December 22, 2023) Report and Attachments 1 to 5 from the Senior Manager, Heritage Planning, Urban Design, City Planning on 127 (121-123) Church Street and 89 Queen Street East - Alterations to Heritage Properties and 119 Church Street - Removal of a Heritage

Building; Authority to Enter into a Heritage Easement Agreement
(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-241976.pdf>)

Motions

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