

Toronto Preservation Board

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

PB16.12	ACTION	Adopted		Ward: 13
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36-42 Maitland Street - Alterations to Heritage Properties, Demolition of Attributes and Authority to Enter into a Heritage Easement Agreement

Board Decision

The Toronto Preservation Board recommends that:

1. City Council approve:

a. The alterations to the heritage properties at 36 and 42 Maitland Street in accordance with Section 33 of the Ontario Heritage Act to allow for the construction of a 56 -storey tower with such alterations substantially in accordance with the plans and drawings dated February 2, 2024, prepared by Turner Fleischer Architects Inc. and the Heritage Impact Assessment dated September 20, 2023, prepared by LHC Heritage Planning & Archaeology Inc., both 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 conditions as set out below.

b. the demolition of the heritage attributes of the existing buildings on the designated heritage properties at 36 and 42 Maitland Street, in accordance with Section 34 of the Ontario Heritage Act in connection with the approval of a 56-storey tower on the subject lands substantially in accordance with the plans and drawings dated February 2, 2024, prepared by Turner Fleischer Architects Inc. and the Heritage Impact Assessment dated September 20, 2023, prepared by LHC Heritage Planning & Archaeology Inc., both 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 conditions as set out below.

2. City Council direct that it consents to the application to alter the designated properties at 36 and 42 Maitland Street under Part IV, Section 33 of the Ontario Heritage Act and to the demolition of attributes on the designated heritage properties at 36 and 42 Maitland Street, under Part IV, Section 34 of the Ontario Heritage Act subject to the following conditions:

a. That the related 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 36 and 42 Maitland Street substantially in accordance with the plans and drawings dated February 2, 2024, prepared by Turner Fleischer Architects Inc. and the Heritage Impact Assessment dated September 20, 2023, prepared by LHC Heritage Planning & Archaeology Inc. subject to and in accordance with the Conservation Plan required in Recommendation 2.b.2 below, 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, prepared by a qualified heritage consultant that is consistent with the conservation strategy set out in the Heritage Impact Assessment dated September 20, 2023, prepared by LHC Heritage Planning & Archaeology Inc, to the satisfaction of the Senior Manager, Heritage Planning.

c. That prior to Site Plan approval for the property at 36-42 Maitland Street, the owner shall:

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

2. Provide a Heritage Lighting Plan that describes how the exterior of the properties located at 36 and 42 Maitland Street will be sensitively illuminated to enhance the 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 properties located at 36 and 42 Maitland Street, to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such 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 36-42 Maitland Street, 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 of the subject property shall:

1. Have entered into a Heritage Easement Agreement with the City required in Recommendation 2.b.1 for the property at 36 and 42 Maitland Street including registration on title of such agreement, to the satisfaction of the City Solicitor.
2. Have provided a detailed Conservation Plan required in Recommendation 2.b.2.
3. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 2.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.
4. Provide a Letter of Credit, including provision for upwards 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 and Interpretation Plan.

e. That prior to the release of the Letter of Credit required in Recommendation 2.d.4 above, 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 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.
3. 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 36-42 Maitland Street in a form and content satisfactory to the City Solicitor and the Chief Planner and Executive Director, City Planning.
4. City Council authorize the City Solicitor to introduce the necessary Bill in City Council authorizing the entering into of a Heritage Easement Agreement for the properties at 36-42 Maitland Street.

Decision Advice and Other Information

Georgia Kuich, Planner, Urban Design, Heritage Planning, City Planning gave a presentation on 36-42 Maitland Street - Alterations to Heritage Properties, Demolition of Attributes and Authority to Enter into a Heritage Easement Agreement.

Origin

(March 11, 2024) Report from the Acting Senior Manager, Heritage Planning, Urban Design, City Planning

Summary

At its meeting on March 28, 2024 the Toronto Preservation Board considered Item [PB16.12](#) and made recommendations to City Council.

Summary from the report (March 11, 2024) from the Acting Senior Manager, Heritage Planning, Urban Design, City Planning:

This report recommends that City Council approve the alterations and demolition proposed for the heritage properties at 36-42 Maitland Street in connection with the development of the site.

The proposal involves the construction of a new 56-storey residential tower with mechanical penthouse and 3 levels of underground parking. The proposal will conserve the primary, south elevations of 36 Maitland Street and 42 Maitland Street in situ, including a return on 36 Maitland Street's east elevation and 42 Maitland's west elevation; and will panelize and reconstruct most of 36 Maitland Street's west elevation and 42 Maitland Street's east elevation.

The proposed alterations conserve the heritage properties and are consistent with the existing policy framework. The heritage impacts of the development proposal are appropriately mitigated through the overall conservation strategy.

Background Information

(March 11, 2024) Report and Attachments 1 - 5 from the Acting Senior Manager, Heritage Planning, Urban Design, City Planning on 36-42 Maitland Street - Alterations to Heritage Properties, Demolition of Attributes and Authority to Enter into a Heritage Easement Agreement

<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-244473.pdf>

Staff Presentation on 36-42 Maitland Street - Alterations to Heritage Properties, Demolition of Attributes and Authority to Enter into a Heritage Easement Agreement

<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-244601.pdf>

Speakers

Chris Uchiyama, HC Heritage Planning and Archaeology Inc.
Paul Farrelly, Church Wellesley Neighbourhood Association

Motions

Motion to Adopt Item moved by Julia Rady (Carried)

Vote (Adopt Item)

Mar-28-2024

Result: Carried	Majority Required
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Yes: 9	Koorosh Attarian, Yeo-Jin (Katerina) Bong, Paul Cordingley, Matthew Gregor, Alex Grenzebach, Geoff Kettel, Mitchell May, Julia Rady (Chair), Wendy Wong
No: 0	
Absent: 3	Robert Allsopp, Parthi Kandavel, Adam Wynne (Interest Declared)

Declared Interests

The following member(s) declared an interest:

Adam Wynne - As he attended pre-application meeting with the developer and the community association.