
Toronto Preservation Board

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| Meeting No. | 19 | Contact | Tanya Spinello, Committee Administrator |
| Meeting Date | Wednesday, June 5, 2024 | Phone | 416-397-4592 |
| Start Time | 9:30 AM | E-mail | hertpb@toronto.ca |
| Location | Video Conference | Chair | Julia Rady |

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| PB19.5 | ACTION | Adopted | | Ward: 14 |
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309 Cherry Street - Alterations to Heritage Attributes on a Designated Heritage Property Under Part IV, Section 33 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement

Board Decision

The Toronto Preservation Board recommends that:

1. City Council consent to the application to alter the designated property at 309 Cherry Street, with conditions, under Part IV, Section 33 of the Ontario Heritage Act to allow for the redevelopment of the designated heritage property being substantially in accordance with the plans and drawings dated May 15, 2024 prepared by SvN Architects + Planners and the Heritage Impact Assessment (HIA) dated May 15, 2024 prepared by ERA Architects, both on file with the Senior Manager, Heritage Planning, Urban Design, City Planning, all subject to and in accordance with the Conservation Plan satisfactory to the Senior Manager, Heritage Planning, Urban Design, City Planning.
2. City Council direct that its consent to the application to alter the designated property at 309 Cherry Street under Part IV, Section 33 of the Ontario Heritage is also subject to the following conditions:
 - a. that the related Zoning By-law Amendment requiring the proposed alterations has come into full force and effect.
 - b. prior to issuance of any Ontario Land Tribunal order in connection with the Zoning By-law Amendment appeal for the property at 309 Cherry Street, the owner shall provide a detailed Conservation Plan, prepared by a qualified heritage consultant that is substantially in accordance with the conservation strategy set out in the Heritage Impact Assessment dated May 15, 2024 prepared by ERA Architects for the property at 309 Cherry Street, to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.
 - c. prior to issuance of any Ontario Land Tribunal order in connection with the Zoning By-law Amendment appeal for the property at 309 Cherry Street, the owner shall enter into a

Heritage Easement Agreement with the City for the property at 309 Cherry Street, substantially in accordance with the plans and drawings dated May 15, 2024 prepared by SvN Architects + Planners and the Heritage Impact Assessment (HIA) dated May 15, 2024 prepared by ERA Architects and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning, subject to and in accordance with the approved Conservation Plan required in Recommendation 2.b above, to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning, including execution and registration of such agreement to the satisfaction of the City Solicitor.

d. prior to the issuance of any permit for all or any part for the property at 309 Cherry 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 buildings as are acceptable to the Senior Manager, Heritage Planning, Urban Design, City Planning, the owner shall:

1. provide a Heritage Lighting Plan that describes how the exterior of the heritage buildings will be sensitively illuminated to enhance their heritage character to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning and thereafter shall implement such a plan to the satisfaction of the Senior Manager Heritage Planning.

2. provide an Interpretation Plan for the subject property, to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning and thereafter shall implement such plan to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

3. submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

4. 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. above, 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, Urban Design, City Planning.

5. 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, Urban Design, City 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.5 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 approved Conservation and Interpretation Plans and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

2. provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, 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 property at 309 Cherry Street.

4. City Council authorize the City Solicitor and City staff to take all necessary actions to implement City Council's decision.

Origin

(May 21, 2024) Report from the Acting Senior Manager, Heritage Planning, Urban Design, City Planning

Summary

At its meeting on June 5, 2024 the Toronto Preservation Board considered Item [PB19.5](#) and made recommendations to City Council.

Summary from the report (May 21, 2024) from the Acting Senior Manager, Heritage Planning, Urban Design, City Planning:

This report recommends that City Council approve the alterations under Section 33 of the Ontario Heritage Act proposed for the heritage property at 309 Cherry Street in connection with the redevelopment of the site. The subject property contains two detached buildings with the same municipal address situated at the northwest corner of the property. The first is a two-storey institutional building constructed in 1920 as a banking hall and offices for the Bank of Montreal while the second is a two-to-four-storey industrial building constructed in 1941 as an oil storage warehouse for Canadian Oil Companies Ltd.

The proposal involves the construction of four new buildings including three towers at 27, 39 and 49 storeys and a ten-storey midrise building. The two heritage buildings on the property are proposed to be fully retained and conserved with limited interventions for accessibility and integration with the new construction.

The proposed alterations conserve the heritage attributes of the properties, and the impact of the new development is sufficiently mitigated to be consistent with the existing policy framework.

Background Information

(May 21, 2024) Report and Attachments 1 - 5 from the Acting Senior Manager, Heritage Planning, Urban Design, City Planning on 309 Cherry Street - Alterations to Heritage Attributes on a Designated Heritage Property Under Part IV, Section 33 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement

<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-246020.pdf>

Staff presentation on 309 Cherry Street - Alterations to Heritage Attributes on a Designated Heritage Property Under Part IV, Section 33 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement

<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-246366.pdf>

Speakers

Emily Collins, ERA

Motions

Motion to Adopt Item moved by Geoff Kettel (Carried)