

Request for Direction Report - 251-255 King Street East, 37 Sherbourne Street and 2 Abbey Lane - Rezoning and Site Plan Approval

City Council Decision

City Council on November 30, December 1, 2, 4 and 7, 2009, adopted the following:

1. City Council authorize the City Solicitor and appropriate City staff to attend the Ontario Municipal Board to oppose the Ontario Municipal Board appeal and referral made by the applicant on the applications for Zoning By-law Amendment Application No. 08 186000 STE 28 OZ and Site Plan Application No. 08 186022 STE 28 SA.
2. City Council endorse a Development Strategy for the lands known municipally as 251-255 King Street East, 37 Sherbourne Street and 2 Abbey Lane, substantially as set out in Attachment 9 – Development Strategy Table, attached to the report dated November 3, 2009, from the Director, Community Planning, Toronto and East York District, as a basis for a settlement at the Ontario Municipal Board, and including the following:
 - a. require the submission of a revised Heritage Impact Statement to address the potential for rehabilitation and retention in-situ of the heritage structure at 251 King Street East;
 - b. request the Manager, Preservation Services to have a peer review of the revised Heritage Impact Statement carried out;
 - c. if, following the peer review of the revised Heritage Impact Statement, the Manager, Preservation Services agrees that rehabilitation and retention in-situ of the heritage structure within a proposed development is not possible then rehabilitation and retention in-situ of the north and west elevations will be required; and
 - d. reduce parking to the minimum number of spaces acceptable to the Manager of Development Engineering and/or provide parking off-site in order to facilitate the retention of the heritage structure at 251 King Street East.
3. City Council authorize entering into and execution of an agreement pursuant to Section 37 of the Planning Act to secure the provision of public benefits and related matters in the event that a settlement is achieved or, should there be no settlement, the Ontario Municipal Board enacts amendments to the Zoning By-law for the City of Toronto providing for such an agreement.

Background Information (Committee)

TE29.12 - Staff Report - 251-255 King Street East - Rezoning and Site Plan
(<http://www.toronto.ca/legdocs/mmis/2009/te/bgrd/backgroundfile-25130.pdf>)

TE29.12 - Staff Report - 251-255 King Street East - Directions Report - Notice of Pending Report
(<http://www.toronto.ca/legdocs/mmis/2009/te/bgrd/backgroundfile-24716.pdf>)

Communications (Committee)

(November 8, 2009) E-mail from Paola Guarnieri (TE.New.TE29.12.1)

(November 7, 2009) E-mail from Ted Mercer (TE.New.TE29.12.2)

(November 10, 2009) Submission from Robert Cishecki, on behalf of Better Planning for All, and forwarding a petition signed by approximately 422 individuals (TE.New.TE29.12.3)

(November 7, 2009) Letter from Brian Cishecki (TE.New.TE29.12.4)

Communications (City Council)

(November 10, 2009) E-mail from Kelly Aija Zemnckis, Writer/Producer, Green with Envy Productions (CC.Main.TE29.12.5)

TE29.13	ACTION	Adopted on Consent		Ward: 28
---------	--------	--------------------	--	----------

Demolition of a Designated Heritage Property – 251 King Street East (The National Hotel)

City Council Decision

City Council on November 30, December 1, 2, 4 and 7, 2009, adopted the following:

1. City Council refuse the demolition of the designated property at 251 King Street East under s.34(1) of the Ontario Heritage Act as proposed in the rezoning application No. 08 186000 STE 28 OZ for the development of lands at 251-255 King Street East and 37 Sherbourne Street, in accordance with plans and drawings prepared by TACT Design Inc., dated July 21, 2008 with final revisions dated May 20, 2009.
2. City Council refuse the request to demolish the property at 251 King Street East in accordance with Section 30(2) and 34(1) of the Ontario Heritage Act, received on October 19, 2009.
3. If the refusal of the demolition permit under the Ontario Heritage Act is appealed to the Ontario Municipal Board, City Council authorize the City Solicitor and City staff to appear before the Ontario Municipal Board in support of City Council's refusal.
4. Should City Council approve the proposed rezoning application No. 08 186000 STE 28 OZ for the development of lands at 251-255 King Street East and 37 Sherbourne Street, including the demolition of the entire heritage structure at 251 King Street East and the reconstruction of the north and west facades, the following conditions be required prior to the submission of the Bill to City Council for enactment:
 - a. the applicant shall retain a consultant archaeologist, licensed by the Ministry of Culture under the provisions of the Ontario Heritage Act (R.S.O 1990 as amended), to carry out a Stage 1 archaeological assessment of the entire development property and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. The assessment is to be completed in accordance with the Final Draft – Standards and Guidelines for Consulting Archaeologists, September 2006, Ministry of Culture;
 - b. should the archaeological assessment process continue beyond a Stage 1 assessment, any recommendations for Stages 2-4 mitigation strategies must be reviewed and approved by

Heritage Preservation Services prior to commencement of the site mitigation;

c. the consultant archaeologist shall submit a copy of the relevant assessment report(s) to the Heritage Preservation Services Unit in both hard copy format and as an Acrobat PDF file on compact disk;

d. no demolition, construction, grading or other soil disturbances shall take place on the subject property prior to the City's Planning Division (Heritage Preservation Services Unit) and the Ministry of Culture (Heritage Operations Unit) confirming in writing that all archaeological licensing and technical review requirements have been satisfied.

5. City Council receive the recommendation of the Toronto Preservation Board contained in the letter dated October 22, 2009 from the Board.

Background Information (Committee)

TE29.13 - Staff Report - Heritage Demolition - 251 King Street East

<http://www.toronto.ca/legdocs/mmis/2009/te/bgrd/backgroundfile-24718.pdf>

Communications (Committee)

(November 7, 2009) E-mail from Paola Guarnieri (TE.New.TE29.13.1)

(November 7, 2009) E-mail from Ted Mercer (TE.New.TE29.13.2)

(November 10, 2009) Submission from Robert Cishecki, on behalf of Better Planning for All, and forwarding a petition signed by approximately 422 individuals (TE.New.TE29.13.3)

(November 7, 2009) Letter from Brian Cishecki (TE.New.TE29.13.4)

Communications (City Council)

(November 10, 2009) E-mail from Kelly Aija Zemnckis, Writer/Producer, Green with Envy Productions (CC.Main.TE29.13.5)

13a 251 King Street East (The National Hotel) - Demolition of a Designated Heritage Property - Supplementary Report

Background Information (Committee)

TE29.13a - Supplementary Staff Report - 251 King Street East

<http://www.toronto.ca/legdocs/mmis/2009/te/bgrd/backgroundfile-24717.pdf>

13b 251 King Street East (The National Hotel) - Demolition of a Designated Heritage Property

Background Information (Committee)

TE29.13b - Letter from the Toronto Preservation Board - 251-255 King Street East - Demolition of Designated Heritage Property

<http://www.toronto.ca/legdocs/mmis/2009/te/bgrd/backgroundfile-24801.pdf>