



STAFF REPORT ACTION REQUIRED

180 University Avenue – Request to Amend Approval to Alter a Building Designated under Part IV of the Ontario Heritage Act, and Authority to Amend a Heritage Easement Agreement.

Date:	June 22, 2007
To:	Toronto Preservation Board Toronto & East York Community Council
From:	Director, Policy and Research, City Planning Division
Wards:	Ward 19 Trinity-Spadina
Reference Number:	

SUMMARY

On May 23, 24, and 25, 2006, City Council approved a report from the City Planning Division recommending approval of a development application for 180 University Avenue and permission to alter a heritage building on the subject property. The development approval included the retention of the heritage building's south and west facades in situ and the integration of the heritage façades and the new building.

Since the approval of the development application in May 2006, the applicant has conducted further engineering analysis on the heritage structure and concluded that retention in situ is not a viable option for conservation of the building. The process required to excavate the foundation of the new building may destabilize the circa 1834 façade and cause further damage or collapse due to vibration and poor masonry and mortar within the structure.

The applicant is requesting an amendment to the approval for the alteration of the heritage building to include permission to dismantle and reconstruct the heritage façade. Staff is disappointed that the condition of the façade and level of vibration associated with the excavation of the foundation for the new building were not available during the initial review of the Heritage Impact Assessment. Staff is willing to support the recommendations of the applicant's heritage consultant, provided that staff is satisfied that all strategies for the preservation of the façade in situ are evaluated and eliminated as viable options for the conservation of the facades.

RECOMMENDATIONS

The City Planning Division recommends

1. The owner be requested to make all reasonable attempts to retain the heritage building in situ, consistent with the approval by City Council at its meeting on May 23, 24, and 25, 2006. However, if the heritage building cannot be retained in situ due to structural reasons, the owner shall, prior to the issuance of any building permit, including a permit for the demolition, excavation, and/or shoring of any structure on the subject property:
 - a. document the as-found condition of the heritage building to the satisfaction of the Manager of Heritage Preservation Services or her designate;
 - b. provide a report on all options for the conservation of the heritage facades in situ and a detailed structural analysis of the effect of the excavation on the heritage building, to the satisfaction of the Manager of Heritage Preservation Services or her designate;
 - c. provide confirmation from the affected utilities that their underground services will be negatively affected by the structural system required for the bracing of the façades in situ;
 - d. provide a dismantling, storage, and reconstruction strategy for the heritage facades to the satisfaction of the Manager of Heritage Preservation Services or her designate;
 - e. provide a letter or credit in a form and amount satisfactory to the Manager of Heritage Preservation Services or her designate for the dismantling, storage, and reconstruction of the heritage façades;
 - f. amend the Heritage Easement Agreement with the City to include the dismantling, storage, and reconstruction strategy for the heritage facades.
2. Authority be granted by City Council to amend the Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of 180 University Avenue (Bishop's Block); using substantially the form of easement agreement prepared in February 1987 by the City Solicitor and on file with the City Clerk, subject to such amendments as may be deemed necessary by the City Solicitor in consultation with the Chief Planner and Executive Director, City Planning Division;
3. The appropriate City Officials be authorized and directed to take necessary action to give effect thereto.

Financial Impact

There are no financial impacts resulting from the adoption of this report.

DECISION HISTORY

Report from the Director, Policy and Research:

<http://www.toronto.ca/legdocs/2006/agendas/committees/te/te060509/it007a.pdf>

Final Report from the Director, Community Planning, Toronto and East York District:

<http://www.toronto.ca/legdocs/2006/agendas/committees/te/te060509/it007.pdf>

ISSUE BACKGROUND

On May 23, 24, 25, 2006, City Council approved reports from the Director, Community Planning, Toronto and East York District, and from the Director, Policy and Research, City Planning Division, entitled “Final Report – Application to Amend the Official Plan and Zoning By-law – 180-188 University Avenue and 192-194 Adelaide Street West; and Alterations to a Building Designated under the Ontario Heritage Act and Heritage Easement Agreement – 180 University Avenue (Ward 20 – Trinity-Spadina.) The Heritage Impact Assessment submitted with the initial application proposed that the south and west facades of the heritage building (Bishop’s Block) be retained in situ and reincorporated into the new building on the site. Since the application was approved, the owner has undertaken engineering studies that now recommend that the heritage facades will not be able to remain intact during the excavation process. The applicant’s heritage consultant is now recommending that the Heritage Impact Assessment be amended to include the dismantling, storage, and reconstruction of the heritage façade.

The Bishop’s Block is currently designated under Part IV of the Ontario Heritage Act (By-law 163-80) and is subject to a Heritage Easement Agreement (Registered as Instrument No. CA137380.)

COMMENTS

Since the approval of the development application in May 2006, the applicant has conducted further engineering analysis on the heritage structure and concluded that retention in situ is not a viable option for conservation of the building. The process required to excavate the foundation of the new building may destabilize the circa 1834 façade and cause further damage or collapse due to vibration and poor masonry and mortar within the structure. The bracing system for the 1910 façade must be located on existing underground utility lines that cannot support the weight of the bracing system for the heritage façade. The heritage consultant is now recommending that the facades be dismantled and reconstructed at a later date.

The applicant has submitted the following reports in support of their position that the heritage façade cannot withstand the excavation of the site:

Report Author:	Date:	Title:	Contents:
Alan Zeegen Associates Ltd. Consulting Engineers	April 30, 2007	Notes from site visit on April 27, 2007	Brief notes and sketches to summarize initial visit to the building on April 27, 2007.
Adjeleian Allen Rubeli Ltd. Consulting Engineers	May 2, 2007	Bishop's Block Heritage Walls	Comments from site meeting on April 27, 2007 to review wall conditions.
Terraprobe Design Ltd.	May 8, 2007	Bishop's Block at 180 University Avenue	Summary of observations and discussions of issues affecting the shoring and excavation work on site.
Alan Zeegen Associates Ltd. Consulting Engineers	May 14, 2007	Bishop's Block – 180 University Avenue	Review of engineering reports.
Terraprobe Design Ltd.	May 28, 2007	Bishop's Block at 180 University Avenue	Comment on support for the 1910 portion of the Bishop's Block.

The reports identify the following conditions that may have a detrimental effect on the façade if retained in situ during the excavation phase of the project:

1. Deformed Shape of the Existing Façade: The south façade structure bulges in the middle and lower third of the structure. The west façade is distorted such that the south west corner has translated to the east. As such, the masonry no longer sits vertically and lateral forces are not appropriately translated to the foundation.
2. Rock Dilation: The excavation involves removal of bedrock known as the Georgian Bay Formation. According to the engineer's report, the Georgian Bay Formation is a rock body known for significant "lock-in" stresses. As such, the removal of bedrock from the site may result in movement of the heritage façade and possible destabilization.
3. Excavation Vibration: The removal of the bedrock requires the use of hydraulic breakers which produce vibration. The 1910 façade may be able to remain stable when exposed to the vibrations, however, the engineer states that the 1834 façade may experience further deterioration as a result of the vibrations.

The engineers conclude that based on the condition of the heritage facades and the proposed construction and excavation techniques, dismantling and reconstructing the façades is the best option for the conservation of the heritage building.

Request of Amendment to Heritage Approval

The applicant is requesting an amendment to the approval for the alteration of the heritage building to include permission to dismantle and reconstruct the heritage façades. Staff is disappointed that the condition of the façades and level of vibration associated with the excavation of the foundation for the new building were not available during the initial review of the Heritage Impact Assessment. Staff is willing to support the recommendations of the applicant's heritage consultant subject to the conditions contained within this report, provided that staff is satisfied that all strategies for the preservation of the façade in situ are evaluated and eliminated as viable options for their conservation.

CONTACT

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SIGNATURE

Barbara Leonhardt
Director, Policy & Research

ATTACHMENTS

Attachment No. 1 – Letter from ERA Architects Inc. dated June 12, 2007