

**1 Front Street East (Sony Centre) - Approval of Alterations to a Heritage Property and Intention to Designate, Part IV, Section 29, Ontario Heritage Act**

<b>Date:</b>	March 31, 2008
<b>To:</b>	Toronto Preservation Board Toronto East York Community Council
<b>From:</b>	Director, Policy and Research, City Planning Division
<b>Wards:</b>	Ward 28 - Toronto Centre-Rosedale
<b>Reference Number:</b>	

**SUMMARY**

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This report recommends that City Council approve the alterations to the heritage property at 1 Front Street East, formerly the Hummingbird Centre, now the Sony Centre for the Performing Arts (“Sony Centre”). This report further recommends the designation of this property under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value.

This report addresses a major revitalization initiative for the Sony Centre necessary to achieve a positive budget following the loss of its major tenants. The proposed development preserves the heritage structure in total and provides the capital funds to support necessary restoration of the exterior of this important heritage building, including the public open space surrounding it. The proposal provides a new cultural facility extending the Sony Centre beyond the performing arts, to ensure its continued vitality as part of the cultural life of the City.

## RECOMMENDATIONS

### The City Planning Division recommends that

1. City Council approve the alterations to the heritage property at 1 Front Street East (The Sony Centre for the Performing Arts), substantially in accordance with the plans and drawings prepared by Studio Daniel Libeskind and Page and Steele Architects, date stamped received by the City Planning Division on March 12, 2007 and on January 11, 2008, and on file with the Manager, Heritage Preservation Services subject to the Board of Directors of the Sony Centre for the Performing Arts and the applicant, Castlepoint Reality Partners Limited:

- (a) prior to final site plan approval;

entering into a Heritage Easement Agreement with the City for the protection and long term maintenance of the heritage property at 1 Front Street East, subject to the approved alternations, to the satisfaction of the Manager, Heritage Preservation Services;

providing a detailed Conservation Plan, prepared by a qualified heritage architect to the satisfaction of the Manager, Heritage Preservation Services that includes: documentation through photographs of the as-found condition of the heritage structure as pertaining to the Reasons for Designation; detailed descriptions /specifications for the proposed heritage conservation work; a detailed landscape plan; an exterior lighting and signage plan; an estimate of costs for the implementation of the Conservation Plan; and the measures to be taken to protect the heritage resource during construction;

- (b) prior to the issuance of any building permit for 1 Front Street East, including a permit for demolition, excavation and /or shoring of the subject property;

providing a Letter of Credit in a form and an amount satisfactory to the Chief Planner and Executive Director, City Planning Division, to secure the work identified in the Conservation Plan;

providing building permit drawings to the satisfaction of the Manager, Heritage Preservation Services; and

- (c) prior to the release of the Letter of Credit;

completing the heritage conservation work, satisfactory to the Manager, Heritage Preservation Services;

2. City Council state its intention to designate the property at 1 Front Street East (The Sony Centre for the Performing Arts), under Part IV, Section 29 of the Ontario Heritage Act;
3. If there are no objections to this designation in accordance with Section 29(6) of the Ontario Heritage Act, the solicitor be authorized to introduce the Bill in Council designating the property under Part IV, Section 29 of the Ontario Heritage Act;
4. If there are objections in accordance with Section 29(7) of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Conservation Review Board; and
5. City Council grant authority for the execution of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the Board of Directors of the Sony Centre for the Performing Arts and Castlepoint Realty Partners Limited, for the property at 1 Front Street East.

### **Financial Impact**

There are no financial implications resulting from the adoption of this report. The public Notice of Intention to Designate will be advertised on the City's web site in accordance with the City of Toronto Act provisions.

### **DECISION HISTORY**

The Toronto Preservation Board at its meeting on Thursday May 15, 2003 received an in-camera briefing on a development proposal for what was then known as, the Hummingbird Centre for the Performing Arts. The Toronto Preservation Board expressed its support, in principle, for the development proposal while setting out a number of conditions (Attachment No.1).

At its meeting on July 22, 23, and 24, 2003 City Council moved that the motion from the Toronto Preservation Board be referred to the Commissioner of Urban Development Services in order that the conditions could be addressed through the regular planning application process. Council approved in principle the development proposal for the Hummingbird Centre, as well as the concept of a funding strategy using land value in lieu of cash as the City's contribution. Among the recommendations adopted by Council, the Board of Directors was requested to prepare a comprehensive Business Plan and the Chief Administrative Officer was directed to report on the Business Plan.

<http://www.toronto.ca/legdocs/2003/agendas/council/cc030722/pof8rpt/cl001.pdf>

A report from the Chief Administrative Officer considered by City Council at its meeting on July 20, 21, and 22, 2004, included Heritage Preservation Services comments to the Hummingbird Centre Business Plan, expressing staff support for the redevelopment proposal subject to review of final plans by the Toronto Preservation Board.

<http://www.toronto.ca/legdocs/2004/agendas/council/cc040720/pof6rpt/cl003.pdf>

At its meeting on September 28, 29, and 30, 2005 City Council considered a report from the Policy and Finance Committee entitled “Proposed Transaction Between the Hummingbird Centre and Castlepoint Development”, and among the recommendations, Council directed that City staff begin the process of heritage designation of the Hummingbird Centre.

<http://www.toronto.ca/legdocs/2005/agendas/council/cc050928/pof8rpt/cl001.pdf>

City Council at its meeting on July 25, 26, and 27, 2006 approved the Business Plan of the Board of Directors of the Hummingbird Centre for its redevelopment, authorized the execution of the Umbrella Agreement and requested the preparation of the necessary plans and reports for the submission of rezoning and site plan applications under the Planning Act.

<http://www.toronto.ca/legdocs/2006/agendas/council/cc060725/pof6rpt/cl059.pdf>

## **ISSUE BACKGROUND**

The Sony Centre for the Performing Arts is owned by the City of Toronto and managed by a Board of Directors that includes City Councillors and citizen appointments. The Sony Centre plays an active role in the cultural life of the City as a venue for the performing arts and as a rental facility for meetings, exhibitions, receptions and displays. The Centre is striving to remain financially self-sufficient by diversifying its revenue sources to the fullest extent possible, with the loss of its two “anchor” tenants, The Canadian Opera Company (COC) and the National Ballet of Canada (NBC).

Plans have been formally submitted by Castlepoint Realty Partners Limited for zoning by-law amendment and site plan approval in accordance with the proposed development of a 57-storey residential building and new cultural component on the property at 1 Front Street East. The development proposal is the result of an extensive City Council competition for private partner proponents supported by an international design team and reflects Option A under the Umbrella Agreement between the City of Toronto, Castlepoint Realty Partners Limited, and the Board of Directors of the Sony Centre for the Performing Arts.

Option A under the Umbrella Agreement provides for the sale of a portion of the City-owned lands on which the Sony Centre is currently located, to Castlepoint Realty Partners Limited, for purpose of the construction of the proposed condominium/hotel tower (private component). Option A also provides for the construction by the City of “CityCentre” (public component), an artistic and cultural centre operated by and forming part of the Sony Centre. Option A is premised on the Sony Centre having raised sufficient funds to construct the public component. The Sony Centre currently has until September 15, 2008 to notify Castlepoint as to whether Option A will proceed.

In the event the Sony Centre has not raised sufficient funds to construct the public component, the Umbrella Agreement contemplates a second option, Option B, in which Castlepoint will construct the additional facility on the Sony Centre lands and receive a long term lease (89 years) of the additional City-owned facility (defined as the commercial component), for commercial and retail uses, with options to the City for the early termination of this lease.

## **COMMENTS**

### **Background**

The property at 1 Front Street East, as shown in Attachment No. 2, contains the building originally known as the O’Keefe Centre for the Performing Arts. On May 28 and 29, 1990 City Council listed the property at 1 Front Street East in the City’s Inventory of Heritage Properties.

The O’Keefe Centre is associated with Toronto’s cultural development after World War II. It opened as the largest theatre in Toronto, in October 1960 after four and half years of construction, and at a cost of twelve million dollars. Funded by the O’Keefe Brewing Company under the direction of financier E. P. Taylor, the building was constructed on land donated by the City of Toronto. The project was originally conceived as a multi-building complex recalling the Rockefeller Centre, but was ultimately scaled back. At 3,200 seats it is Canada’s largest “soft seat” theatre, and the only one capable of accommodating certain large-scale productions.

The building is an important example of Modern styling, constructed to the designs of Earle C. Morgan in association with the Toronto firm of Page and Steele and its chief designer, Peter Dickinson. Constructed from precast and reinforced concrete and steel construction with limestone and granite cladding on the exterior, its most distinguishing feature is a dramatic cantilevered canopy that covers the entrance and welcomes visitors to the theatre (Attachment No.3).

### **Proposal**

The subject property covers the block bordered by Front Street, Yonge Street, The Esplanade and Scott Street. Castlepoint Realty Partners Limited is the selected private proponent for the development project which proposes the construction of a 57-storey residential condominium tower designed by Studio Daniel Libeskind, New York, in association with Page and Steele Architects, Toronto, on the southwest corner of the site. The project also includes the development of “CityCentre”, a diversified cultural venue intended to augment the performing arts elements that have to date defined the site, with multi-disciplinary programming emphasizing an interactive, technology-based experience. The new program components, along with enhanced conference and banquet facilities, are designed to generate sufficient revenues to support continued programming in the mainstage theatre of the Sony Centre.

Revitalization both programmatically and physically of the heritage structure is a primary objective of the proposal.

### **Heritage Comments**

The existing Sony Centre is a landmark building situated at a gateway location within the City. The development proposal acknowledges the importance of this site with a new architectural symbol, the Daniel Libeskind tower. Wrapping itself around the

southwestern portion of the heritage building, it is intended that the old and new building appear as one unified form. However, to maintain the legibility of the heritage structure, it is proposed the tower read as a fluid and translucent form in contrast to the heavy and opaque material nature of the existing building. In addition, the massing of the tower is located on the south end of the site protecting the original views of the heritage building (Attachment No.4)

The new cultural facility will be housed in a podium stretching along the western edge of the site animating the Yonge Street side of the project. The podium extends an armature that wraps the existing fly tower at the southern portion of the site along The Esplanade. The residential entrance will also be located off The Esplanade bringing a much-needed face to the south elevation.

Dunington-Grubb, the designers of the original landscaping of the former O'Keefe Centre were a historically important and renowned practice. The Conservation Strategy, prepared by E.R.A. Architects Inc. for this project, identifies "restoration and maintenance of the heritage landscaping" as an objective of the new development, and specifically identifies restoration of the east garden as a means of implementing this objective. This would include the replacement of plant material, and the repair of the hard landscaping. The new landscaping proposal illustrated in the Conservation Strategy document, produced by Claude Cormier Architectes Paysagistes Inc., pays homage to the original plan. As the proposed development displaces the terraced garden on the west side of the site, what will remain of the original landscape scheme (on the east side of the building), is proposed to be restored. Staff will be requiring a detailed landscape plan to be submitted as part of the Conservation Plan for this project to ensure this objective is achieved. In addition, the Conservation Plan will provide the following: a record of the building in its current state; the means of protecting the heritage building during construction; specifications for the conservation work required; a cost estimate for the implementation of the Conservation Plan; and an exterior lighting and signage plan.

The proposed development retains the heritage building in total, including the canopy over the drop-off area, the auditorium and lobby area and the York Wilson mural. Staff considers this, and the completion of necessary restoration work to the exterior of the building, as important assets of the project. Exterior restoration includes but is not limited to the repair of damaged or cracked limestone panels, of the granite clad retaining walls, and of the steel soffit on the covered walkway.

While the type of use proposed for heritage properties is not legislated under the provisions of the Ontario Heritage Act, staff strongly support the development of the "City Centre" component over the option for commercial /retail use of this facility (Option B) in the Umbrella Agreement.

Staff is recommending that as a condition of approval, the Board of Directors of the Sony Centre for the Performing Arts and Castlepoint Realty Partners Limited enter into a tri-party HEA with the City to ensure the protection and maintenance of the heritage resource now and into the future.

## **Reasons for Designation**

Staff is requiring as a condition of approval, that the property at 1 Front Street East be designated under Part IV of the Ontario Heritage Act. The Reasons for Designation are contained in Attachment No.5.

The property at 1 Front Street East is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value, and meets the criteria for designation prescribed by the Province of Ontario. The heritage attributes of the O'Keefe Centre relate to its design, associative and contextual value as an important example of Modern architecture that is linked to the cultural development of Toronto.

The Reasons for Designation are intended to be posted on the City of Toronto's web site and served on the owner of the property and the Ontario Heritage Trust according to the provisions of the Ontario Heritage Act. The Reasons for Designation include a statement of the cultural heritage value of the property with a description of its heritage attributes.

## **CONTACT**

Mary L. MacDonald  
Acting Manager, Heritage Preservation Services  
Tel: 416-338-1079  
Fax: 416-392-1973  
E-mail: mmacdon7@toronto.ca

## **SIGNATURE**

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Barbara Leonhardt  
Director, Policy and Research  
City Planning Division

## **ATTACHMENTS**

Attachment No.1 – Toronto Preservation Board Motion from its Meeting May 15, 2003  
Attachment No.2 – Location Map  
Attachment No.3 – Photographs  
Attachments Nos.4(a) - 4(f) – Proposed Development  
Attachment No.5 – Reasons for Designation