



**STAFF REPORT
ACTION REQUIRED**

Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act and Authority to Enter in a Heritage Easement Agreement – 89-109 Niagara Street

Date:	December 31, 2014
To:	Toronto Preservation Board Toronto and East York Community Council
From:	Director, Urban Design, City Planning Division
Wards:	Toronto Danforth – Ward 19
Reference Number:	P:\2015\Cluster B\PLN\TEYCC\TE15005

SUMMARY

This report recommends that City Council state its intention to designate the property at 89-109 Niagara Street (the National Casket Company Factories) under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value and grant authority for the City to enter into a Heritage Easement Agreement with the owner under Section 37 of the Ontario Heritage Act. Located at the south-east corner of Niagara and Tecumseth Streets, 89-109 Niagara Street (entrance addresses 89-91, 95-97, 101-107 and 109 Niagara Street) is a three-to-five-storey industrial brick complex constructed between 1883 and 1887. The property is listed on the City's Inventory of Heritage Properties.

Following research and evaluation, staff have determined that the property at 89-109 Niagara Street meets Ontario Regulation 9/06, the provincial criteria prescribed for municipal designation under the Ontario Heritage Act. The designation of the property and the Heritage Easement Agreement would identify the property's heritage values and attributes and enable City Council to control alterations to the site, enforce heritage property standards and maintenance, and refuse demolition.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council state its intention to designate the property at 89-109 Niagara Street (the National Casket Company Factories) under Part IV, Section 29 of the Ontario

Heritage Act in accordance with the Statement of Significance: 89-109 Niagara Street, (Reasons for Designation) attached as Attachment No. 3 to the report (December 31, 2014) from the Director, Urban Design, City Planning Division.

2. If there are no objections to the designation in accordance with Section 29(6) of the Ontario Heritage Act, City Council authorize the City Solicitor to introduce the bill in Council designating the properties under Part IV, Section 29 of the Ontario Heritage Act.
3. If there are objections in accordance with Section 29(7) of the Ontario Heritage Act, City Council direct the City Clerk to refer the designation to the Conservation Review Board.
4. If the designation is referred to the Conservation Review Board, City Council authorize the City Solicitor and appropriate staff to attend any hearing held by the Conservation Review Board in support of Council's decision on the designation of the properties.
5. City Council grant authority for the execution of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of the properties at 89-109 Niagara Street.
6. City Council authorize the City Solicitor to introduce the necessary bills in Council authorizing the entering into of the Heritage Easement Agreement.

Financial Impact

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

DECISION HISTORY

At its meeting of July 19, 20, and 21, 2005 City Council adopted the recommendation of the Toronto and East York Community Council July 5, 2005, Report 6, Clause 13 to include the property at 89-109 Niagara Street (National Casket Company Factories) on the City of Toronto Inventory of Heritage Properties. City Council adopted the Zoning Amendment Application for the property on August 25, 2014.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE33.6>

ISSUE BACKGROUND

The property 89-109 Niagara Street (including entry addresses 89-91, 95-97, 101-107 and 109 Niagara Street) occupies the south-east corner of Niagara and Tecumseth Streets. A zoning amendment application was submitted to permit a mixed use redevelopment of the lands south of the heritage buildings on the property. The zoning amendment application was approved by City Council on August 25, 2014. The new development proposes the

retention and reuse of the existing heritage buildings. Part IV Designation and a Heritage Easement Agreement would assist staff to ensure that the heritage values of the property are conserved and properly maintained through the negotiation of legal mechanisms by which certain commitments can be made by the applicant and conditions secured by the City as part of the zoning by-law amendment.

COMMENTS

A location map (Attachment No. 1) and photographs (Attachment No. 2) are attached. Staff have completed the attached Heritage Property Research and Evaluation Report (Attachment No. 4) and determined that the property at 89-109 Niagara Street (the National Casket Company Factories) meets Ontario Regulation 9/06, the criteria prescribed for municipal designation.

Located at the north-east corner of Niagara and Tecumseth Streets, the property known as the National Casket Company Factories has design, associative and contextual values.

The property is valued for its historical associations with the diverse manufacturing interests, particularly casket making, that have occurred continuously on the property since the arrival of the railways in the 1850s through to the present day. It is also valued for its historical association with the South Niagara neighbourhood, particularly the houses on the south side of Niagara Street from Bathurst to Wellington Streets which were built at the same time between 1883 and 1890 and are all still extant (except for 123,125-133 and 143 Niagara Street) creating a rare consistent late-nineteenth century streetscape.

The design values of the property are evident in the form, structure, materials and details of the buildings which make the complex a fine representative of the Georgian Neo-Classical style as applied to an industrial building type at 89-91 Niagara Street and 95-97 Niagara Street and an Italianate Romanesque Classical style evident at 101-107 and 109 Niagara Street.

Located at the south-east corner of Niagara and Tecumseth Streets, its distinctive character, materials and scale make it a longstanding significant local landmark and an important contributor to the consistent late-nineteenth century character of the South Niagara neighbourhood.

The Reasons for Designation (Statement of Significance), found in Attachment No. 3 are the Public Notice of Intention to Designate and will be advertised on the City of Toronto's web site in accordance with the City of Toronto Act provisions and served on the property owners and on the Ontario Heritage Trust according to the provisions of the Ontario Heritage Act.

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment No. 1 – Location Map
Attachment No. 2 – Photographs
Attachment No. 3 – Reasons for Designation (Statement of Significance)
Attachment No. 4 – Heritage Property Research and Evaluation Report