

5 St. Nicholas Street - Demolition of a Heritage Property Subject to an Intention to Designate under Part IV of the Ontario Heritage Act

Date: February 6, 2020

To: Toronto Preservation Board

Toronto and East York Community Council

From: Senior Manager, Heritage Preservation Services, Urban Design, City Planning

Wards: Ward 13 - Toronto Centre

SUMMARY

This report recommends that City Council withdraw its Intention to Designate under the Ontario Heritage Act for the property located at 5 St. Nicholas Street.

RECOMMENDATIONS

The Senior Manager, Heritage Preservation Services, Urban Design, City Planning recommends that:

1. City Council amend its decision on Item CC10.9, adopted by City Council on October 2, and 3, 2019, by withdrawing the Intention to Designate for the property located at 5 St. Nicholas Street under Part IV, Section 29 of the Ontario Heritage Act.
2. City Council direct the City Clerk to serve a notice of withdrawal of the intention to designate on the owner of 5 St. Nicholas Street and the Trust, and to cause the notice to be posted on the City's website in accordance with Chapter 162 of the Municipal Code.

FINANCIAL IMPACT

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

DECISION HISTORY

On March 26 and 27, 2018, City Council adopted clause TE30.9 and refused a Zoning Amendment Application for the properties at 10-16 Wellesley Street West, 5-7 St. Nicholas Street and 586 Yonge Street. The application was subsequently appealed to the Ontario Municipal Board, now known as the Local Planning Appeals Tribunal (the LPAT).

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.TE30.9>

On October 2 and 3, 2019, City Council adopted Item CC10.9 and in part accepted a settlement offer dated October 3, 2019 from the owners of the development site at 10-16 Wellesley Street West, 5-7 St. Nicholas Street and 586 Yonge Street and directed that the City Solicitor attend before the LPAT in support of the revised proposal subject to conditions described in the settlement offer.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.CC10.9>

BACKGROUND

As part of the application at 10-16 Wellesley Street West, 5-7 St. Nicholas Street and 586 Yonge Street, the owners agreed to conserve all of the heritage properties on the development site. The house-form buildings on Wellesley Street West along with the commercial buildings on St. Nicholas Street were to be incorporated into the new mixed use development. The commercial building at 586 Yonge Street was to be restored and the portion of the property fronting onto Yonge Street was to remain independent of the development. The details of the conservation work were to be secured through a Conservation Plan that would be prepared to the satisfaction of the Senior Manager, Heritage Preservation Services. The owner also agreed to enter into a Heritage Easement Agreement with the City to secure the long-term protection of the properties.

Specifically, the conservation strategy for the property at 5 St. Nicholas Street was that the building's west elevation, along with an approximate two-metre reveal of the south elevation, would be retained in-situ and incorporated into the base of the new building. The retained elevations would then be restored based on physical and historic evidence.

On January 21, 2020, the LPAT held a hearing on the rezoning application appeal (file #PL180340). At the conclusion of the hearing the LPAT issued an oral decision approving the application, but withholding an Order until such time as a number of pre-approval conditions could be finalized. One of these pre-approval conditions was the completion of a conservation plan to the satisfaction of the Senior Manager, Heritage Preservation Services.

The property owner has submitted a Conservation Plan to the City, as required in the LPAT's decision. In preparing the Conservation Plan, the owner's heritage architect undertook a detailed condition assessment of the heritage properties including the removal of existing cladding which led to new information about the condition of the property not previously known to the owner or HPS. The condition assessment determined that the property at 5 St. Nicholas Street is in worse physical condition than was originally anticipated. As a result, through the Conservation Plan, the owner is seeking permission to dismantle and reconstruct this building. Aside from the treatment of the property at 5 St. Nicholas Street the remainder of the development proposal adopted by City Council and conditionally approved by the LPAT remains unchanged.

COMMENTS

Staff have reviewed the Conservation Plan submitted by the owner's heritage architect Goldsmith Borgal and Company Architects Ltd. dated February 4, 2020 and have conducted follow-up site visits to the subject property. Staff agree with the findings of the assessment that the property at 5 St. Nicholas Street is in poor condition and has diminished heritage integrity.

The heritage architect's detailed condition assessment of the subject property included the partial removal of non-contributing stucco and wood paneling to reveal the underlying masonry. The assessment found that nearly forty percent of the masonry on the west elevation is concrete block. Of the historic masonry that remains, many units have been heavily damaged to the point that they will require replacement. This damage is due in part to fasteners for the stucco and wood cladding having been nailed directly into the brick. In addition, the bricks in the parapet are in poor condition and as a result the entire parapet will need to be dismantled and reconstructed.

Given the findings of the condition assessment, the owner is no longer proposing to maintain the building in-situ during the construction of the new development, but instead to dismantle the building and reconstruct it. The strategy outlined in the submitted plan is to first fully document the building, and to then carefully dismantle the west and south elevations. As much sound heritage fabric as possible will be salvaged during the dismantling process. The salvaged material will be palletized and stored, and then the west elevation and a portion of the south elevation will be accurately reconstructed as part of the new development. The reconstruction plan includes a commitment to replicate the brickwork detailing (including the corbelling, rowlock, and parapet). On the second floor the window openings will be reinstated and new compatible windows will be inserted. The final details for the ground floor opening will be substantially in accordance with the LPAT approval, but will be finalized as part of the site plan process and through an addendum to the Conservation Plan.

Through the condition assessment the heritage architect discovered a historic painted sign on the south elevation of the building that had been obscured by over cladding. The sign is associated with the Munro Games Company, a historic user of the property. The owner has proposed to salvage the sign and reinstall it in its existing location on the south elevation. The owner has also proposed to use the ground floor opening at 5 St. Nicholas Street as location for heritage interpretation. Staff will ensure that this sign forms a component of the interpretation plan required as part of the development and that the sign is interpreted in this location.

Dismantling and reconstructing a heritage property is not a conservation strategy within the City's heritage policy framework. In this instance, given the poor condition of the heritage fabric, the amount of heritage fabric that requires replacement, and as a result the greatly diminished heritage integrity of this property, staff are supportive of the proposal to dismantle and accurately reconstruct this building as a commemorative strategy in the context of the overall conservation strategy for the development site. In order for this proposal to proceed, the Notice of Intention to designate must be

withdrawn as the owner is proposing to fully remove the heritage building from the property during the construction process.

Should Council withdraw the Intention to Designate for the subject property staff will secure the reconstruction plan for 5 St. Nicholas Street within the Heritage Easement Agreement already required as a pre-approval condition of the development. The work will be further secured through a letter of credit that the owner will be required to submit prior to the issuance of the first building permit for the development.

CONCLUSION

Heritage Preservation Staff have consulted with Community Planning and Legal and are supportive of the proposal to dismantle and reconstruct the property at 5 St. Nicholas Street in conjunction with a proposed redevelopment of the development site. In order for the owner's proposed dismantle and reconstruction strategy to proceed, the Intention to Designate for the property under the Ontario Heritage Act must be withdrawn. Aside from the treatment of this property the remainder of the settlement offer previously accepted by City Council remains unchanged. Staff will secure the reconstruction work in the Heritage Easement Agreement and through a letter of credit to the satisfaction of the Senior Manager, Heritage Preservation Services.

CONTACT

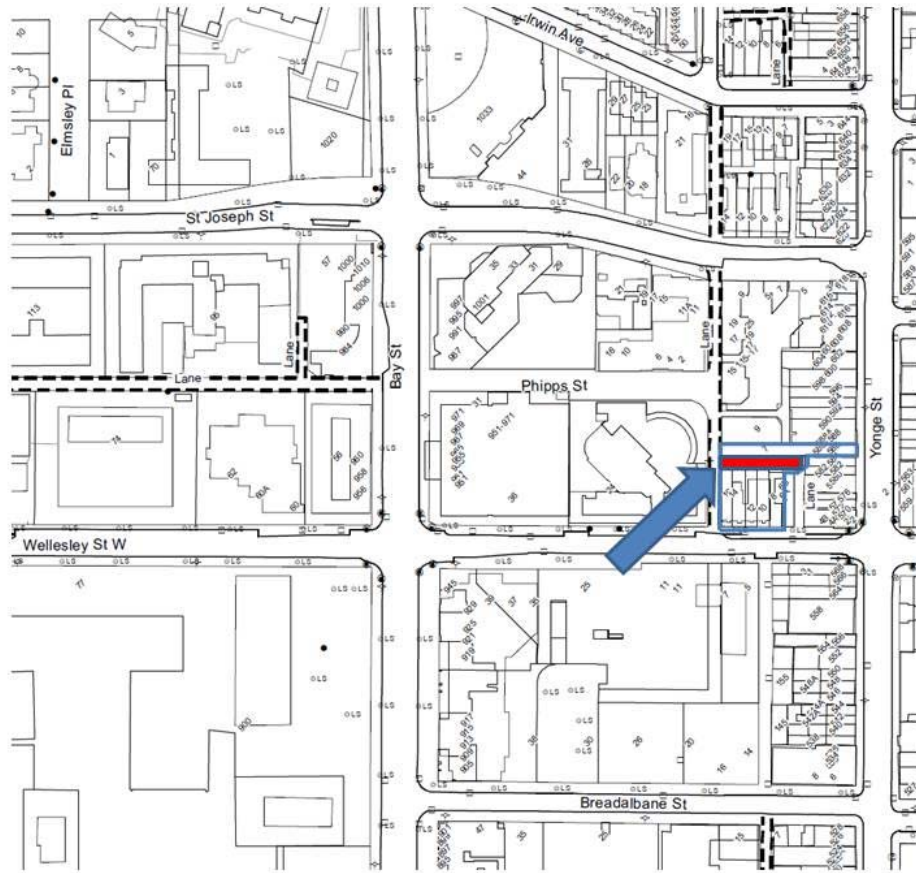
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SIGNATURE

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ATTACHMENTS

Attachment No. 1: - Location Plan - 5 St. Nicholas Street
Attachment No. 2: - Photographs - 5 St. Nicholas Street
Attachment No. 3: - Proposal - 5 St. Nicholas Street
Attachment No. 4: - Statement of Significance - 5 St. Nicholas Street



This location map is for information purposes only and is oriented with north at the top. The exact boundaries of the development site are not shown. The outlined properties are the development site located at 10-16 Wellesley Street West, 5-7 St. Nicholas Street, and 586 Yonge Street. The arrow marks the west boundary of the property located at 5 St. Nicholas Street, as highlighted in red.



5 St. Nicholas Street from the west side of St. Nicholas Street showing the south and west elevations





West elevation of 5 St. Nicholas Street from the west side of St. Nicholas Street



5 St. Nicholas with trims and partial stucco removal. Note the concrete masonry units which infill the lower portion, below the wood beam. Concrete masonry units are also visible between and under the upper storey windows.

Image on the right compares areas that contain concrete masonry units with areas that are of brick construction and will require dismantling and rebuilding due to poor condition.

-  AREAS INFILLED WITH CONCRETE BLOCKS (APPROX. 16 SQ.M. OR 38% OF FACADE)
-  AREAS REQUIRING REBUILDING DUE TO WALL BULGING AND DETERIORATION (TYPICAL THAT PARAPETS REQUIRE REBUILDING) (APPROX. 6 SQ.M. OR 14% OF FACADE)

Findings of the condition assessment of 5 St. Nicholas Street (GBCA Architects)



*Top left:
Close-up of the parapet. The peeling paint reveals cement parging. Removal of this parging will further damage the bricks. Mortar has eroded. Parapets typically require to be dismantled and reconstructed. Note the broken bricks above the window lintel (the lintel is metal).*

*Top right:
Close-up of a window opening. Note the concrete masonry units (on the right side and the bottom portion of the window). Bricks above the window are bulging outwards and some are broken (red arrow). Mortar has eroded heavily.*

*Across right:
Close-up of the wood beam. Note wood planks fastened to the original beam, likely to cover previous damage. The wood beam is in poor condition, with rotted surface.*



Photographs from the condition assessment of 5 St. Nicholas Street (GBCA Architects)



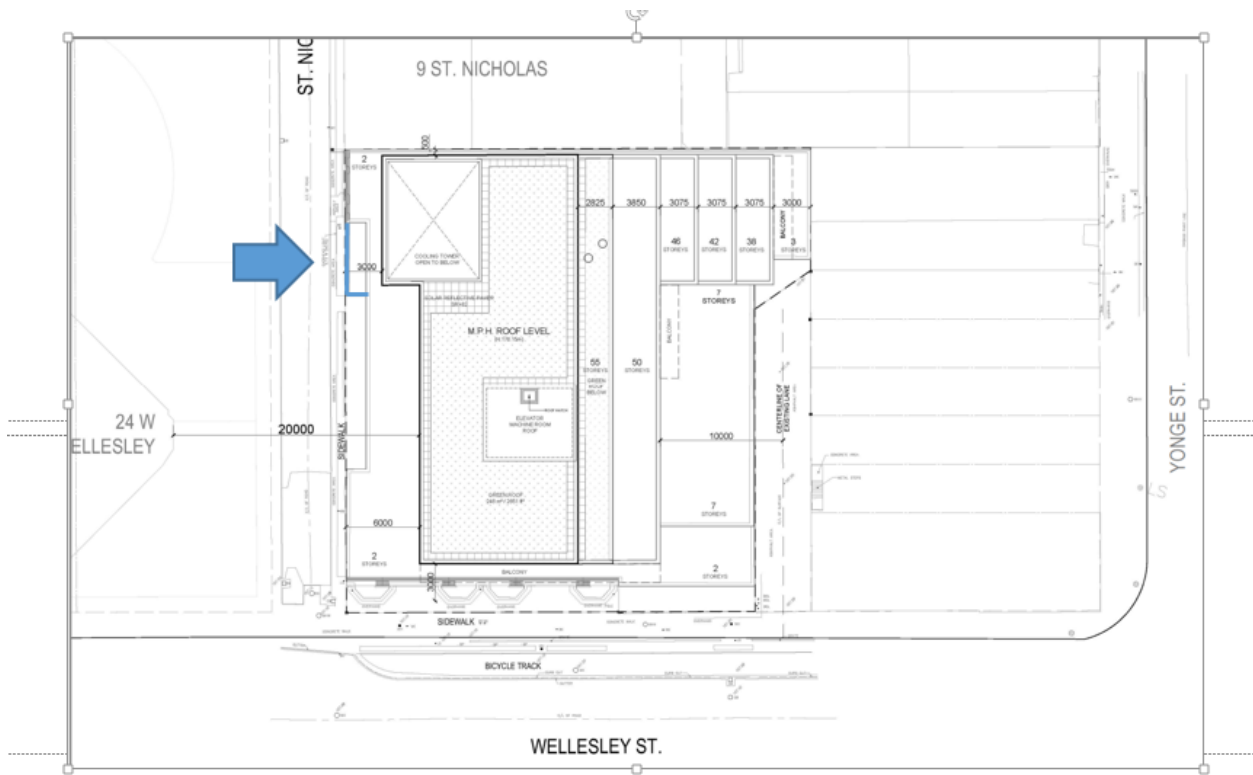
Close-up of corner of building. Note the damaged bricks following the removal of the wood trim. The trim was nailed directly on the bricks, thus damaging the surface.

Photograph showing masonry damage revealed by the removal of over cladding at 5 St. Nicholas Street (GBCA Architects).



Close-up of the top of the south (side) wall showing a portion of the "Munro Games" sign, which was likely applied in the 1950s when the building was occupied by this company. The sign is in good condition, albeit dirty. Bricks are in fair to good condition. The removal of the board which was hiding the sign (the board was itself a subsequent sign) did not appear to damage the bricks.

Photograph of the partially exposed Munro Games sign on the south elevation of 5 St. Nicholas Street (GBCA Architects)



Roof plan of the conditionally approved development at 10-16 Wellesley Street West, 5-7 St. Nicholas Street and 586 Yonge Street. The arrow shows the location of the west and a portion of the south elevation of 5 St. Nicholas Street.



West elevation of the conditionally approved development at 10-16 Wellesley Street West, 5-7 St. Nicholas Street and 586 Yonge Street. 5 St. Nicholas Street is the second building from the left.



Rendering of the conditionally approved development at 10-16 Wellesley Street West, 5-7 St. Nicholas Street and 586 Yonge Street as seen from the south side of Wellesley Street West.



Rendering of the conditionally approved development at 10-16 Wellesley Street West, 5-7 St. Nicholas Street and 586 Yonge Street as seen from the southeast.

STATEMENT OF SIGNIFICANCE 5 ST. NICHOLAS STREET ATTACHMENT 4
(REASONS FOR DESIGNATION)

The property at 5 St. Nicholas Street is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value, and meets Ontario Regulation 9/06, the provincial criteria prescribed for municipal designation under the two categories of associative and contextual value.

Description

Located on the east side of St. Nicholas Street between Wellesley Street West and St. Joseph Street, the property at 5 St. Nicholas Street, contains a two-storey, brick building, initially constructed in 1896 by the Provident Investment and Mortgage Guarantee Co. for stables and storage and subsequently owned and occupied for many years by Joseph and Emma Limon, cabinet-makers. The property has been identified as contributing to the Historic Yonge Heritage Conservation District which was approved for designation under Part V of the Ontario Heritage Act by City Council in 2016 and is currently under appeal.

Statement of Cultural Heritage Value

The property is valued for its historical association with the late 19th century development of the Yonge Street as it emerged as an urban commercial and residential neighbourhood which has been identified within the Historic Yonge Historic Conservation District. The building contributes to an understanding of the history of the development of Yonge Street as businesses as they evolved and expanded over time with laneway buildings and functions supporting the main street businesses. It is also associated with the 1960s urban revitalization of the downtown and adaptive re-use of historic structures.

Located on the east side of St. Nicholas Street, the former 1896 stables and storage building has value as it defines and maintains the historic character of the original laneway which ran behind and parallel to the main street, Yonge Street. Along with the former stables and storage buildings at 7 St. Nicholas Street and the former Rawlinson storage buildings to the north at 9-29 St. Nicholas Street, the two-story stables building at 5 St. Nicholas Street, maintains the historic character of the laneway as it was lined with late 19th and early 20th century warehouses. Along with the 1870s residential row houses at 10-16 Wellesley Street and the 1870s-early 1900s commercial buildings on Yonge Street including 586 Yonge, the former stables and storage building has value as it supports the historic mix of properties that characterized the block bound by Wellesley Street West, Yonge, St. Nicholas and St. Joseph streets and it is historically, functionally, physically and visually linked to its surroundings and contributes to the cultural heritage value of the Historic Yonge HCD.

Heritage Attributes

The heritage attributes of the former stables and storage building at 5 St. Nicholas Street are:

- The placement and orientation of the building on its property on the east side of St. Nicholas Street
- The scale, form and massing of the two storey block
- The materials which include the original brick cladding