

## **1354, 1358, and 1360 Queen Street West – Proposed Designation By-law Under Part IV, Section 29 of the Ontario Heritage Act - Consideration of Objections**

**Date:** September 17, 2021

**To:** Planning and Housing Committee

**From:** Chief Planner and Executive Director, City Planning

**Wards:** Parkdale-High Park - Ward 4

### **SUMMARY**

---

This report recommends that Council affirm its decision of July 14, 15, and 16, 2021 (Item TE26.20) stating its intention to designate the properties at 1354, 1358, and 1360 Queen Street West under Part IV, Section 29 of the Ontario Heritage Act. The City has received an objection to the Notice of Intention to Designate on behalf of the property owner within the statutory timeline.

The properties at 1354 (including active entrances 2, 4 and 6 Brock Avenue and 1356 Queen Street West), 1358, and 1360 Queen Street West are located at the northwest corner of Queen Street West and Brock Avenue.

Staff have reviewed the objections raised by the owner and are of the opinion that despite these objections, the properties meet Ontario Regulation 9/06, the criteria prescribed for municipal designation under Part IV, Section 29 of the Ontario Heritage Act under all three categories of design and physical, historical and associative and contextual values.

As the properties have cultural heritage value or interest and meet the prescribed criteria pursuant to Part IV, Section 29 of the Ontario Heritage Act, staff are of the opinion that these properties should be designated. Designation enables Council to review proposed alterations for the property, enforce heritage property standards and maintenance, and refuse demolition.

In June 2019, the More Homes, More Choice Act, 2019 (Bill 108) received Royal Assent. Schedule 11 of this Act included amendments to the Ontario Heritage Act (OHA), which included amendments to the listing and designation processes. The Bill 108 Amendments to the OHA came into force on July 1, 2021.

City Council has until December 5, 2021, 90 days from the date of the objection, to make a decision on this objection.

## **RECOMMENDATIONS**

---

The Chief Planner and Executive Director, City Planning recommends that:

1. City Council affirm its decision to state its intention to designate the properties at 1354, 1358, and 1360 Queen Street West under Part IV, Section 29 of the Ontario Heritage Act as set out in Council Decision TE26.20 on July 14, 15, and 16, 2021.
2. City Council authorize the City Solicitor to introduce the Bill in Council designating the properties at 1354, 1358, and 1360 Queen Street West under Part IV, Section 29 of the Ontario Heritage Act.

## **FINANCIAL IMPACT**

---

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

## **DECISION HISTORY**

---

The properties at 1354, 1358, and 1360 Queen Street West were initially identified as contributing to the cultural heritage value of the area during the West Queen West Heritage Conservation District Study (HCD) report, which was accepted by the Toronto Preservation Board in June 2017.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PB24.2>

The properties at 1354, 1358, and 1360 Queen Street West were included on the City of Toronto's Heritage Register on December 16, 2020.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.TE21.18>

On February 24, 2021, Toronto East York Community Council directed staff to schedule a virtual community consultation regarding 1358-1360 and 1354-1356 Queen Street West and 8-10, 12 and 14 Brock Avenue Official Plan and Zoning By-law Amendment Applications. The preliminary report provides information and identifies a preliminary set of issues regarding the application for a new nine-storey mixed use building located at 1358-1360 and 1354-1356 Queen Street West and 8-10, 12 and 14 Brock Ave.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.TE23.39>

The property owners appealed their applications under the Planning Act for the subject properties to the Local Planning and Appeals Tribunal (now the Ontario Land Tribunal) on March 5, 2021. On July 14, 15, and 16, 2021, Council directed the City Solicitor, together with City Planning staff and other appropriate staff, to attend the Tribunal hearing to oppose these applications in their current form and to continue discussions

with the applicant in an attempt to resolve the issues set out in the report (May 20, 2021) from the Director, Community Planning, Toronto and East York District.  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.TE26.16>

On July 14, 15, and 16, 2021, Council stated its intention to designate the properties at 1354, 1358, and 1360 Queen Street West under Part IV, Section 29 of the Ontario Heritage Act.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.TE26.20>

## **BACKGROUND**

---

Council has stated its intention to designate the properties at 1354, 1358, and 1360 Queen Street West under Part IV, Section 29 of the Ontario Heritage Act (the Act). Notice of Council's intention to designate was served on the property owners and the Ontario Heritage Trust, and was published in accordance with the Act. The objection period ended on September 7, 2021.

A notice of objection was received by the City Clerk on behalf of the owners of the properties within the required timeframe set out in the Act. The Act requires that Council consider and make a decision on an objection within 90 days from the end of the objection period. Council may decide to withdraw, amend, or affirm its intention to designate. Council has until December 6, 2021 to make a decision on the objection.

## **COMMENTS**

---

Staff have reviewed the notice of objection dated August 20, 2021 and prepared by Aird and Berlis LLP. The notice of objection is included as Attachment 1 to this report. Through this letter the owners outline a number of reasons for their objection. These reasons include concerns relating to the extent of the Reasons for Designation for the property at 1354 Queen Street West, a disagreement as to whether the identified physical attributes of the subject properties are representative of Italianate style, and concerns with respect to the physical condition of the subject properties. The Notice of Objection agrees with Council's determination that there is cultural heritage value on the properties at 1358 and 1360 Queen Street West. The Statement of Significance (Reasons for Designation) adopted by Council is appended to this report as Attachment 2.

Staff have re-examined the Statement of Significance (Reasons for Designation) for the property at 1354 Queen Street West and remain of the opinion that the extent of the Statement of Cultural Heritage Value and the Heritage Attributes appropriately describe the cultural heritage value or interest of this property as it relates to the criteria prescribed by Ontario Regulation 9/06 of the Act. Staff do not recommend revisions to the extent of this statement.

In the opinion of Heritage Planning staff, the physical attributes identified in the Statement of Significance (Reasons for Designation) appended to this report as 1354, 1358, and 1360 Queen Street West – Proposed Designation - Consideration of Objection

Attachment 2 are representative of the Italianate style. This is supported in the Heritage Impact Assessment (HIA) submitted to the City by the property owners in support of their planning application and prepared by ERA Architects Inc. on September 29, 2020 for the properties at 1354, 1358, and 1360 Queen Street West and 8-14 Brock Avenue, where the physical attributes of the subject properties at 1354, 1358, and 1360 Queen Street West are categorized as being representative of the Italianate style on page 23 of the document.

Staff conducted a site visit of the subject properties to confirm they maintain their integrity despite having been incrementally modified over time, this includes the over cladding of the building at 1354 Queen Street West in stucco. Despite the alterations, and over cladding of 1354 Queen Street West, staff remain of the opinion that the surviving Heritage Attributes continue to support the cultural heritage value or interest of the properties at 1354, 1358, and 1360 Queen Street West.

Should Council affirm its intention to designate, the City Solicitor will introduce a designating by-law to Council under Section 29 of the Act. Once Council has passed a designating by-law, notice has been provided, and the by-law has been published in accordance with the Act, an appeal may be made to the Ontario Land Tribunal in accordance with the Act. The Ontario Land Tribunal Decision is binding.

## **CONCLUSION**

---

The properties at 1354, 1358, and 1360 Queen Street West meet Ontario Regulation 9/06, the criteria prescribed for municipal designation under Part IV, Section 29 of the Ontario Heritage Act under all three categories of design and physical, historical and associative and contextual values. As such, despite the notice of objection, the properties should be designated.

## **CONTACT**

---

Mary L. MacDonald, MA, CAHP  
Senior Manager, Heritage Planning  
Urban Design, City Planning  
Tel: 416-338-1079; fax: 416-392-1973  
E-mail: Mary.MacDonald@toronto.ca

## **SIGNATURE**

---

Gregg Lintern, MCIP, RPP  
Chief Planner and Executive Director  
City Planning

## **ATTACHMENTS**

---

Attachment 1 – Letter of Objection – 1354, 1358, and 1360 Queen Street West

Attachment 2 – Statement of Significance – 1354, 1358, and 1360 Queen Street West

**STATEMENT OF SIGNIFICANCE** **ATTACHMENT 2**  
**1354, 1358, AND 1360 QUEEN STREET WEST (J. C. MUSSEN BLOCK)**  
**(REASONS FOR DESIGNATION)**

The properties at 1354 (including active entrances 2, 4 and 6 Brock Avenue and 1356 Queen Street West), 1358, and 1360 Queen Street West are worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for their cultural heritage value, and meet Ontario Regulation 9/06, the provincial criteria prescribed for municipal designation under the criteria of design and physical, historical and associative, and contextual values.

**Description**

The properties at 1354 (including active entrances 2, 4 and 6 Brock Avenue and 1356 Queen Street West), 1358, and 1360 Queen Street West are located at the northwest corner of Queen Street West and Brock Avenue. They are situated in the location of the historic Village of Parkdale (1878), which later became the Town of Parkdale in 1885 until it was annexed by the City of Toronto in 1889. The properties are located in the Parkdale Main Street.

1354 Queen Street West is comprised of a three-storey brick and stone, rectangular-form building at the northwest corner of Queen Street West and Brock Avenue. The property was constructed in c.1881 by J. C. Mussen as part of a business block that he erected west of the toll-gate at present-day Brock Avenue. The original occupant of this property was likely John Wanless & Son, a hardware store. To the west of this property are 1358 and 1360 Queen Street West, which contain two, two-storey rectangular-form buildings and were also likely constructed as part of the J. C. Mussen Block in c.1881. It is not clear who the original occupants were of 1358 and 1360 Queen Street West. The properties were included on the City's Heritage Register on December 16, 2020. The properties are located in the Parkdale Main Street Heritage Conservation District study area.

**Statement of Cultural Heritage Value**

**Design and Physical Value**

The properties at 1354, 1358, and 1360 Queen Street West are valued as representative examples of the Italianate style, which was popularized in Ontario during the mid-nineteenth century and was frequently applied to commercial buildings. The Italianate architectural style is characterized by the stylization and exaggeration of select features, often times with motifs being repeated several times across buildings. Elements of the style are evident at 1354 Queen Street West in the flat-headed window openings with stone sills at the second-storey of the principal (south) and side (east) elevations and in the semi-circular window openings with cast-stone sills in the third-storey of the same elevations. The style can further be seen in the segment of horizontal banding, which continues from the principal (south) elevation into the side (east) elevation and separates the second- and third-storey windows. The third-storey windows in the principal (south) elevation contain additional ornamentation, each surmounted by a semi-circular drip mould that is interrupted by a fluted corbel and sits

atop a pilaster on either side. Also flanking each third-storey window is an extra level of detail in the form of punched foliage square panels. Above the third-storey windows in the principal (south) elevation is continuous dentil moulding, with an ornamental corbel at the termination of the side (west) elevation, and a cornice, which is set below continuous squared-off corbels. The dentil moulding and cornice are continued in the side (east) elevation, and the third-storey windows are set below a continuous horizontal banding that forms drip moulds above each window. In the rear (north) elevation below the roof are stepped corbels that connect to the dentil moulding.

The Italianate style can be seen in the properties at 1358 and 1360 Queen Street West in the masonry, which contains polychromatic red and yellow brick at the second-storey. At the second-storey is a continuous polychromatic brick banding in a soldier course pattern, which alternates between red and yellow brick and includes yellow brick laid horizontally on either side of the soldier course. Above the second-storey windows are yellow brick segmental-arches with red brick keystones above each window. Also evident of the Italianate style is the repetition of the segmental-arched windows, which appear in an alternating 1x2 pattern in the second-storey. Similar to the neighbouring property at 1360 Queen Street West, the windows contain stone sills, with the addition of two, stepped corbels at the base of each sill. These corbels mimic those that run along the roofline in red brick at 1360 Queen Street West. The corbels that appear below the cornice at 1358 Queen Street West are carved and smaller in scale.

#### Historical or Associative Value

The properties at 1354, 1358, and 1360 Queen Street West are valued for their association with J. C. Mussen, a prominent businessman in Parkdale who was engaged in real estate and the insurance business. He was responsible for building several houses in Parkdale and he erected this business block, which became known as the J. C. Mussen Block, in the early-1880s.

The properties at 1354, 1356, and 1360 Queen Street West are valued for their association with Sheldon and Beverly Fainer, who owned and operated their fabric, trim, and hardware business, Designer Fabrics (originally Central Bargain House), at this location for 64-years. Two prominent members of the Parkdale community, the Fainers' business became a staple in Parkdale, and they even received recognition from Her Majesty the Queen, who presented Sheldon Fainer with a Golden Jubilee Medal in 2002. The Fainers' consolidated the storefronts at 1358 and 1360 Queen Street West in 1968 to create a single entrance to the properties, and in c.2007, they expanded into the property at 1354 Queen Street West.

#### Contextual Value

The properties at 1354, 1358, and 1360 Queen Street West are important in defining, maintaining, and supporting the character of the historic Village of Parkdale. The relationship of the properties to their setting is demonstrated by the placement, setback and orientation of the properties at the northwest corner of Queen Street West and Brock Avenue. In this location, the properties act as a gateway to that intersection in an area that was historically a working-class neighbourhood where merchants, professionals, company owners, and railway and factory workers lived and worked.

The properties at 1354, 1358, and 1360 Queen Street West are physically, functionally, visually and historically linked to their surroundings, where they anchor the northwest corner of Queen Street West and Brock Avenue. Despite 1354 Queen Street West being comprised of a different scale and massing than the neighbouring properties at 1358 and 1360 Queen Street West, they are nonetheless linked as they were simultaneously designed by J. C. Mussen. He designed all three properties in the same architectural style and in the same Main Street Commercial Block typology in order to complement one another. The properties at 1354, 1358, and 1360 Queen Street West are linked to the neighbouring properties on the north side of Queen Street West from O'Hara Avenue to Brock Avenue, where together, they establish the consistent main street character of predominantly Italianate-styled two- and three-storey buildings that are listed on the City of Toronto's Heritage Register. They are also linked to the heritage properties east of Brock Street on the north side of Queen Street West, and those on the south side of the street across from the subject properties between Dunn and Cowan Avenues

## **Heritage Attributes**

### **Design or Physical Value**

Attributes that contribute to the value of the properties at 1354, 1358, and 1360 Queen Street West being representative examples of the Italianate style:

#### **1354 Queen Street West (corner building)**

- the flat-headed window openings with cast-stone sills at the second-storey of the principal (south) and side (east) elevations
- the semi-circular window openings with cast-stone sills in the third-storey of the principal (south) and side (east) elevations
- the segment of horizontal banding, which separates the second- and third-storey windows and continues into the side (east) elevation
- the semi-circular drip mould that is interrupted by a fluted corbel and sits atop a pilaster on either side that surmounts each window at the third-storey in the principal (south) elevation
- the punched foliage square panels flanking each third-storey window
- the continuous cornice and the dentil moulding below it in the principal (south) and side (east) elevation
- the ornamental corbel at the termination of the side (west) elevation at the third-storey of the principal (south) elevation
- the continuous squared-off corbels in the parapet of the principal (south) elevation
- the continuous horizontal banding that forms drip moulds above each window at the third-storey of the side (east) elevation
- the stepped corbels that connect to the dentil moulding in the rear (north) elevation



1358 Queen Street West (eastern one-bay) and 1360 Queen Street West (eastern three-bays)

- the masonry, which contains polychromatic red and yellow brick at the second-storey
- the segmental-arched windows and cast-stone sills, which appear in an alternating 1x2 pattern at the second-storey
- the two, stepped corbels at the base of each window sill at the second-storey
- the continuous polychromatic brick banding in a soldier course pattern, which alternates between red and yellow brick and includes yellow brick laid horizontally on either side of the soldier course at the second-storey
- the yellow brick segmental-arches with red brick keystones above each window at the second-storey
- the brick stepped corbels running along the roofline at 1360 Queen Street West
- the carved corbels running below the cornice at 1358 Queen Street West
- the chimney at the south end of the side (west) elevation

#### Historical or Associative Value

Attributes that contribute to the value of the properties at 1358 and 1360 Queen Street West being valued for their association with Sheldon and Beverly Fainer and Designer Fabrics:

- the first-storey recessed entrance in the second bay of 1360 Queen Street West, which was added by the Fainers when they consolidated the storefronts at 1358 and 1360 Queen Street West

#### Contextual Value

Attributes that contribute to the value of the properties at 1354, 1358, and 1360 Queen Street West as being important in defining, maintaining, and supporting the character of the historic Village of Parkdale and being physically, functionally, visually and historically linked to their surroundings:

- the recessed, first-storey corner entrance at 1354 Queen Street West
- the flat roof, three-storey scale, rectangular form, and massing of the property at 1354 Queen Street West, which responds to its location at the northwest corner of Queen Street West and Brock Avenue
- the flat roof, two-storey scale, rectangular form, and massing of the properties at 1358 and 1360 Queen Street West, which were strategically designed to respond to the architectural style and building typology of the property at 1354 Queen Street West
- the placement, setback and orientation of the properties at the northwest corner of Queen Street West and Brock Avenue, which demonstrates the relationship to their setting

Note: the rear one-storey addition at 1354 Queen Street West is not a heritage attribute.