

Residential Demolition Application - 294, 296-298 Sherbourne Street (Downtown)

The Toronto Community Council submits this matter to Council without recommendation.

The Toronto Community Council reports, for the information of Council, having requested the Commissioner of Urban Development Services and the Commissioner of Economic Development, Culture and Tourism (Heritage Preservation Services) to continue to work with the developer to ensure that a demolition permit can be issued and a Committee of Adjustment application for the site can be approved.

The Toronto Community Council submits the following report (September 13, 2000) from the Commissioner Economic Development, Culture and Tourism:

Purpose:

This report seeks a Council position on the proposed demolition of 294, 296 and 298 Sherbourne Street, which are listed heritage properties.

Financial Implications and Impact Statement:

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

Recommendation:

It is recommended that:

- (1) City Council refuse the demolition application for the building at 294, 296, and 298 Sherbourne Street.
- (2) City Council state its intention to designate the 294, 296 and 298 Sherbourne Street under Part IV of the Ontario Heritage Act.
- (3) the appropriate officials be authorized to take whatever action is necessary to give effect hereto.

Background:

The buildings located at 294, 296 and 298 Sherbourne Street were listed on the City of Toronto Inventory of Heritage Properties on June 15 and 16, 1992.

On October 14, 1999, the Department of Urban Planning and Development Services advised the former Heritage Toronto that the owner of the properties at 294, 296 and 298 Sherbourne Street applied for Residential Demolition Permits. The houses are vacant. At that time, the intent was simply to clear the site with no development proposal for the site. The former Heritage Toronto requested that UPDS defer the issuance of the permits while alternatives to demolition were

explored. The UPDS prepared a report for the December 2, 1999, Toronto Community Council meeting recommending refusal of the application. This report was deferred at the request of the owner.

At its November 10, 1999, meeting, the former Heritage Toronto, deferred *sine die* a staff report to designate the properties at 294 Sherbourne Street and 296-298 Sherbourne Street under Part IV of the Ontario Heritage Act.

Heritage Preservation Services was advised that a Committee of Adjustment application dated August 11, 2000, has been made for variances to the Zoning By-law to construct a residential apartment building containing 24 units, connected by an underground parking lot. The building will consist of two components, the western building will be four storeys in height and the eastern building will be three storeys. The application implies the demolition of the buildings at 294, 296 and 298 Sherbourne Street.

In a letter dated August 14, 2000, Kim Kovar, Aird & Berlis Barristers and Solicitors, on behalf of the owner of the properties, advised Councillor Kyle Rae that the Demolition Permit Application of October 1999 would be reactivated and brought forward to the October 3, 2000, City Council meeting.

Comments:

The owner of the properties at 294, 296 and 298 Sherbourne Street requested a deferral from the December 2, 1999 Toronto Community Council meeting regarding the Residential Demolition Application. Staff indicated in report that there was no specific proposal to construct a replacement building at that time and recommended refusal of the request. The deferral was requested in order to allow the owner to settle its development plans for the site. The owner has now completed that process and applied to the Committee of Adjustment for variances to the Zoning By-law to permit a residential building containing 24 units. The plans imply demolition of the existing houses. This item will be heard at the September 20, 2000, meeting of the Committee of Adjustment.

In November 1999, the former Heritage Toronto deferred consideration of the staff report recommending designation of the properties under the *Ontario Heritage Act*, to allow time for the owner to discuss with staff development plans for the site. Staff has had no further discussions with the owner regarding the site or to incorporate the existing buildings into the development proposal.

In order to provide an opportunity to review and discuss the proposed development of the site with the owner of the properties, it is recommended that City Council state its intention to designate the properties under the Part IV of the *Ontario Heritage Act*, and to refuse the residential demolition application. Under Section 20 of the *Ontario Heritage Act*, when an intention to pass a by-law to designate the property is served, applications to permit alterations or demolition are void.

Short Statement of Reasons for Designation, intended for publication, are outlined below. Heritage Property Reports (Long Statements of Reasons for Designation), including visuals, are available for viewing from the City Clerk. Both the Long and Short Statements constitute the Reasons for Designation and will be included in the designation by-laws.

Reasons for Designation (Short)

The property at 294 Sherbourne Street is recommended for designation for architectural reasons. The house was completed in 1878 and first occupied by John H. Thom, a barrister.

The John H. Thom House is designed in the Gothic Revival style. Constructed of brick with brick, stone and wood detailing, the 2½-storey structure features an ell-shaped plan. A cross-gable roof with a brick chimney covers the building. The east gable is filled with carved bargeboard, brackets and a king post. The entrance is placed in the right (north) bay of the lower storey beside a single-storey polygonal bay window with a copper-clad bellcast roof. There are segmental-headed window openings in the second storey and side (north and south) walls, and a round-arched window in the attic level. The window and door openings display stone keystones, brick hood moulds and, on the windows, stone slipsills. The south wall features a 2-storey polygonal wing.

The property at 294 Sherbourne Street is located on the west side of Sherbourne Street, south of Gerrard Street East. The John H. Thom House is indicative of the late 19th century character of Sherbourne Street when it was an exclusive residential neighbourhood in Toronto.

The properties at 296-298 Sherbourne Street are recommended for designation for architectural reasons. In 1873, builder Joseph W. Phillips constructed the semi-detached houses. The following year, John Thomson, a lumber merchant (at #296) and Andrew Woodcock, a shop keeper (at #298) acquired the properties.

The John Thomson and Andrew Woodcock Houses are designed in the Second Empire style. The semi-detached houses share a 2½-storey rectangular plan beneath a mansard roof with brackets, dormers, end chimneys and slate shingles. Constructed of brick, the houses have brick stringcourses and hood moulds, vermiculated stone keystones above the openings, and stone slipsills beneath the windows. The principal (east) façade is organized in three bays, with the entrances centered in the lower storey between single-storey polygonal bay windows with copper-clad bellcast roofs. The upper floor has segmental-headed window openings which are also found on the side (north and south) walls.

The properties are located on the west side of Sherbourne Street, south of Gerrard Street East. The John Thomson and Andrew Woodcock Houses is indicative of the late 19th century character of Sherbourne Street when it was an exclusive residential neighbourhood in Toronto.

Conclusions:

The properties at 294, 296 and 298 Sherbourne Street are recommended for designation so as to provide City staff an opportunity to discuss the development plans and to seek opportunities to

incorporate the existing houses. It is also recommended that City Council refuse the demolition application.

Contact:

Rita Davies
Managing Director of Culture
Tel: 416-397-5323
Fax: 416-395-0278
Email: rdavies@city.toronto.on.ca

The Toronto Community Council also submits the following report (November 16, 1999) from the Acting Commissioner, Urban Planning and Development Services:

Purpose:

In accordance with former City of Toronto Municipal Code Chapter 146, Article II, Demolition Control, I refer the demolition application for 294, 296, and 298 Sherbourne Street to you to recommend to City Council whether to grant or refuse the application, including conditions, if any, to be attached to the permit.

Financial Implications and Impact Statement:

Not applicable.

Recommendations:

It is recommended that:

City Council refuse the demolition permit at this time.

Comments:

On October 12, 1999, John G. Emig of Priestly Demolition Inc. applied for a permit to demolish the residential buildings at 294, 296 and 298 Sherbourne Street. 294 Sherbourne Street is a detached residential building with four dwelling units. In 1989, there was a fire in the building. It is currently vacant, and all openings have been blocked up. 296 Sherbourne Street is an attached converted residential use building with four dwelling units. The building is currently vacant, and all openings have been blocked up. 298 Sherbourne Street is an attached converted residential use building with three dwelling units. In 1989, there was a fire in the building. It is currently vacant, and all openings have been blocked up.

There is no proposal to construct a replacement building. Mr. Emig submitted an engineering report, dated July 1999 and prepared by Construction Control Incorporated, which indicates that the complete replacement of the roof framing, floor framing and interior bearing walls with extensive repair or replacement of exterior walls is required. It concludes that "it would be

prudent to demolish the buildings and remove the potential for further failures that could result in the occurrence of partial or complete collapse of the building”.

All three buildings are listed by the former Toronto Historical Board on the City’s Inventory of Heritage Properties.

The site was visited on November 8, 1999 by Pam Coburn, Director and Deputy Chief Building Official, South District, and Building Division engineers (Prabhakar Mahant, P. Eng. and Wade Tam, P. Eng.). Both engineers are of the opinion that, as the buildings stand vacant, there is no need to demolish them at the present time. It is recommended that the buildings can be preserved. However, part of the rear north wall of 298 Sherbourne Street and part of the rear south wall of 296 Sherbourne Street are to be repaired as per the Order to Comply issued on October 28, 1999.

In accordance with the former City of Toronto Municipal Code Chapter 146, Article II, Demolition Control, I refer the demolition permit to you because I have received a communication from Heritage Toronto requesting that the demolition permit not be issued.

Contact:

Prabhakar Mahant, P. Eng.
Manager, Plan Review
Telephone: 416 392 7598
Fax: 416 392 0721
E-mail: pmahant@city.toronto.on.ca

The Toronto Community Council reports, for the information of Council, having also had before it during consideration of this matter a communication (August 14, 2000) from Ms. Kim M. Kovar, Aird & Berlis, addressed to Councillor Rae, and a copy thereof is on file in the office of the City Clerk.

Ms. Kim M. Kovar, Aird & Berlis appeared before the Toronto Community Council in connection with the foregoing matter.

(Map and Photograph on file)