

Clause embodied in Report No. 9 of the Toronto East York Community Council, as adopted by the Council of the City of Toronto at its special meeting held on July 30, 31 and August 1, 2002.

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**Alterations to Heritage Property and
Authority to Amend Heritage Easement Agreement -
19R River Street
(Toronto Centre-Rosedale, Ward 28)**

(City Council at its Special Meeting held on July 30, 31 and August 1, 2002, adopted this Clause, without amendment.)

The Toronto East York Community Council recommends the adoption of the following report (June 5, 2002) from the Commissioner of Economic Development, Culture and Tourism:

Purpose:

This report recommends approval of alterations proposed for the Lager Brewery building, located at 19R River Street, conditional on the amending of the Heritage Easement Agreement on this property.

Financial Implications and Impact Statement:

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

Recommendations:

It is recommended:

- (1) That Council approve the alterations shown in Attachment No. 3, Proposed Alterations and Addition, pertaining to the property located at 19R River Street, subject to the following conditions:
 - (a) that the owner agree to the execution of an Amending HEA for the purpose of removing Section 2.2 (Permitted Alterations and Development), Schedule "C" (List of Drawings), and Schedule "D" (Drawings) from the existing HEA;
 - (b) that the Amending HEA be registered on the title of the land, prior to the issuance of any building permits on the site;

- (c) that the new spandrels shown at the second floor, on the south and west elevations in Attachment No. 3, be replaced with masonry to be consistent with the third floor;
 - (d) that the owner provide a record of the as-found condition of the structure, plans, and specifications, prior to the issuance of any building permits, that meet with the satisfaction of the Manager of Heritage Preservation Services;
 - (e) that the owner post a Letter of Credit prior to the issuance of any building permits, which is consistent with cost estimates to be provided by the owner for the implementation of the conservation work described by plans and specifications (dated April 22, 2002) as provided by the owner, that meet with the satisfaction of the Manager of Heritage Preservation Services; and
- (2) that the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Background:

The Toronto Preservation Board, at its meeting held on May 30, 2002 endorsed the staff recommendations as noted above.

The Lager Brewery is located on the east side of River Street, north of Queen Street East as shown in the attached Location Plan (Attachment No. 1). It is known historically as the Lager Brewery of the former Don Brewery and is depicted in the attached photographs (Attachment No. 2). The Brewery was constructed in 1876-77, in accordance with the designs of the Toronto architectural firm of Smith and Gemmell. Its historical association with the Davies family further contributes to its heritage significance.

In July 1996, the City adopted an Official Plan Amendment, which allowed live/work units on the property at 21 and 25 River Street. In October 1999, the Committee of Adjustment approved variances that would permit an increase in the number of live/work units from 15 to 21.

In May 2000, an Heritage Easement Agreement was entered into, between the Owner and the City, which was subsequently registered as Instrument No. CA669857, on the title of the land. Section 2.2, Schedule "C", and Schedule "D" of the HEA permit a 21-unit live/work complex without further approvals required by Council.

During the design development stage, the owner determined that a greater number of units would be required to balance the financial investment needed to implement the development proposal.

Since January 2002, staff of Economic Development, Culture and Tourism has had several meetings with the owner, to review significant revisions to the previous development proposal, including the proposed increase in the number of live/work units from 21 to 28. In working with the owner and architect, staff has had the opportunity to re-visit the proposed development and offer alternatives to specific rehabilitation interventions. Alternatives such as the use of French balconies rather than full balconies, and maximizing the use of existing blocked-up window

openings in order to reinstate new windows were among the specific interventions that have been given further consideration by the owner.

In April 2002, the Owner submitted plans to Urban Development Services, which identified additional variances to Site Specific By-law No. 1996-0365. The application was forwarded to the Committee of Adjustment for its consideration, which was subsequently deferred until an amended site plan was submitted and heritage related matters were resolved between the owner, Urban Development Services, and Economic Development, Culture and Tourism. The elevations which formed part of the Committee of Adjustment application are included in this report as Attachment No. 3, Proposed Alterations & Addition.

Comments:

The Lager Brewery is the only structure remaining of the former Don Brewery complex and is among the oldest remaining brewery structures in the City. Staff are supportive of a proposal to rehabilitate the structure and seek to achieve a balance between its rehabilitation, Conservation Standards, and the previously approved development proposal.

The current proposal results in significant intervention to the heritage building, which is created in part by converting a two-storey volume into a three-storey residential structure, thus increasing the need to alter exterior openings. The fourth storey addition also contributes to the impact on the heritage character.

The current proposal requires less intervention than the previously approved development proposal as depicted in the Permitted Alterations and Development (Attachment No. 4). This previously approved approach includes the rehabilitation of the existing two-storey building and the construction of a fourth floor roof-top addition. The roof-top addition also includes a mezzanine, with an overall design reflecting a two-storey gabled-roof structure without a setback. Further, the number, relationship, and variety of existing openings would have been extensively altered by the need for additional windows to serve the increase in density that is being requested by the applicant.

The Proposed Alterations and Addition depicted in Attachment No. 3, are preferable since the proposed roof top addition incorporates an architectural design that offers a lesser degree of competition with the historic architecture and includes a modest setback; it proposes a rehabilitation approach which introduces new elements that are less intrusive to the overall heritage character than the Permitted Alteration and Development; and it attempts to utilize existing door and window opportunities while minimizing the need for extensive alterations and the construction of new openings.

The integrity of the Lager Brewery has been diminished by numerous alterations and its existing condition represents an advanced state of deterioration due to inadequate maintenance and environmental weathering. In considering the foregoing, staff recognize the need to stabilize the building and arrest further deterioration caused by exposure to the elements and have attempted to achieve a balance between increasing the permitted density to make the project viable while minimizing the need to significantly alter the buildings' exterior.

The owner has submitted to staff of Economic Development, Culture and Tourism, plans and specifications (dated April 22, 2002) pertaining to the exterior rehabilitation work. The implementation of the detailed scope of work, which will be assisted by these plans and specifications, will be secured by a Letter of Credit.

Conclusions:

Economic Development, Culture and Tourism staff are supportive of the Proposed Alterations & Addition (Attachment No. 3) subject to the conditions as described in this report.

It is appropriate at this time that City Council approve the proposed alterations to the Lager Brewery, which is protected by a Heritage Easement Agreement, subject to the conditions described in this report.

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(Attachments referred to in the foregoing report were forwarded to all Members of the Toronto East York Community Council with the agenda for its meeting on July 17, 2002, and copies are on file in the office of the City Clerk.)

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