

Clause embodied in Report No. 6 of the Midtown Community Council, as adopted by the Council of the City of Toronto at its meeting held on July 22, 23 and 24, 2003.

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**400 Eglinton Avenue West (Eglinton Theatre)  
Alterations to a Heritage Building and Designation  
Under Part IV of the Ontario Heritage Act  
(Eglinton - Lawrence - Ward 16)**

*(City Council on July 22, 23 and 24, 2003, adopted this Clause, without amendment.)*

**The Midtown Community Council recommends adoption of the following report (June 4, 2003) from the Commissioner of Economic Development, Culture and Tourism:**

Purpose:

To approve alterations to the property at 400 Eglinton Avenue West (Eglinton Theatre) and to recommend that the property be designated under Part IV of the Ontario Heritage Act.

Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that:

- (1) City Council state its intention to designate the property at 400 Eglinton Avenue West (Eglinton Theatre) under Part IV of the *Ontario Heritage Act*;
- (2) the alterations to the Heritage Building substantially as shown in the drawings prepared by Munge/Leung: design associates, date stamped May 22, 2003 by Heritage Preservation Services, be approved subject to the inclusion of following conditions in a Site Plan Undertaking/Agreement:
  - (a) the Owner shall at all times maintain the Heritage Building in as good and as sound a state of repair as a prudent owner would normally do, so that no deterioration in the Heritage Building's condition and appearance shall take place;
  - (b) the Owner shall at all times keep the Heritage Building insured against normal perils that are coverable by fire and extended coverage insurance in an amount equal to the full replacement cost of the Building. The Owner shall deposit with Heritage Preservation Services within three weeks of the execution of this

Agreement, a certificate of insurance in respect of the insurance policy referred to above with limits and in a form acceptable to Heritage Preservation Services. Thereafter evidence satisfactory to the City of the renewal of insurance shall be delivered to the city at least three business days before the termination of the policy;

- (c) the Owner shall not erect or permit the erection on the Heritage Building any signs, awnings, aerials or other objects of a similar nature without the prior written approval of the Manager of Heritage Preservation Services;
  - (d) the Owner safely store on site the existing hanging lights in the auditorium, should the lights not be used in the redevelopment; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

The property at 400 Eglinton Avenue West, located on the north side of Eglinton Avenue, west of Avenue Road, as shown on Attachment No. 1, contains the building known as the Eglinton Theatre which was opened in 1936 according to the designs of the Toronto architects Kaplan and Sprachman. The Eglinton Theatre, as shown in Attachment No. 2, blends features of the Art Deco and Art Moderne styles popularized during the 1930s. The heritage attributes of the building are found on the south exterior walls, which contains a projecting canopy, a sign tower with a tiered pylon spells "EGLINTON" and the flat roofs, and on the interior.

The property was listed by Council in the City's Inventory of Heritage Properties on September 19, 1983. In 1993, the Toronto Historical Board recommended that the property be designated under Part IV of the Ontario Heritage Act. On February 1, 1994, the former City of Toronto Neighbourhoods Committee deferred consideration of the designation sine die because of the owner's objections about designation.

In 1993 the Federal Government designated the property as a National Historical Site because it is a "fine Art Deco suburban cinema". The national designation is for the purposes of "historical commemoration" and does not involve any regulatory responsibility.

In 2002, Famous Players, the long-term tenant of the theatre, ceased use of the facility and in 2003 it removed tenant improvements such as the theatre seats.

Comments:

Department staff recommend that the property at 400 Eglinton Avenue West be designated under Part IV of the Ontario Heritage Act for the reasons set out in Attachment No. 3. The reasons include exterior and interior heritage elements, including the sign tower, projecting canopy, box office, the ceiling, the proscenium and exit signs and sculptures. The owners have agreed to the designation, subject to approval of the proposed alterations discussed below.

The owners of the property, Manresa Investments Limited, have entered into a lease with Dynamic Hospitality and Entertainment Group to readapt the building for entertainment uses. The tenant has submitted an application for Site Plan Approval and drawings date stamped May 22, 2003 by Heritage Preservation Services prepared by Munge / Leung: design associates. These drawings are reproduced in Attachment No. 4.

The major interventions in the auditorium associated with this proposal are introduction of a level floor in the auditorium, above and below the retained divide between the former main seating and the stadium seating. Note that all existing seating has been removed by the former tenant, Famous Players. A kitchen will be constructed in the former stage area and will be located behind a new screen to be constructed in a manner that retains the existing arch over the stage. Existing suspended lights will be removed and replaced with new lighting. The ceiling will be retained unaltered, the exit signs and sculptures will be relocated in front of new stairs to be constructed either side of the stage. Wall mounted side lights will be retained.

In the foyer and the reception area the major interventions involve relocation of the false fire place and mirror from the west to the east elevation, introduction of a coat check desk and mounting of a new mural in place of the candy counter. The entrance doors and box office, while retained in place, will be remounted so that the area can be fully opened when large items are being moved inside.

There are no proposals to change the exterior of the building.

Department staff have evaluated the applicant's proposal and believe that, on balance, this is an acceptable proposal for the adaptive reuse of a heritage theatre, subject to designation of the property under the Ontario Heritage Act. The space arrangement within the building is maintained. Important interior heritage features, such as the auditorium ceiling, proscenium, projection booth, wall mounted light fixtures will be retained. Staff is recommending that the existing suspended light fixtures, to be removed in this proposal, be retained in safe storage on site. The new floor in the auditorium is a reversible alteration, should raked seating be reinstalled in the future. On the exterior, there will be no visible change to the building.

Staff are also recommending that the owner be required, through the Site Plan Agreement or Undertaking for this proposal, to maintain the building, have replacement cost insurance and not erect any new signs, awnings or other similar objects on the exterior of the building without the approval of the City.

#### Conclusions:

The Eglinton Theatre has long been considered an important heritage building in the community. Famous Players, the tenant in the building for more than 60 years, has ceased operation and removed tenant improvements. The owners of the building have entered into an agreement with a new tenant that is proposing to create an entertainment venue within the building, retaining many of the interior heritage features of this site. No exterior changes are proposed to the building. Staff support the proposal subject to designation of the property under Part IV of the Ontario Heritage Act and conditions in the site plan agreement/undertaking that would require maintenance and insurance of the building, approval of any new signs on the building by the City and safe storage of the existing suspended auditorium lights.

Contact:

Rita Davies  
Executive Director of Culture  
Tel: 416-397-5323  
Fax: 416-395-0278  
E-mail: rdavies@toronto.on.ca

List of Attachments:

Attachment No. 1	Location Map – 400 Eglinton Avenue West
Attachment No. 2	Photograph and Plan – 400 Eglinton Avenue West
Attachment No. 3	Reasons for Designation – 400 Eglinton Avenue West
Attachment No. 4	Applicant's Proposal – 400 Eglinton Avenue West

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(Attachments appended to the foregoing report were forwarded to all Members of the Midtown Community Council with the agenda for its meeting on July 8, 2003, and copies thereof are on file in the office of the City Clerk, North York Civic Centre.)

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**The Midtown Community Council also submits the following communication (June 23, 2003) from the City Clerk, Toronto Preservation Board:**

Recommendation:

The Toronto Preservation Board recommended to the Midtown Community Council, and Council, the adoption of the report (June 4, 2003) from the Commissioner of Economic Development, Culture and Tourism.

Background:

The Toronto Preservation Board at its meeting held on June 19, 2003, had before it a report (June 4, 2003) from the Commissioner of Economic Development, Culture and Tourism seeking authority to approve alterations to the property at 400 Eglinton Avenue West (Eglinton Theatre) and designate the property under Part IV of the Ontario Heritage Act; and recommending that:

- (1) City Council state its intention to designate the property at 400 Eglinton Avenue West (Eglinton Theatre) under Part IV of the Ontario Heritage Act;
- (2) the alterations to the Heritage Building substantially as shown in the drawings prepared by Munge/Leung: design associates, date stamped May 22, 2003 by Heritage Preservation Services, be approved subject to the inclusion of following conditions in a Site Plan Undertaking/Agreement:

- (a) the Owner shall at all times maintain the Heritage Building in as good and as sound a state of repair as a prudent owner would normally do, so that no deterioration in the Heritage Building's condition and appearance shall take place;
  - (b) the Owner shall at all times keep the Heritage Building insured against normal perils that are coverable by fire and extended coverage insurance in an amount equal to the full replacement cost of the Building; the Owner shall deposit with Heritage Preservation Services within three weeks of the execution of this Agreement, a certificate of insurance in respect of the insurance policy referred to above with limits and in a form acceptable to Heritage Preservation Services; thereafter evidence satisfactory to the City of the renewal of insurance shall be delivered to the City at least three business days before the termination of the policy;
  - (c) the Owner shall not erect or permit the erection on the Heritage Building any signs, awnings, aerials or other objects of a similar nature without the prior written approval of the Manager of Heritage Preservation Services;
  - (d) the Owner safely store on site the existing hanging lights in the auditorium, should the lights not be used in the redevelopment; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The following persons appeared before the Toronto Preservation Board in connection with the foregoing matter:

- Mr. Alessandro Munge, Munge/Leung Design Associates;
- Mr. Piero Suppa, Dynamic Hospitality and Entertainment; and
- Ms. Elaine Freeman.