



**STAFF REPORT  
ACTION REQUIRED**

**104 John Street - Alteration to a Heritage Property and Intention to Designate, Part IV, Section 29, Ontario Heritage Act and Authority to Enter Into a Heritage Easement Agreement**

<b>Date:</b>	November 5, 2009
<b>To:</b>	Toronto Preservation Board Toronto and East York Community Council
<b>From:</b>	Director, Policy and Research, City Planning Division
<b>Wards:</b>	Toronto – Spadina – Ward 20
<b>Reference Number:</b>	

**SUMMARY**

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This report addresses an application to permit a new 42 storey tower at the northeast corner of the site with an eight storey building and six storey podium covering the westerly half of the subject property. The project would include 443 residential condominium units, a hotel with 104 rooms and retail uses at the lower levels of the development. A total of 388 parking spaces are proposed to be located in an underground parking facility. The project includes relocation of the heritage building at 104 John Street from the northeast to southeast corner of the subject property. The structure would be moved approximately 57 metres southward along the John Street frontage from its current location.

This report recommends that City Council approve the proposed alterations to the heritage property at 104 John Street and also designate the property under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value as a rare surviving example of residential row architecture in the area formerly known as “New Town.” The property also contributes to the historic and contextual fabric that exists within the King - Spadina Secondary Plan area.

## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. City Council approve the alterations to the heritage property at 104 John Street, substantially in accordance with the Conservation Plan drawings prepared by Goldsmith Borgal & Company Ltd. Architects, dated June 17, 2009, and on file with the Manager, Heritage Preservation Services subject to the following conditions:
  - a. prior to Zoning By-Law Amendment approval, the owner shall:

submit a Conservation and Rehabilitation Plan prepared by a qualified heritage consultant which has included the following items: (1) “blow-up” elevations and sections of the heritage property; (2) existing conditions assessment; (3) feasibility study to further explore the method in which relocation of the structure would occur so that the integrity of the heritage structure is not physically compromised;
  - b. prior to Site Plan approval, the owner shall:

provide additional information, based on the proposed Conservation Plan, to include documentation substantially in accordance with that outlined within Section 3.2.1 Option A (page 12) of the submitted Heritage Conservation Plan. Specifically, a detailed plan shall also be submitted to outline mitigation measures that address construction impacts relative to the on-site heritage structures.

submit plans for interpretive panels or other interpretive materials to communicate the development history of the property including the research content, design and location of the interpretive materials. The interpretation plan shall include panels or materials at both the existing location of the heritage building and the proposed location within the development site. All above components of the plan shall be to the satisfaction of the Manager of Heritage Preservation Services.

provide a landscape plan for the subject property to the satisfaction of the Manager of Heritage Preservation Services.
  - c. prior to the issuance of any building permit, including a permit for the demolition, excavation, and/or shoring on the subject property, the owner shall:

provide a Letter of Credit in a form and in an amount satisfactory to the Manager, Heritage Preservation Services to secure all work included in the Conservation Plan;

provide final plans satisfactory to the Manager of Heritage Preservation Services;

- d. prior to the release of the Letter of Credit the applicant shall:

provide evidence and documentation that the project scheme has been implemented, per the approved Conservation Plan, satisfactory to the Manager of Heritage Preservation Services.

2. City Council state its intention to designate the property at 104 John Street under Part IV, Section 29 of the Ontario Heritage Act.
3. If there are no objections to the designation in accordance with Section 29(6) of the Ontario Heritage Act, the City Solicitor be authorized to introduce the Bill in Council designating the property under Part IV of the Ontario Heritage Act.
4. If there are any objections in accordance with Section 29(7) of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Conservation Review Board.
5. City Council grant authority for the execution of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of the property.
6. The City Solicitor be authorized to introduce the necessary bill in Council authorizing the entering into a Heritage Easement Agreement.

### **Financial Impact**

There are no financial implications resulting from the adoption of this report. The public Notice of Intention to Designate will be advertised on the City's web site in accordance with the City of Toronto Act provisions.

### **DECISION HISTORY**

City Council listed 104 John Street on the City of Toronto's Inventory of Heritage Properties on June 16, 2005.

### **ISSUE BACKGROUND**

The applicant met with Heritage Preservation Services staff at the site in April 2008. At that meeting, the applicant proposed a project that removed the heritage property from the site. HPS staff urged that the project applicant consider other options that would retain and rehabilitate the building.

A zoning by-law amendment application was submitted in June 2008 that included a Heritage Impact Assessment prepared by Goldsmith Borgal & Company Ltd. Architects. Heritage Preservation Services (HPS) reviewed the submission and provided preliminary comments in September 2008.

A revised application was received by the City Planning Division on April 30, 2009, including plans for the property, the retention of the heritage building as a part of the development and a revised heritage impact statement.

On June 17, 2009, a site plan application was submitted with heritage conservation plans and elevations for the heritage property prepared by Goldsmith Borgal & Company Ltd. Architects.

## **COMMENTS**

### **Background**

The property identified as 104 John Street occupies the northeast corner of a larger development site that extends from the northwest corner of Adelaide Street West and John Streets westward along Adelaide Street West and southward along the John Street frontage.

### **Proposal**

A new mixed-use development is proposed at the site that currently contains the heritage structure and a surface parking lot (Attachments 1 and 2). The project includes relocation of the heritage building at 104 John Street from the northeast to southeast corner of the subject property. The structure would be moved approximately 57 metres southward along the John Street frontage from its current siting (Attachments 3 and 4).

In conjunction, the project would develop the remainder of the site with a new 42 storey tower at the northeast corner of the site with an eight storey building and six storey podium covering the westerly half of the subject property. The project would include 443 residential condominium units, a hotel with 104 rooms and retail uses at the lower levels of the development. A total of 388 parking spaces are proposed to be located in an underground parking facility.

The project would also construct substantive streetscape improvements at John Street that would provide a publicly accessible and landscaped area between the new point tower and the relocated heritage building.

### **Relocation Strategy**

The relocation of the heritage building at 104 John Street would be completed in two stages. The building would first be moved to a temporary location across John Street on vacant lands, while the final location across the street is excavated and the site prepared. This type of phased move is similar to a recent project at the Cooper Mansion where the building was moved three times, resting in two temporary locations prior to being set on the permanent foundation.

Prior to the move the rear addition would be demolished. Temporary enclosure will be provided to protect any portion of the existing building that will become exposed as a

result of the demolition. Security and protection strategies for the vacant building would then be required.

While every building is different and each project must be accessed on a case-by-case basis, there are general procedures that are followed in the moving process. The area around the structure would be excavated and a crib, consisting of lengthwise and cross beams, would be designed and installed. The engineer would factor in the building's dimensions, weight, and materials. Fireplaces, chimneys and parapet walls require special attention in the preparation. The building would be raised by hydraulic lifts or jacks and lowered onto roll beams. The steel support/crib would be used as the base of the building during the time of storage. The best route to the new location – in this case to a temporary site across the street – would be determined by the building mover who would be responsible for analyzing telephone cables, streetcar wires, utility poles and man-hole covers. The proper authorities would have to be consulted in relation to permits for the removals or reinforcement of these elements.

Restoration of the heritage building would be carried out after it is moved to its final location (Attachments 5A and 5B).

### **Heritage Comments**

The project would relocate the existing historic structure at 104 John Street to a location approximately 57 metres south (mid-block at the John Street frontage) from its current location. Applicable Preservation standards and guidelines that mandate treatment of historic properties, as adopted by Toronto City Council, provide that removing or relocating historic buildings on a site is not recommended as it may drastically change the historic relationship of a building to its site. Movement of structures should be a solution of last recourse.

In general, the relocation of a heritage structure may affect its cultural value with regard to the following attributes:

*Site value:* Disruption of collective civic memory of a site and sense of place

*Context value:* Modification of development pattern at existing site with resultant change of district character and texture

*Integrity value:* Movement of a structure, if not well considered, may result in physical endangerment of the resource

Though relocation of a heritage structure is the option of last resort and is generally not considered as appropriate, beneficial merits of this project and the historic site context warrant careful consideration of the relative positive outcomes for the rehabilitation and preservation of the listed structure. For the following reasons staff will not oppose the project:

- The heritage building would not be demolished
- Based upon the submitted relocation feasibility study, the heritage resource will maintain its structural integrity
- The abutting historic context of the site has been removed, therefore the structure does not relate to other adjacent historic buildings at the immediate site
- The three dimensional form of the heritage building would remain entirely intact as seen from surrounding public right of ways and would be an important component of the newly designed John Street streetscape at the site
- Though the structure would be relocated, it would still be visible from its former site and would be relocated within a “historically contextual footprint”. Moreover, the structure would be relocated upon a site formerly occupied by contiguous rowhouses very similar to the subject heritage structure
- The heritage building would be located at a site upon a newly created public open space. Based upon HPS approval of the conservation plan, the structure would be rehabilitated in a manner in which its character defining attributes might be more readily viewed and appreciated by the public
- Specifically, the project meets objectives that would preserve and reinforce the property’s cultural, historic and contextual significance
- The owner has agreed not to oppose the designation of the building as a part of the development

In accordance with the Parks Canada *Standards and Guidelines for the Conservation of Historic Places in Canada*, the project meets the following standards relating to rehabilitation and restoration:

- Conserve the *heritage value* of a historic place. Do not remove, replace, or substantially alter its intact or repairable *character-defining elements*
- Recognize each *historic place* as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other *historic places* or other properties or by combining features of the same property that never coexisted
- Find a use for a *historic place* that requires minimal or no change to its *character-defining elements*
- Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention
- Make any *intervention* needed to preserve *character-defining elements* physically and visually compatible with the *historic place*, and identifiable upon close inspection. Document any intervention for future reference

- Repair rather than replace *character-defining elements*. Where *character-defining elements* are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the *historic place*
- Conserve the heritage value and *character-defining elements* when creating any new additions to a historic place or any related new construction. Make the new work physically and visually compatible with and distinguishable from the historic place
- Create any new additions or related new construction so that the essential form and integrity of a *historic place* will not be impaired if the new work is removed in the future
- Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence

### **Reasons for Designation**

The property at 104 John Street is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act, and meets the criteria for municipal designation prescribed by the Province of Ontario under the categories of design and contextual value. Located near the southwest corner of John Street and Adelaide Street West, the Richard West Houses (completed 1869) is a rare surviving example of a mid 19<sup>th</sup> century house form building with distinctive pattern brick detailing that is historically linked to the evolution of the King-Spadina neighbourhood.

The Reasons for Designation (Attachment No. 6) are intended to be posted on the City of Toronto's web site and served on the owners of the property and on the Ontario Heritage Trust according to the provisions of the Ontario Heritage Act. The Reasons for Designation (Statement of Significance) include a statement of the cultural heritage value of the property with a description of its heritage attributes.

## **CONTACT**

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## **SIGNATURE**

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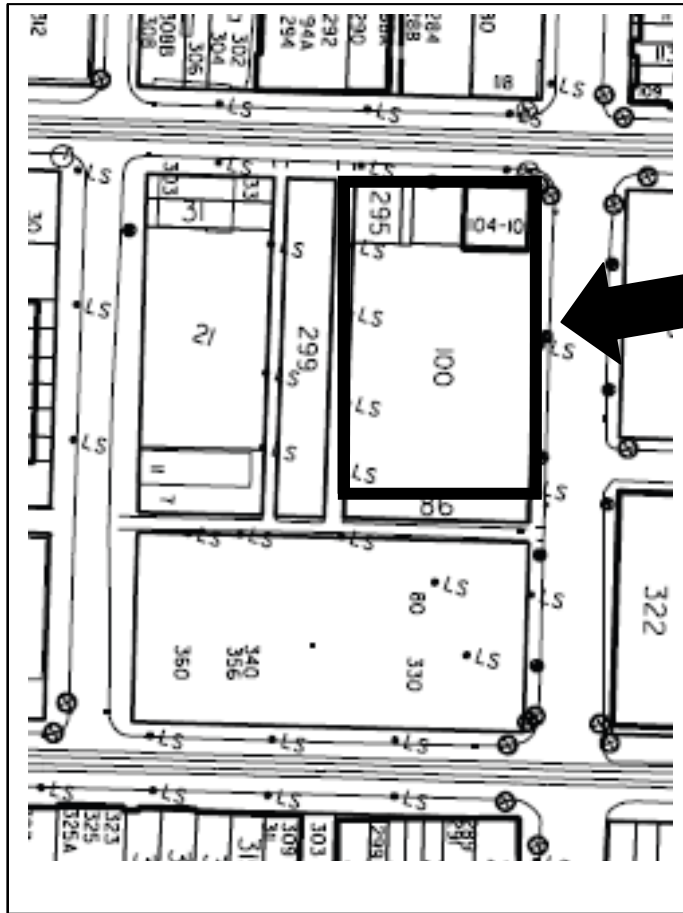
Barbara Leonhardt  
Director, Policy and Research  
City Planning Division

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## **ATTACHMENTS**

Attachment No. 1 – Location Map  
Attachment No. 2 – Photos of Existing Structures  
Attachment No. 3 – Proposed Rendering of Site  
Attachment No. 4 – Site Plan  
Attachment No. 5A & 5B – Proposed Elevations  
Attachment No. 6 - Reasons for Designation, 104 John Street



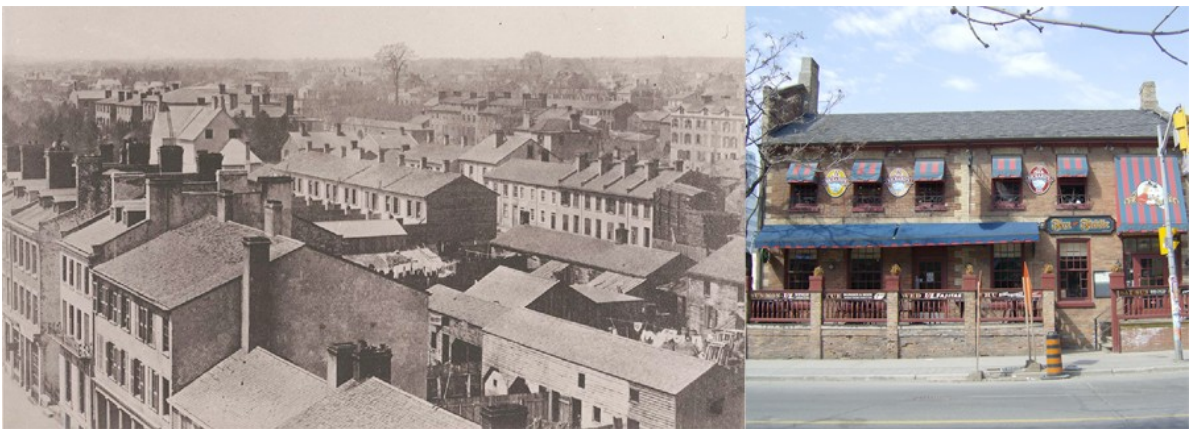


An **arrow** marks the location of the property at the northwest corner of John Street and Adelaide Street West

This map is for information purposes only.  
The exact boundaries of the property are not shown.



Current photo – 104 John Street



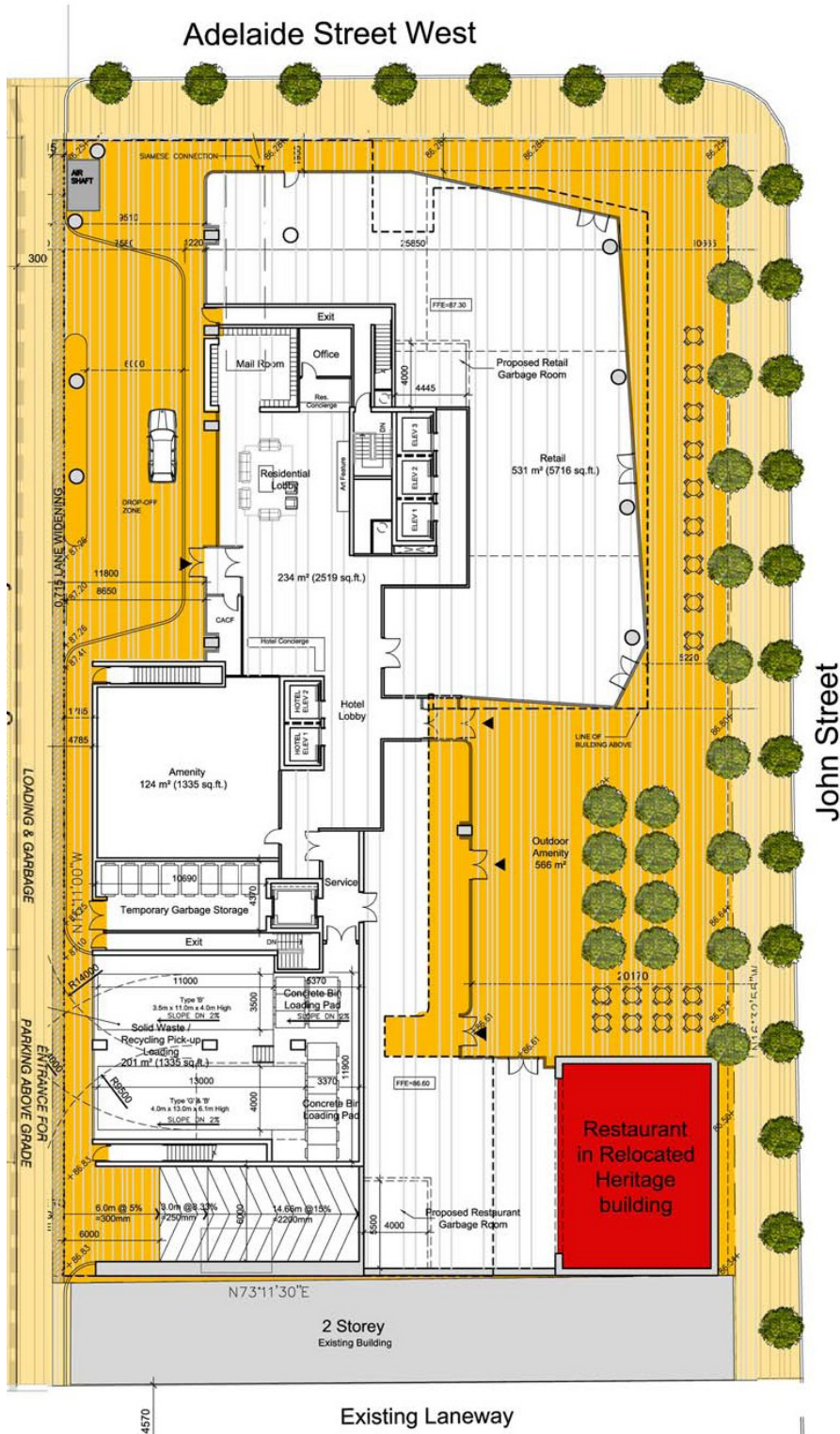
Historic district photo/Current 104 John Street photo

104 John Street - Alteration to a Heritage Property, Intention to Designate & Authority to enter into a HEA 10



Note heritage structure at lower left of rendering. No addition will be placed directly atop the heritage structure.





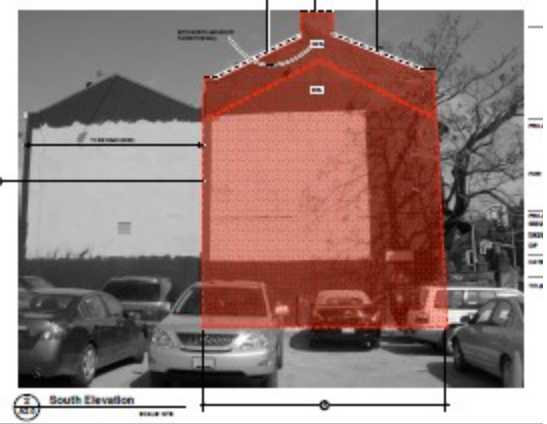
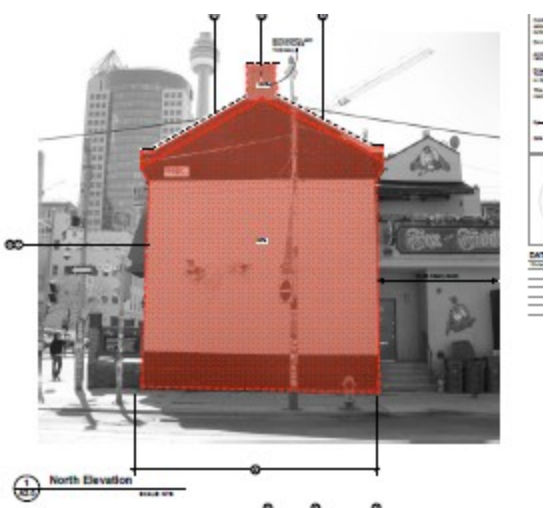


PROPOSED ELEVATIONS

ATTACHMENT NO. 5B

- GENERAL & KEY NOTES**
- REMARKS:**
1. REPAIR MORTAR JOINTS (SPALLS) AND OTHER CRACKS (EXCEPT...)
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## **Richard West Houses**

### Description

The property at 104 John Street is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value, and meets the criteria for municipal designation prescribed by the Province of Ontario under the categories of design and contextual value. The two-storey building was completed in 1869 as a pair of semi-detached houses. The site was included on the City of Toronto Inventory of Heritage Properties in 2005.

### Statement of Significance

The Richard West Houses have design value as a rare surviving example of a mid-19<sup>th</sup> century house form building on a recognized heritage property in the King-Spadina neighbourhood that is distinguished by its dichromatic brickwork. With the evolution of the area over time, the Richard West Houses are among the few remaining buildings that were originally designed for residential use and that display decorative brick detailing. The two-toned brickwork is associated with the Gothic Revival style, which was introduced by British architects William Butterfield and G. E. Street in their designs for Victorian churches and promoted by architectural theorist John Ruskin. In the late 1800s, decorative dichromatic and polychromatic brick appeared on most building types in North America, including modest residential edifices exemplified by the Richard West Houses where the buff brick walls are enlivened by the contrasting red brick applied for the window detailing and quoins.

Contextually, with their location near the southwest corner of Adelaide Street West and John Street, the Richard West Houses are historically linked to one of the most significant blocks in the King-Spadina neighbourhood. The development of this district dates to the late 18<sup>th</sup> century, following the westward expansion of the original Town of York. “New Town” became the setting of many of the community’s most important institutional buildings, including the Third Parliament Buildings and the first campus of Upper Canada College. The tract on the west side of John Street between King Street West and Newgate Street (now Adelaide Street West) where the subject property is found was the location of the inaugural General Hospital (completed 1820) and the temporary meeting place of the provincial legislature in 1824. Adjoining the hospital were Emigrant House (c. 1827), the Cholera Hospital (1834), and the fever sheds (1847) for the mainly Irish newcomers who were victims of the typhus epidemic. Following the relocation of Toronto General Hospital in the mid 1850s, the buildings were razed and the land subdivided into lots for housing. As a local contractor, Richard West presumably constructed the semi-detached houses facing John Street, south of Adelaide, where he resided in the north unit until the south portion was completed and occupied by his family. The residential character of the neighbourhood changed after the Great Fire of

1904, when the city's industrial centre moved into the locale adjoining King Street West and Spadina Avenue. By World War I, the N. B. Schipper Company, dealers in raw and dressed fur, converted the Richard West Houses as the offices for its business. Today, the Richard West Houses remain as a rare surviving mid 19<sup>th</sup> century building that reflects the historical evolution of the area.

### Heritage Attributes

The heritage attributes of the Richard West Houses are:

- The scale, form and massing
- Above a raised base, the two-storey rectangular plan where each unit is divided symmetrically into three bays
- The materials, with red brick cladding, yellow brick detailing, and wood
- The medium-pitched gable roof with double attached chimneys on the firebreak end walls (north and south)
- The detailing on the principal (east) facade, with contrasting yellow brick applied for the quoins, string course dividing the stories, and window voussoirs
- On the east façade, the entrances in the first storey, which are placed in the right (north) bay of each unit (the alterations to the entries represent the evolution of the building)
- The fenestration on the east facade, where the flat-headed window openings are symmetrically placed, reduced in height in the second floor, and contain multi-pane sash windows (that are typical of the mid 19<sup>th</sup> century)