TORONTO

STAFF REPORT
ACTION REQUIRED

260 King Street West – Amendment of Designating By-law

Date:	February 7, 2011
To:	Toronto Preservation Board Toronto and East York Community Council
From:	Acting Director, Policy & Research, City Planning Division
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	P:\2011\Cluster B\PLN\HPS\TEYCC\March 22 2011\teHPS03

SUMMARY

This report recommends that City Council amend City of Toronto By-law No. 512-75 designating the property at 260 King Street West under Part IV, Section 29 of the Ontario Heritage Act to revise the Reasons for Designation to describe the site's cultural heritage values and attributes in accordance with the 2005 amendments to the Ontario Heritage Act.

At its meeting of August 17, 2010, the Toronto and East York Community Council considered the staff report entitled "King Street West Properties – Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act and Amendment of Designating By-law." The Community Council referred back to the Acting Director, Policy and Research, City Planning Division, Recommendations Nos. 5-7 concerning the amendment of the designating by-law for the property at 260 King Street West to the January 2011 of the Community Council. The report is coming forward at this time, following discussions with the property owners' representatives that resulted in changes to the revised Reasons for Designation.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend City of Toronto By-law 512-75 for the property at 260 King Street West to revise the Reasons for Designation in accordance with the 2005 amendments to the Ontario Heritage Act.

2. City Council adopt the revised Reasons for Designation (December 2010) as set out in Attachment No. 4.

3. Should the owner appeal the amending of the designating by-law, City Council authorize the City Clerk to refer the proposed amendment to the Conservation Review Board.

4. Should the owner appeal the amending of the by-law, City Council authorize the City Solicitor and appropriate staff to attend at the Conservation Review Board in support of the proposed amendment.

5. City Council authorize the City Solicitor and appropriate staff to take such necessary steps to implement the foregoing.

Financial Impact

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

DECISION HISTORY

At its meeting of April 2010, the Toronto and East York Community Council passed a motion requesting that staff report to its June 2010 meeting regarding the potential for designation under Part IV, Section 29 of the Ontario Heritage Act of a number of properties on King Street West, west of Simcoe Street, as well as any necessary amendments to the designating by-laws for the properties at 214 King Street West and 260 King Street West. A staff report for information only was included on the agenda of the Toronto and East York Community Council meeting of June 22, 2010, explaining that staff were unable to complete the research and evaluation process by the requested date, but would report to the July meeting of the Toronto Preservation Board and the following meeting of Community Council.

At its July 29, 2010 meeting, the Toronto Preservation Board recommended that City Council state its intention to designate the properties at 212, 220, 266, 276, 284 and 322 King Street West, and amend the designating by-law for the property at 260 King Street West to revise the Reasons for Designation. The Toronto and East York Community Council at its meeting of August 17, 2010 adopted the recommendations concerning the designation of the six properties, but referred the amending of the designating by-law for 260 King Street West back to the Acting Director, Policy and Research, for further consideration and a report to the January 2011 meeting of the Community Council (Attachment No. 5). Through discussions and meetings with representatives of the owners of 260 King Street West during the fall of 2010, staff have made further changes to the revised Reasons for Designation to address the owners' concerns. The letter from the owners' representatives is attached as Attachment No. 6.

ISSUE BACKGROUND

The proposed Revised Reasons for Designation that were included with the agenda for the July 2010 meeting of the Toronto Preservation Board are attached as Attachment No. 3. As originally written, the heritage values and attributes followed the draft Reasons for Identification that were prepared for a proposed Heritage Easement Agreement for the site. The property owner has decided not to enter into a Heritage Easement Agreement with the City in order to participate in the Heritage Property Tax Rebate Program. The owner requested the removal from the revised Reasons for Designation of the references to portions of the building that are not original. City staff have agreed to the changes because they do not impact the property's core values and attributes.

COMMENTS

The revised Reasons for Designation, which were circulated to the Toronto Preservation Board and Toronto and East York Community Council in July 2010, are attached as Attachment No. 3 with the changes struck out or highlighted in bold. The final revisions to the Reasons for Designation for inclusion in the amending by-law are found in Attachment No. 4.

The Revised Reasons for Designation (December 2010) have been changed under the sections describing the contextual value and heritage attributes of the property. A reference to the TIFF Bell Lightbox, headquarters of the Toronto International Film Festival and a recently completed addition to the cultural streetscape along King Street

West, has been added to the text. Under heritage attributes, the interior description of the lower lounge beneath the auditorium, as well as the exterior references to the second-storey additions to the original single-storey side wings and the specific reference to the current marquee, have been removed from the revised Reasons for Designation. The latter features are not original to the theatre.

CONTACT

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SIGNATURE

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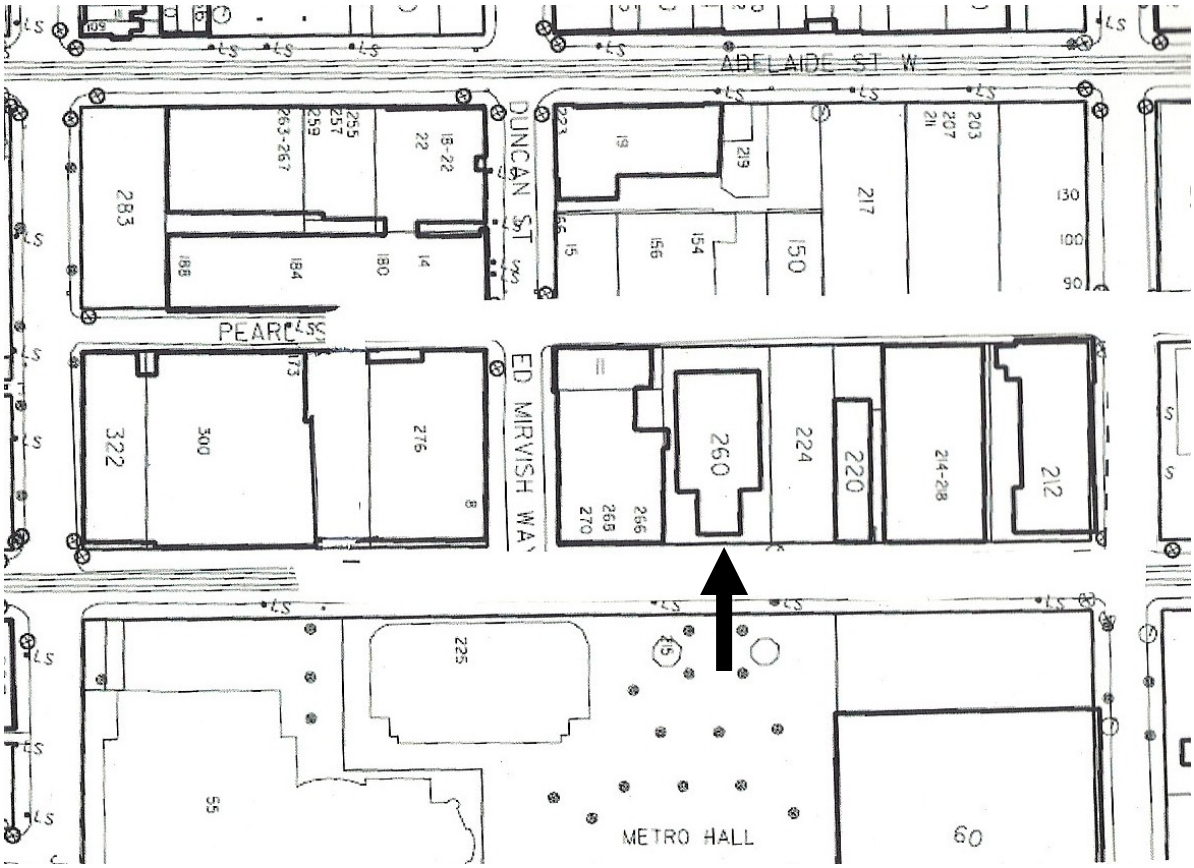
Kerri A. Voumvakis, Acting Director
Policy and Research
City Planning Division

ATTACHMENTS

Attachment No. 1 – Location Map
Attachment No. 2 – Photograph
Attachment No. 3 – Original Revised Reasons for Designation (July 2010)
Attachment No. 4 – Final Revised Reasons for Designation (December 2010)
Attachment No. 5 – Item TEY36.29, adopted by Toronto and East York Community Council (August 17, 2010) and Toronto City Council (August 25, 2010)
Attachment No. 6 – Letter from E.R.A Architects Inc. (January 12, 2011)

LOCATION MAP: 260 KING STREET WEST ATTACHMENT NO. 1



The **arrow** marks the location of the property at 260 King Street West.

This location map is for information purposes only;
the exact boundaries of the property are <u>not</u> shown.

PHOTOGRAPH: 260 KING STREET WEST ATTACHMENT NO. 2



Royal Alexandra Theatre

Photograph, Heritage Preservation Services, 2010

ORIGINAL REVISED REASONS FOR DESIGNATION ATTACHMENT NO. 3
260 KING STREET WEST (JULY 2010)

Royal Alexandra Theatre

The Revised Reasons for Designation **(December 2010)** are intended to replace the Reasons for Designation in By-law No. 512-75 to describe the property's cultural heritage values and attributes as required by the 2005 amendments to the Ontario Heritage Act.

Description

The property at 260 King Street West is designated under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value. Located on the north side of King Street West between Simcoe Street and Ed Mirvish Way, the Royal Alexandra Theatre (1907) is a theatre complex. Commemorated by the Government of Canada as a National Historic Site, the Royal Alexandra Theatre is also recognized on the Canadian Register of Heritage Properties. The site was listed on the inaugural City of Toronto Inventory of Heritage Properties in 1973, and was among the first properties in the City of Toronto designated under Part IV, Section 29 of the Ontario Heritage Act by By-law No. 512-75 in 1975.

Statement of Cultural Heritage Value

The Royal Alexandra Theatre is a rare example of an early 20th century theatre with Beaux-Arts inspired styling that displays a high degree of craftsmanship and technical achievement. Recognized as one of a select number of "New York style" theatres built in Canada, its design was purportedly inspired by the New Amsterdam Theatre. The interior features an elaborate decorative program reflecting the Louis XVI style, based on late 18th century Neoclassicism and drawn from Greek and Roman architecture.

The property demonstrates technical achievement as one of the original "fireproof" theatres in North America using hollow clay tile partitioning and floor construction. To improve sightlines and acoustics, the interior columns were eliminated, the balcony and gallery (now known as the upper balcony) cantilevered, and the floors steeply raked. When constructed, ice was stored beneath the auditorium to assist in cooling the premises, purportedly making the Royal Alexandra the first "air conditioned" theatre in Canada.

The Royal Alexandra Theatre is important to the City of Toronto and beyond as an institution intimately linked with the social history of Canada through the development of its theatrical arts. Originally designed to host touring productions from London's West End and New York's Broadway, over the last century the Royal Alexandra has offered a succession of over 3000 live theatrical performances, ranging from opera and ballet to musical comedies and drama. The stage has welcomed local and internationally revered performers, including Mary Pickford, Anna Pavlova, Al Jolson and Edith Piaf.

Following its restoration by Ed Mirvish Enterprises, the facility has served as the setting for Canadian works and productions, as well as co-productions with national and international artistic companies. The Royal Alexandra is known as the oldest legitimate theatre in continuous operation in North America.

The Royal Alexandra is linked to people who are identified with the commercial and cultural development of Toronto. The theatre was commissioned by a syndicate headed by Cawthra Mulock, a successful businessman from an important political family (his father, Sir William Mulock, served as Canada's Post Master General) who was dubbed "Toronto's youngest millionaire." In 1963, Toronto entrepreneur and philanthropist, Edwin Mirvish (1914-2007), rescued the theatre from potential demolition. Identified with his well-known department store, "Honest Ed's," Mirvish refurbished the Royal Alexandra, engaging noted designer Herbert Irvine to restore the Edwardian interiors. In recognition of Mirvish's contributions to the cultural life of the King-Spadina neighbourhood, where his company refurbished many of the early 20th century warehouses, Duncan Street between King Street West and Pearl Street was renamed Ed Mirvish Way.

The Royal Alexandra Theatre also reflects the practice of the important Toronto architect John M. Lyle (1872-1945). Following training at the Ecole des Beaux Arts in Paris, Lyle worked with architectural firms in New York City, including Carrere and Hastings who received commissions in Toronto and were involved as consultants in the planning stages for the Royal Alexandra. With the success of this project, Lyle opened a solo practice in Toronto and developed a successful career that included local landmarks like Union Station (as part of an architectural team) and the Runnymede Library.
Historically, the Royal Alexandra Theatre features a famous interior mural entitled "Venus and Attendants Discovering the Sleeping Adonis (or Aphrodite)", executed by Canadian painter Frederick Sprouston Challener (1869-1959). A graduate of and teacher at the Ontario College of Art, Challener was a founder of the Society of Mural Decorators. Among Challener's best known projects are murals at the Ontario Legislature, King Edward Hotel and Ottawa's Chateau Laurier, as well as works for "The Canadian War Memorials," the Canadian government's official war art program commemorating World War I.
The Royal Alexandra Theatre is a landmark in Toronto. Based in part on the successful rejuvenation of the Royal Alexandra Theatre and the adjoining buildings on the north side of King Street West, in 1982 Roy Thomson Hall was completed across the street as the performance venue for the Toronto Symphony Orchestra and Mendelssohn Choir. In the early 1990s, Ed Mirvish Enterprises commissioned the Princess of Wales Theatre on King Street, west of the Royal Alexandra Theatre. As a result, the section of King Street between Simcoe Street (east) and John Street (west) became the centre of the City's Entertainment District, **which has been expanded westward with the completion in 2010 of the TIFF Bell Lightbox, headquarters of the internationally recognized Toronto International Film Festival, at the northwest corner of King and John Streets**.

Heritage Attributes

The heritage attributes on the exterior of the property at 260 King Street West are:

- The theatre ~~complex~~ **with its scale, form and massing**
- The steel-framed structure with stone and brick cladding and detailing
- ~~The scale, form and massing~~
- The plan, which is organized into three parts with an entrance block with the reception and administration areas at the front (south), a central auditorium, and a fly tower with staging facilities to the rear (north)
- The two-storey entrance block where the south wall is organized into three parts with **the original single-storey** side wings ~~(the second stories on the wings are additions)~~ and decorated with brick quoins, stone keystones and cornices
- The main entrance, which is centered and recessed in the lower wall**,** ~~and~~ has three sets of double doors with wood frames and multi-paned transoms in decorative pressed metal surrounds**, and is sheltered by a marquee**
- Flanking the entry, the flat-headed window openings containing double multi-paned sash windows with voussoirs and keystones
- ~~The marquee above the entry, with a sign reading "ROYAL ALEXANDRA THEATRE" (the marquee is not original but has been in place for over 40 years)~~
- In the second storey of the entrance block, the French doors, the intricate classical detailing, and the cornice supporting a stepped parapet with a balustrade, cartouche and inscription, "ROYAL ALEXANDRA"
- Covering the entrance block, the mansard roof with segmental-arched dormers
- The side walls (east and west) of the entrance bock, which feature stone cladding and~~, in the lower floor,~~ flat-headed classically-detailed window openings
- Behind the entrance block, the auditorium where the exposed portion of the south façade and the side (east and west) elevations have brick cladding, dentilled cornices, and a parapet that is stepped on the south end
- Rising at the rear (north) end of the complex, the fly tower, which has brick cladding on all elevations with cornice detailing

The **second stories on the side wings and additions, and the** door and segmental-arched window openings on the rear (north) wall are not identified as heritage attributes.

The heritage attributes on the interior of the property at 260 King Street, and found in the main-floor lobby and foyer (with offices and lounges on either side), the auditorium with its orchestra level, balcony, gallery and stage, and the **second-floor** lounges ~~on the second floor and below the auditorium,~~ are:

- The richly embellished materials, with walnut, marble, plaster, tile and metal finishes, and details drawn from Classical architecture
- The lobby located inside the south entrance doors, with the ticket windows, coved ceiling, and the floor with the initials "RA"

- Flanking the lobby, the box office and interior offices on the east and the lounges on the west, which were altered during the 1963 renovations and have wood wainscoting and surrounds, plaster cornice mouldings and, in the Queen Anne Room (west), a fireplace
- Separating the lobby from the foyer to the north, the wood doors and transoms with glazing
- In the foyer, the plaster cornice mouldings, the wood doors and panelling and, on the east and west sides, the staircases leading to the promenade level
- On the second floor, the lounge with the Classically-inspired detailing beneath a coved ceiling
- Behind (north of) the foyer, the auditorium, which is organized into three parts with the orchestra, balcony and gallery (or upper balcony) under coved ceilings with mouldings
- The side walls (east and west) in the auditorium, which display wood wainscoting and double doors (the hardware on the emergency access doors is original)
- At the north end of the auditorium, the stage that is outlined by a proscenium arch with curved corners and mouldings with figural and floral images.
- Surmounting the proscenium arch, the large painted and framed mural depicting a meeting between the Greek and Roman personifications of love
- Flanking the stage, the four private box seats that are arranged in two tiers and surmounted by painted decoration incorporating the words "COMEDY" (east) and "TRAGEDY" (west)
- The mouldings along the edges of the box seats, balcony and gallery where elaborate the Classical imagery includes theatrical masks, musical instruments and the initials "RA"
- ~~Beneath the auditorium, the lower-level lounge (is a later addition that complements the original design) with the panelling, mouldings, cornices and ceiling treatment~~

The seating configuration and seats in the auditorium **and the lower-level lounge beneath it (which is a later addition)** are not included as heritage attributes. The shallow area behind the stage is divided into two levels of anterooms that contain no heritage attributes. On the interior of the building, the fixtures are replacements that are not identified as heritage attributes.

Original Revised Reasons for Designation (July 2010), showing the changes to the text struck out or highlighted in bold, to be replaced by the Revised Reasons for Designation (December 2010)

FINAL REVISED REASONS FOR DESIGNATION: ATTACHMENT NO. 4
260 KING STREET WEST (DECEMBER 2010)

Royal Alexandra Theatre

The Revised Reasons for Designation (December 2010) are intended to replace the Reasons for Designation in By-law No. 512-75 to describe the property's cultural heritage values and attributes as required by the 2005 amendments to the Ontario Heritage Act.

Description

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- The main entrance, which is centered and recessed in the lower wall, has three sets of double doors with wood frames and multi-paned transoms in decorative pressed metal surrounds, and is sheltered by a marquee
- Flanking the entry, the flat-headed window openings containing double multi-paned sash windows with voussoirs and keystones
- In the second storey of the entrance block, the French doors, the intricate classical detailing, and the cornice supporting a stepped parapet with a balustrade, cartouche and inscription, "ROYAL ALEXANDRA"
- Covering the entrance block, the mansard roof with segmental-arched dormers
- The side walls (east and west) of the entrance bock, which feature stone cladding and flat-headed classically-detailed window openings
- Behind the entrance block, the auditorium where the exposed portion of the south façade and the side (east and west) elevations have brick cladding, dentilled cornices, and a parapet that is stepped on the south end
- Rising at the rear (north) end of the complex, the fly tower, which has brick cladding on all elevations with cornice detailing

The second stories on the side wings and additions, and the door and segmental-arched window openings on the rear (north) wall are <u>not</u> identified as heritage attributes.

The heritage attributes on the <u>interior</u> of the property at 260 King Street, and found in the main-floor lobby and foyer (with offices and lounges on either side), the auditorium with its orchestra level, balcony, gallery and stage, and the second-floor lounges are:

- The richly embellished materials, with walnut, marble, plaster, tile and metal finishes, and details drawn from Classical architecture
- The lobby located inside the south entrance doors, with the ticket windows, coved ceiling, and the floor with the initials "RA"
- Flanking the lobby, the box office and interior offices on the east and the lounges on the west, which were altered during the 1963 renovations and have wood wainscoting and surrounds, plaster cornice mouldings and, in the Queen Anne Room (west), a fireplace

- Separating the lobby from the foyer to the north, the wood doors and transoms with glazing
- In the foyer, the plaster cornice mouldings, the wood doors and panelling and, on the east and west sides, the staircases leading to the promenade level
- On the second floor, the lounge with the Classically-inspired detailing beneath a coved ceiling
- Behind (north of) the foyer, the auditorium, which is organized into three parts with the orchestra, balcony and gallery (or upper balcony) under coved ceilings with mouldings
- The side walls (east and west) in the auditorium, which display wood wainscoting and double doors (the hardware on the emergency access doors is original)
- At the north end of the auditorium, the stage that is outlined by a proscenium arch with curved corners and mouldings with figural and floral images.
- Surmounting the proscenium arch, the large painted and framed mural depicting a meeting between the Greek and Roman personifications of love
- Flanking the stage, the four private box seats that are arranged in two tiers and surmounted by painted decoration incorporating the words “COMEDY” (east) and “TRAGEDY” (west)
- The mouldings along the edges of the box seats, balcony and gallery where elaborate the Classical imagery includes theatrical masks, musical instruments and the initials “RA”

The seating configuration and seats in the auditorium and the lower-level lounge beneath it (which is a later addition) are not included as heritage attributes. The shallow area behind the stage is divided into two levels of anterooms that contain no heritage attributes. On the interior of the building, the fixtures are replacements that are not identified as heritage attributes.

Toronto City Council adopted the item below at its meeting of August 25, 2010:

TE36.29	ACTION	Amended		Ward: 20

King Street West Properties - Intention to Designate Under Part IV, Section 29 of the Ontario Heritage Act and Amendment of Designating By-law

Committee Recommendations

The Toronto and East York Community Council recommends that:

1. City Council state its intention to designate the following properties under Part IV, Section 29 of the Ontario Heritage Act:

   a. 212 King Street West (Union Building)
   b. 220 King Street West (Nicholls Building)
   c. 266 King Street West (Reid Building)
   d. 276 King Street West (Gillett Building)
   e. 284 King Street West (Anderson Building)
   f. 322 King Street West (Eclipse Whitewear Building).

2. If there are no objections to the designations in accordance with Section 29(6) of the Ontario Heritage Act, City Council authorize the City Solicitor to introduce the bills in Council designating the properties under Part IV, Section 29 of the Ontario Heritage Act.

3. If there are objections in accordance with Section 29(7) of the Ontario Heritage Act, City Council direct the City Clerk to refer the designations to the Conservation Review Board.

4. If the designations are referred to the Conservation Review Board, City Council authorize the City Solicitor and appropriate staff to attend any hearing held by the Conservation Review board in support of Council's decision on the designations of the properties.

5. City Council authorize the City Solicitor and appropriate staff to take such necessary steps to implement the foregoing.

Decision Advice and Other Information

The Toronto and East York Community Council referred back to the Acting Director, Policy and Research, City Planning Division, the following Recommendations 5, 6 and 7, contained in the report dated July 13, 2010,

for further consideration and report to the Toronto and East York Community Council in January 2011:

"5. City Council amend City of Toronto By-law 512-75 for the property at 260 King Street West to revise the Reasons for Designation in accordance with the 2005 amendments to the Ontario Heritage Act.

6. Should the owner appeal the amending of the designating by-law, City Council authorize the City Clerk to refer the proposed amendment to the Conservation Review Board.

7. Should the owner appeal the amending of the by-law, City Council authorize the City Solicitor and appropriate staff to attend at the Conservation Review Board in support of the proposed amendment."

Origin

(July 13, 2010) Report from the Acting Director, Policy and Research, City Planning Division

Summary

This report recommends that City Council state its intention to designate under Part IV, Section 29 of the Ontario Heritage Act the properties listed in Recommendation No. 1 below, and to amend City of Toronto By-law No. 512-75 designating the property at 260 King Street West (Royal Alexandra Theatre) to revise the Reasons for Designation in accordance with the 2005 amendments to the Ontario Heritage Act.

At its meeting of April 27, 2010, the Toronto and East York Community Council adopted a motion requesting a staff report on the potential designation of the properties at 212, 220, 266-270 and 274 King Street West, which are listed on the City of Toronto Inventory of Heritage Properties. The Community Council also requested that staff report on any necessary amendments to the designating by-laws for the properties at 214 King Street West and 260 King Street West, including the amendment of a Heritage Easement Agreement for the latter site.

Background Information

TE36.29 - Staff Report - King Street West Properties - Intention to Designate
(http://www.toronto.ca/legdocs/mmis/2010/te/bgrd/backgroundfile-32565.pdf)

Communications

(August 16, 2010) E-mail from Michael McClelland, Principal, E.R.A. Architects Inc. (TE.New.TE36.29.1)

Speakers

Benjamin Radcliffe, 212 King Street West Holdings
Mark Piel, Fraser Milner Casgrain LLP

29a King Street West Properties - Intention to Designate Under Part IV, Section 29 of the Ontario Heritage Act and Amendment of Designating By-law

Origin
(July 29, 2010) Letter from the Toronto Preservation Board

Summary
The Toronto Preservation Board on July 29, 2010, considered the following:

1. Report (July 13, 2010) from the Acting Director, Policy and Research, City Planning, respecting King Street West Properties - Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act and Amendment of Designating By-law; and

2. Communication (July 29, 2010) from David Mirvish.

Andrea E. Paterson, MCIP, RPP, Land Use Planner, Fraser Milner Casgrain LLP addressed the Toronto Preservation Board.

Background Information
TE36.29a - Letter - King Street West Properties - Heritage
(http://www.toronto.ca/legdocs/mmis/2010/te/bgrd/backgroundfile-32483.pdf)

29b Heritage Properties on King Street West Between Simcoe Street and Duncan Street

Origin
(June 1, 2010) Report from the Acting Director, Policy and Research, City Planning Division

Summary
The purpose of this information report is to inform City Council that Heritage Preservation Services does not currently have the staff resources required to accommodate the recommendation of Toronto and East York Community Council to report on necessary amendments to the designation by-laws for the properties at 214 and 260 King Street West, nor to complete the designation reports for the properties at 212, 220, 266-270 and 274 King Street West by the requested date of June 22, 2010. This report also informs

Council of the dates for which a report can be prepared.

Background Information

TE36.29b - Staff Report - Heritage Properties on King Street West
(http://www.toronto.ca/legdocs/mmis/2010/te/bgrd/backgroundfile-31754.pdf)

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E.R.A.
Architects Inc.

January 12, 2011

Scott Barrett
Heritage Preservation Services
City of Toronto
2nd floor, City Hall, Suite A18
100 Queen Street West
Toronto, Ontario
M5H 2N2

Dear Scott,

RE: 260 KING STREET WEST – ROYAL ALEXANDRA THEATRE
HERITAGE DESIGNATION BYLAW AND HERITAGE EASEMENT AGREEMENT

The purpose of this letter is to confirm our recent conversations regarding the proposed Heritage Easement Agreement (HEA), and the revised heritage designation By-law for 260 King Street West. The owner had considered entering into a HEA to receive a tax incentive. Given the limited assurance that the tax incentive benefits would continue in the future, the owner has decided not to enter into the HEA.

The owner has reviewed the revised reasons for designation, as attached. The owner supports the revised reasons for designation and wishes to thank you for taking into consideration the comments we had made on the earlier draft and for your commitment to the conservation of Toronto's heritage buildings.

Sincerely,



Michael McClelland, Principal
E.R.A. Architects Inc.

c.c.
David Mirvish
Camillo Casciato, Mirvish Productions
Peter Kofman, Projectcore Inc.
Patrick Devine, Fraser Milner Casgrain LLP
Attachment: revised Reasons for designation