



STAFF REPORT ACTION REQUIRED

Removal of a Designated Heritage Property under the Ontario Heritage Act - 21 Grenville Street

Date:	September 19, 2011
To:	Toronto Preservation Board Toronto and East York Community Council
From:	Acting Director, Policy & Research, City Planning Division
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	P:\2011\Cluster B\PLN\HPS\TEYCC\October 4 2011\teHPS22

SUMMARY

This report recommends that City Council refuse the proposed removal of the designated heritage property at 21 Grenville Street (John Irwin House) as part of a revised zoning amendment application. City Council stated its intention to designate this property on June 14, 2011 and the designation by-law is pending.

A Heritage Impact Assessment and Heritage Relocation Plan were submitted by ERA Architects Inc. dated July 15, 2011 as part of a revised zoning amendment application affecting this site. The applicant has proposed to move the heritage resource from its original location to a new location on the development site of 9-21 Grenville Street. The applicant has been advised that City heritage staff cannot support this application due to the proposed relocation in light of the potential risk of damage to the heritage structure, and that previous plans submitted by the applicant indicated that its current location can be maintained.

The Director of Community Planning will be preparing a report for the October 4, 2011 meeting of the TEYCC in support of the re-zoning application as a whole. A condition of the re-zoning is that the applicant receive approval for the removal of the heritage resource from City Council under Section 34 of the Ontario Heritage Act.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council refuse the proposed removal of the designated heritage property at 21 Grenville Street (John Irwin House) under Section 34 of the Ontario Heritage Act.
2. If the owner appeals City Council's decision to refuse the application for removal under Section 34 of the Ontario Heritage Act, City Council authorize the City Solicitor and appropriate City staff to attend any hearing held by the Ontario Municipal Board in opposition to the appeal.

Financial Impact

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

DECISION HISTORY

Committee of Adjustment

On September 22, 2010, the Committee of Adjustment reviewed a request (file A0657/10 TEY) by Lifetime Developments to permit a 49-storey mixed-use residential condominium (149.7 metre high- by-law permits 46 metres). The Committee of Adjustment determined that the variances were not minor in nature and they refused the application for the following reasons: the general intent and purpose of both the Official Plan and the Zoning By-law is not maintained; the variance(s) is not considered desirable for the appropriate development of the land; and in the opinion of the Committee, the variance is not minor. The applicant appealed the refusal to the Ontario Municipal Board (OMB).

The property was listed on the City's Inventory of Heritage Properties on March 6, 2007. City Council stated its intention to designate the property located at 21 Grenville Street on June 14, 2011 and the designation by-law is pending.

City Council's decision may be viewed through the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.TE7.8>

ISSUE BACKGROUND

The property at 21 Grenville Street has design value as the site of a late 19th century house form building with features of Second Empire styling. While the style with its distinctive mansard roof was popular for domestic architecture during the Victorian era, the John Irwin House is a rare surviving example of its application in the former residential neighbourhood northwest of Yonge Street and College Street.

Contextually, the property at 21 Grenville Street is historically linked to its surroundings as it is the last remaining intact 19th century house form building in the residential subdivision developed on the Elmsley Villa Estate west of Yonge Street and north of College Street. As the area evolved in the 20th century with the northward extension of Bay Street and the introduction of commercial and industrial buildings, the John Irwin House survived as a reminder of the neighbourhood's domestic origins.

Proposal

The applicant proposes to redevelop the site located at 9-21 Grenville Street with a 52-storey mixed use residential condominium building with 438 residential units, and five levels of underground parking. This application proposes to demolish the rear addition of the John Irwin House (which is not included in the heritage attributes) and move the main building of 21 Grenville Street from the north-west section of the site to the north-east section of the development site along a laneway at 9 Grenville Street.

As of the date of this report, no site plan application has been filed.

Pre-Application Consultation – Committee of Adjustment

While community planning staff recommended that the applicant submit a zoning amendment application in regard to several issues, including height and density that were not considered by Planning staff to be minor in nature, the applicant proceeded with a Committee of Adjustment application. On September 22, 2010, the Committee of Adjustment reviewed a request (file A0657/10 TEY) by Lifetime Developments to permit a 49-storey (149.7 metre) mixed-use residential condominium (by-law permits 46 metres). The Committee of Adjustment did not consider the variances to be minor in nature and refused the application for the following reasons: the general intent and purpose of both the Official Plan and the Zoning By-law is not maintained; the variance(s) is not considered desirable for the appropriate development of the land; and in the opinion of the Committee, the variance is not minor. The applicant appealed the refusal to the Ontario Municipal Board.

As part of the application to the Committee of Adjustment, the proposal included moving the heritage property (John Irwin House) from its original site to a new location within the lobby of a new building on another part of the larger development site that includes 9-21 Grenville Street.

Pre-Application Consultation – Rezoning

As a result of the Committee of Adjustment refusal, the City held several pre-application meetings (October 5, 2010, October 26, 2010, November 1, 2010 and November 15, 2010) to discuss the potential for the submission of a rezoning application and details of the development proposal as well as the potential appeal of the refusal decision to the OMB. The applicant appealed the refusal decision by the Committee of Adjustment in November 2010 and the OMB file remains open. The applicant has since decided not to pursue the OMB hearing but to proceed with the submission of a rezoning application.

During these pre-application meetings, staff expressed concerns over any movement of the designated heritage building at 21 Grenville Street, along with height and density of the proposed building, setbacks from adjacent buildings including the heritage building, the proposed built form and massing.

Rezoning Application

The initial conservation strategy proposal for the heritage property included removing the heritage property (the John Irwin House) from its original site to a new location within the lobby of the new building on a larger site that includes 9-21 Grenville Street (Heritage Impact Assessment submitted by ERA Architects Inc, dated June 21, 2010). City staff informed the applicant of the applicable conservation policies adopted by City Council and encouraged a reconsideration of the conservation strategy for the heritage property. City staff worked with the applicant on a revised proposal. The applicant achieved a design solution for the property where the heritage building remained in its location, with clear views of both the north and east elevations of the John Irwin House from Yonge Street as described in the revised Heritage Impact Assessment submitted by ERA Architect Inc, dated December 13, 2010.

However, following community consultation working group sessions convened by the ward councillor, the applicant further revised their rezoning amendment application in May, 2011 to move the heritage resource from its original location (Heritage Impact Assessment and Heritage Relocation Plan submitted by ERA Architects Inc. dated July 15, 2011). The proposal includes demolition of the rear addition of the house and moving the main building from its current property address at 21 Grenville Street to the north eastern section of the development site (9 Grenville Street) adjacent to St. Luke's Lane. The house will then be connected to a new podium and lobby entrance to the residential tower along its west elevation with a glazed addition attached to the rear of the house.

COMMENTS

Relevant Policies

Ontario Planning Act

The Ontario Planning Act and Provincial Policy Statement guides development in the province and includes provincial interests regarding heritage resources as described in the Provincial Policy Statement issued under the authority of Section 3 of the *Planning Act*. The Planning Act requires that all decisions affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development, and promotes the provincial "policy-led" planning system.

Provincial Policy Statement 2.6.1 indicates that "Significant built heritage resources and cultural heritage landscapes shall be conserved". Properties included on the City's

Inventory of Heritage Properties are considered to be "significant" in this context. In the PPS 2005, "conserved" means "the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment."

Official Plan

Policy 3.1.5.2 of the Official Plan states that "heritage resources on properties listed on the City's Inventory of Heritage Properties will be conserved" and that "development adjacent to properties on the City's Inventory will respect the scale, character and form of the heritage buildings and landscapes."

Standards and Guidelines for the Conservation of Historic Places in Canada, Parks Canada

The Standards and Guidelines for the Conservation of Historic Places in Canada is the official document guiding planning, stewardship and conservation approach for all listed and designated heritage resources within the City of Toronto.

The relevant Standards include, but are not limited to, the following:

- Conserve the heritage value of a historic place. Do not remove, replace or substantially alter its intact or repairable character defining elements. Do not move a part of an historic place if its current location is a character-defining element
- Conserve heritage value by adopting an approach calling for minimal intervention.
- 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 an 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 on close inspection. Document any intervention for future reference
- Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. Make the new

work physically and visually compatible with, subordinate to and distinguishable from the historic place

- Create any new additions or related new construction so that the essential form and integrity of an historic place will not be impaired if the new work is removed in the future

Heritage Comment

The property at 21 Grenville 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 not one, but three categories of design, associative and contextual value.

The John Irwin House located on this property was constructed circa 1873 and abuts the residential condominium building located at 25 Grenville. As the house is not a free standing structure, the proposed removal from its existing location is considered to be a major undertaking that has the potential of exposing the heritage resource at risk of damage.

Contextually, the property is historically linked to its surroundings as the last remaining intact 19th century house form building in the residential subdivision developed on the Elmsley Villa Estate west of Yonge Street and north of College Street. As each historic place is recognized as a physical record of its time, place and use, proposed relocation of the John Irwin House away from its property to another property in the Elmsley Villa Estate subdivision at 9 Grenville Street, will create a false sense of historical development of the neighbourhood.

In pre-application consultation meetings, City staff informed the applicant of the applicable conservation policies including the *Ontario Planning Act, Provincial Policy Statement, City of Toronto Official Plan* and the *Standards and Guidelines for the Conservation of Historic Places* and encouraged the applicant to consider a conservation strategy that would have the least impact on the designated heritage property known as the John Irwin House. City staff continued to work with the applicant to revise the proposal. The applicant achieved a design solution with the heritage building remaining in its location and adaptively reused in the proposed mixed use development, with clear views of both the primary(north) and east elevations of the John Irwin House from Yonge Street as detailed in the Heritage Impact Assessment submitted by ERA Architects Inc dated December 13, 2010.

Subsequently, the proposal was revised to move the heritage resource from its original location and connect it to a new podium and lobby entrance to the residential tower along its west elevation. It is the opinion of Heritage Preservation Services staff that the relocation of the building does not satisfy applicable conservation policy requirements as moving a heritage building places the resource at risk and is not considered to be a minimal intervention where less destructive options are available.

In regard to applicable conservation policies, moving heritage buildings has been considered by heritage staff in cases where no other conservation options are available. As such, the applicant has been advised that City heritage staff cannot support this application given that the designated property can be retained in its original location without negative consequences for the proposed development. This is important as it means that a conservation strategy can be achieved for a proposed development that adaptively reuses the John Irwin House with minimal intervention to this heritage resource. Therefore, City heritage staff have concluded that moving the John Irwin House at 21 Grenville Street is not warranted, and that the development of the site can be achieved through *in situ* preservation.

The Director of Community Planning will be preparing a report for the October 4, 2011 meeting of the TEYCC in support of the re-zoning application as a whole. A condition of the re-zoning is that the applicant receive approval for the removal of the heritage resource from City Council under Section 34 of the Ontario Heritage Act. In the event that Council approves the application for re-zoning and consents to the removal of the building to a new location, heritage staff have prepared conditions to secure the work as proposed. These conditions are contained in Attachment 4 of this report.

CONTACT

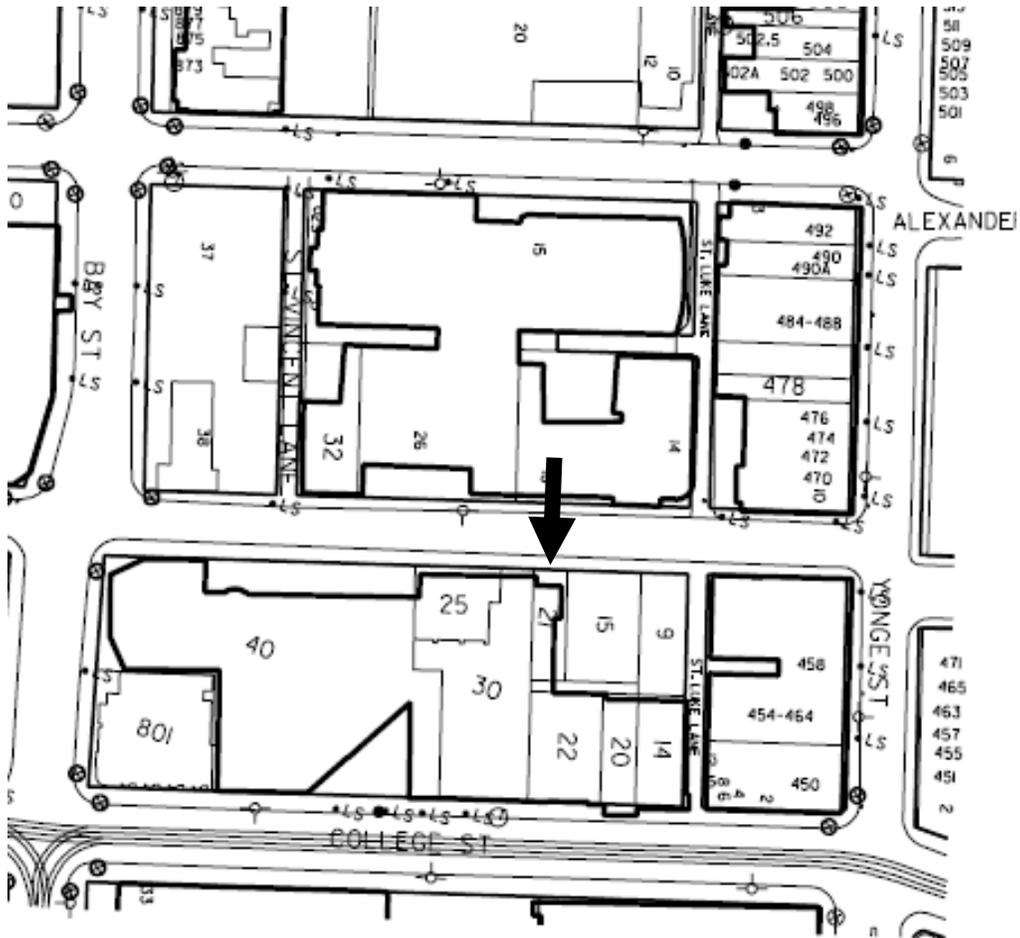
Mary L. MacDonald, Acting Manager
Heritage Preservation Services
Tel: 416-338-1079
Fax: 416-392-1973
E-mail: mmacdon7@toronto.ca

SIGNATURE

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

ATTACHMENTS

Attachment No. 1 – Location Map
Attachment No. 2 – Photos of the John Irwin House – 21 Grenville Street
Attachment No. 3 – Reasons for Designation
Attachment No. 4 – Council Conditions for Approval



The **arrow** marks the location of the property.

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



Principal (north) façade



East elevation (left) and north façade (right)

**(Statement of Significance) as revised by the Toronto Preservation Board
21 GRENVILLE STREET**

John Irwin House

Description

The property at 21 Grenville 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 three categories of design, associative and contextual value. Located on the south side of Grenville Street, west of Yonge Street, the John Irwin House (1872-73) is a 2½-storey house form building. City Council listed the property on the City of Toronto Inventory of Heritage Properties in 2007.

Statement of Cultural Heritage Value

The property at 21 Grenville Street has design value as the site of a late 19th century house form building with features of the Second Empire styling. While the style with its distinctive mansard roof was popular for domestic architecture during the Victorian era, the John Irwin House is a rare surviving example of its application in the former residential neighbourhood northwest of Yonge Street and College Street.

The John Irwin House bears the name of its original owner, a contractor who developed a series of properties along Grenville Street where he resided at #21 in 1879. Irwin was also a municipal politician who was associated with the development of parkland on the Toronto Islands. The property at 21 Grenville Street was inherited by his grandson, Irwin John Ardagh, a noted athlete, whose family retained the site until 1935.

Methodist minister and publisher William Briggs occupied the property at 21 Grenville Street for nearly forty years beginning in 1880. Briggs was a prominent leader of the Methodist Church in Canada who served as pastor of Metropolitan Methodist Church (now Metropolitan United Church) in Toronto. Coinciding with his occupancy of the Grenville Street property, from 1879 to 1918 Briggs was the business manager of the Methodist Book and Publishing House in Toronto. Under Briggs' leadership, secular works were added to the existing catalogue of religious material, turning the company into one of the largest publishing enterprises in Canada in the late 19th and early 20th centuries.

Contextually, the property at 21 Grenville Street is historically linked to its surroundings as it is the last remaining intact 19th century house form building in the residential subdivision developed on the Elmsley Villa Estate west of Yonge Street and north of College Street. As the area evolved in the 20th century with the northward extension of Bay Street and the introduction of commercial and industrial buildings, the John Irwin House survived as a reminder of the neighbourhood's domestic origins.

Heritage Attributes

The heritage attributes of the property at 21 Grenville Street are:

- The 2½-storey detached house form building
- The scale, form and massing of the structure, with the main house
- The materials, with red brick cladding, and brick, stone and wood trim
- The mansard roof, with the pair of segmental-arched dormers on the north slope and the pair of brick chimneys on the east end
- The principal (north) facade, where the main entrance is placed in the right (west) bay
- The fenestration, with the two-storey bay window on the north facade, the single segmental-arched openings in the raised base, above the north entry and on the east elevation
- The decorative detailing, with contrasting buff brick applied for the quoins, string courses and hood moulds
- The view of the north façade and the east elevation from Yonge Street

Conditions of Consent

1. City Council consent to the removal of the designated property at 21 Grenville Street under Section 34 of the Ontario Heritage Act in accordance with the Heritage Impact Assessment and Heritage Relocation Plan submitted by ERA Architects Inc. dated July 15, 2011, subject to the following terms and conditions:
 - a. Prior to the introduction of Bills in Council for the re-zoning of the subject property, the owner shall:
 - i. enter into and register a Heritage Easement Agreement with the City for the heritage property located at 21 Grenville Street to the satisfaction of the Manager of Heritage Preservation Services and the City Solicitor; and
 - ii. provide a detailed Conservation Plan, satisfactory to the Manager of Heritage Preservation Services, prepared by a qualified heritage consultant that:

contains a detailed condition assessment of the heritage building;

details the demolition of the rear addition, the proposed method of detaching the heritage building from 25 Grenville Street, detailed plans for the re-location of the building and the integration of the heritage building with the podium of the proposed new construction as well as the proposed exterior restoration of the building once the move has been completed;

includes a detailed cost estimate with descriptions and specifications for the work for the purpose of an indexed Letter of Credit to be secured within the Heritage Easement Agreement; and
 - iii. agree that the above matters will be secured in the zoning by-law amendment and the section 37 agreement to be entered into pursuant to s.37 of the Planning Act in a manner satisfactory to the City Solicitor in consultation with the Manager of Heritage Preservation Services and as a legal convenience, such that all heritage requirements imposed by Council as part of any zoning approval are appropriately secured in the section 37 agreement.

- b. Prior to Site Plan Approval, the owner shall prepare and provide the following to the satisfaction of the Manager, Heritage Preservation Services:
 - i. site plan drawings in accordance with the approved Conservation Plan;
 - ii. a detailed Landscape Plan that supports the architectural style of the heritage building including reference to materials and finishes;
 - iii. a Lighting Plan including building and site lighting;
 - iv. an Interpretation Plan including interpretive elements regarding the property's heritage values, site history and archaeological resources as may be applicable, an implementation schedule and a budget; and
 - v. a record of the as-found condition of the building including architectural drawings and photographs keyed to plans and elevations of all visible interiors and exteriors.
 - c. Prior to the issuance of any heritage permit for the proposal, including a heritage permit related to demolition, shoring, excavation and rebuilding of any building or structure on the subject property:
 - i. the owner shall have received final approval for the zoning amendment and final site plan approval; and
 - ii. the owner shall provide a Letter of Credit, in a form and an amount satisfactory to the Chief Planner and Executive Director, City Planning Division, to secure all work including the implementation of the approved Conservation Plan, Lighting Plan, Landscape Plan and Interpretation Plan.
 - d. Prior to the release of the Letter of Credit, the owner shall:
 - i. implement the Conservation Plan, Lighting Plan, Landscape Plan and Interpretation Plan subject to the review and approval of the Manager of Heritage Preservation Services; and
 - ii. provide a Letter of Substantial Completion signed by the project architect and heritage consultant to the satisfaction of the Manager, Heritage Preservation Services.
2. City Council grant authority for the execution of a Heritage Easement Agreement to secure heritage matters related to 21 Grenville Street under section 37 of the

Ontario Heritage Act and authorize the City Solicitor to introduce any necessary bill in Council.