



**STAFF REPORT
ACTION REQUIRED**

Alteration of a Designated Heritage Property, Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act and Authority to Enter Into a Heritage Easement Agreement – 481 University Avenue (Including 210 Dundas Street West)

Date:	June 26, 2014
To:	Toronto Preservation Board Toronto East York Community Council
From:	Director, Urban Design, City Planning Division
Wards:	Ward 27 - Toronto Centre-Rosedale
Reference Number:	P:\2014\Cluster B\PLN\TEYCC\TE14063

SUMMARY

This report recommends that City Council endorse the conservation strategy generally described in this report for the heritage properties located at 481 University Avenue and 210 Dundas Street West in connection with the proposed redevelopment of 481 University Avenue, 210 Dundas Street West, 70 Centre Avenue and 137 Edward Street which proposes to construct a 55-storey residential tower including a 10-storey commercial office/retail base.

Should Council endorse this strategy staff recommend that a Heritage Easement Agreement be entered into and registered with the City and that staff be authorized to take the necessary steps to ensure the long-term protection of the Maclean Publishing Company Building and the Maclean-Hunter Building. The buildings at 70 Centre Avenue and 137 Edward Street are proposed to be demolished as part of the development.

The report also recommends that City Council state its intention to designate the property at 481 University Avenue under Part IV, Section 29 of the Ontario Heritage Act, with the designation applied to the west end of the site where the Maclean-Hunter Building (1961) is situated, as well as the northwest corner of Dundas Street West and Centre Avenue, which is known as 210 Dundas Street West and contains the Maclean Publishing Company Building (1928).

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council approve the alterations to the heritage property at 481 University Avenue and 210 Dundas Street West in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a 55-storey residential tower including a 10-storey commercial office/retail base provided that 481 University Avenue and 210 Dundas Street West are designated and subject to a Heritage Easement Agreement with the City, with such alterations to the properties to be substantially in accordance with the Heritage Impact Assessment, prepared by ERA Architects Inc., dated February 12, 2013 and revised September 6, 2013, and the drawings prepared by B+H Architects dated February 12, 2013 and on file with the Manager, Heritage Preservation Services, all subject to and in accordance with a Conservation Plan satisfactory to the Manager, Heritage Preservation Services and subject to the following additional conditions:
 - a. That the related Zoning By-law Amendment giving rise to the proposed alterations have been enacted by the City Council and have come into full force and effect in a form and with content acceptable to the City Council, as determined by the Chief Planner and Executive Director, City Planning in consultation with the Manager, Heritage Preservation Services.
 - b. That prior to the introduction of the bills for the Zoning By-law Amendment by City Council, the owner shall:
 - i. Enter into a Heritage Easement Agreement for the property at 481 University Avenue and 210 Dundas Street West in accordance with the Heritage Impact Assessment, prepared by ERA Architects Inc., dated February 12, 2013 and revised September 6, 2013 to the satisfaction of the Manager, Heritage Preservation Services including registration of such agreement to the satisfaction of the City Solicitor.
 - ii. Complete and register a Section 37 Agreement (pursuant to the Planning Act) to the satisfaction of the City Solicitor, the Chief Planner and Executive Director, City Planning and the Manager, Heritage Preservation Services.
 - c. That prior to Site Plan Approval for the property at 481 University Avenue, 210 Dundas Street West, 70 Centre Avenue and 137 Edward Street the owner shall:
 - i. Provide a Conservation Plan, prepared by a qualified heritage consultant that is consistent with the conservation strategy set out in the Heritage Impact Assessment for the properties located at 481

- University Avenue and 210 Dundas Street West dated February 12, 2013 and revised September 6, 2013, and includes a removal, storage, relocation and restoration plan for the Elizabeth Wyn Wood bas-reliefs to be prepared by a qualified art conservator with a specialization in bas relief sculpture, and all to the satisfaction of the Manager, Heritage Preservation Services.
- ii. Complete all heritage-related pre-approval conditions contained in a Notice of Approval Conditions for Site Plan Control to the satisfaction of the Manager, Heritage Preservation Services.
 - iii. Provide Final Site Plan drawings including drawings related to the approved Conservation Plan to the satisfaction of the Manager, Heritage Preservation Services.
- d. That prior to the issuance of any permit for the property at 481 University and 210 Dundas Street West, including a heritage permit or a building permit, but excluding permits for repairs and maintenance of the existing heritage building the owner shall:
- i. Obtain final approval for the necessary by-law amendment required for the alterations to the properties at 481 University and 210 Dundas Street West, such amendments to have been enacted by City Council and to have come into full force and effect in a form and with content acceptable to City Council as determined by the Chief Planner, and Executive Director, City Planning in consultation with the Manager, Heritage Preservation Services.
 - ii. Have obtained Final Site Plan approval for such property, issued by the Chief Planner and Executive Director, City Planning.
 - iii. Provide full building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan, including a description of materials and finishes to be prepared by the project architect, a qualified heritage consultant and a qualified art conservator, all to the satisfaction of the Manager, Heritage Preservation Services.
 - iv. Provide a Lighting Plan that describes how the Maclean Publishing Company Building and the Maclean-Hunter Building will be sensitively illuminated to enhance its heritage character, to the satisfaction of the Manager, Heritage Preservation Services.
 - v. Provide an Interpretation Plan for 481 University Avenue, 210 Dundas Street West, 70 Centre Avenue and 137 Edward Street, to the satisfaction of the Manager, Heritage Preservation Services.
 - vi. Provide a Letter of Credit, including provision for upwards indexing, in a form and amount and from a bank satisfactory to the Manager, Heritage Preservation Services to secure all work included in the approved Conservation Plan, including work related to the relocation

and restoration of the Elizabeth Wyn Wood bas-reliefs and the approved Interpretation Plan.

- e. That prior to the release of the Letter of Credit the owner shall:
 - i. Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the conservation work and the interpretive work have been completed in accordance with the approved Conservation Plan and the approved Interpretation Plan, and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Manager, Heritage Preservation Services.
 - ii. Provide replacement Heritage Easement Agreement photographs to the satisfaction of the Manager, Heritage Preservation Services.
2. City Council state its intention to designate the property at 481 University Avenue with the Maclean-Hunter Building (1961) under Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Significance: 481 University Avenue (Reasons for Designation) attached as Attachment No. 14 to the report (June 26, 2014) from the Director, Urban Design, City Planning Division.
3. City Council state its intention to designate the property at 481 University Avenue (the part known as 210 Dundas Street West with the Maclean Publishing Company Building (1928) under Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Significance: 481 University Avenue (210 Dundas Street West: Reasons for Designation) attached as Attachment No. 15 to the report (June 26, 2014) from the Director, Urban Design, City Planning Division.
4. If there are no objections to the designation in accordance with Section 29(6) of the Ontario Heritage Act, City Council authorize the City Solicitor to introduce the bill in Council designating the property under Part IV, Section 29 of the Ontario Heritage Act.
5. If there are objections in accordance with Section 29(7) of the Ontario Heritage Act, City Council direct the City Clerk to refer the designation to the Conservation Review Board.
6. If the designation is 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 designation of the property.

7. The Chief Planner, or Chief Planner's designate, be authorized to enter into a heritage easement agreement under Section 37 of the Ontario Heritage Act with the owner of 481 University Avenue in a form and content satisfactory to the Chief Planner and City Solicitor.

Financial Impact

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

DECISION HISTORY

The property located at 481 University Avenue was listed on the City of Toronto Inventory of Heritage Properties on June 9, 1976, with the parts of the site known as 210 Dundas Street West and 70 Centre Avenue specifically identified in the inventory listing.

ISSUE BACKGROUND

The proposed development at 481 University Avenue includes the properties at 481 University, 210 Dundas Street West, 70 Centre Avenue and 137 Edward Street, located on the northeast corner of University Avenue and Dundas Street West. The proposed development includes a high-rise residential tower with a mixed-use podium building. The proposal intends to demolish the buildings at 70 Centre Avenue and 137 Edward Street, while incorporating a depth of the façades of the office building at 481 University Avenue and the former printing plant at 210 Dundas Street West into a new mixed-use podium building. The proposal is subject to a Zoning By-law Amendment (13 123864 OZ).

The Conservation Strategy was developed with reference to the Parks Canada Standards and Guidelines for the Conservation of Historic Places, the Ministry of Culture's Ontario Heritage Toolkit and the Burra Charter.

Policy Framework

Planning Act and Provincial Policy Statement 2014

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. Key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Planning Act and the associated Provincial Policy Statement guide development in the Province and they include 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 directs that "Significant built heritage resources and significant 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 2014, "conserved" is defined as "the identification, protection, use and/or management of built heritage resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act."

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." The policy also states that "Development adjacent to properties on the City's Inventory will respect the scale, character and form of the heritage buildings and landscapes."

At its meeting of April 3, and 4, 2013, Toronto City Council adopted amendments to the Official Plan heritage policies. By-law 468-2013 enacting these policies has been appealed to the Ontario Municipal Board. While the amendments are not yet in force, Heritage Preservation Services (HPS) has also considered the proposal within the context of these amended policies. Policy 28 specifically addresses the relocation of heritage buildings and/or structures.

The Standards and Guidelines for the Conservation of Historic Places in Canada

In 2008 Toronto City Council adopted the Standards and Guidelines for the Conservation of Historic Places in Canada as the official document guiding planning, stewardship and conservation approach for all listed and designated heritage resources within the City of Toronto.

Proposal

The property is subject to a proposed development of a 55-storey residential tower including a 10-storey commercial office/retail base with connections to TTC St. Patrick subway station and PATH. The proposal incorporates the office building at 481 University Avenue and the printing plant at 210 Dundas Street West into the new mixed-use podium building.

Conservation Strategy

The objectives of the conservation approach to the proposed project are to:

- Conserve the legibility of the Maclean-Hunter Publishing building complex as an aggregate of buildings of different eras of the evolution of University Avenue
- Provide a complementary contribution to the Maclean-Hunter Publishing building complex with a contemporary iteration of development along University Avenue, including a mix of office, retail, cultural and residential uses
- Enhance the public realm through engagement with the site's heritage resources.

The development involves the retention and restoration of the primary façades of the office building at 481 University Ave and the printing plant at 210 Dundas Street West. This includes the restoration of all stone cladding on the façades of both buildings; the preservation of the original fenestration character; the restoration of the entrance podium of 481 University Avenue to its original materiality and removal of the 1984 portico; the re-instatement of the clock on the south bay of the University Avenue façade; and the removal of the ramp and stairs on the Centre Avenue elevation of the printing plant and lowering of ground level window sills to provide access to proposed retail use.

The proposal involves the removal of the building at 70 Centre Street, which is the rear façade of the first MacLean Publishing Company building on the site (c.1910), in order to accommodate the new building footprint, including the loading and vehicular circulation entrance. Heritage planning staff will continue to work with the applicant during the site plan approval stage to determine if demolition is the only feasible alternative for this important early building remnant.

Due to the high pedestrian volume at the intersection of University Avenue and Dundas Street West because of the TTC University Subway line and the Dundas Streetcar route, the conservation strategy involves improving the public realm by opening up the south bay of the office building at 481 University Avenue and the printing plant at 210 Dundas Street West to create an arcade that will effectively widen the sidewalk to accommodate more pedestrian traffic. This alteration includes the removal of window glazing and the lowering of window sills to grade in the first floor openings on the Dundas Street West elevations of both buildings; the reduction of the width of the entrance podium of 481 University Avenue by one bay on each side to increase the width of the public realm and accommodate more pedestrian traffic along Dundas Street West; and the relocation of bas-reliefs by Elizabeth Wyn Wood to the southern end wall of the podium of the office building at 481 University, which shifts westerly from its current location.

The main residential entry to the building is proposed to be located on Centre Avenue. Retail and office entry is proposed on both University Avenue and Dundas Street West, and access to the loading area would be located on Edward Street. The tower portion of the building is proposed to be a rectangular shape with an east-west orientation and be located on the northeast portion of the site. The proposed base of the building is designed to extend to the property line on all four sides and would occupy the entire city block. Above the base, the main body of the tower (from the 11th to 55th floors) would be set back 3.0 metres along the east side, 4 metres along the north side, from 9.8 metres to 15.2 metres along the west side and 30 metres along the south side.

COMMENTS

Heritage Preservation Services has reviewed plans and drawings prepared by B+H Architects dated February 12, 2013 and the revised Heritage Impact Assessment prepared by ERA Architects Inc. dated September 6, 2013.

The conservation of the façades at 481 University and 210 Dundas Street West as a means of rehabilitation has been planned with respect for the heritage integrity of the buildings. The *in situ* preservation of at least a one bay width of 210 Dundas Street building and the proposed significant step-back of the tower from the heritage façades distinguishes the heritage buildings from the new development in three dimensions.

The retention of the Elizabeth Wyn Wood bas-reliefs *in situ* was considered as part of the conservation strategy. However, the original design intent of the sculptures was that they be integral to the building. Due to this original design intent and further urban design considerations, such as the obstruction of pedestrian traffic and the entrance of the proposed colonnade, it is recommended that the bas-reliefs be incorporated into the new width of the entrance. Staff are now satisfied that this is a reasonable solution.

The proposed restoration of the facades of both buildings, including the restoration of the entrance podium of 481 University Avenue to its original materiality, strongly contributes to the quality of the project. While the proposed arcade will require a loss of some heritage fabric, the overall impact of improved pedestrian flow and integration into the TTC and PATH systems is necessary for this location. This intervention is a sensitive adaptation of the south façade that allows for compatible contemporary use and allows the depth of the building as a three dimensional volume to be experienced at the pedestrian level. The inclusion of the bas-reliefs within this public space and the restoration of the clock on the south elevation will help to mitigate this intervention.

City staff is continuing to work with the applicant to find an appropriate solution that allows for the retention of the building façade at 70 Centre Street. While staff appreciates the need for vehicular circulation and loading at a optimum location, this should not be at the cost of a listed heritage building. Given the respect and care given to preserve the site's other important heritage buildings and their features, and the importance of this façade to the collection of buildings on site that tell the story of the growth of MacLean publishing throughout the twentieth-century, staff hope to resolve this issue in a way that ensures the success of the project while maintaining significant heritage fabric. Further discussions will take place during Site Plan Control.

The project will result in the designation of two significant buildings under Part IV of the Ontario Heritage Act, and will secure their long term protection with heritage easement agreements registered on title.

Heritage Evaluation: 481 University Avenue (Maclean-Hunter Building)

Staff have completed the attached Heritage Property Research Evaluation Report for the Maclean-Hunter Building at 481 University Avenue (Attachment No. 16) and determined that it meets Ontario Regulation 9/06, the criteria prescribed for municipal designation under all three categories of design, associative and contextual values.

The Maclean-Hunter Building (1961) is valued as a fine representative example of a commercial complex from the post-World War II with Modern Classical styling inspired by the design guidelines established for University Avenue in the 20th century as interpreted by its architects, the notable firm of Marani and Morris.

The value of the Maclean-Hunter Building also relates to its historical association with the Maclean Publishing Company, which became the largest publisher in Canada during the 20th century of trade journals and popular periodicals, as well as the Financial Post newspaper.

Contextually, with its location on the east side of University Avenue where it extends along the city block from Dundas Street West to Edward Street, the Maclean-Hunter Building has cultural heritage value for its historical links to its setting, as well as its role in defining, maintaining and supporting the character of University Avenue as a ceremonial boulevard leading to Queen's Park.

Heritage Evaluation: 481 University Avenue (210 Dundas Street West: Maclean Publishing Company Building)

Appended as Attachment No. 17, the Heritage Property Research and Evaluation Report completed by staff for the portion of the property at 481 University Avenue identified as 210 Dundas Street West indicates that Maclean Publishing Company Building (1928) meets the provincial criteria prescribed for municipal designation (Ontario Regulation 9/06) for its design, associative and contextual values.

The Maclean Publishing Company Building (which originally contained a printing plant and offices) is valued as a well-crafted example of a commercial building from the interwar era by Toronto architect Murray Brown that is historically associated with the development of the Maclean Publishing Company as Canada's largest publisher of trade journals and popular periodicals, including Maclean's and Chatelaine magazines.

Anchoring the northwest corner of Dundas Street West and Centre Avenue, directly east of University Avenue, the contextual value of the Maclean Publishing Company Building relates to its historical and visual links to its setting as part of a publishing complex that developed in the 20th century on one of Toronto's most distinctive and prominent boulevards.

The Statements of Significance for the property at 481 University Avenue (Maclean-Hunter Building, 1961 - Attachment No. 14), including the part of the site at 210 Dundas Street (Maclean Publishing Company Building, 1928 - Attachment No. 15), comprise the Reasons for Designation, which are the Public Notices of Intention to Designate and will be advertised on the City of Toronto's web site in accordance with the City of Toronto

Act provisions and served on the property owners and the Ontario Heritage Trust according to the provisions of the Ontario Heritage Act.

CONTACT

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

SIGNATURE

Harold Madi
Director Urban Design
City Planning Division

ATTACHMENTS

Attachment No. 1 – Location Map,
Attachment No. 2 – Proposed Site Plan
Attachment No. 3 – Photographs
Attachment No. 4 – Photographs
Attachment No. 5 – Photographs
Attachment No. 6 – Proposed Rendering
Attachment No. 7 – Proposed Rendering
Attachment No. 8 – Proposed Rendering
Attachment No. 9 – Proposed Rendering
Attachment No. 10 - Proposed Elevations
Attachment No. 11 - Proposed Elevations
Attachment No. 12 - Proposed Elevations
Attachment No. 13 – Proposed Rendering
Attachment No. 14 - Statement of Significance - 481 University Avenue (Maclean-Hunter Building - Reasons for Designation)
Attachment No. 15 - Statement of Significance - 481 University Avenue (210 Dundas Street West - Maclean Publishing Company Building - Reasons for Designation)
Attachment No. 16 - Heritage Property Research and Evaluation Report - 481 University Avenue (Maclean-Hunter Building, 1961)

Attachment No. 17 Heritage Property Research and Evaluation Report - 481 University Avenue (210 Dundas Street West - Maclean Publishing Company Building, 1928)