



**STAFF REPORT
ACTION REQUIRED**

**Intention to Designate under Part IV, Section 29 of the
Ontario Heritage Act - 1 Front Street West**

Date:	November 26, 2015
To:	Toronto Preservation Board Toronto and East York Community Council
From:	Chief Planner and Executive Director, City Planning Division
Wards:	Toronto Centre-Rosedale - Ward 28
Reference Number:	P:\2015\Cluster B\PLN\TEYCC\TE15087

SUMMARY

This report recommends that City Council state its intention to designate the property at 1 Front Street West containing the Dominion Public Building (the Property) under Part IV, Section 29 of the Ontario Heritage Act (the Act) following its transfer from federal government ownership. The property at 1 Front Street West is managed by the Real Property Branch of Public Works and Government Services Canada (PWGSC), which as a cost-saving measure has declared the property surplus and will proceed with its disposal.

In a letter dated May 29, 2015, PWGSC requested Heritage Preservation Services to assess the Property to determine whether it merits designation as an individual property under Part IV, Section 29 of the Act. The Property was designated in 1983 by the Federal Heritage Buildings Review Office (FHBRO) as a "Classified" Federal Heritage Building, the highest ranked category. It is currently subject to the Treasury Board policies concerning the management and disposition of Federal Heritage Buildings, but will no longer be subject to any federal heritage protections once it leaves the federal inventory.

The Property is listed on the City of Toronto's Heritage Register and designated under Part V of the Act as part of the Union Station Heritage Conservation District (USHCD). However, because the Federal Government is not subject to the Act, compliance on the part of the Federal Government is voluntary. The HCD designation is confined to the exterior of the building.

Designation under Part IV of the Act will enable the protection of cultural heritage value and heritage attributes, including interior features. As the Federal Government is not

subject to the Act, compliance with the designation by-law will be voluntary until such time as the property changes hands.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council state its intention to designate the property at 1 Front Street West (the "Property") under Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Significance: 1 Front Street West (Reasons for Designation) attached as Attachment No. 3 to the report (November 26, 2015) from the Chief Planner and Executive Director, City Planning Division, to be effective upon the transfer of the Property by the federal government and that notice of intention to designate be served on the new owner following the transfer of the Property.
2. If there are no objections to the designation in accordance with 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 following the transfer of the Property.
3. If there are objections in accordance with the Ontario Heritage Act, City Council direct the City Clerk to refer the designation to the Conservation Review Board.
4. 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.

Financial Impact

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

DECISION HISTORY

The Dominion Public Building located at 1 Front Street West (the Property) was listed on the inaugural City of Toronto Inventory of Heritage Properties (now known as the Heritage Register) in 1973. On July 29, 2006, City Council enacted By-law 634-2006 designating the Union Station Heritage Conservation District (USHCD) under Part V of the Ontario Heritage Act (the Act):

<http://www.toronto.ca/legdocs/bylaws/2006/law0634.pdf> The HCD includes the Property.

At the federal government level, the Federal Heritage Review Office (FHBRO) designated the Property as a Classified Federal Heritage Building in 1983.

ISSUE BACKGROUND

The Property is owned by the federal government and managed by Public Works and Government Services Canada's (PWGSC) Real Property Branch. PWGSC is the Government of Canada's real estate expert and manages one of the largest and most diverse portfolios of real estate in the country. As a cost saving measure, PSGSC has declared the Property surplus and will proceed with its sale. The disposal of this Property will allow PWGSC to streamline its real estate portfolio and concentrate on its core assets, while generating benefits for both the local community and the Government of Canada. However, once the Property leaves the federal inventory, it will no longer be subject to the federal Treasury Board policies concerning and management and disposition of Classified Federal heritage Buildings. The Treasury Board Policy on Management of Real Property states that best efforts must be undertaken by the custodian prior to the disposal of a Classified Federal Heritage Building to protect the building's heritage character.

The Property is currently designated under Part V of the Act as part of the USHCD, but this designation only protects the exterior elements of the Dominion Public Building. The designation of the site as an individual property under Part IV of the Act would enable the City to identify and protect all of the heritage values and attributes of the Property, including important interior spaces and features.

COMMENTS

A location map and photographs are attached as Attachments Nos. 1 and 2.

Staff have completed the attached Heritage Property Research and Evaluation Report (Attachment No. 4) and determined that the Property meets Ontario Regulation 9/06, the criteria prescribed for municipal designation under Part IV, Section 29 of the Ontario Heritage Act. The Dominion Public Building is valued for its historic role in the economy of the city and country as the place where the federal government administered, inspected, stored and taxed imported and exported goods in Toronto, as well as its association with T. W. Fuller, the Chief Architect of the federal government's Public Works Department who was responsible for its construction as a monumental public building during the Great Depression. The Dominion Public Building is regarded as an exceptional example of Beaux-Arts Classicism in Canada, including the interior Long Room that remains a tangible link to the original use of the complex. It is a rare example of a building constructed by the federal government in Toronto during the early 20th century and, while it was the third Customs House on this site, it was the first to include the public offices and (at the rear) the warehouse facility in a single structure. Contextually, the Dominion Public Building strongly contributes to the character of the area on Front Street, west of Yonge Street, which was redesigned after the Great Fire of 1904 according to the ideals of the City Beautiful Movement as a grand boulevard adjoined by impressive architecture. Anchoring the corner of Yonge and Front Streets where it stands as a local landmark, the Dominion Public Building is historically, visually, physically and functionally connected to its setting on Toronto's "main street" with its direct links to the city's harbour, railway corridor and financial district.

The Statement of Significance (Attachment No. 3) comprises the Reasons for Designation to be included in the Notice of Intention to Designate. The Notice will be served following the transfer of the property and advertised on the City of Toronto's web site and on the Ontario Heritage Trust according to the provisions of the Ontario Heritage Act.

City staff have discussed the designation of the Property with the PWGSC and the Federal Government is supportive of the proposed Part IV designation. However, because the Federal Government is not subject to the Act, compliance on the part of the Federal Government is voluntary. Once the Property is transferred out of the federal inventory, compliance will no longer be voluntary and the new owner will be subject to the requirements of the Act.

CONTACT

Tamara Anson-Cartwright, Program Manager
Heritage Preservation Services
Tel: 416-338-1083; Fax: 416-392-1973
E-mail: tansonc@toronto.ca

SIGNATURE

Jennifer Keesmaat, MES, MCIP, RPP
Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

Attachment No. 1 - Location Map
Attachment No. 2 - Photographs
Attachment No. 3 - Statement of Significance (Reasons for Designation)
Attachment No. 4 - Heritage Property Research and Evaluation Report