

**Alterations to a Designated Heritage Property and
Authority to Enter into a Heritage Easement Agreement
– 1006 Bloor Street West (Paradise Theatre)**

Date:	March 4, 2015
To:	Toronto Preservation Board Toronto and East York Community Council
From:	Director, Urban Design, City Planning
Wards:	Ward 18 - Davenport
Reference Number:	P:\2015\Cluster B\PLN\TEYCC\TE15045

SUMMARY

This report recommends that City Council endorse the conservation strategy generally described in this report for the heritage property located at 1006 Bloor Street West (the Paradise Theatre) in conjunction with a Site Plan application for the construction of a second storey addition atop the existing east wing, provided the existing building is retained, conserved and is the subject of a Heritage Easement Agreement.

Should City Council endorse this strategy, staff recommends that City Council require the owner to enter into a Heritage Easement Agreement with the City and authorize staff to take the necessary steps to enter into such Heritage Easement Agreement to ensure the long-term protection of 1006 Bloor Street West.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council approve the alterations to the heritage property at 1006 Bloor Street West, in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a one-storey addition to the east wing and conservation of the theatre building on the lands known municipally in 2015 as 1006 Bloor Street West, with such alterations substantially in accordance with plans and drawings dated February 23, 2015, prepared by Ware Malcomb, date-stamped received by Heritage Preservation Services on February 25, 2015 , and on file with the

Manager, Heritage Preservation Services; and the Heritage Impact Assessment (HIA), prepared by E.R.A. Architects Inc., dated February 23, 2015, date-stamped received by Heritage Preservation Services February 25, 2015, and on file with the Manager, Heritage Preservation Services, subject to the following conditions:

- a. Prior to the issuance of Final Site Plan Approval for the property at 1006 Bloor Street West, 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 property at 1006 Bloor Street West prepared by ERA Architects Inc. dated February 23, 2015, to the satisfaction of the Manager, Heritage Preservation Services;
 - ii. Enter into a Heritage Easement Agreement with the City for the property at 1006 Bloor Street West substantially in accordance with the plans and drawings dated February 23, 2015 prepared by Ware Malcomb, date stamped received by City Planning February 25, 2015 and on file with the Manager, Heritage Preservation Services, the Heritage Impact Assessment (HIA) prepared by ERA Architects Inc. dated February 23, 2015 and in accordance with the Conservation Plan, required in Recommendation 1. a. i. in the report (March 4, 2015) from the Director, Urban Design, City Planning, to the satisfaction of the Manager, Heritage Preservation Services, including registration of such agreement to the satisfaction of the City Solicitor;
 - iii. 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;
 - iv. Provide Final Site Plan drawings including drawings related to the approved Conservation Plan required in Recommendation 1. a. i. in the report (March 4, 2015) from the Director, Urban Design, City Planning, to the satisfaction of the Manager, Heritage Preservation Services;
- b. Prior to the issuance of a heritage permit for the designated property at 1006 Bloor Street West pertaining to the addition and the rehabilitation of the east wing and the conservation of the exterior of the theatre building, but excluding permits for interior alterations/work as is necessary and acceptable to the Manager, Heritage Preservation Services, the owner shall:

- i. Provide full building permit drawings including notes and specifications for the conservation, stabilization and protective measures keyed to the approved Conservation Plan required in recommendation 1 a. i. in the report (March 4, 2015) from the Director, Urban Design, City Planning, including a description of materials and finishes, to be prepared by the project architect and heritage consultant to the satisfaction of the Manager, Heritage Preservation Services;
 - ii. Provide a Letter of Credit, including provisions for upward 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;
 - c. 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 has been completed in accordance with the Conservation Plan and that an appropriate standard of conservation has been maintained, 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 authorize the City Solicitor to enter into a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of the property at 1006 Bloor Street West in a form and content satisfactory to the Chief Planner and City Solicitor.
- 3. City Council authorize the City Solicitor to introduce the necessary bill in Council authorizing the entering into of the Heritage Easement Agreement for the property at 1006 Bloor Street West.

Financial Impact

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

DECISION HISTORY

At its meeting of July 13, 2013 City Council designated the property at 1006 Bloor Street West by By-law No. 996-2012.

<http://www.toronto.ca/legdocs/bylaws/2012/law0996.pdf>

ISSUE BACKGROUND

Heritage Property

Situated on the north-west corner of Bloor Street West and Westmoreland Avenue, the Paradise Theatre has cultural heritage value as a representative example of a World War

II era movie theatre with Art Deco styling. Designed by one of the earliest practicing Jewish architects in Toronto, Benjamin Brown, this property supports the historical "main street" character of Bloor Street West in its prominent location at the corner of Bloor Street and Westmoreland Avenue.

The heritage attributes of the building include the scale, form and massing, materials, decorative details, chimney, window and door openings, marquee canopy and the projecting round-cornered wing along Westmoreland Avenue.

Development Proposal

An application for Site Plan Approval was received by the City Planning Division on July 31, 2014 to construct a new second storey atop the east wing of the building along Westmoreland Avenue. The south rounded corner of the east wing will be retained in situ to the chimney line along with the glazed brick banding that continues along the east elevation. New piers will be introduced to support the additional storey with new doors and fenestration along the east elevation. The second storey addition will be set back behind the chimney line.

The proposal includes conservation of the masonry, windows, door openings, marquee canopy, marquee sign and box office on the Bloor Street West elevation based on original architectural drawings and historic photographs. The interior will be rehabilitated for continued use as a theatre.

Policy Framework

Planning Act and Provincial Policy Statement

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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.

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."

Official Plan

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, HPS has also considered the proposal within the context of these amended policies.

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. As defined in the Standards and Guidelines, this project includes the restoration and rehabilitation of the Paradise Theatre.

COMMENTS

HPS staff has considered the proposal in the context of the Provincial Policy Statement 2014, the City of Toronto Official Plan Policies, and the Standards and Guidelines for the Conservation of Historic Places in Canada.

A second storey addition atop the east wing is an acceptable alteration in that it will be distinguishable from the original heritage building in its design and materials and subordinate in scale with a 6.6m setback from Bloor Street West. The important rounded Art Moderne style corner as well as the glazed brick banding at the cornice level along the east elevation will be fully retained and conserved. The addition of structural piers to the Westmoreland elevation is required to support the new addition resulting in a change to the glazing pattern and location of entrances on the east wing, however, the fenestration and entrances are not identified as heritage attributes.

On the main theatre building, the box office/ticket booth, marquee canopy, marquee sign, exterior terrazzo floor, masonry, windows, lobby doors and original door openings at the east and west bays of the principal facade will all be restored based on original drawings and archival photographs. Future destructive testing will be undertaken in an effort to determine the original exterior cladding material on the ground floor of the theatre building and inform the required conservation plan. Staff believes this proposal represents a high standard of conservation and sets an example as a rehabilitation and restoration treatment that will support the heritage building's continued use as a theatre.

CONCLUSION

The proposed alterations to the property at 1006 Bloor Street West as described in this report and subject to the conditions set forth in the recommendations of this report are consistent with the Provincial Policy Statement 2014, the City of Toronto Official Plan Policies, and the Standards and Guidelines for the Conservation of Historic Places in Canada. The registration of a Heritage Easement Agreement will allow the City to monitor this property and ensure its long term conservation.

CONTACT

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SIGNATURE

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ATTACHMENTS

- Attachment No. 1 - Location Map
- Attachment No. 2 – Photograph – South Elevation
- Attachment No. 3 – Photograph – East Elevation
- Attachment No. 4 – Archival Photograph
- Attachment No. 5 – Proposal Rendering
- Attachment No. 6 – Existing & Proposed South Elevation Drawing
- Attachment No. 7 – Existing & Proposed East Elevation Drawing