



**STAFF REPORT
ACTION REQUIRED**

Alterations to a Designated Heritage Property protected under a Heritage Easement Agreement – 1 Austin Terrace (Casa Loma)

Date:	March 19, 2015
To:	Toronto Preservation Board Toronto East York Community Council
From:	Director, Urban Design, City Planning Division
Wards:	Ward 22 - St. Paul's
Reference Number:	P:\2015\Cluster B\PLN\TEYCC\TE15042

SUMMARY

This report recommends that City Council approve the proposed installation of a Seasonal Pavilion in the formal garden south of the Casa Loma castle. The summer pavilion that is being proposed is a temporary glass structure to be erected annually, generally between April and November.

The property at 1 Austin Terrace is the location of Casa Loma, which is now operated by the Liberty Group under a long term lease. As part of the lease agreement, Liberty Group committed to undertake a series of upgrades and projects that would maintain, restore and provide alternate opportunities within the Castle and on the grounds. Liberty Group was also required to enter into a Heritage Easement Agreement with the city in order that the city could ensure that proposed changes supported the cultural heritage values of the property.

The installation of a large-scale temporary glass enclosure to accommodate a weather-protected venue is the first of several initiatives that will require the approval of City Council and is the subject of this report.

If approved by City Council, subsequent Council consent would not be necessary for the yearly installation of the temporary structure, provided that the alterations are consistent with the approved plans referenced in this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council approve the alterations to the heritage property at 1 Austin Terrace in accordance with Section 33 of the Ontario Heritage Act, and under the terms of the in force Heritage Easement Agreement, to allow for the installation of a temporary, seasonal glass pavilion structure, in accordance with the Heritage Impact Assessment prepared by MHBC Planning, Urban Design and Landscape Architecture, dated May 20, 2014 and plans prepared by +VG Architects dated October 20, 2014, subject to the following condition:
 - a. Prior to the issuance of a heritage permit for the designated property at 1 Austin Terrace, the leasee shall provide full building permit drawings to the satisfaction of the Manager, Heritage Preservation Services.
2. Should City Council approve the alterations to the property at 1 Austin Terrace in accordance with Recommendation 1, approval for subsequent applications to erect a temporary, seasonal glass pavilion structure on the designated property will be deemed approved by City Council, subject to the following conditions:
 - b. That subsequent applications to erect the seasonal glass pavilion structure on the property are substantially in accordance with the Heritage Impact Assessment prepared by MHBC Planning, Urban Design and Landscape Architecture, dated May 20, 2014 and plans prepared by +VG Architects dated October 20, 2014,
 - c. Prior to the issuance of a heritage permit for subsequent applications to erect the seasonal glass pavilion structure on the property, the owner shall provide permit drawings to the satisfaction of the Manager, Heritage Preservation Services.
 - d. That the glass pavilion structure be erected for not more than eight months of any given year.

Financial Impact

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

DECISION HISTORY

The property at 1 Austin Terrace (Casa Loma) was listed on the inaugural City of Toronto Inventory of Heritage Properties in June 1973 and was designated under Part IV, Section 29 of the Ontario Heritage Act in August 1987 by By-law 545-87.

At its meeting of February 20, 2013, City Council adopted amendments to the

Reasons for Designation to describe Casa Loma's heritage values under revised provincial criteria, and in preparation for the leasing of the property to a long-term operator. The amended designation report from the Director, Urban Design, City Planning Division - Amending of Designating By-laws - 1 Austin Terrace and 328 and 330 Walmer Road can be viewed at:
<http://www.toronto.ca/legdocs/mmis/2013/te/bgrd/backgroundfile-53792.pdf>

ISSUE BACKGROUND

Built between 1910 and 1914 for financier and entrepreneur Sir Henry Mill Pellatt, the property was designed by E.J. Lennox in the Period Revival form using brick, stone, wood and glass. Casa Loma has become a landmark in the City of Toronto with views looking South over the city. The site was designated under Part IV, Section 29 of the Ontario Heritage Act in 1987, and is registered under By-law No. 1303-2013 (amending the former bylaw No.545-87 to designate).

Liberty Entertainment Group has entered into a twenty year lease agreement on the property with the City of Toronto and plans to complete a number of immediate and short-term (1 to 3 years) projects and interventions within Casa Loma and on its grounds to improve its use as an event venue and tourist attraction.

In April 2014 the Liberty Group submitted a permit application to install a temporary seasonal pavilion and to modify the landscape to accommodate the installation. Approval for one season was granted for the structure on the understanding that yearly, routine installation required City Council approval due to its impact on the formal garden grounds, which are described in the designating by-law.

The City was provided with a Heritage Impact Assessment to evaluate the impact on the landscape, prepared by MHBC Planning Urban Design and Landscape Architecture (May 20, 2014) and a conditional permit was issued in June of 2014 to accommodate the necessary timelines related to events proposed within the gardens that required a large scale weather protected venue.

Due to impact on the formal gardens and the views from the castle, Council approval is required to allow the annual installation of the tent and the corresponding Winter Garden.

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."

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."

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 involves the rehabilitation of the property for a continuing and compatible contemporary use.

Reasons for Identification

The section of the amended Reasons for Designation that identifies aspects of the "landscaping elements and views of the property" refers to "the formal garden south of and below the south terrace." Eight exterior views are also identified in Schedule "B" of the Heritage Easement Agreement.

Proposal

The seasonal pavilion is a metal structure with removable glass panels along the perimeter that allow the space to be opened up during the summer to the formal gardens, or to remain closed in inclement weather. The roof is a clear PVC material that allows views back towards the castle with minimal interruption from the roof structure.

COMMENTS

The first year of Liberty Entertainment Group's programming has brought a surge of attendance to a variety of public and private events at Casa Loma, including performances by the Toronto Symphony and the World Pride mass wedding. HPS staff had initial concerns regarding the potential impact of site construction on the sensitive garden landscape and requested that an arborist report be prepared to assist in the design of a low impact approach to soil disturbance and excavation. As a result, a substantial foundation was carefully executed to minimize the impact on the root structures within the tree protection zones. Staff also requested that MHBC Planning Urban Design and Landscape Architecture (the Liberty Group's heritage landscape consultant) provide input into the evolving garden design, as well as prepare a heritage impact assessment for the proposed work, and HPS staff also ensured that the Toronto Garden Club, who have a long association with the Casa Loma gardens were consulted in the process. The garden design as proposed is acceptable to all stakeholders.

With respect to the pavilion structure, the removable glass panels provide a large open seating area that opens to the gardens and allows views up to the castle through transparent PVC roof. From pedestrian vantage points within the gardens themselves, the scale of the openings at grade help to downplay the presence of the roof and reduces the visual impact of the overall structure.

Although the high tech aesthetic of the tent, and the fact that it is not oriented within the garden in a way that is complementary to the garden's existing axial relationships, is an intrusion within the previously open landscape to the south of the castle, the benefit of the opportunity to enjoy a larger venue within the formal garden outweighs the impact, particularly given that the structure is temporary, to be erected on a yearly basis, and is entirely reversible.

Since the applicant will be required to obtain a new heritage permit each year to erect the structure, it is recommended that Council approval not be required for subsequent applications provided these applications are in accordance with the recommendations, including the plans and drawings referenced in this report.

CONCLUSION

The proposed alterations to the property at 1 Austin Terrace as described in this report, and subject to the conditions set forth in the recommendations, 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 temporary outdoor seasonal pavilion at Casa Loma allowed a wide range of outdoor programming to be explored, and implemented, in the summer of 2014 that would not have been possible without the security of a weather enclosed venue. Its routine erection will allow the Liberty Group to facilitate an enlivening array of public and private events, which will attract more city residents and visitors to the property to enjoy the castle and its landscaped setting.

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SIGNATURE

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ATTACHMENTS

Attachment No. 1 – Location Map
Attachment No. 2 – Photographs