



ERA Architects Inc.
10 St. Mary Street, Suite 801
Toronto, Canada
M4Y 1P9

TE30.14.1

March 23, 2018

BY EMAIL

Toronto City Council
12th Floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attn: Marilyn Toft at clerk@toronto.ca

RE: TE30.14 - Demolition of a Property Subject to Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act - 170 Merton Street

Dear Mayor and Members of Council,

ERA Architects is the heritage architectural consultant retained by Cresford Developments for the redevelopment of 170 Merton Street. As communicated through our prior submissions to the Toronto Preservation Board and Toronto and East York Community Council, which are included with this letter as an appendix, our client opposes the staff recommendations that Council refuse the issuance of a demolition permit for 170 Merton Street, under Section 34 of the Ontario Heritage Act.

We do not believe that 170 Merton Street satisfies the provincial criteria for determining cultural heritage value or interest, and note that our client has appealed Council's decision to state its intention to designate the property, under Part IV of the Ontario Heritage Act, to the Conservation Review Board.

In light of the foregoing, our client respectfully requests that Council not adopt the staff recommendations and, instead, approve the demolition permit for 170 Merton Street.

Please notify the undersigned, as well as our client's legal counsel Sidonia Tomasella (stomasella@airdberlis.com) of any further meetings and decisions of Toronto Preservation Board, Toronto and East York Community Council or City Council at which this matter is considered.

Sincerely,

Michael McClelland
Principal, ERA Architects Inc.

APPENDIX



ERA Architects Inc.
10 St. Mary Street, Suite 801
Toronto, Canada
M4Y 1P9

February 6, 2018

BY EMAIL

Toronto Preservation Board
City of Toronto, 100 Queen Street West
2nd Floor, West Tower, City Hall
Toronto, ON M5H 2N2

Attn: Lourdes Bettencourt, Board Secretary

Dear Toronto Preservation Board members,

RE: PB31.1 - Demolition of a Property Subject to Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act - 170 Merton Street

ERA Architects has been retained by Cresford Developments to provide heritage consulting services for the redevelopment of 170 Merton Street ("subject property"). The purpose of this letter is to express our client's objection to the staff recommendations contained in the above-noted report, namely that City Council refuse Cresford's demolition permit for the subject property. Cresford has submitted a site plan application (file no. 17 202083 STE 22 SA) to construct an 11-unit townhouse development on the property, which requires the demolition of the existing two-storey commercial building constructed in 1969.

At the request of City Staff, ERA evaluated the subject property under Ontario Regulation 9/06 - Criteria for Determining Cultural Heritage Value or Interest, and concluded that the property does not meet the requisite criteria to merit designation under the Ontario Heritage Act. ERA submitted correspondence (see appendix) to the Toronto Preservation Board and to City Council on September 27, 2017 and November 3, 2017, respectively (regarding Item TE27.21 Intention to Designate 170 Merton Street), supporting our position to this effect.

Notwithstanding, Heritage Preservation Services proceeded to recommend designation of the property, and City Council has now stated its intention to designate the property under Part IV of the Ontario Heritage Act. Our client opposes the designation and has appealed this matter to the Conservation Review Board. We also note that some members of the Toronto Preservation Board expressed apprehensions regarding the appropriateness of heritage designation for the subject property at its meeting held September 28, 2017.

As this matter moves forward, we hope that Council will authorize the demolition permit for the subject property in accordance with ERA's evaluation that this property does not contain historical significance that would merit designation under established heritage criteria. Please advise the undersigned, as well as our client's legal counsel Sidonia Tomasella (stomasella@airdberlis.com), of any further meetings and decisions of Toronto Preservation Board, Toronto & East York Community Council or City Council at which this matter is considered.

Sincerely,

A handwritten signature in black ink, appearing to be 'Michael McClelland', written over a horizontal line.

Michael McClelland
Principal, ERA Architects Inc.



ERA Architects Inc.
10 St. Mary Street, Suite 801
Toronto, Canada
M4Y 1P9

November 3, 2017

Sent by EMAIL

City Council
City of Toronto 12th Floor, West Tower, City Hall
100 Queen Street West
Toronto, Ontario M5H 2N2

Attention: Marilyn Toft at clerk@toronto.ca

**RE: City Council Agenda Item TE27.21
Objection to Intention to Designate 170 Merton Street**

Dear Mayor and Members of Council,

ERA has been retained by the owner as heritage consultant for the property 170 Merton Street. The owner has requested, on their behalf, that ERA provide this letter of objection to the proposed designation of the property. The reasons for objection have been provided in our letter to the Toronto Preservation Board dated September 28, 2017, (attached). For the reasons set out in our previous correspondence, we ask City Council to refuse staff's recommendation to designate the subject property.

Notwithstanding the above, we ask that the undersigned be provided with notice of any further meetings of Council or Community Council at which this matter is considered, and notice of adoption of any designating by-law arising therefrom.

Sincerely,

A handwritten signature in black ink, appearing to be 'Michael McClelland', written in a cursive style.

Michael McClelland, Principal
E.R.A. Architects Inc.



ERA Architects Inc.
10 St. Mary Street, Suite 801
Toronto, Canada
M4Y 1P9

September 27, 2017

Members of the Toronto Preservation Board
100 Queen Street West
Toronto, ON
M5H 2N2

**RE: 170 Merton Street - Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act
Item PB26.5 for Toronto Preservation Board consideration, September 28, 2017**

Dear Members of the Toronto Preservation Board,

ERA Architects Inc. ("ERA") has been retained by Cresford Developments ("Cresford") as heritage architectural consultant for Cresford's development proposal for 170 Merton Street (the "property"). On November 4, 2015 Cresford received a Committee of Adjustment Decision for the construction of additional office space on the property. No heritage issues were raised at the time. After a change in approach, Cresford applied for a demolition permit for the property in March 2017 (file number 17 129583 DEM 00).

The property is neither listed on the City of Toronto Heritage Register nor designated under the Ontario Heritage Act. Upon being advised HPS staff had taken the position that the property may have cultural heritage value Cresford requested ERA undertake a review of the property. ERA conducted a heritage value assessment (dated July 14, 2017 and appended herein) which found that the property does not merit designation as evaluated through the lens of Ontario Regulation 9/06 - Criteria for Determining Cultural Heritage Value or Interest. This heritage value assessment was included in Cresford's site plan application.

After having a pre-application meeting with City Staff, on July 20, 2017 Cresford submitted a site plan application (file number 17 202083 STE 22 SA) to construct an 11-unit townhouse development on the property, which requires the removal of an existing two-storey commercial building constructed in 1969 as the headquarters for the Visiting Homemakers Association. The application was deemed complete on August 22, 2017.

Our client is greatly concerned that HPS staff is now recommending that City Council state its intention to designate the property under Part IV of the Ontario Heritage Act.

Sincerely,

Michael McClelland
Principal, ERA Architects Inc.



ERA Architects Inc.
10 St. Mary Street, Suite 801
Toronto, Canada
M4Y 1P9

Date: July 14, 2017
To: Ryan Millar
Cresford Developments
170 Merton Street
Toronto, On M4S 1A1
T: 416-971-7557
E: rmillar@cresford.com

Sent by: EMAIL

**Subject: 170 Merton Street
Heritage Value Assessment**

Hello Ryan,

Purpose

The purpose of this letter is to assess the potential cultural heritage value of the property located at 170 Merton Street ("site"). This includes a review of the site's heritage status, existing conditions, summary of background research and evaluation of the property under regulation 9/06.

Summary

The site does not merit designation under Regulation 9/06, nor does the property require heritage commemoration.

Heritage Status

The site is not listed on the City of Toronto Heritage Register or designated under the Ontario Heritage Act. There are no adjacent heritage properties and the site does not hold any archaeological potential.

Context

The site is located west of Yonge Street within a mixed used residential and commercial area. Merton Street is located just north of the Kay Gardner Beltline Trail and Mount Pleasant Cemetery and is in close proximity to the Davisville TTC subway station. Contextually, this is an area of regeneration. Aerial photography shows that beginning in the late 1980s Merton Street has seen substantial redevelopment and an increased density with the construction of new residential buildings. The building at 170 Merton was constructed in 1969 prior to this transformation and thus not linked historically, visually, functionally, or physically to its surroundings. The building is setback from the street and its diminutive stature preclude it from being a landmark as well as not having the ability in supporting, maintaining, or defining the character of the area, which in and of itself lacks cohesion. The building does not have contextual value.

History and Association

In 1965, English born Leslie Rebanks immigrated to Canada after marrying into the Weston family. Shortly after this the W. Garfield Weston Foundation (the "Foundation" est 1950s) had Rebanks design the building for the VHA. In 1970, a Toronto Star article commended Rebanks for his ability to make the best of the modest budget he was provided for the project. A survey of Rebanks' architectural work in Canada reveals a portfolio that is indicative of an architect who was able to serve the varied needs of the Weston family. Examples of this include a number of Loblaws grocery stores (owned by the Weston family) as well as the corporate offices for the Foundation and Loblaws located at 22 St. Clair Ave E., as well as his own home. There does not appear to be any demonstrable ideas of the architect that link 170 Merton to his other projects.



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The building at 170 Merton was purpose built for the VHA Home HealthCare (VHA), formerly Visiting Homemakers Association. Based on information provided by the VHA, in the May 1966 the organization had applied to the Foundation for funding. Nearly a year later on March 1, 1967 the VHA Board of Directors was informed that the Foundation would grant the funds for the construction of a new building. On March 17, 1967 Garfield Weston's wife Reta Weston (b. 1897) passed away in London England. The new building was opened on February 25, 1970, where a member of the Foundation unveiled a plaque in honour of the late Reta Weston. The Westons lived in both Toronto and London, England. Reta Weston was purportedly a client of the VHA but in fact passed away in England and was interred in Toronto. As the VHA project neared completion the actual costs exceeded the funding allotment, to which the Foundation informed the VHA no addition funds would be made available. In the early 2010s when the VHA decided to move their head office, they contacted the Foundation and asked if they should return the property. The Foundation responded by stating the property was a gift and that the VHA had no obligation and could dispose of it as they saw fit. In 2011, the VHA relocated to a new head office at 30 Soudan Avenue.

The fundamental nature of the VHA's work was, and continues to be, mobile home care services whereby health care practitioners go out into the community and into the homes of people in need of assistance services. The building at 170 Merton Street merely acted as an administrative office, which would not have been familiar to VHA clients, as the delivery of care occurred distributed around the city. Thus, we do not feel the property has sufficient historic or associative value to merit designation.

Design

170 Merton Street in an unassuming 2 storey office building, faced with brick and matching mortar (now painted). The building was constructed using inexpensive and conventional construction materials and methods. The building is neither rare, unique, representative or an early example of a style, type, expression, material, or construction method. Similarly it does not display a high degree of craftsmanship, artistic merit, or a high degree of technical or scientific achievement. It therefore it does not merit designation for design value.

Existing Conditions

The existing building is occupied and in fair condition. The building has undergone some exterior alterations including:

- elevator shaft on east elevation;
- replacement signage;
- modifications to the streetfacing facade; and
- the masonry has been painted.

If you have any questions regarding this heritage value assessment, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Pruss'.

Andrew Pruss
Principal, ERA Architects Inc.



Appendix

170 Merton Street has been evaluated under Regulation 9/06 and does not meet the criteria for designation under the Ontario Heritage Act.

Criteria (Quoted from Ontario Reg. 9/06)	Assessment
1) The property has design value or physical value because it, i. is a rare, unique, representative or early example of a style, type, expression, material or construction method, ii. displays a high degree of craftsmanship or artistic merit, or iii. demonstrates a high degree of technical or scientific achievement.	No No No
The property has historical value or associative value because it, i. has direct associations with a theme, event, belief, person activity, organization or institution that is significant to a community, ii. yields, or has the potential on to yield, information that contributes to an understanding of a community or culture, or iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to the community.	No No No
The property has contextual value because it, i. is important in defining, maintaining or supporting the character of an area, ii. is physically, functionally, visually or historically linked to its surroundings, or iii. is a landmark.	No No No