REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

254-266 King Street East, 427-435 Adelaide Street East and 157 Princess Street - Request for directions regarding Designated Heritage Properties

Date: March 21, 2018
To: Toronto Preservation Board and City Council
From: City Solicitor
Wards: Ward 28

REASON FOR CONFIDENTIAL INFORMATION

This report is about litigation or potential litigation that affects the City or one of its agencies or corporations.

This report contains advice or communications that are subject to solicitor-client privilege.

SUMMARY

The purpose of this report is to seek instruction for proposed alterations to designated heritage properties and related litigation on the above-noted matter. No hearings have been scheduled.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the recommendations contained in the Confidential Attachment 1 to this report.

2. The recommendations contained in the Confidential Attachment 1 to this report and Appendices A and B be made public at such time as Council adopts the recommendations. All other information contained in the Confidential Attachment 1 is to remain confidential (Appendix "B" will be on file with the City Clerk for the purpose of the March 26, 27 and 28, 2018 City Council Meeting).

FINANCIAL IMPACT

Adopting this report will have no financial impact beyond what has already been approved in the current year's budget.

DECISION HISTORY

The property at 260 King Street East was designated under Part IV, Section 29 of the *Ontario Heritage Act* on October 3, 1988 by By-law 855-88.

At its meeting of December 9 and 10, 2015, City Council adopted with amendments Item TE12.11: "Designation of the St. Lawrence Neighbourhood Heritage Conservation District under Part V of the *Ontario Heritage Act*." City Council adopted the staff recommendations to designate the St. Lawrence Neighbourhood Heritage Conservation District (the St-Lawrence HCD) under Part V of the *Ontario Heritage Act* and to adopt by by-law the St. Lawrence HCD. The St. Lawrence HCD identifies the buildings at 260 King Street East by the entrance addresses of 254 King Street East (which includes the entrance address at 157 Princess Street), 256 and 266 King Street East, and 427 and 435 Adelaide Street East as contributing heritage properties. The proposed St. Lawrence HCD is currently under appeal to the Ontario Municipal Board. For a more detailed decision history, see the October 19, 2015 Report from the Director, Urban Design, City Planning Division, at the following link:

http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE12.11

At its meeting of January 31, 2017 Toronto City Council adopted a report entitled "254-266 King Street East, 427435 Adelaide Street East and 157 Princess Street - Zoning Amendment Application – Refusal Report" and in so doing refused an application to amend the City of Toronto Zoning By-Law to allow for the construction of a mixed used development comprising two 32-storey residential towers connected by two multi-storey bridges on the subject property. The proposed development involved the demolition of the buildings with the entrance addresses of 266 King Street East, 427 and 435 Adelaide Street East, and the retention of portions of the buildings with the entrance addresses of 254 and 256 King Street East and 157 Princess Street. On February 27, 2017, the applicant appealed City Council's decision to refuse the proposed Zoning By-Law amendment to the Ontario Municipal Board. For a more detailed decision history, see the December 16, 2016 Refusal Report from the Director, Community Planning, Toronto East York District, at the following link:

http://www.toronto.ca/legdocs/mmis/2017/te/bgrd/backgroundfile-99364.pdf

At its meeting of April 26, 2017, City Council amended former City of Toronto By-law 855-88 designating the property at 260 King Street East under Part IV, Section 29 of the *Ontario Heritage Act* to update and revise the Reasons for Designation and the legal description for the above noted buildings and to include the additional buildings on the property with the entrance addresses of 266 King Street East (North and South

Buildings) and 427 and 435 Adelaide Street East. City Council adopted this item without amendments. For a more detailed decision history, see the March 9, 2017 Report from the Chief Planner and Executive Director, City Planning Division, at the following link:

https://www.toronto.ca/legdocs/mmis/2017/te/bgrd/backgroundfile-101805.pdf

The proponent of the development application on the subject property filed a notice of objection to the amendment of the Part IV designation with the Conservation Review Board on June 22, 2017. No hearing into that matter has been scheduled.

The following sets out some information on each of the designated heritage buildings on the subject site. Each of these are also contributing buildings identified within the St. Lawrence Neighbourhood Heritage Conservation District (under appeal). As such, they are considered important not only as individual buildings within a historically layered industrial complex, but they also contribute to an understanding of the St. Lawrence Neighbourhood's evolved historic context and the sense of place related to the original 10 historic blocks within the district:

Nobel's Tavern (254 King Street East and 157 Princess Street)

The building originally known as Nobel's Tavern and now part of 260 King Street East was originally constructed for William Noble in 1847. It was later remodeled and expanded in 1891 for brewer Robert Davies. Davies would become the proprietor of Toronto's Don Valley Brickworks. The building is identified as a well-designed commercial edifice dating to the mid-1800s that was updated with features of the late Victorian era, including the Second Empire, Romanesque Revival and Italianate.

Charles Steinle Meat Packing Company (256 King Street East)

The building known as the Charles Steinle Meat Packing Company building and now part of 260 King Street East is historically associated with the prominent meat packing firm that sold meat across Canada. The building was constructed from 1890-1892 by architect George Gouinlock and blends features from the late Victorian styles.

266 King Street East (South and North Building)

The property at 266 King Street East is comprised of two buildings, with the North Building on Ontario Street completed in three phases (1915, 1927 and 1932), and the South Building at the northwest corner of King and Ontario streets added in 1935. The North Building has elements of the Renaissance Revival style with its round-arched arcade, the repetition of the round-arched openings in its upper storey, and the finials along the roofline. The adjoining South Building (1935) is indicative of warehouse style buildings during the interwar era with its symmetrical organization of industrial-scale window openings between piers and the restriction of decorative detailing to the stone entrance surround on King Street East.

Carter, Cummings Company Building (427 Adelaide Street East)

At the north end of the block, the Carter, Cummings Company Building (1913) is part of the property on the 260 King Street East property is a good example of the application of the early-20th century Neo-Gothic style to an industrial building. The building was designed by the Toronto architectural partnership of Edwards and Saunders.

The Drug Trading Company Warehouse (435 Adelaide Street East)

The building known as the Drug Trading Company Warehouse (1954) is part of the property at 260 King Street East, reflects the Modern Movement in architecture after World War II with the scale of the structure, its monolithic appearance with the expanses of red brick cladding, and the organized placement of the ribbon and punched windows.

ISSUE BACKGROUND

Further information has been received which has resulted in the need for direction from the Toronto Preservation Board and City Council.

COMMENTS

This report is about litigation before the OMB and contains advice or communications that are subject to solicitor-client privilege. The attachment to this report contains confidential information and should be considered by Toronto Preservation Board and City Council in camera.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

Confidential Attachment 1

Appendix "A" - Confidential Information

Appendix "B" - Confidential Information on file with the City Clerk for the purpose of the March 26, 27 and 28, 2018 Council Meeting.

Appendix "C" - Site Plan, East Elevation, South Elevation and West Elevation for the November 2, 2016 application for the site, on file with the City Clerk for the purposes of the City Council meeting of March 26, 2018.

Appendix "D" - Location map and photographs of the existing heritage buildings on file with the City Clerk for the purposes of the City Council meeting of March 26, 2018.