

## **Alterations to Designated Heritage Properties, and Authority to Enter into Heritage Easement Agreements – 71 King Street East, 75 King Street East, 79-81 King Street East, 83 King Street East, 85 King Street East, and 95 King Street East**

**Date:** February 6, 2018

**To:** Toronto Preservation Board  
Toronto and East York Community Council

**From:** Acting Chief Planner and Executive Director

**Wards:** 28 - Toronto Centre Rosedale

### **SUMMARY**

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This report recommends that Toronto City Council approve the alterations proposed for the heritage properties located at 71 King Street East, 75 King Street East, 79-81 King Street East, 83 King Street East, 85 King Street in connection with the proposed development of the subject properties and that Council give authority to enter into a Heritage Easement Agreement for the subject properties and that Council also give authority to enter into a Heritage Easement Agreement for the property at 95 King Street East.

### **RECOMMENDATIONS**

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The Acting Chief Planner and Executive Director, City Planning Division, recommends that:

1. City Council approve the alterations to the heritage property at 71 King Street East, 75 King Street East, 79-81 King Street East, 83 King Street East, 85 King Street East, in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a new mixed use development incorporating the heritage buildings on the lands known municipally in the year 2018 as 65 King Street East, 71 King Street East, 75 King Street East, 79-81 King Street East, 83 King Street East, 85 King Street East, and 46 Colborne Street, with such alterations substantially in accordance with plans and drawings dated November 19, 2015 and revised November 8, 2017 prepared by IBI Group Architects Canada Inc., and on file with the Senior Manager, Heritage Preservation Services; and the Heritage Impact Assessment (HIA), prepared by Goldsmith Borgal & Company Ltd. Architects, dated November 20, 2015 and revised January 26, 2018, and on file with the

Senior Manager, Heritage Preservation Services, all subject to and in accordance with a Conservation Plan satisfactory to the Senior Manager, Heritage Preservation Services and subject to the following additional conditions:

a. That prior to issuance of an Ontario Municipal Board Order (Case No.PL160519) in connection with the Zoning By-law Amendment appeal for the property at 65, 71-75, 79- 81, 83 - 85, and 95 King Street East and 46 Colborne Street the owner:

1. Enter into a Heritage Easement Agreement with the City for the property at 65 King Street East 71 King Street East, 75 King Street East, 79-81 King Street East, 83 King Street East, 85 King Street East and 46 Colborne Street in accordance with the plans and drawings dated November 19, 2015 and revised November 8, 2017, prepared by IBI Group Architects Canada Inc. and on file with the Senior Manager, Heritage Preservation Services, the Heritage Impact Assessment prepared by Heritage Impact Assessment (HIA), prepared by Goldsmith Borgal & Company Ltd. Architects, dated November 20, 2015 and revised January 26, 2018, and in accordance with the Conservation Plan required in Recommendation 1.a.3, to the satisfaction of the Senior Manager, Heritage Preservation Services including registration of such agreement to the satisfaction of the City Solicitor;

2. Enter into a Heritage Easement Agreement with the City for the property at 95 King Street East to the satisfaction of the Senior Manager, Heritage Preservation Services including registration of such agreement to the satisfaction of the City Solicitor;

3. Provide a detailed Conservation Plan, prepared by a qualified heritage consultant, that is consistent with the conservation strategy set out in the Heritage Impact Assessment for 65 King Street East 71 King Street East, 75 King Street East, 79-81 King Street East, 83 King Street East, 85 King Street East and 46 Colborne Street prepared by Goldsmith Borgal & Company Ltd. Architects, dated November 20, 2015 and revised January 26, 2018, to the satisfaction of the Senior Manager, Heritage Preservation Services;

4. Enter into and register on the property at 65 King Street East 71 King Street East, 75 King Street East, 79-81 King Street East, 83 King Street East, 85 King Street East and 46 Colborne Street one or more agreements with the City pursuant to Section 37 of the Planning Act to the satisfaction of the City Solicitor, the Chief Planner and Executive Director, City Planning Division, and the Senior Manager, Heritage Preservation Services with such facilities, services and matters to be set forth in the related site specific Zoning By-law Amendment giving rise to the proposed alterations.

b. That prior to final Site Plan approval for the proposed Zoning By-law Amendment by City Council, for the property located at 65 King Street East 71 King Street East, 75 King Street East, 79-81 King Street East, 83 King Street East, 85 King Street East and 46 Colborne Street the owner shall:

1. Provide final site plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 1.a.3, to the satisfaction of the Senior Manager, Heritage Preservation Services;
2. Have obtained final approval for the necessary Zoning By-law Amendment required for the subject property, such Amendment to have come into full force and effect;
3. Provide a Heritage Lighting Plan that describes how the exterior of the heritage properties will be sensitively illuminated to enhance its heritage character to the satisfaction of the Senior Manager, Heritage Preservation Services and thereafter shall implement such Plan to the satisfaction of the Senior Manager Heritage Preservation Services;
4. Provide an Interpretation Plan for the subject properties, to the satisfaction of the Senior Manager, Heritage Preservation Services and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Preservation Services.
5. Submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Preservation Services;

c. That prior to the issuance of any permit for all or any part of the property at 65 King Street East 71 King Street East, 75 King Street East, 79-81 King Street East, 83 King Street East, 85 King Street East and 46 Colborne Street, including a heritage permit or a building permit, but excluding permits for repairs and maintenance and usual and minor works for the existing heritage building as are acceptable to the Senior Manager, Heritage Preservation Services, the owner shall:

1. Have obtained final approval for the necessary Zoning By-law Amendment required for the subject property, such Amendment to have come into full force and effect;
2. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 1.a.3 including a description of materials and finishes, to be prepared by the project architect and a qualified heritage consultant to the satisfaction of the Senior Manager, Heritage Preservation Services;
3. Provide a Letter of Credit, including provision for upwards indexing, in a form and amount and from a bank satisfactory to the Senior Manager, Heritage Preservation Services to secure all work included in the

approved Conservation Plan, Heritage Lighting Plan, and Interpretation Plan;

4. Provide full documentation of the existing heritage properties, including two (2) printed sets of archival quality 8" x 10" colour photographs with borders in a glossy or semi-gloss finish and one (1) digital set on a CD in tiff format and 600 dpi resolution keyed to a location map, elevations and measured drawings, and copies of all existing interior floor plans and original drawings as may be available, to the satisfaction of the Senior Manager, Heritage Preservation Services.

d. That prior to the release of the Letter of Credit required in Recommendation 1.c.3, the owner shall:

1. Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work and the required interpretive work has been completed in accordance with the Conservation Plan, Interpretation Plan and Heritage Lighting Plan, and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Preservation Services;

2. Provide replacement Heritage Easement Agreement photographs for the properties at 65 King Street East 71 King Street East, 75 King Street East, 79-81 King Street East, 83 King Street East, 85 King Street East and 46 Colborne Street to the satisfaction of the Senior Manager, Heritage Preservation Services.

2. City Council authorize the entering into of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of the properties at 65 King Street East 71 King Street East, 75 King Street East, 79-81 King Street East, 83 King Street East, 85 King Street East and 46 Colborne Street, in a form and with content satisfactory to the Chief Planner and Executive Director and City Solicitor.

3. City Council authorize the entering into of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of the property at 95 King Street East in a form and with content satisfactory to the Chief Planner and Executive Director and City Solicitor.

4. City Council authorize the City Solicitor to introduce the necessary bill in Council authorizing the entering into of Heritage Easement Agreements for the properties at 65 King Street East 71 King Street East, 75 King Street East, 79-81 King Street East, 83 King Street East, 85 King Street East and 46 Colborne Street.

5. City Council authorize the City Solicitor to introduce the necessary bill in Council authorizing the entering into of Heritage Easement Agreements for the property at 95 King Street East.

## **FINANCIAL IMPACT**

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

## **DECISION HISTORY**

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On October 2, 2012, City of Toronto Council adopted Item TE18.19, that placed the properties located at 71-95 King Street East on the Inventory of Heritage Properties and stated its Intention to Designate the properties under Part IV of the Ontario Heritage Act.

On September 30, 2015, City Council adopted Item CC9.6 a report from the Solicitor that revised the reasons to designate for the property at 75 King Street East under Part IV of the Ontario Heritage Act.

On December 9, 2015, City Council amended and adopted Item TE12.11 to enact the St. Lawrence Neighbourhood Heritage Conservation District (HCD) Plan under Part V of the Ontario Heritage Act. The boundaries of the HCD include the subject property.

At its meeting of July 4, 2017 Council adopted recommendations in a report from the City Solicitor CC31.18, 65-89, King Street East and 46 Colborne Street - Zoning Amendment Application - Request for Directions Regarding Ontario Municipal Board Hearing conditionally supporting a settlement on the appeal to the Ontario Municipal Board on the proposed development.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.CC31.18>

## **BACKGROUND**

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### **Development Proposal**

The applicant is proposing to construct an 18-storey (plus mechanical penthouse) commercial use development on the development site (retail on the ground floor and A Class office space on upper levels), which will retain all of the existing heritage building's King Street East facing elevations. The vacant lot on the site will be developed to complete the streetwall with a contemporary addition complimentary with the existing massing. Setbacks above the heritage buildings have been provided to clearly express the three to four storey streetwall heights while allowing a new development in an existing context of high-rise buildings. This development will be inserted into an area of the City of Toronto that is currently undergoing significant development, including a 25-storey mixed-use building under construction at the southwest corner of Church Street and King Street East.

## **Heritage Properties**

The subject site includes a number of individually designated properties that front on to King Street East. The heritage properties are:

### **71 King Street East**

71 King Street East, the E. Harris Company Building, has design, associative and contextual values. Located on the south side of King Street East between Church Street (east) and Leader Lane (west), the E. Harris Company Building is an important surviving example of a commercial building from the mid 1800s that was updated about 1900. With its neighbours in the block, the E. Harris Company Building contributes to an understanding of the evolution of King Street East from its 19th century origins, to its development as Toronto's commercial centre for most of the 19th century, and its renaissance during the late 20th century. Contextually, the property at 71 King Street East assists in supporting, maintaining and defining the historic character of the St. Lawrence Neighbourhood where the E. Harris Company Building is historically, visually and physically linked to its surroundings on the Town of York's original "main street."

### **75 King Street East**

The John F. Smith Building at 75 King Street East has design, associative, and contextual values as one of Toronto's oldest surviving commercial buildings. Dating to 1839, before the Great Fire of 1849, the building's original fenestration at the second and third stories is still intact, though its original exterior brick has been cladded over with a layer of perma-stone material in the 1950s and a clerestory glazing design on the fourth floor was added as well which disguises what once was a more noticeable gable roof. Original firebreak parapets extending above the roof line still remain, however. Other notable features include surviving stone brackets aligning the second storey window openings. The building shares its scale, massing and setback with the adjoining buildings on the block which together contribute an understanding the development and significance of the evolution of the St. Lawrence Neighbourhood.

### **79 and 83 King Street East (Including 81 King Street East)**

The four-storey James McDonell Building has design, associative, and contextual values as an early 1840s commercial building. It was designed as a private commission by notable early Toronto architect John Howard while he was serving as the City of Toronto's official surveyor and engineer. The roofline, window sills and lintels have been redesigned over the years. The original Georgian façade was upgraded to include elaborate window pediments which are no longer present. The fenestration pattern in the centre bay is narrower compared to the other window openings and may have been altered to accommodate a staircase with new landings, a gable roof is no longer present, and the current storefront shows no trace of the nineteenth-century first storey. Some roof detailing, stone lintels and sills, brick cladding and stone trim remain today.

## **85 King Street East**

This 3 <sup>1/2</sup> storey commercial building also dates from the early 1840s and has design, associative, and contextual values. Also designed by John Howard, it shares its scale, massing and setback with the adjacent buildings to the east and west. The brick cladding and stone trim, the mansard roof with a pair of round-arched dormers, and the upper-storey fenestration with stone lintels and sills remain as significant heritage attributes. The building is the only remaining portion of the former Georgian-styled Victoria Row that was altered to a Second Empire style in the 1890s. Much of the original ornamentation is now missing, but it is more ornate than the three adjacent buildings to the west.

## **Adjacent Heritage Properties**

### **91 King Street East**

The four-storey Albany Club, directly adjacent to Victoria Row, also has design, associative and contextual values and is regarded as the last surviving political club in Canada. An institutional building designed in the Modern Classical style and built in 1931-32, it was influenced by the design of contemporary English and North American gentleman's clubs and inspired by Italian Renaissance detailing. Some of its heritage attributes are the tripartite front façade arrangement of base, shaft and cornice, as well as flat-headed window openings, stone cladding and trim, and the fourth-storey arched windows and roof detailing. The property is designated under the Ontario Heritage Act.

### **37 King Street East**

The 17-storey landmark King Edward Hotel showcases elements of Edwardian Baroque and Late Victorian style. It was completed in 1903 and overshadows the lower-scale commercial row from the west side of Leader Lane. Designed by American architect Henry Ives Cobb and Toronto architect E.J. Lennox, the hotel was heralded to join the likes of other famous palace hotels such as New York's Waldorf-Astoria and Quebec City's Chateau Frontenac. This property is designated under the Ontario Heritage Act.

### **40 Colborne Street**

This three-storey building, also known as 17 Leader Lane, has been operated by the Tom Jones Steakhouse for over 50 years and was built in the late 19th century. It initially was developed for a printing shop and in 1884 housed the first Grand and Toy store in Toronto. A two-storey rear (north) addition was constructed during that store's tenancy. It is valued for its architectural and contextual qualities as it complements with the row of commercial buildings along King Street east of Leader Lane. The existing setbacks, scale, form and massing are all heritage attributes, as are the brick cladding with decorative wood detailing. Neighbouring buildings to the east along Colborne Street were demolished, leaving this building isolated on the north side of the block and visible as unique within encroaching surroundings of 21st-century development. This property is listed on the City's Heritage Register.

## **41, and 47-55 Colborne Street**

The Milburn Building, built in 1888-1889, is a four-storey brick building in the Romanesque Revival style was designed by Toronto architect E.J. Lennox. The eastern adjoining building at 41 Colborne Street was completed circa 1882. Originally built for warehouse purposes, these buildings are listed on the City Heritage Register.

## **95 King Street East**

While not adjacent to the development site the Tyrell Building is nearby to the development site and is separated from the site by the Albany Club at 91 King Street East. The Tyrell Building was built in 1912. This five-storey flat-roof building also has design, associative and contextual values and was designed with features of Edwardian Classicism, the most popular style for all building types prior to World War I. Also exemplifying a tripartite arrangement of stories, the building's front entrance archway, oriel windows and roof detailing are significant. The building is designated under Part IV of the Ontario Heritage Act.

## **Policy Framework**

The Planning Act and the associated Provincial Policy Statement guide development in the Province. The Act states that municipalities must have regard for matters of provincial interest. Section 2(d) specifically refers to “the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest.”

The Provincial Policy Statement (PPS) issued under the authority of Section 3 of the Planning Act provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. Key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. The Planning Act requires that City Council’s decisions affecting land use planning matters be consistent with” the Provincial Policy Statement.

Policy 2.6.1 of the PPS directs that “Significant built heritage resources and significant cultural heritage landscapes shall be conserved.” Properties included on the City’s Heritage Register are considered to be significant in this context. “Conserved” is defined in the PPS 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**

The heritage policies in the City of Toronto's Official Plan provide the policy framework for heritage conservation in the City. The following Official Plan policies apply to the proposed alterations:

3.1.5.4: "Properties on the Heritage Register will be conserved and maintained consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada, as revised from time to time and adopted by Council."



3.1.5.5: "Proposed alterations, development, and/or public works on or adjacent to, a property on the Heritage Register will ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained, prior to work commencing on the property and to the satisfaction of the City."

3.1.5.6: "The adaptive re-use of properties on the Heritage Register is encouraged for new uses permitted in the applicable Official Plan land use designation, consistent with the "Standards and Guidelines for the Conservation of Historic Places in Canada."

3.1.5.16: "Properties on the Heritage Register and publicly known archaeological sites and artifacts will be promoted through educational programs, museums, local celebrations and other programming opportunities."

3.1.5.26: "New construction on, or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate visual and physical impact on it."

3.1.5.27: "Where it is supported by the cultural heritage values and attributes of a property on the Heritage Register, the conservation of whole or substantial portions of buildings, structures and landscapes on those properties is desirable and encouraged. The retention of faces alone is discouraged."

3.1.5.32: Impacts of site alterations, developments, municipal improvements, and/or public works within or adjacent to Heritage Conservation Districts will be assessed to ensure that the integrity of the districts' heritage values, attributes, and character are conserved."

3.1.5.33: "Heritage Conservation Districts should be managed and conserved by approving only those alterations, additions, new development, demolitions, removals and public works in accordance with respective Heritage Conservation District Plans."

## **Standards and Guidelines for the Conservation of Historic Places in Canada**

The Standards and Guidelines for the Conservation of Historic Places in Canada (Standards and Guidelines) is the official document guiding planning, stewardship and the conservation approach for all listed and designated heritage resources within the City of Toronto. The General Standards (1-9) and the Standards for Rehabilitation (10-12) apply to this project.

<http://www.historicplaces.ca/media/18072/81468-parks-s+g-eng-web2.pdf>

### **St. Lawrence Neighbourhood Heritage Conservation District**

The subject properties are within the St. Lawrence Neighbourhood Heritage Conservation District (HCD). The HCD Plan area extends as far west as Yonge Street, as far south as The Esplanade, east to just beyond Parliament Street, and as far north as Richmond Street, although the boundaries are very site-specific and often follow mid-block property lines as opposed to streets.

City Council adopted the HCD Plan on December 9, 2015, but it is not yet in effect because it is subject to several appeals to the Ontario Municipal Board (OMB). Despite the HCD Plan not yet being in effect, the policies and guidelines provided in the Plan are the outcome of a thorough planning analysis for the area, with an emphasis on heritage conservation, and as such they are relevant to the evaluation of the development proposal.

The overall objective of the HCD Plan is to protect and conserve the heritage value of the St. Lawrence neighbourhood. The Plan seeks to guide change within the neighbourhood while maintaining its heritage attributes. The policies and guidelines contained within the Plan have been formulated to assist property owners in ensuring that proposed alterations conform to the district objectives and respect the overall neighbourhood context.

The HCD Plan is divided into six sub-areas. All of the heritage properties on the development site are located within the King – St. James Sub-Area and considered contributing buildings in the HCD.

## **COMMENTS**

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### **Proposed Conservation Strategy**

Heritage Preservation Services has reviewed the Heritage Impact Assessment prepared by Goldsmith Borgal Architects Limited and dated November 20, 2015 and revised January 11, 2018. The Assessment finds that "...the development will have no significant impacts on heritage resources within the development site. Their cultural heritage value will be conserved through restoration as well as integration of their façades with the new development. This integration has been achieved in a manner that will preserve the overall form and mass of the row of buildings with appropriate setbacks above the existing roofline."

Overall staff concur with the assessment and are supportive of the proposal in the context of Council's settlement on the related Planning application with the following comments:

### **Conservation Strategy**

The proposal will retain the King Street East elevations of the heritage properties on the development site in situ and incorporate them into the base building of the new development. The roofs of the retained portions of the heritage buildings will be reconstructed to a depth that varies from 4.5 to 5.5 metres. The chimney and the fire break wall above 75 King Street East, which are identified in the designating by-law as heritage attributes, will be reconstructed as part of the roof reconstruction. A portion of the interior party walls will be retained on the first floor within the retail spaces of the new development. The west elevation of 71 King Street East will be dismantled and

reconstructed to its full depth. This elevation will remain exposed within the lobby of the proposed commercial office tower.

## **Massing**

Staff have worked with the applicant in an effort to mitigate the impact of the massing of the new development on the onsite and adjacent properties. The use of the proposed building, Class A office, has posed a particular challenge in this regard as this type of office use requires a building with a large floor plate. Nevertheless the application has evolved from its submission and building massing originally proposed to cantilever over the heritage buildings has been removed in the current proposal. The step backs of the tower behind the retained elevations are proposed to range from 4.5 to 5.5 metres. Step backs from the proposed base building to the tower on Leader Lane are 1.7 metres and on Colborne Street are 3.0 metres. These step backs will be sufficient to conserve the scale form and massing of the heritage properties and respond to the adjacent heritage context.

## **Restoration Strategy**

The proposal includes the extensive restoration of the north elevations of the King Street East heritage properties. The applicant's HIA includes a preliminary restoration strategy that describes the restoration approach that is in keeping with the Standards and Guidelines for the Conservation of Historic Places in Canada. Restoration will utilize a combination of physical evidence, photographic evidence, and representative examples from the period of significance. Site investigative work is ongoing and should Council approve the proposal a detailed restoration plan would form part of the applicant's conservation plan.

## **St. Lawrence Neighbourhood Heritage Conservation District Plan**

### **District Plan**

Staff have reviewed the application against the heritage policies of the Official Plan and in the context of the emerging policy framework for the area including the St. Lawrence Neighbourhood Heritage Conservation District Plan (The HCD Plan). The proposal satisfies certain policies of the HCD Plan but falls short on others. For example, the proposal respects the massing and streetwall height of the adjacent and on-site heritage properties (5.9.1) and limits new shadow impacts on St. James Cathedral (5.10.1). However, the new building does not retain whole buildings through the provision of a ten metre step behind the heritage elevations (5.9.2) or employ a forty-five degree angular plane from the existing street wall on King Street East and on Colborne Street (5.9.3). While staff would strongly prefer to see the policies of the adopted HCD Plan met, because the application pre-dates the adoption of the Plan, we believe that the proposal is responsive to many of the heritage issues raised, and, in the overall context of a Council approved settlement, are able to support the proposal.

## **Base Building Design**

The proposal for the new base building has been designed to respond to the adjacent and on-site heritage properties as a contemporary, yet compatible element of the existing streetwall. Staff have worked with the applicant on numerous iterations of the base building design to ensure that it appropriately responds to the adjacent and on-site heritage properties and to make it more consistent with the objectives of the HCD Plan. The Plan in part calls for base buildings to reinforce the strong and articulated streetwalls of the district. The current proposal satisfies this objective in part as it responds to the height of the adjacent and on-site heritage buildings on King Street East (5.9.1). The new base building will be clad in glass and limestone which is physically and visually compatible with the heritage properties (5.18.4) and will reflect some of the horizontal datum lines of the adjacent and on-site heritage buildings on King Street East. The base building also responds to the vertical articulation and bay rhythm on the block (5.11.1, 5.11.2).

## **Shadow on St James Cathedral**

The original proposal would have cast excessive shadow on the St. James Cathedral during the spring and fall equinoxes. The HCD Plan includes a policy that states "New development must limit net new shadows on shadow sensitive areas". St. James Cathedral is one of two areas identified as shadow sensitive. The current revised proposal casts only minimal shadow on the edge of the St. James Cathedral forecourt for a short period during the equinoxes and no shadow on the cathedral itself.

## **Additional Mitigation**

Should Council approve the proposal staff recommend that the following additional work be undertaken to further mitigate the proposed alterations:

## **Conservation Plan**

Should Council approve the alterations, prior to the issuance of the Board Order for the development the applicant should be required to submit a Conservation Plan for the work described in the Heritage Impact Assessment prepared by a qualified heritage professional to the satisfaction of the Senior Manager, Heritage Preservation Services. The Conservation Plan should detail all of the recommended interventions and conservation work including a detailed conservation plan for the King Street East elevation that includes, but is not limited to, describing how the storefronts will be restored faithfully to an historic appearance; a detailed shoring and bracing plan; appropriate replacement windows and doors; a schedule of short and long term maintenance requirements; and estimated costs for all conservation work.

## **Interpretation Plan and Lighting Plan**

The City of Toronto commissioned a Heritage Lighting Master Plan for Old Town Toronto in order to create a strategy to highlight the distinctive architecture and heritage of the area and to explore opportunities to improve the lighting of the public realm. Prior to the issuance of permits for the proposed development the applicant should be required to submit a lighting plan to the satisfaction of the Senior Manager of Heritage Preservation Services. This plan should provide details of how the exterior of the

building will be sensitively lit to enhance the building's heritage character at night. It should reference the Heritage Lighting Master Plan.

Heritage interpretation enhances personal experiences, increases respect and understanding, and communicates the importance of our cultural heritage sites. As a companion to the Lighting Plan, the City of Toronto also completed a Heritage Interpretation Master Plan for the Old Town Toronto. The applicant's Heritage Impact Assessment proposes an interpretation strategy that would reference the Interpretation Master Plan, interpret the significance of the site within the Old Town, and includes an interpretive feature in the lobby of the office building. This feature would include the reconstruction of the west party wall of 71 King Street East and include ghosting of the building that once stood on the parking lot and 69 King Street East.

Prior to the issuance of permits for the proposed development the applicant should be required to provide a detailed Interpretation Plan to the satisfaction of the Senior Manager, Heritage Preservation Services that fully interprets the heritage values of the King Street East buildings on the development site. The plan should reference the Heritage Interpretation Master Plan and be consistent with the Interpretation Strategy proposed in the Heritage Impact Assessment.

### **Heritage Easement Agreements**

Should Council approve the alterations, staff are recommending that the owner enter into a Heritage Easement Agreement to secure the long-term protection of the heritage properties at 79-85 King Street East. The owners of the development site also own the property at 95 King Street East. Although this property does not form part of site, it is an integral part of the of the heritage buildings on this block. As part of terms of settlement for their appeal to the Ontario Municipal Board the property owners have agreed to enter into a Heritage Easement Agreement with the City for this property in order to ensure its long-term protection.

### **CONCLUSION**

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Staff are supportive of the proposal to alter the subject heritage properties at 71 King Street East, 75 King Street East, 79-81 King Street East, 83 King Street East, 85 King Street East, and 95 King Street East to allow for the construction of a new commercial development comprised of a commercial office tower with ground floor retail.

In the context of Council's settlement on the related planning application, heritage staff are confident that the development conserves the heritage properties, complies with Section 3.1.5 of the City's Official Plan while satisfying aspects of the St. Lawrence Neighbourhood Heritage Conservation District Plan.

## **CONTACT**

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## **SIGNATURE**

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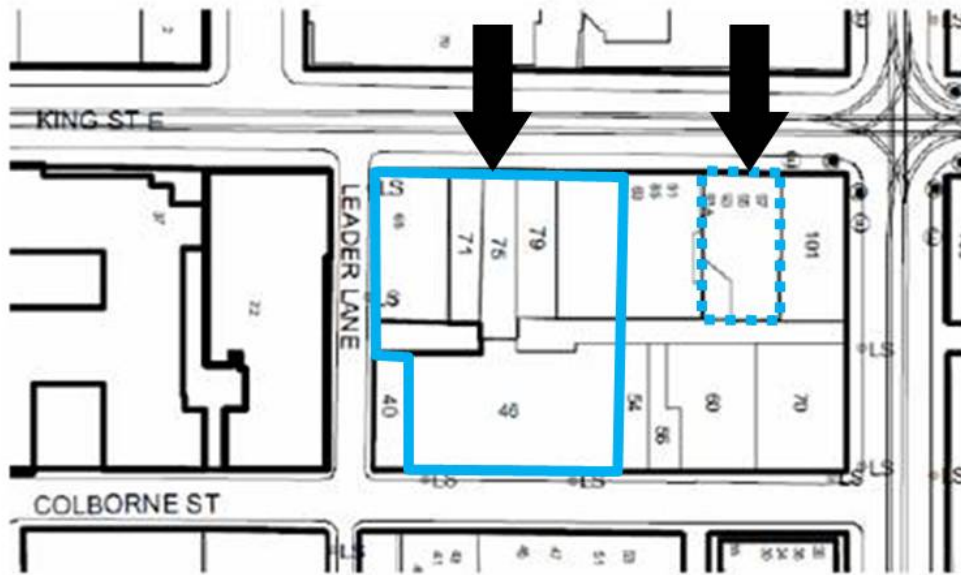
Gregg Lintern, MCIP, RPP  
Acting Chief Planner and Executive Director  
City Planning Division

## **ATTACHMENTS**

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Attachment No. 1 - Location Map  
Attachment No. 2 - Photographs  
Attachment No. 3 - Proposal  
Attachment No. 4 - Reasons for Designation 71 King Street East  
Attachment No. 5 - Reasons for Designation 75 King Street East  
Attachment No. 6 - Reasons for Designation 79-81 King Street East  
Attachment No. 7 - Reasons for Designation 83 King Street East  
Attachment No. 8 - Reasons for Designation 85 King Street East  
Attachment No. 9 - Reasons for Designation 95 King Street East

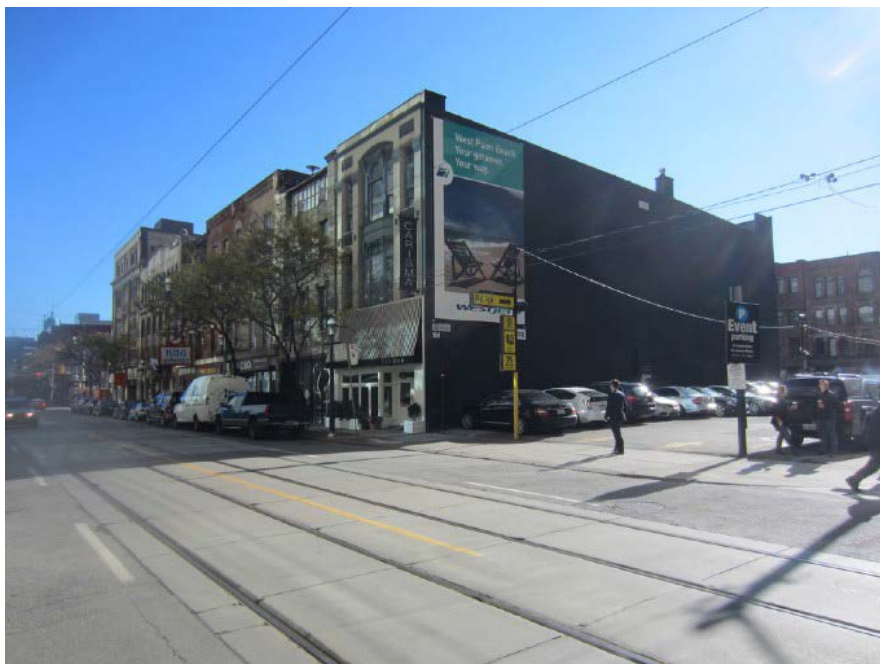
LOCATION MAP - 65 to 89 King Street East & 46 Colborne Street ATTACHMENT 1



This location map is for information purposes only and is oriented with North at the top. The exact boundaries of the development site are not shown. The arrow to the left marks the north edge of the development site approximately bounded by King Street East to the north, the property at 91 King Street East to the east, Colborne Street to the south, and Leader Lane to the west. The arrow to the right indicates the heritage property at 95 King Street East.



Street view of the development site looking southwest from north side of King Street East



Street view of the development site looking south east from the north side of King Street East



PHOTOGRAPHS - 71 - 85 and 95 King Street East



King Street East elevations of 71, 75 and 79 King Street East.

PHOTOGRAPHS - 71 - 85 and 95 King Street East

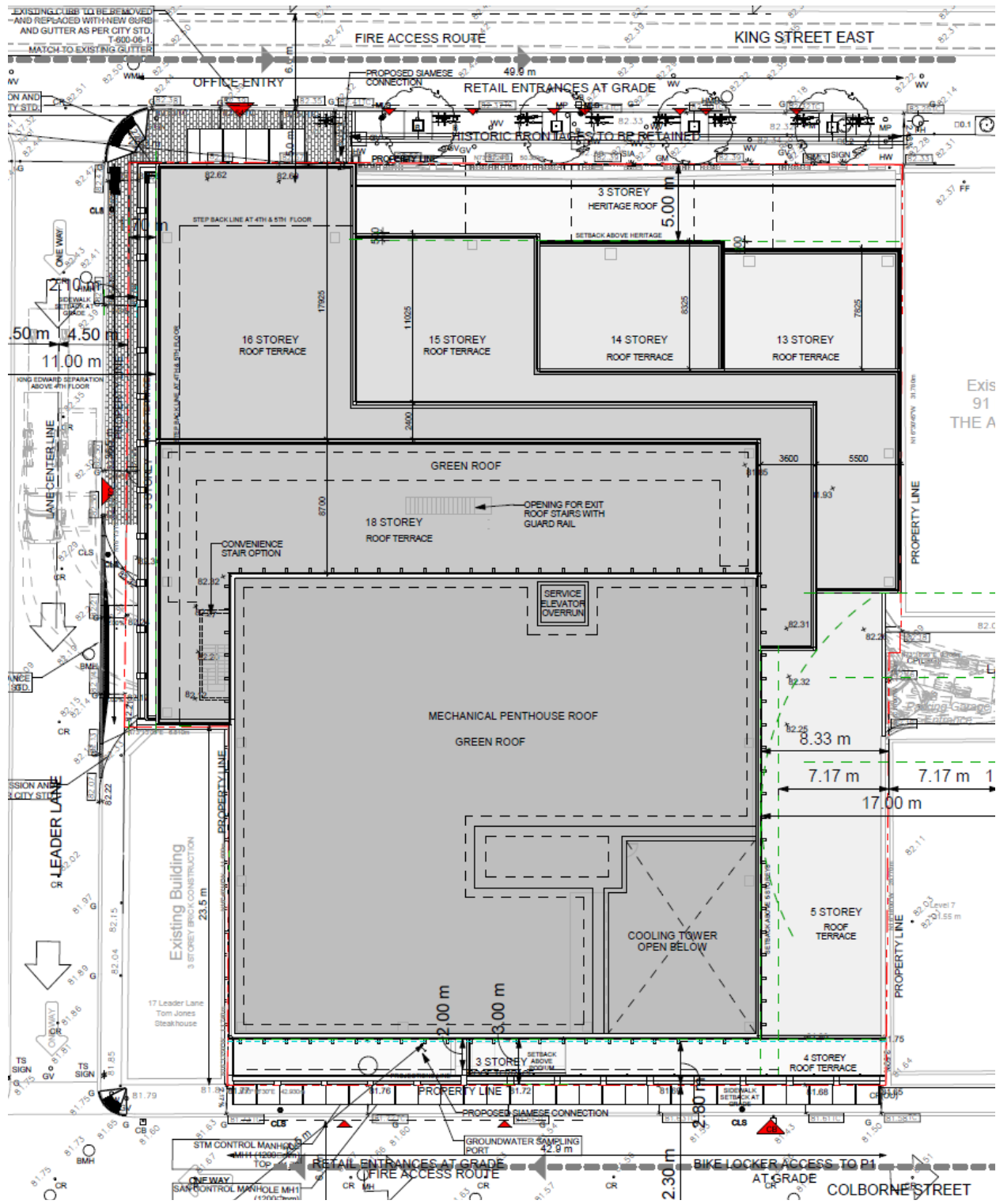


View of 40 Colborne Street looking northeast on Leader Lane

PHOTOGRAPHS - 71 - 85 and 95 King Street East

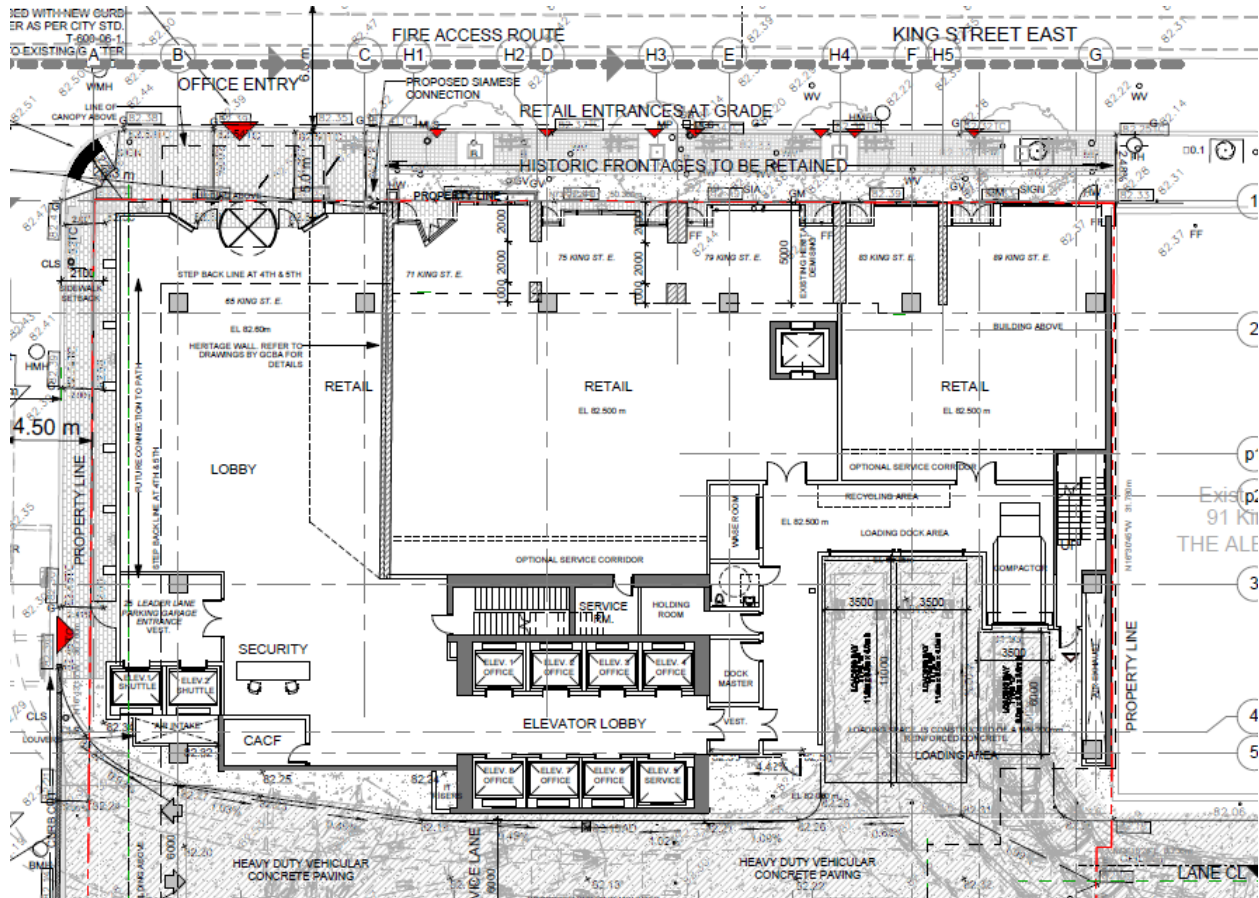


95 King Street East, the Tyrrell Building



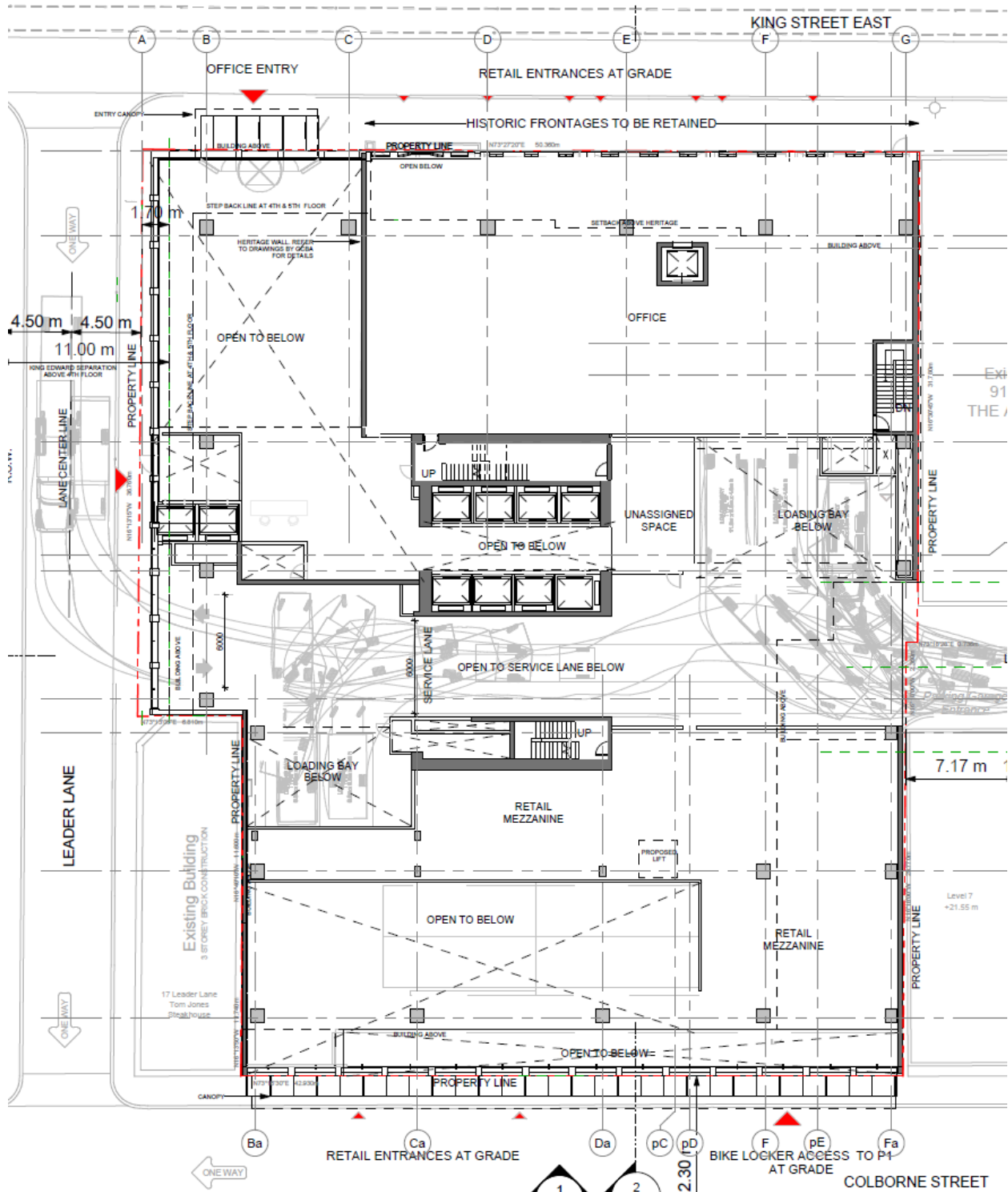
Site plan of the proposed development

# PROPOSAL - 71 - 85 and 95 King Street East



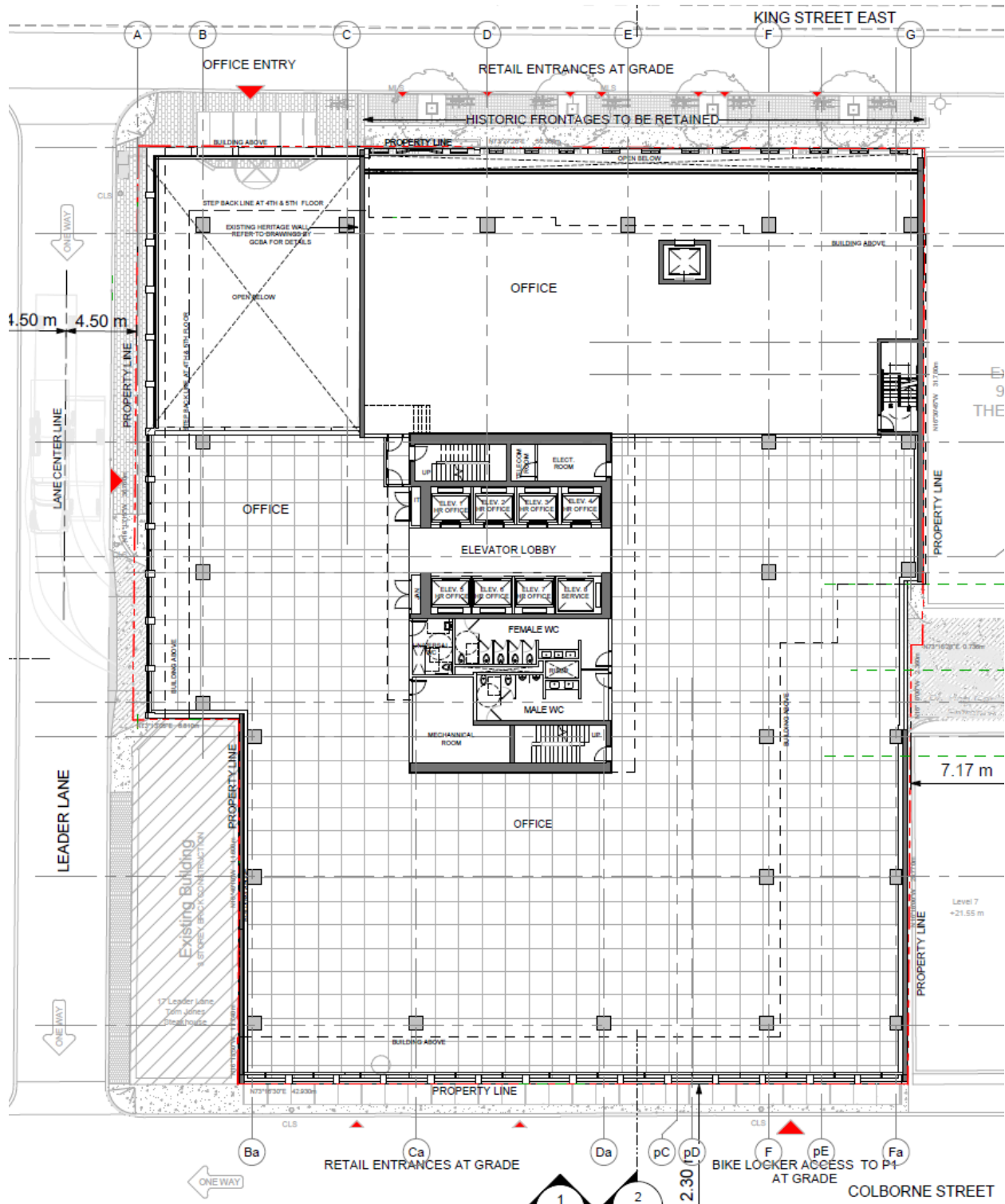
Ground floor plan of the proposed development

# PROPOSAL - 71 - 85 and 95 King Street East



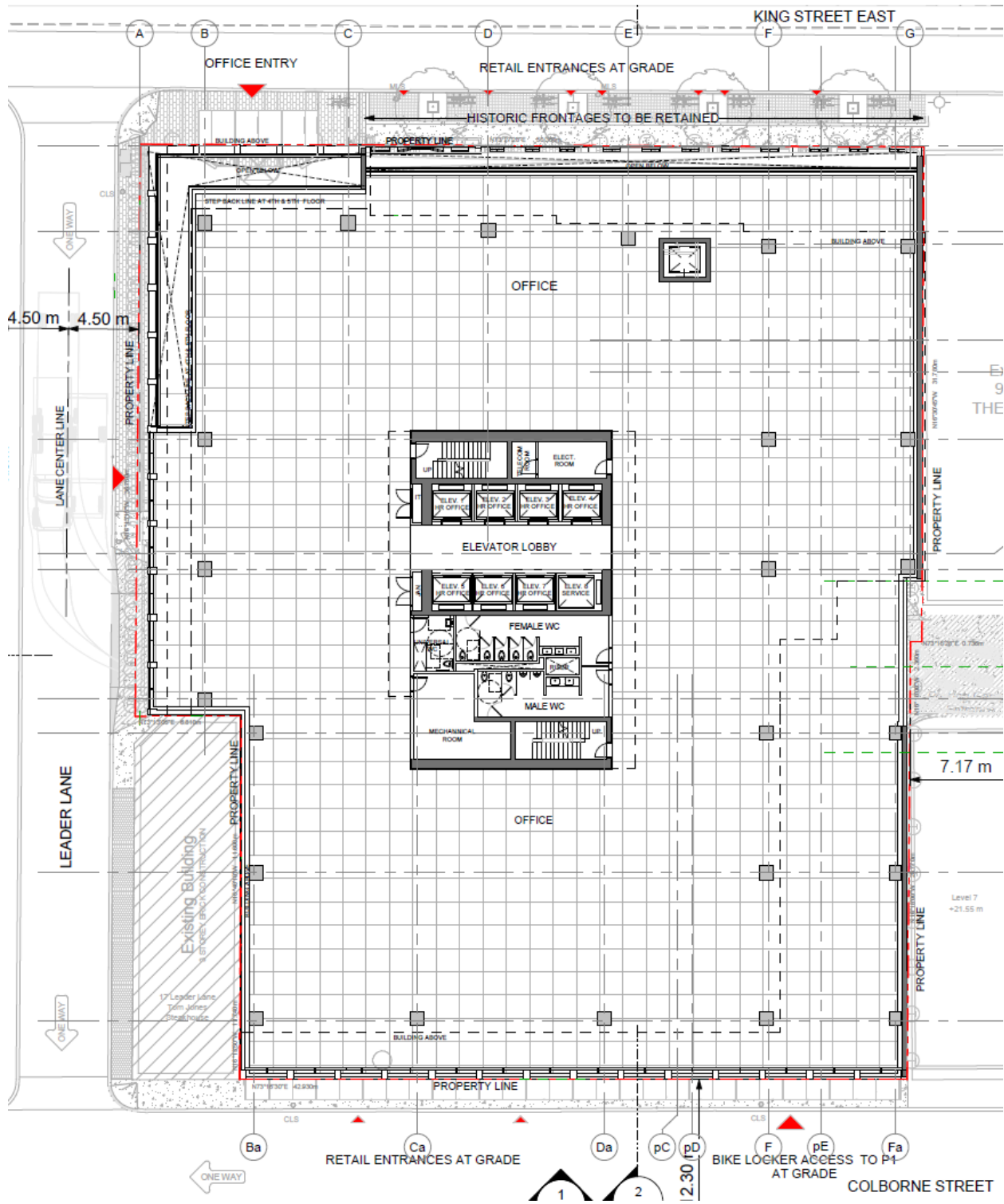
Mezzanine floor plan of the proposed development

# PROPOSAL - 71 - 85 and 95 King Street East



Second floor plan of the proposed development

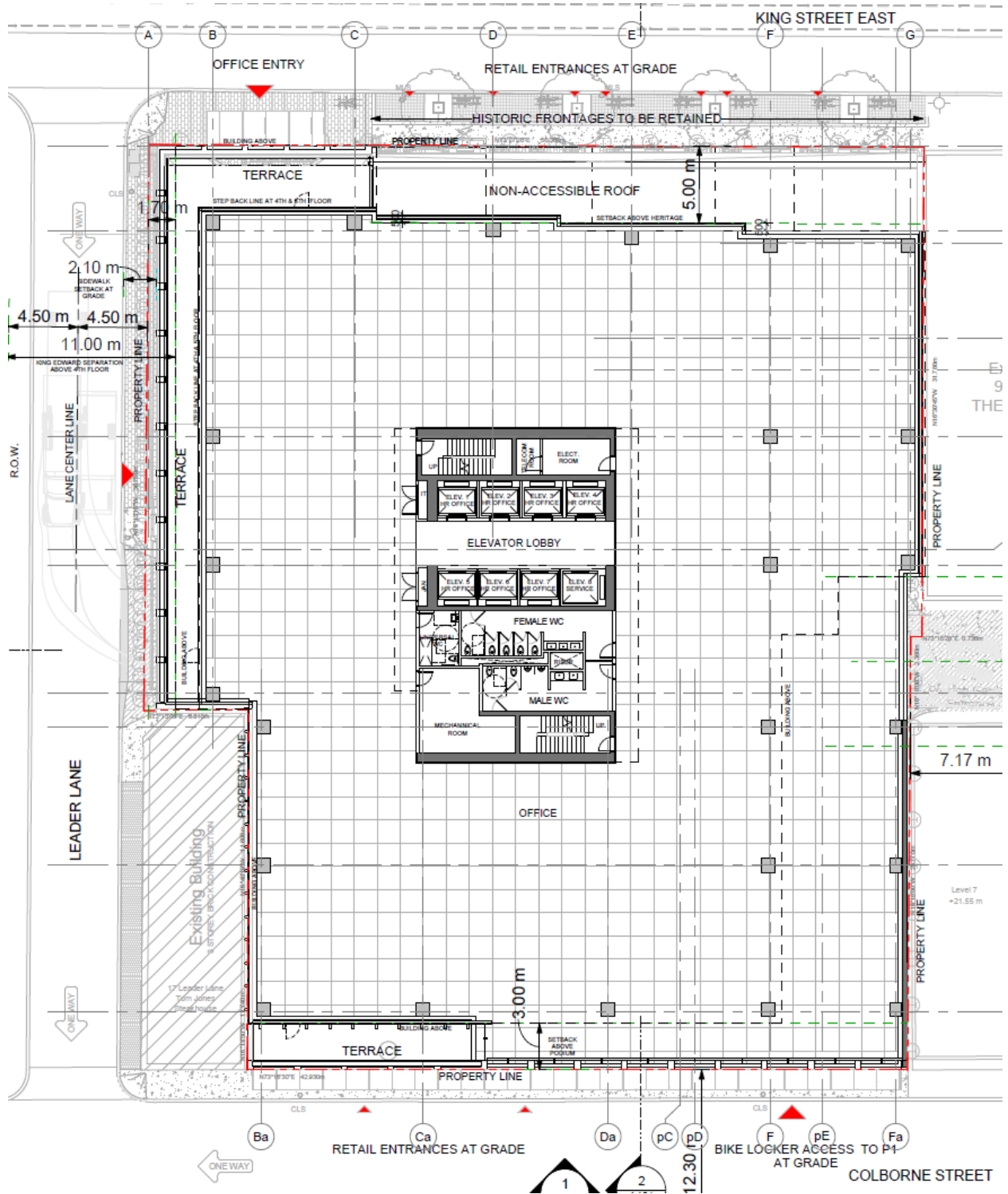
# PROPOSAL - 71 - 85 and 95 King Street East



Third floor plan of the proposed development

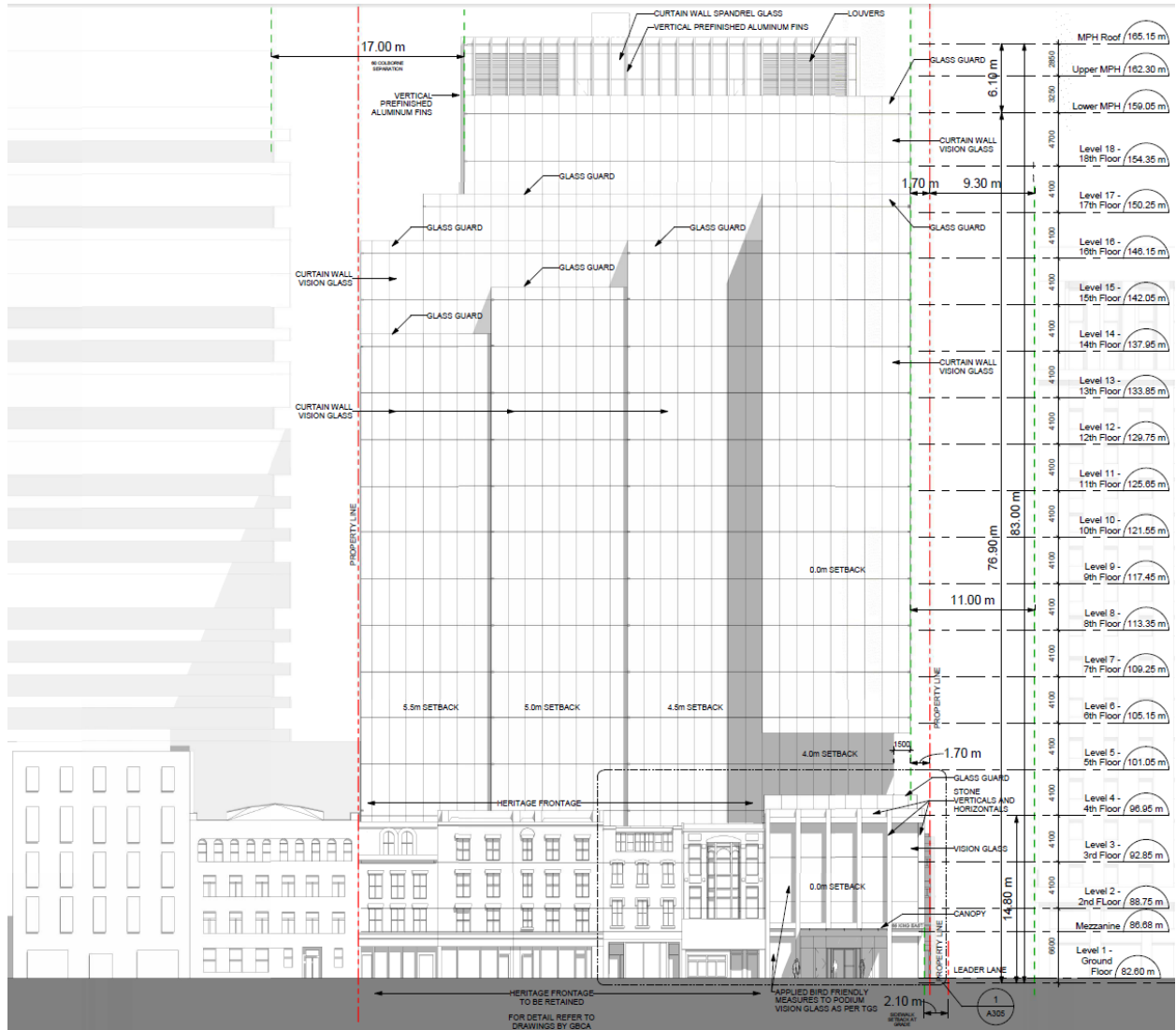


# PROPOSAL - 71 - 85 and 95 King Street East



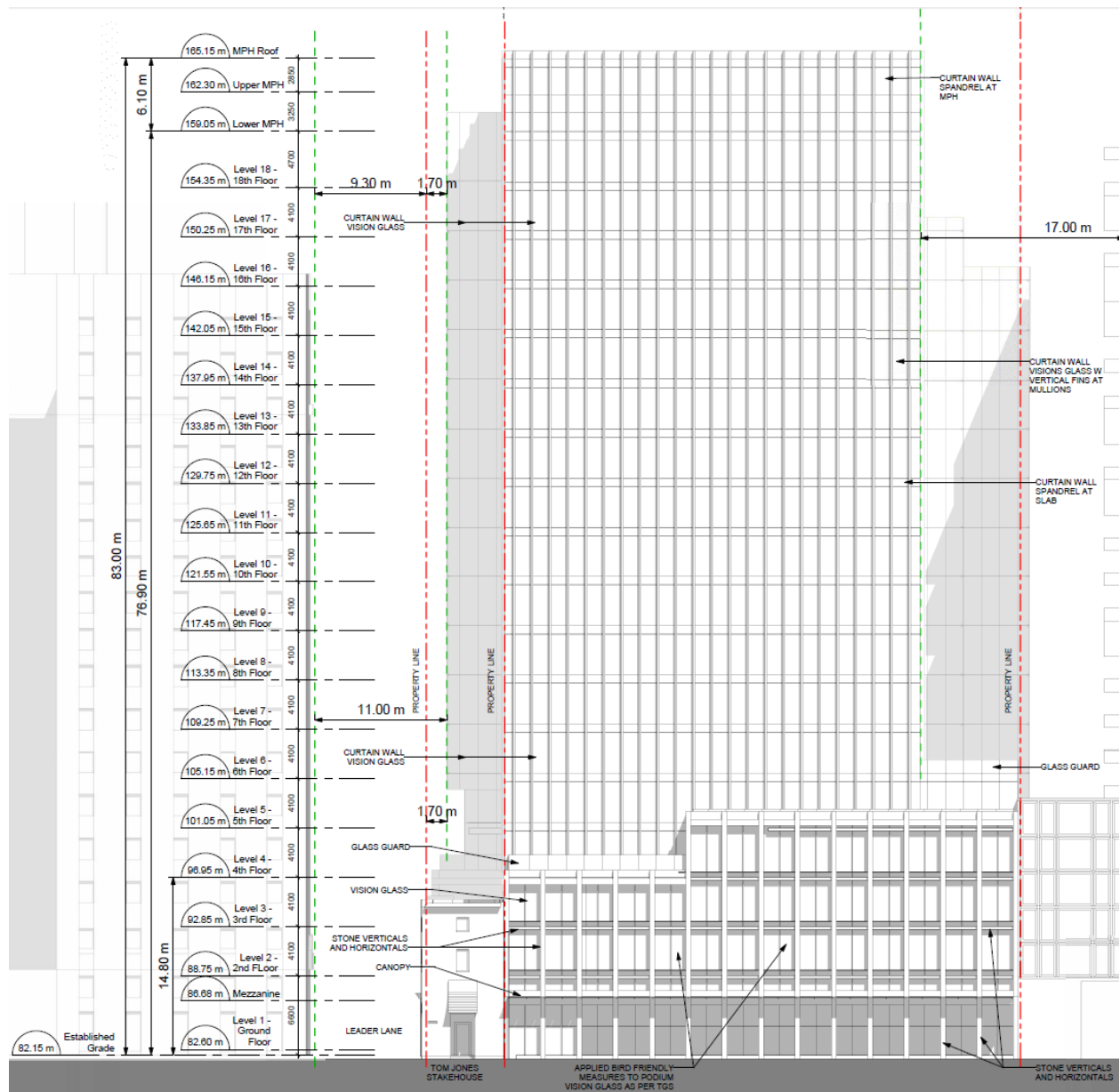
Fourth floor plan of the proposed development

# PROPOSAL - 71 - 85 and 95 King Street East

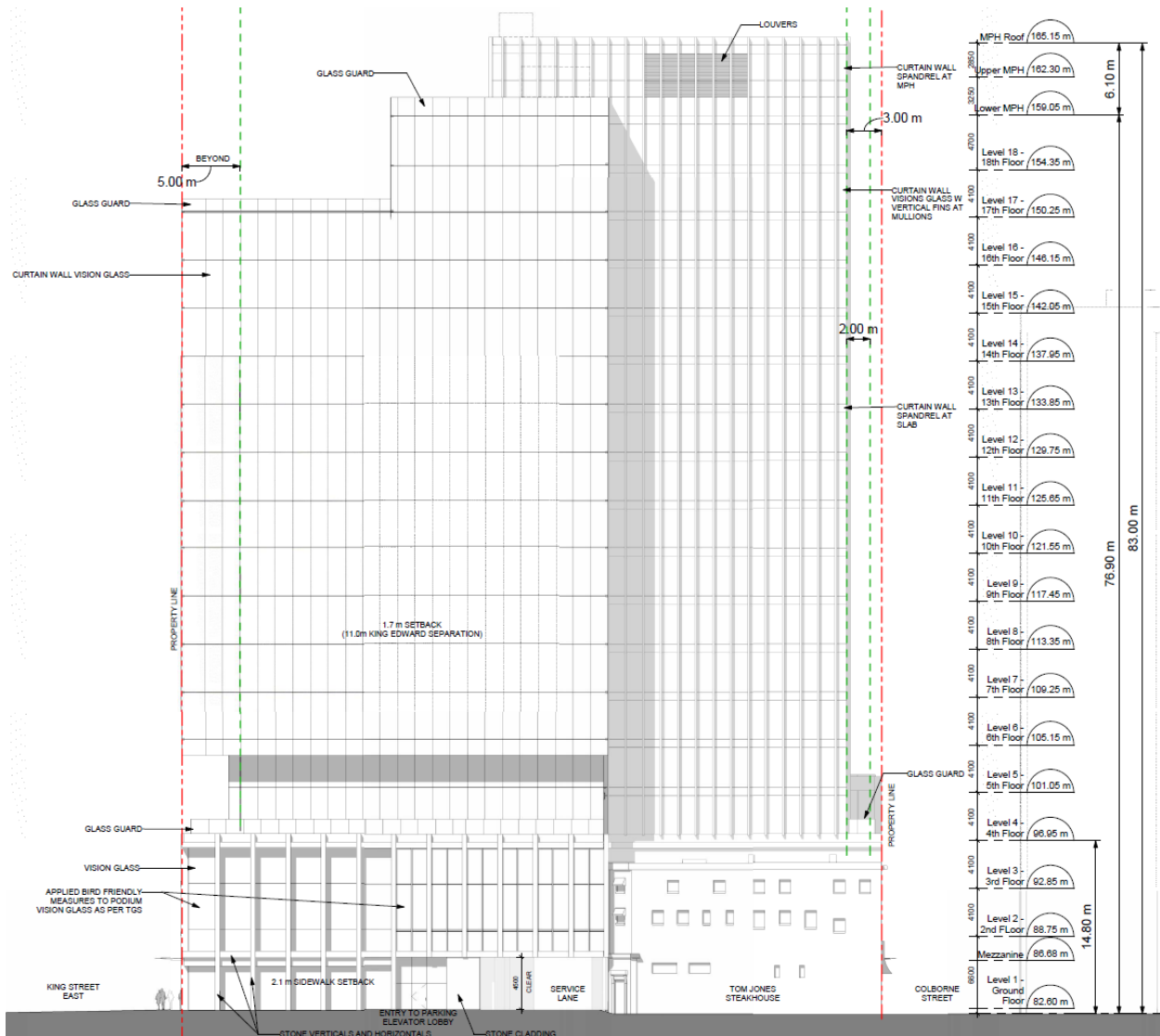


North elevation of the proposed development along King Street East

# PROPOSAL - 71 - 85 and 95 King Street East

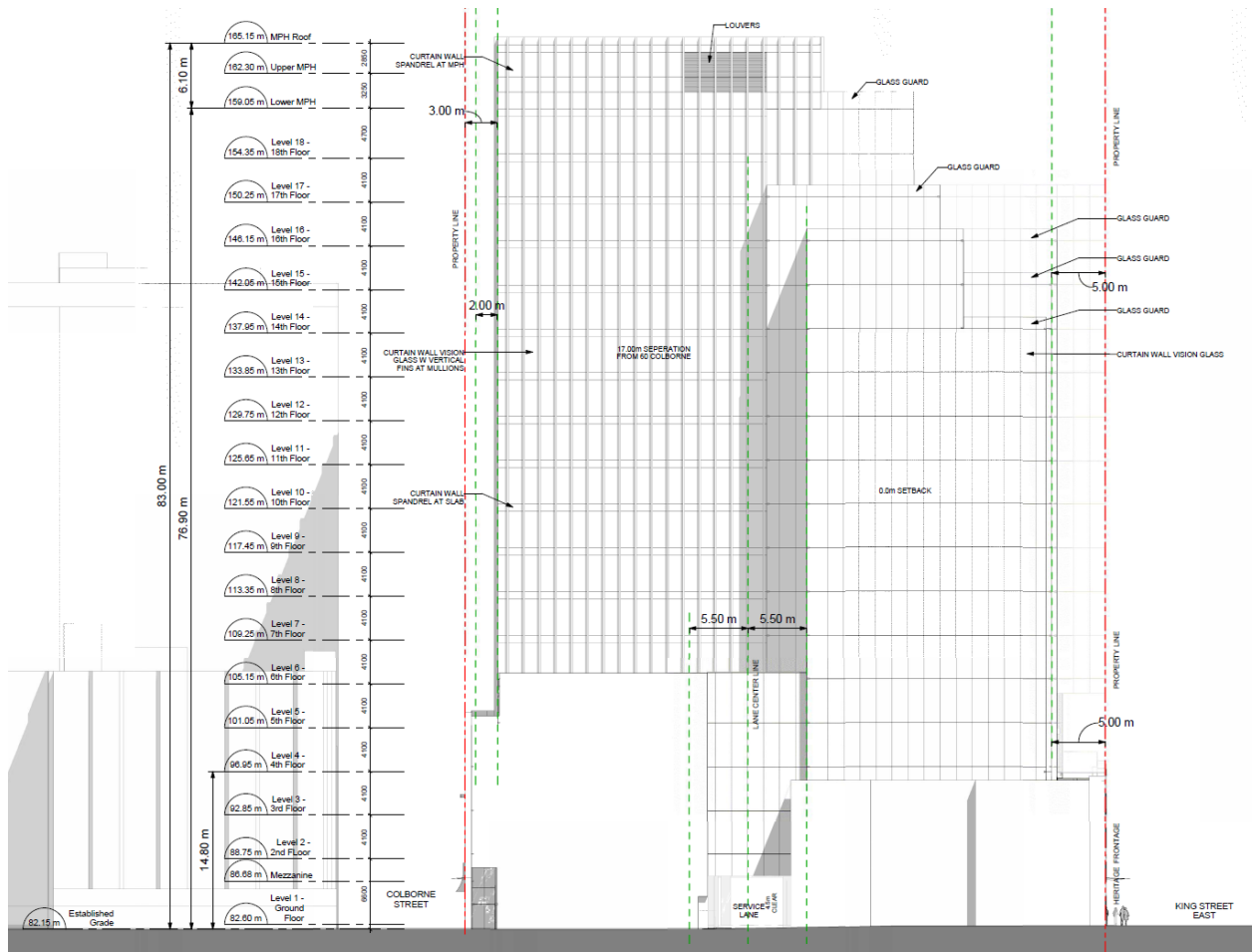


# PROPOSAL - 71 - 85 and 95 King Street East



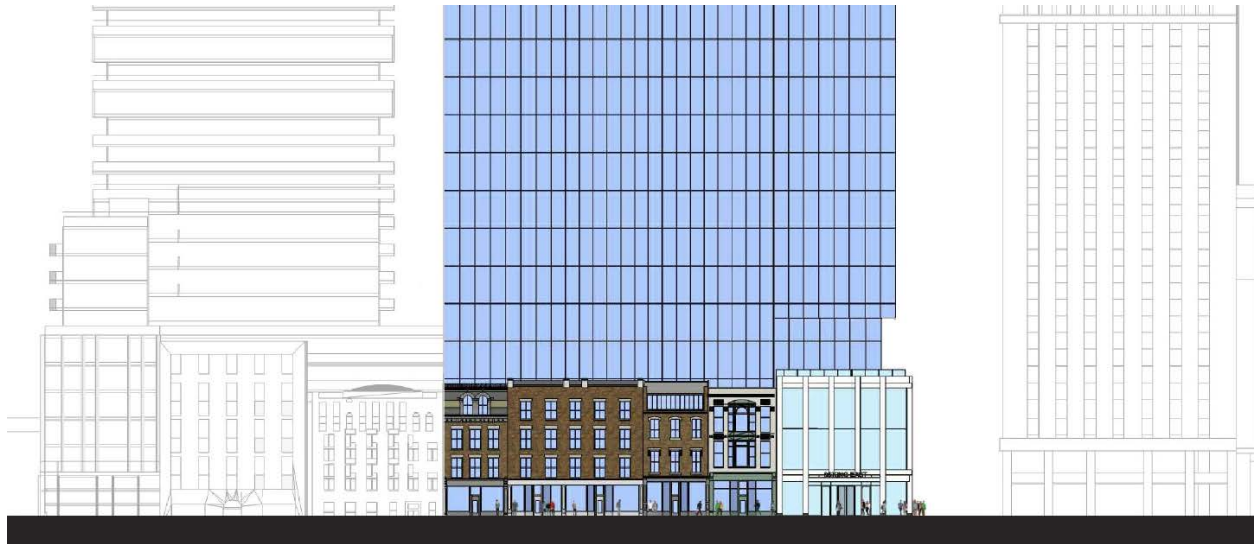
West side elevation of the proposed development along Leader Lane

# PROPOSAL - 71 - 85 and 95 King Street East



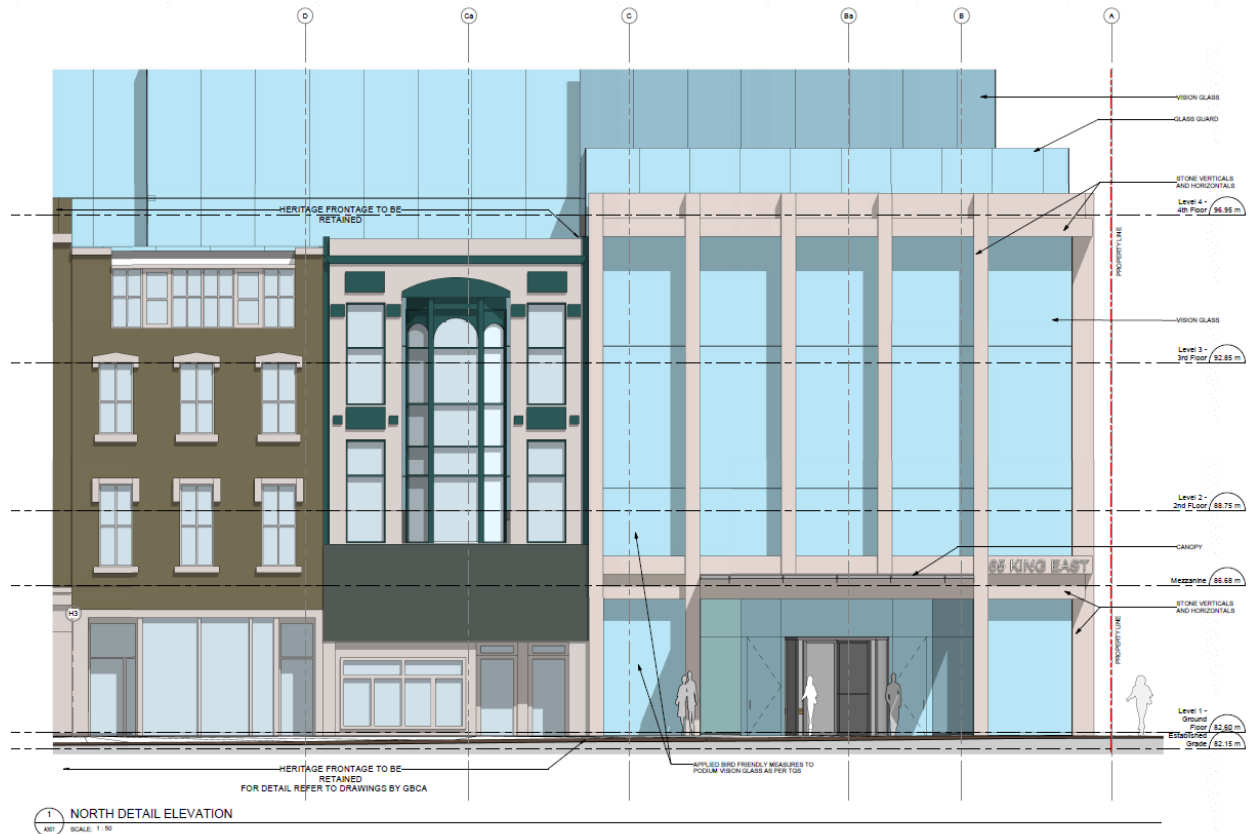
East side elevation of the proposed development

# PROPOSAL - 71 - 85 and 95 King Street East



NORTH KING STREET ELEVATION

## King Street East block elevation



Partial North elevation drawing showing the proposed base building design on King Street East

PROPOSAL - 71 - 85 and 95 King Street East



Perspective image of the proposed development facing south from King Street East



Perspective image from King Street East looking east towards the development site.

PROPOSAL - 71 - 85 and 95 King Street East



Perspective image facing north from Leader Lane





### Description

The property at 71 King Street East (with a convenience address of 73 King Street East) is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value, and meets the criteria for municipal designation prescribed by the Province of Ontario under the categories of design, associative and contextual values. Located on the south side of King Street East, east of Leader Lane, the E. Harris Company Building (1839, with a new façade added c. 1900) is a three-storey commercial building.

### Statement of Cultural Heritage Value

The E. Harris Company Building is a fine representative example of a commercial edifice updated in the 20th century with an Edwardian Classical design. While it shares its scale and setback along King Street with the neighbouring commercial buildings and the Albany Club at #91 King, the E. Harris Company Building is distinguished by its elaborate classical detailing that is also applied to the oriel windows with glass transoms that highlight the upper stories.

The property at 71 King Street East contributes to an understanding of the development and significance of the St. Lawrence Neighbourhood as it evolved from its origins as "Old Town," survived the Great Fire of 1849 as the commercial and institutional heart of Toronto, and withstood the economic downturn of the area in the 20th century before it was revitalized in the 1960s. The E. Harris Company Building pre-dates the Great Fire and, through its remodelling in the 20th century, contributes to the continuing vitality of the city's oldest neighbourhood.

Contextually, the E. Harris Company Building is significant in defining, maintaining and supporting the historic character of King Street in the St. Lawrence Neighbourhood, which is identified by the low scale and appearance of the surviving stores, hotels, banks, warehouses and institutional edifices. As a commercial building dating to the mid 1800s that was undated at the turn of the 20th century, the E. Harris Company Building remains a significant component of a group of surviving commercial and institutional edifices that represent the evolution of King Street East as the Town of York's original "main street".

The E. Harris Company Building is also physically, visually and historically linked to its surroundings on King Street East between Leader Lane and Church Street where it anchors the west end of a collection of commercial and institutional buildings from the late 19th and early 20th centuries that includes some of the oldest surviving structures in Toronto.

#### Heritage Attributes

The heritage attributes of the property at 71 King Street East are:

- The three-storey commercial building that shares its scale, massing and setback with the adjoining buildings to the east
- The materials on the principal (north) façade
- Along the north roofline, the cornice that extends above the roof
- The symmetrical organization of the three-bay north façade above the first-floor store front (which has been altered)
- The fenestration in the second and third floors, with oriel windows with decorative detailing in the centre bay and, in the outer bays, single flat-headed openings that are organized by piers with capitals and surmounted by decorative panels
- The Edwardian Classical detailing



### John F. Smith Building

#### Description

The property at 75 King Street East (with a convenience address of 77 King Street East) is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value, and meets the criteria for municipal designation prescribed by the Province of Ontario under the categories of design, associative and contextual values. Located on the south side of King Street East between Leader Lane (west) and Church Street (east), the John F. Smith Building (1839) is a 3½-storey commercial building.

#### Statement of Cultural Heritage Value

The John F. Smith Building is a representative example of a commercial building that is related through its provenance, scale and setback to the group of extant structures on the south side of King Street East between Church Street and Leader Lane. Although altered, it stands as one of the earliest surviving buildings in the neighbourhood and the city with the pattern of fenestration in the upper stories and the gable roof with firebreaks identifying its early 19th century vintage.

The property at 75 King Street East contributes to an understanding of the development and significance of the St. Lawrence Neighbourhood as it evolved from its origins as

"Old Town," survived the Great Fire of 1849 as the commercial and institutional heart of Toronto, and withstood the economic downturn of the area in the 20th century before it was revitalized in the 1960s. Predating the Great Fire, the John F. Smith Building contributes to the continued vitality of the city's oldest neighbourhood.

Contextually, the John F. Smith Building is significant in defining, maintaining and supporting the historic character of King Street in the St. Lawrence Neighbourhood, which is identified by the low scale and appearance of the surviving stores, banks, hotels, warehouses and institutional edifices. As a commercial building dating to 1839, the John F. Smith Building remains a significant component of a group of surviving commercial and institutional edifices that illustrates the evolution of King Street East as the Town of York's original "main street".

The John F. Smith Building is also physically, visually and historically linked to its surroundings on King Street East between Leader Lane and Church Street where it is placed near the west end of a collection of commercial and institutional buildings from the late 19th and early 20th centuries that includes some of the oldest surviving structures in Toronto.

#### Heritage Attributes

The heritage attributes of the property at 75 King Street East are:

- The 3½-storey commercial building that shares its scale, massing and setback with the adjoining buildings on the east and west
- The surviving detailing on the gable roof with the firebreaks extending above the roofline
- The symmetrical organization of the three-bay north façade above the first-floor storefront (which has been altered), where the original pattern of the fenestration has flat-headed window openings organized by piers with capitals



### James McDonnell Building

#### Description

The property at 79 King Street East (which includes the property with a convenience address of 81 King Street East) is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value, and meets the criteria for municipal designation prescribed by the Province of Ontario under the categories of design, associative and contextual values. Located on the south side of King Street East between Leader Lane (west) and Church Street (east), the McDonnell Building (1843) is a four-storey commercial building.

#### Statement of Cultural Heritage Value

The James McDonnell Building is an important representative example of a commercial building from the early 1840s (with subsequent updates) that contributes through its vintage and scale to the group of extant structures that remain on the south side of King Street East between Church Street and Leader Lane. Predating the Great Fire of 1849, the James McDonnell Building is one of the oldest extant structures in the city.

The property at 79 King Street East contributes to an understanding of the development and significance of the St. Lawrence Neighbourhood as it evolved from its origins as "Old Town," survived the Great Fire of 1849 as the commercial and institutional heart of Toronto, and withstood the economic downturn of the area in the 20th century before it was revitalized in the 1960s. The James McDonell Building pre-dates the Great Fire and, through its updating in the late 19th century and afterward, contributes to the continuing vitality of the city's oldest neighbourhood.

The James McDonell Building is associated with the career of the notable early Toronto architect John Howard, who undertook the project as a private commission while serving as the City of Toronto's official surveyor and engineer. This structure (although altered) stands with the neighbouring commercial buildings at 83 and 85 King Street East as important surviving examples of Howard's work.

Contextually, the property at 79 King Street East is significant in defining, maintaining and supporting the historic character of King Street in the St. Lawrence Neighbourhood, which is identified by the low scale and appearance of the surviving stores, banks, hotels, warehouses and institutional buildings. As a commercial building dating to the mid 1800s that was updated over time, the James McDonell Building remains an integral component of a group of surviving commercial and institutional edifices that illustrates the evolution of King Street East as the Town of York's original "main street".

The James McDonell Building is also physically, visually and historically linked to its surroundings on King Street East between Leader Lane and Church Street where it stands as part of a collection of commercial and institutional buildings from the late 19th and early 20th centuries that includes some of the oldest remaining structures in Toronto.

### Heritage Attributes

The heritage attributes of the property at 79 King Street East are:

- The four-storey commercial building, which shares its scale, massing and setback with the neighbouring buildings to the west and east
- The materials, with brick cladding and stone trim on the principal (north) façade
- The roof detailing with decorative corbelling along the cornice that dates to the late 19th century when the structure was remodelled with Second Empire detailing
- The principal (north) façade, which is symmetrically organized into three bays above the first-floor store front (which has been altered)
- The fenestration in the second through the fourth stories, where flat-headed window openings have stone lintels and sills (some of the openings in the second storey have been altered)



### James McDonnell Building

#### Description

The property at 83 King Street East is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value, and meets the criteria for municipal designation prescribed by the Province of Ontario under the categories of design, associative and contextual values. Located on the south side of King Street East between Leader Lane (west) and Church Street (east), the McDonnell Building (1843) is a four-storey commercial building.

#### Statement of Cultural Heritage Value

The James McDonnell Building is an important representative example of a commercial building from the 1840s (with subsequent updates) that contributes through its vintage and scale to the group of extant structures that remain on the south side of King Street

East between Church Street and Leader Lane. Predating the Great Fire of 1849, the James McDonell Building is one of the oldest extant structures in the city.

The property at 83 King Street East contributes to an understanding of the development and significance of the St. Lawrence Neighbourhood as it evolved from its origins as "Old Town," survived the Great Fire of 1849 as the commercial and institutional heart of Toronto, and withstood the economic downturn of the area in the 20th century before it was revitalized in the 1960s. The James McDonell Building pre-dates the Great Fire and, through its updating in the late 19th century and afterward, contributes to the continuing vitality of the city's oldest neighbourhood.

The James McDonell Building is associated with the career of the notable early Toronto architect John Howard, who undertook the project as a private commission while serving as the City of Toronto's official surveyor and engineer. This structure (although altered) stands with the neighbouring commercial buildings at 79 and 85 King Street East as important surviving examples of Howard's work.

Contextually, the property at 83 King Street East is significant in defining, maintaining and supporting the historic character of King Street in the St. Lawrence Neighbourhood, which is identified by the low scale and appearance of the surviving stores, banks, hotels, warehouses, and institutional edifices. As a commercial building dating to the mid 1800s that was updated over time, the James McDonell Building remains an integral component of a group of surviving commercial and institutional edifices that illustrates the evolution of King Street East as the Town of York's original "main street".

The James McDonell Building is also physically, visually and historically linked to its surroundings on King Street East between Leader Lane and Church Street where it stands as part of a collection of commercial and institutional buildings from the late 19th and early 20th centuries that includes some of the oldest remaining structures in Toronto.

#### Heritage Attributes

The heritage attributes of the property at 83 King Street East are:

- The four-storey commercial building, which shares its scale, massing and setback with the neighbouring buildings to the west and east
- The materials, with brick cladding and stone trim on the principal (north) facade
- The roof detailing with decorative corbelling along the cornice that dates to the late 19th century when the structure was remodelled with Second Empire detailing
- The principal (north) façade, which is symmetrically organized into two bays above the first-floor storefront (which has been altered)
- The fenestration in the second through the fourth stories, where flat-headed window openings have stone lintels and sills





### Victoria Row

The property at 85 King Street East (which is a convenience address) is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value, and meets the criteria for municipal designation prescribed by the Province of Ontario under the categories of design, associative and contextual values. Located on the south side of King Street East between Leader Lane (west) and Church Street (east), Victoria Row (1842) is a 3½-storey commercial building.

### Statement of Cultural Heritage Value

Victoria Row is an important representative example of a commercial building from the 1840s that was updated later in the 19th century and continues to contribute through its vintage and scale to the group of commercial buildings that remain on the south side of King Street East between Church Street and Leader Lane. Predating the Great Fire of 1849, Victoria Row is among the oldest extant structures in the city.

The property at 85 King Street East contributes to an understanding of the development and significance of the St. Lawrence Neighbourhood as it evolved from its origins as "Old Town," survived the Great Fire of 1849 as the commercial and institutional heart of Toronto, and withstood the economic downturn of the area in the 20th century before it

was revitalized in the 1960s. Victoria Row pre-dates the Great Fire and, through its updating in the late 19th century and afterward, contributes to the continuing vitality of the city's oldest neighbourhood.

Victoria Row is linked to the career of the important early Toronto architect John Howard, who undertook the project as a private commission while serving as the City of Toronto's official surveyor and architect. The surviving unit of Victoria Row (although altered) remains an important surviving example Howard's work.

Contextually, the property at 85 King Street East is significant in defining, maintaining and supporting the historic character of King Street in the St. Lawrence Neighbourhood, which is identified by the low scale and appearance of the surviving stores, hotels, banks, warehouses and institutional edifices. As a commercial building dating to the mid 1800s, Victoria Row remains a significant component of a group of surviving commercial and institutional edifices that illustrates the evolution of King Street East as the Town of York's original "main street".

The Victoria Row is also physically, visually and historically linked to its surroundings on King Street East between Leader Lane and Church Street where it stands as part of a collection of commercial and institutional buildings from the late 19th and early 20th centuries that includes some of the oldest surviving structures in Toronto.

#### Heritage Attributes

The heritage attributes of the property at 85 King Street East are:

- The 3½ storey commercial building, which shares its scale, massing and setback with the neighbouring buildings to the west and east
- The materials, with brick cladding and stone trim on the principal (north) facade
- The mansard roof (which was a late-19th century alteration) with a pair of round-arched dormers
- The principal (north) facade, which is symmetrically organized into three bays above the first-floor store front (which has been altered)
- The fenestration in the second through the fourth stories, where flat-headed window openings have stone lintels and sills



## Tyrrell Building

### Description

The property at 95 King Street East is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value, and meets the criteria for municipal designation prescribed by the Province of Ontario under the categories of design, associative and contextual values. Located on the south side of King Street East, west of Church Street, the Tyrrell Building (1912) is a five-storey commercial building.

### Statement of Cultural Heritage Value

The Tyrrell Building is a fine representative example of a commercial building with Edwardian Classical styling from the pre-World War I era. It displays the classical detailing and the tripartite arrangement of the stories that are hallmarks of the style, yet its design is set apart by the oriel windows and roof detailing. The Tyrrell Building contributes through its vintage and setback to the group of commercial and institutional buildings that mark the south side of King Street East between Church Street and Leader Lane.

The property at 95 King Street East contributes to an understanding of the development and significance of the St. Lawrence Neighbourhood as it evolved from its origins as "Old Town," survived the Great Fire of 1849 as the commercial and institutional heart of Toronto, and withstood the economic downturn of the area in the 20th century before it was revitalized in the 1960s. Dating to the early 20th century, the Tyrrell Building contributes to the continuing vitality of the city's oldest neighbourhood

Contextually, the property at 95 King Street East is significant in defining, maintaining and supporting the historic character of King Street in the St. Lawrence Neighbourhood, which is identified by the low scale and appearance of the surviving stores, banks, hotels, warehouses and institutional edifices. As a commercial building introduced to the block in the World War I era, the Tyrrell Building stands as a significant component in a streetscape of surviving commercial and institutional edifices that illustrates the evolution of King Street East as the Town of York's original "main street".

The Tyrrell Building is also physically, visually and historically linked to its surroundings on King Street East between Leader Lane and Church Street where it anchors the east end of a collection of commercial and institutional buildings from the late 19th and early 20th centuries that includes some of the oldest surviving edifices in Toronto.

### Heritage Attributes

The heritage attributes of the property at 95 King Street East are:

- The five-storey commercial building, which relates its scale, setback and massing to the neighbouring buildings on the west
- The materials, with brick cladding and stone trim on the principal (north) facade
- The classical organization of the principal (north) façade, with a base, three-storey shaft and attic, and a cornice at each level
- Centered in the first floor (where the storefronts have been altered), the main entrance that is placed in a round-arched surround with classical detailing in brick and stone
- The symmetrical organization of the second through the fourth stories into three bays by stone piers with classical detailing
- The fenestration in the second through the fourth floors, where oriel windows with decorative detailing are inset in the centre bay, with large flat-headed tripartite windows in the outer bays
- The stone detailing on all of the window openings, including those in the attic level that display keystones