

Alterations to a Designated Heritage Property and Authority to Amend a Heritage Easement Agreement - 30 Bay Street (formerly 60 Harbour Street)

Date: April 26, 2019

To: Toronto Preservation Board
Toronto and East York Community Council

From: Senior Manager, Heritage Preservation Services, Urban Design, City Planning

Wards: Ward 10 - Spadina-Fort York

SUMMARY

This report recommends that City Council approve the alterations to the designated heritage property at 30 Bay Street in connection with an application to amend the Zoning By-law by constructing a 60-storey mixed-use office building and to amend the existing Heritage Easement Agreement. The proposed development conserves the heritage building in its entirety and in situ.

RECOMMENDATIONS

The Senior Manager, Heritage Preservation Services, Urban Design, City Planning recommends that:

1. City Council approve the alterations to the designated heritage property at 30 Bay Street (formerly known as 60 Harbour Street) in accordance with Section 42 of the *Ontario Heritage Act*, with such alterations substantially in accordance with plans and drawings dated March 15, 2019, prepared by Adamson Associates Architects, on file with the Senior Manager, Heritage Preservation Services; and the Heritage Impact Assessment (HIA), prepared by GBCA Architects dated March 29, 2019, 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 the introduction of the bills for such Zoning By-law Amendment by City Council, the owner shall:

1. Provide a detailed Conservation Plan prepared by a qualified heritage consultant that is substantially in accordance with the conservation strategy set out in the Heritage Impact Assessment for 30 Bay Street

prepared by GBCA Architects dated March 29, 2019, to the satisfaction of the Senior Manager, Heritage Preservation Services;

2. Register an amending Heritage Easement Agreement to update the permitted alterations, Reasons for Identification and Schedule "B" photographs on the existing Heritage Easement Agreement registered on title to the property at 30 Bay Street (formerly known as 60 Harbour Street) as Instrument No. CT918882 on December 15, 1987;

3. Enter into and register on the property at 30 Bay Street one or more agreements with the City pursuant to Section 37 of the Planning Act, all to the satisfaction of the City Solicitor 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, including amongst other matters, securing the preparation and thereafter the implementation of a Heritage Lighting Plan, a Signage Plan, an Interpretation Plan and requiring a Letter of Credit to secure all work included in the approved Conservation Plan and approved Interpretation Plan, including provision for upwards indexing, all to the satisfaction of the Senior Manager, Heritage Preservation Services;

b. That Prior to Final Site Plan approval in connection with the Zoning By-law Amendment for the property at 60 Harbour Street the owner shall:

1. Provide final site plan drawings including drawings related to the approved Conservation Plan required in Recommendation 1.a.1 in the report of April 26, 2019 from the Senior Manager, Heritage Preservation Services, Urban Design, City Planning and landscape drawings, to the satisfaction of the Senior Manager, Heritage Preservation Services.

2. Provide an Interpretation Plan for the subject property 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.

3. Provide a Heritage Lighting Plan that describes how the heritage properties will be sensitively illuminated to enhance their heritage character to the satisfaction of the Senior Manager, Heritage Preservation Services, and thereafter shall implement such Plans 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 properties at 30 Bay Street, including a heritage permit, a building permit or a demolition permit, but excluding permits for repairs and maintenance and usual and minor works for the existing heritage buildings as are acceptable to the Senior Manager, Heritage Preservation Services, the owner shall:

1. Obtain final approval for the necessary by-law amendments required for the alterations to the properties at 30 Bay Street, such amendments to

have been enacted by City Council and to have come into effect in a form and with content acceptable to City Council as determined by the Director, Urban Design, City Planning, in consultation with the Senior Manager, Heritage Preservation Services;

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.1 above 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, Landscape Plan, and Interpretation Plan.

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

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

2. City Council authorize the City Solicitor to amend the Heritage Easement Agreement registered on title to the property at 30 Bay Street (formerly known as 60 Harbour Street) as Instrument No. CT918882 on December 15, 1987.

3. City Council authorize the City Solicitor to introduce any necessary bill in Council to amend the Heritage Easement Agreement.

FINANCIAL IMPACT

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

DECISION HISTORY

The property at 30 Bay Street, formerly known as 60 Harbour Street, was listed on the City's Heritage Register, adopted by City Council on June 20, 1973.

A Heritage Easement Agreement was registered as Instrument No. CT918882 on December 15, 1987.

The property is located within the Union Station Heritage Conservation District (HCD), designated under Part V of the *Ontario Heritage Act* by By-law No. 634-2006, enacted by City Council on July 27, 2006.

<https://www.toronto.ca/legdocs/bylaws/2006/law0634.pdf>

BACKGROUND

Heritage Property

The property at 30 Bay Street contains the building known as the Toronto Harbour Commission Building, constructed as an administrative office in 1917, designed by Chapman and McGiffin Architects. Finished in Indiana limestone, this classically-proportioned landmark building signifies the massive civic investment in the rail-dominated industrial harbour. Originally located at the water's edge, the building now stands well inland as an important City landmark marking Toronto's earlier shoreline. Important interior features include the entrance hall and the second floor Commissioners Meeting Room.

Union Station HCD

The Toronto Harbour Commission Building is located within the Union Station HCD and identified in the HCD Plan as a contributing property that is an important City landmark.

The goal of the Union Station HCD Plan is to "recognize the cultural value of this district by balancing the preservation of its architectural integrity with new and innovative design ideas."

The HCD's Summary of Significance indicates that the heritage character of the Union Station HCD is "an assembly of buildings, streets and open spaces whose collective history and interdependence represent an important asset to the downtown core of Toronto. The overlapping development and planning of Toronto's railway lands, waterfront and central business district; historic and monumental architecture; as well as physical patterns of interrelated function, describe key heritage attributes that define Union Station and its surroundings as of significant cultural heritage value."

Proposal Description

An application to amend the Zoning By-law for the properties at 30 Bay Street and 60 Harbour Street was received by the City on February 23, 2018.

The applicant proposes to construct a 60-storey mixed-use building on the site while conserving the historic Toronto Harbour Commission Building in its entirety and in situ. The new construction is comprised of an 39.6m podium element situated immediately north of the heritage building and a tower placed east and north of the heritage building fronting Harbour Street and to the south and Bay Street to the east.

The podium component at the north end of the site will act as a connector from the PATH system to the new tower and will be connected to the rear (north) wall of the heritage building by a glazed atrium link. The north wall of the heritage building will become a fully visible interior space within the glazed atrium. Minimal impact to the fabric of the building is proposed as part of this link with only minor changes proposed for two existing ground level openings.

The tower has been designed with exterior structural supports that will result in no physical impact to the heritage building. A partial cantilever over the east end of the heritage building will occur at 52m providing an approximate four-storey separation. The lobby portion of the new tower has been designed to relate to the cornice height of the heritage building at 20m in height and is fully glazed, allowing for views through it to the east wall of the heritage building from Bay Street.

The only other alterations proposed affect the west façade whereby two pairs of ground level window openings will be temporarily enlarged to allow for construction access and will be reinstated upon completion of the tower.

The heritage building has been found to be in good to excellent condition. The conservation strategy outlined in the HIA includes exterior masonry cleaning and repair, architectural metalwork and window spandrel cleaning and the conservation of interior lobby and boardroom features including safety upgrades.

The heritage building now fronts Harbour Street to the south, is bordered by parking lots on the property to the east, west and north, and the Gardiner Expressway situated north of the site. The application also proposes significant improvements to the public realm and landscaping.

COMMENTS

Staff have reviewed the application for alterations to 30 Bay Street in the context of the Union Station HCD Plan and the Heritage Easement Agreement registered on title to the property.

Union Station HCD Plan

The Union Station HCD Plan guidelines for contributing buildings indicates that additions to heritage properties will be evaluated by the following criteria:

- The new structure respects the general size, shape and scale of features associated with the property or district;
- The site plan respects the general site characteristics associated with the property or district;
- The design respects the general historic and architectural characteristics associated with the property or district;

- The materials choice respects the existing character of the property and district as a whole. Material choice not directly emulating what exists will be contextual and appropriate;
- Any addition is to be connected to the property in a way that does not alter, change, obscure, damage or destroy any significant building features;
- Additions, renovation and alterations that enhance the character of the district, and are compatible with the overall planning goals of the district will be encouraged, yet subject to thorough review

Additional guidelines relating to new construction encourage the addition of new buildings to the district by supporting the juxtaposition of historic and contemporary architecture as a strong aspect of the area's existing character.

It is acknowledged that the proposal to construct a new tower and podium on the property will alter its immediate character and context, however, staff conclude the position of the new construction on the site, the full conservation in situ of the heritage building and the responsiveness of the design of the new buildings address the policies in the Union Station HCD Plan as follows.

The proposal conserves the entire building in situ without any significant alterations. The only connection to the heritage building will be a light, glazed connection of the new podium to the north elevation. While the north elevation will form part of the new interior atrium space, this elevation will not be altered or obscured and will be more visible to more pedestrians through the new PATH system than it is now.

The new development has been designed with a sensitive response to the heritage building through its placement on the site, the situation of the tower component behind the front face of the heritage building, reference to the heritage building's cornice line, and the provision of views of the heritage building through the new lobby. The new development adds richness to the district by optimizing vacant parcels, exhibiting contemporary design and incorporating materials that provide lightness and visibility at the lower levels without mimicking of the heritage building.

The proposed landscape plan will provide an enhanced relationship between the heritage building and its changing surroundings including the introduction of an interactive water scrim south of the heritage building acknowledging the original shoreline.

Heritage Easement Agreement

All of the attributes identified in the Heritage Easement Agreement will be conserved. The minor changes proposed for some of the ground-level openings on the north elevation will maintain the balanced fenestration pattern. The alterations to the existing openings on the west elevation will be temporary with the original openings being reinstated after construction of the tower.

Should Council approve the proposed alterations to the heritage property, staff are recommending that the Heritage Easement Agreement be amended to include the

current proposal, along with a Conservation Plan, and an updated Reasons for Identification and Schedule "B" photographs to continue to secure the long-term protection of the heritage property at 30 Bay Street.

Conservation Plan

Should Council approve the proposed alterations prior to the passing of zoning by-laws for the related rezoning application, the owner 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 any recommended restoration, reconstruction and cleaning work; a detailed plan describing how the heritage building will be protected during construction; a schedule of short and long-term maintenance requirements and estimated costs for all conservation work.

Interpretation and Lighting

Should Council approve the proposed alterations, prior to the issuance of site plan approval for the proposed development, the applicant should be required to submit a heritage lighting plan and an interpretation plan to the satisfaction of the Senior Manager of Heritage Preservation Services. This plan should provide details of how the exterior of the Toronto Harbour Commission Building will be lit to enhance its heritage character and importance in the Union Station HCD. The interpretation plan should serve to communicate the cultural heritage values of the property to users and visitors of the building.

Conclusion

Staff are supportive of the proposal to alter the property at 30 Bay Street, to allow for the construction of a new mixed-use building. The proposal has been designed to conserve the cultural heritage values, attributes and character of the onsite heritage building and the Union Station HCD in general.

CONTACT

Georgia Kuich
Heritage Planner, Heritage Preservation Services
Urban Design, City Planning
Tel: 416-338-1078 Fax: 416-392-1973
Email: Georgia.Kuich@toronto.ca

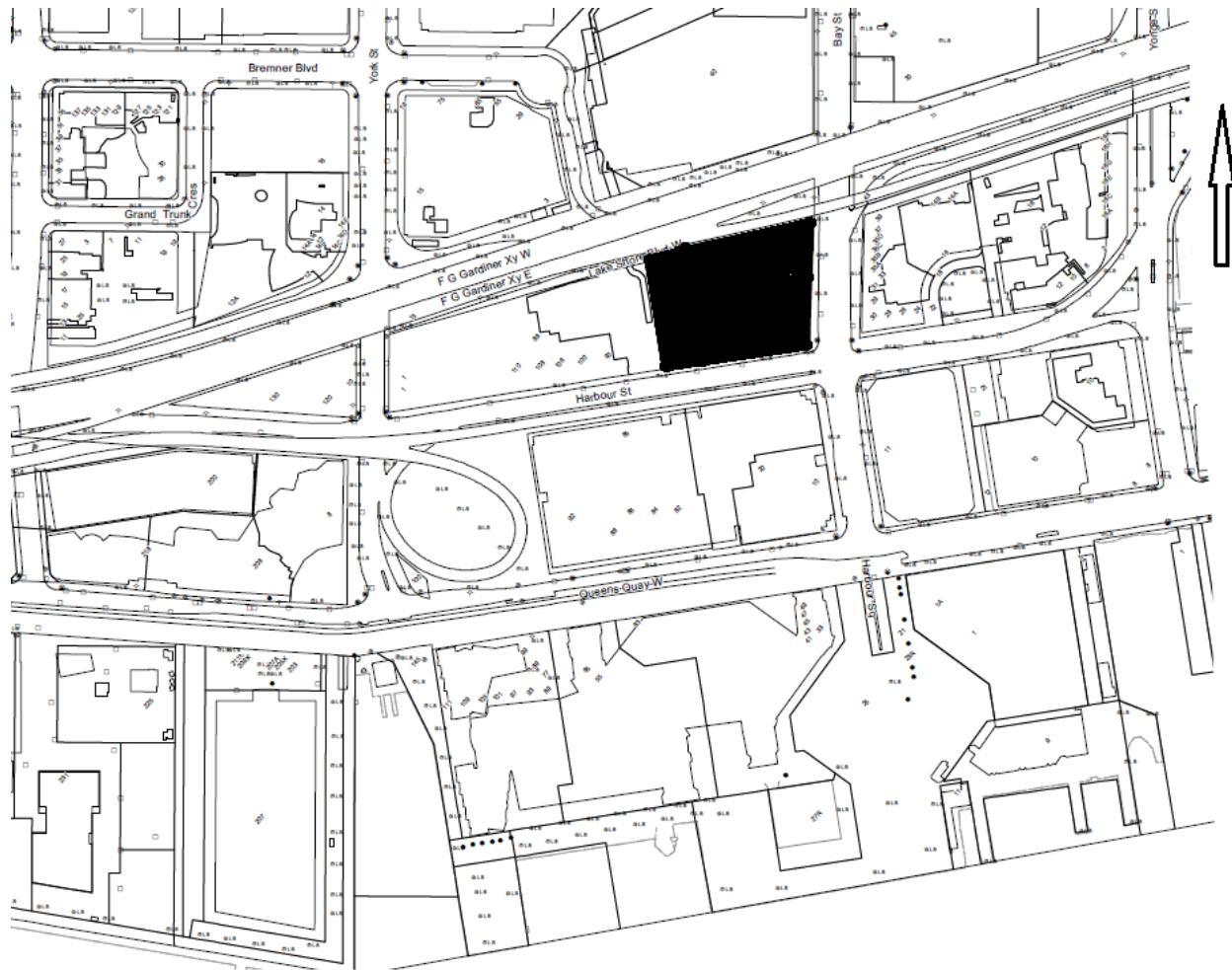
SIGNATURE

Mary L. MacDonald, MA, CAHP
Senior Manager, Heritage Preservation Services
Urban Design, City Planning
Tel: 416-338-1079; Fax: 416-392-1973
Mary.MacDonald@toronto.ca

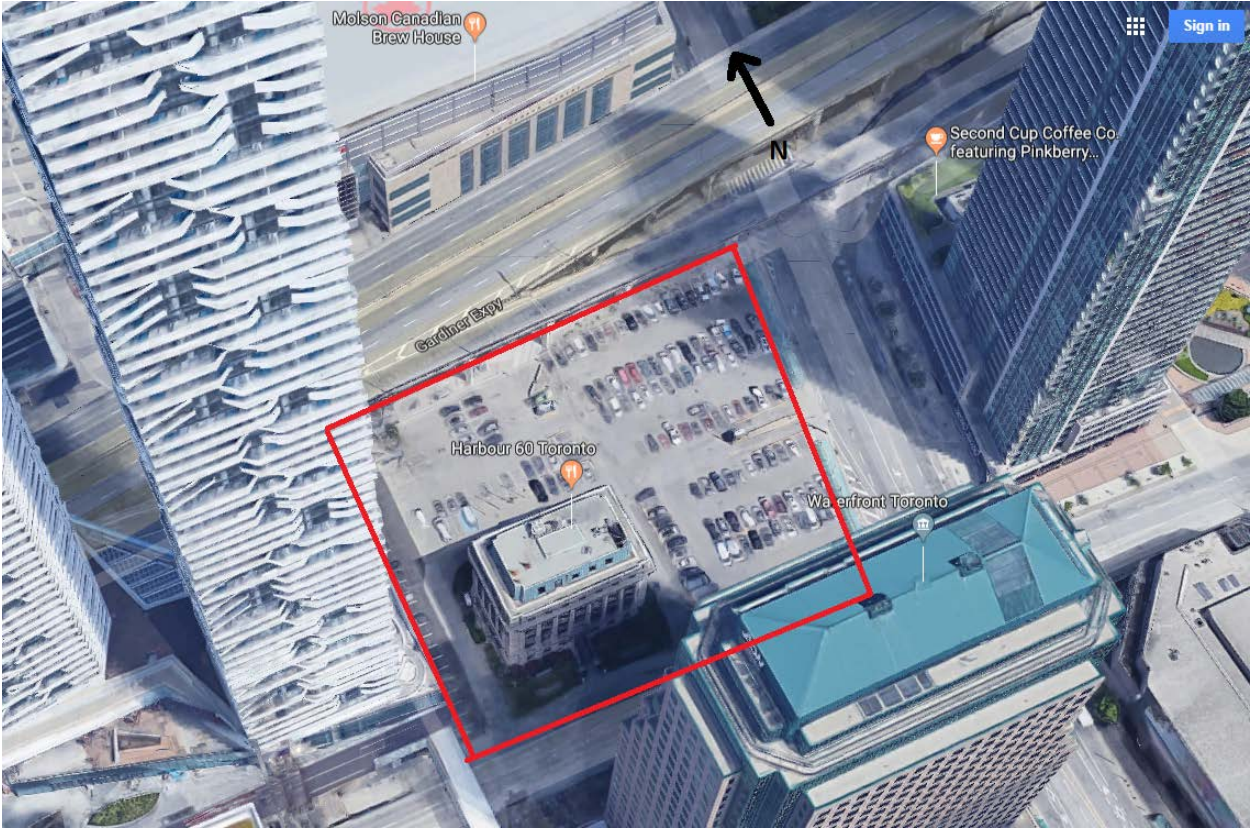
ATTACHMENTS

Attachment No. 1 - Location Plan - 30 Bay Street
Attachment No. 2 - Photographs
Attachment No. 3 - Proposal

ATTACHMENT NO. 1 - LOCATION PLAN - 30 BAY STREET



ATTACHMENT NO. 2 - PHOTOGRAPHS - 30 BAY STREET



Aerial view of 30 Bay Street and 60 Harbour Street



West (left) and south (right) elevations of 30 Bay Street



East (left) and north (right) elevations of 30 Bay Street

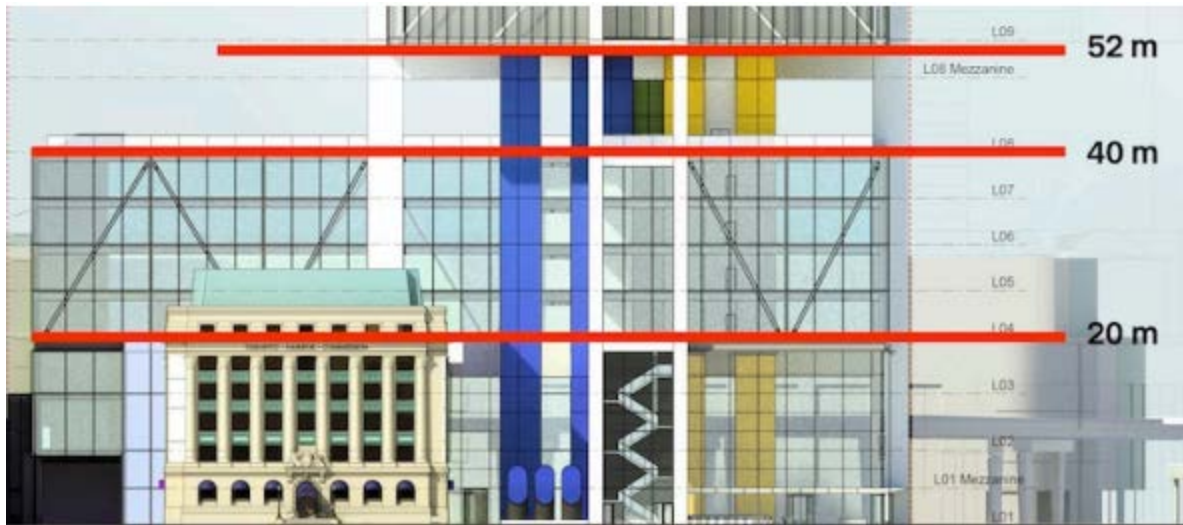
ATTACHMENT NO. 3 - PROPOSAL



Rendering of proposal looking north-west



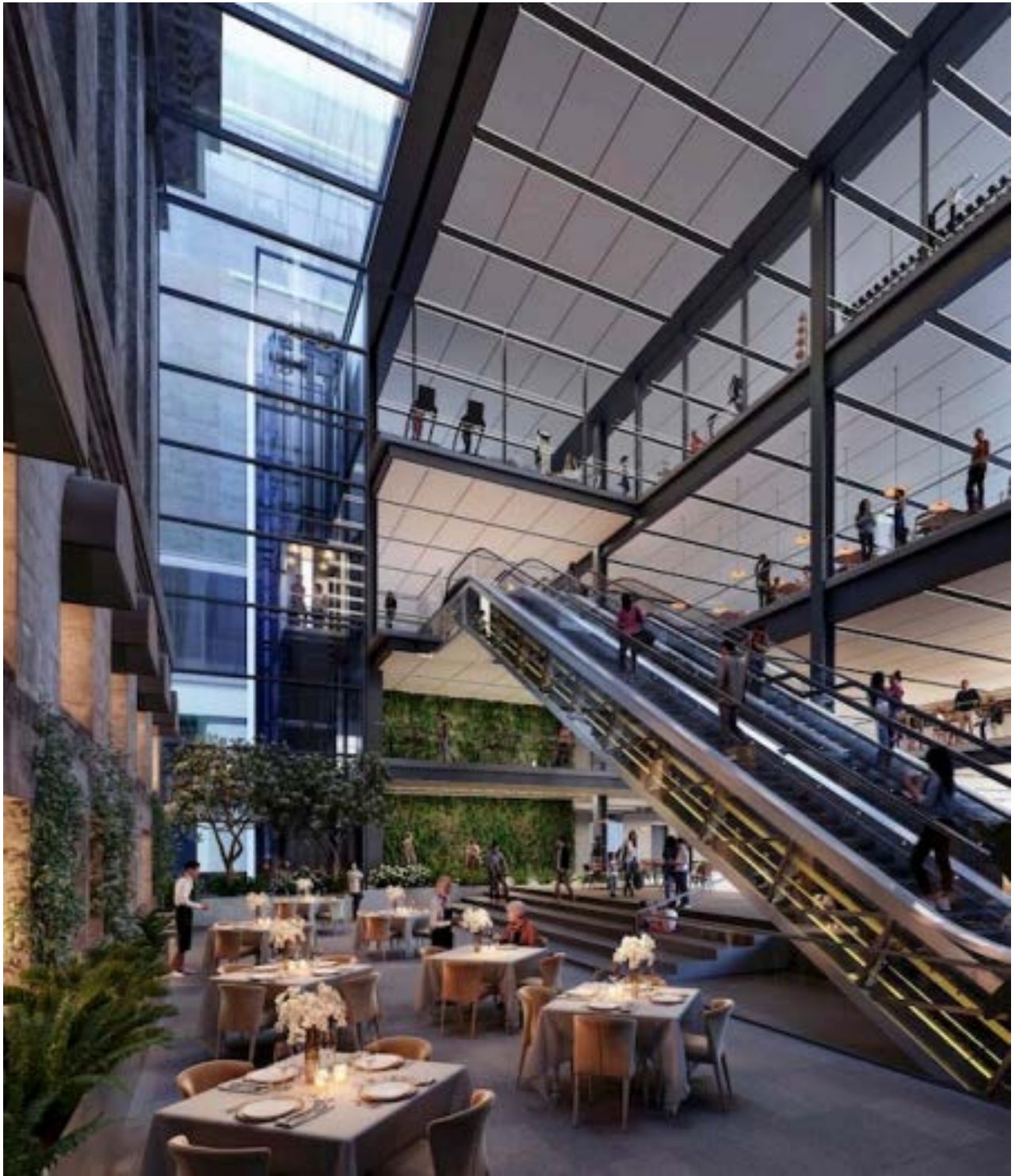
Rendering of proposal looking north



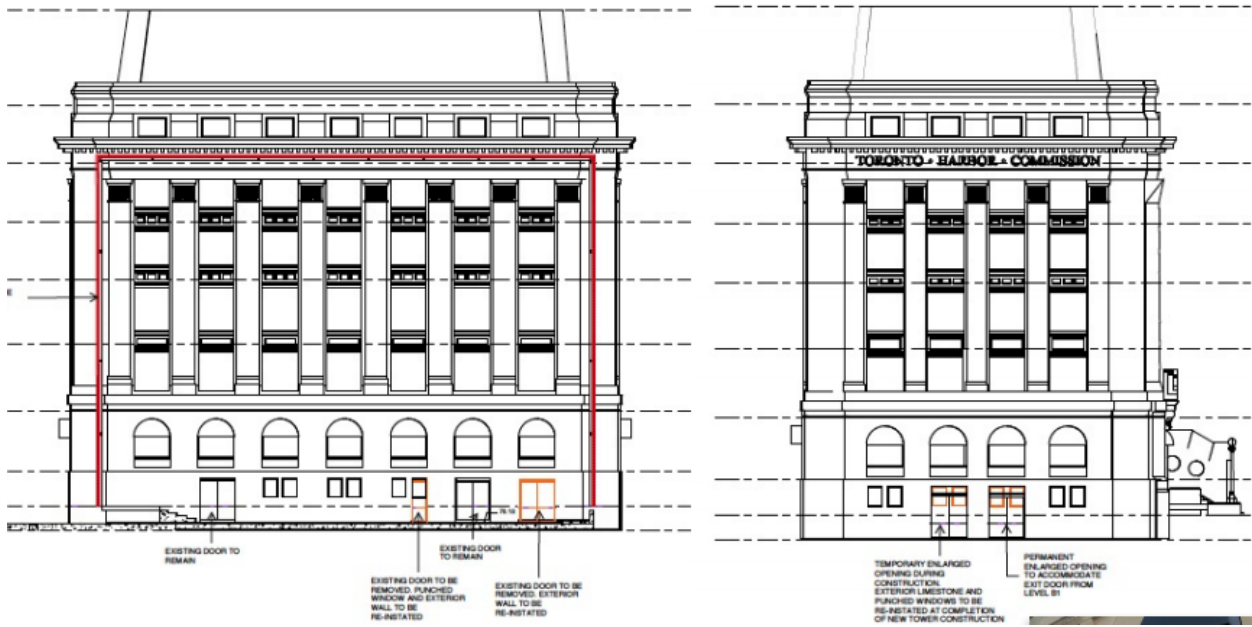
South elevation drawing



Rendering of view to east elevation of 30 Bay Street through tower lobby from Bay St

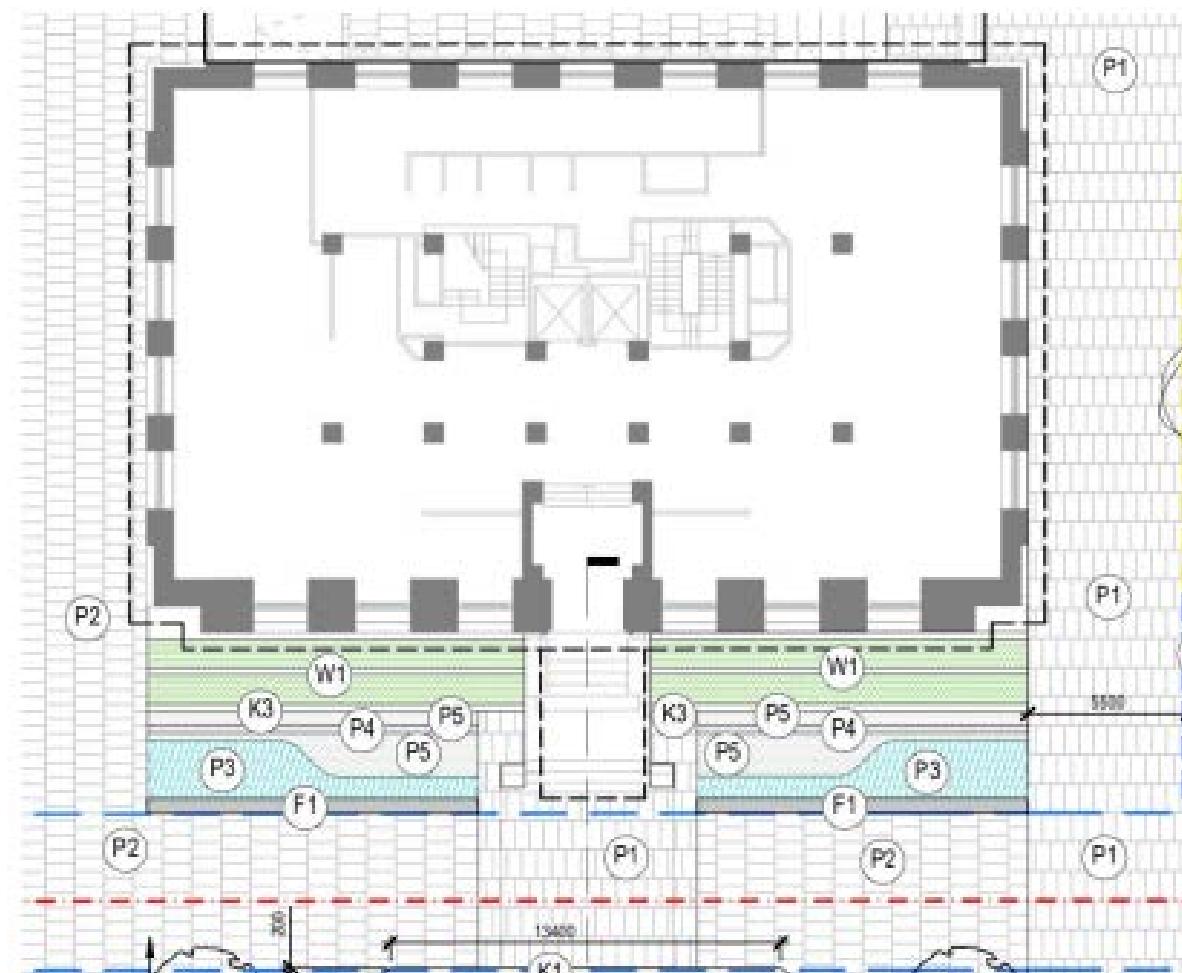


Rendering of atrium connection to north elevation (left) of 30 Bay Street

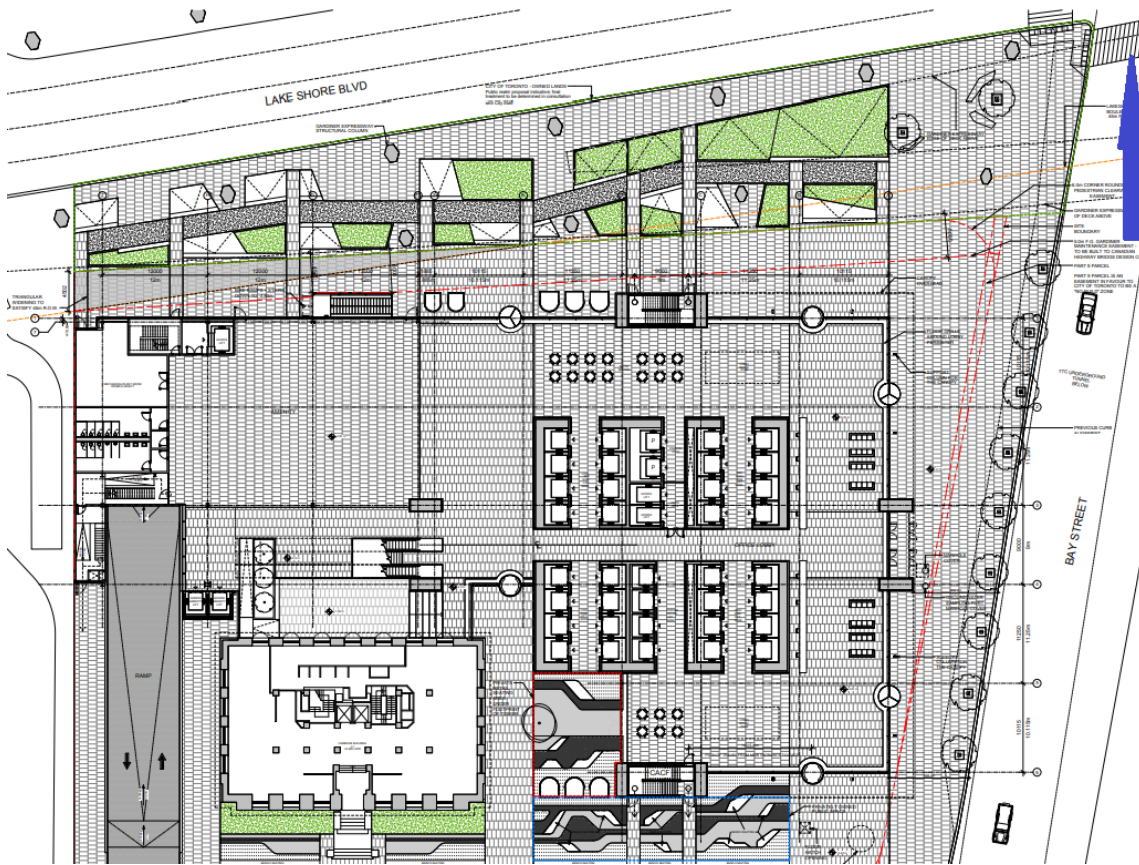


North elevation interventions

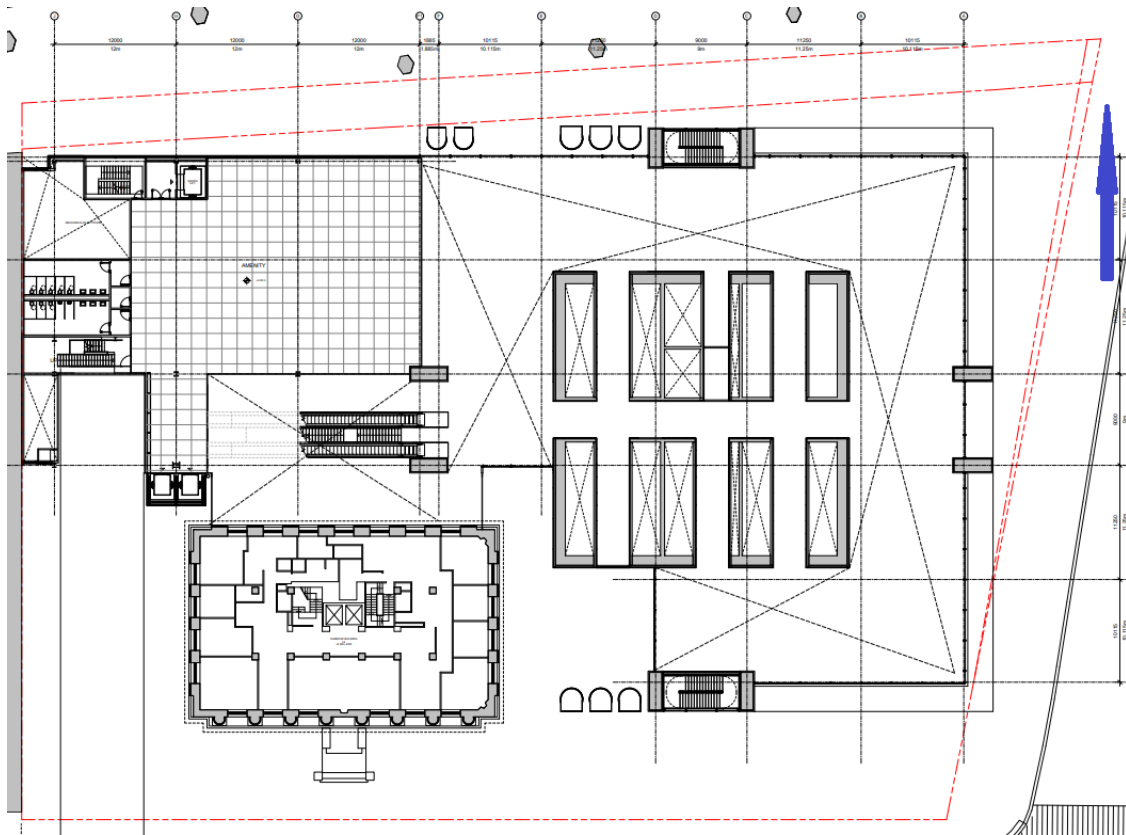
West elevation temporary interventions



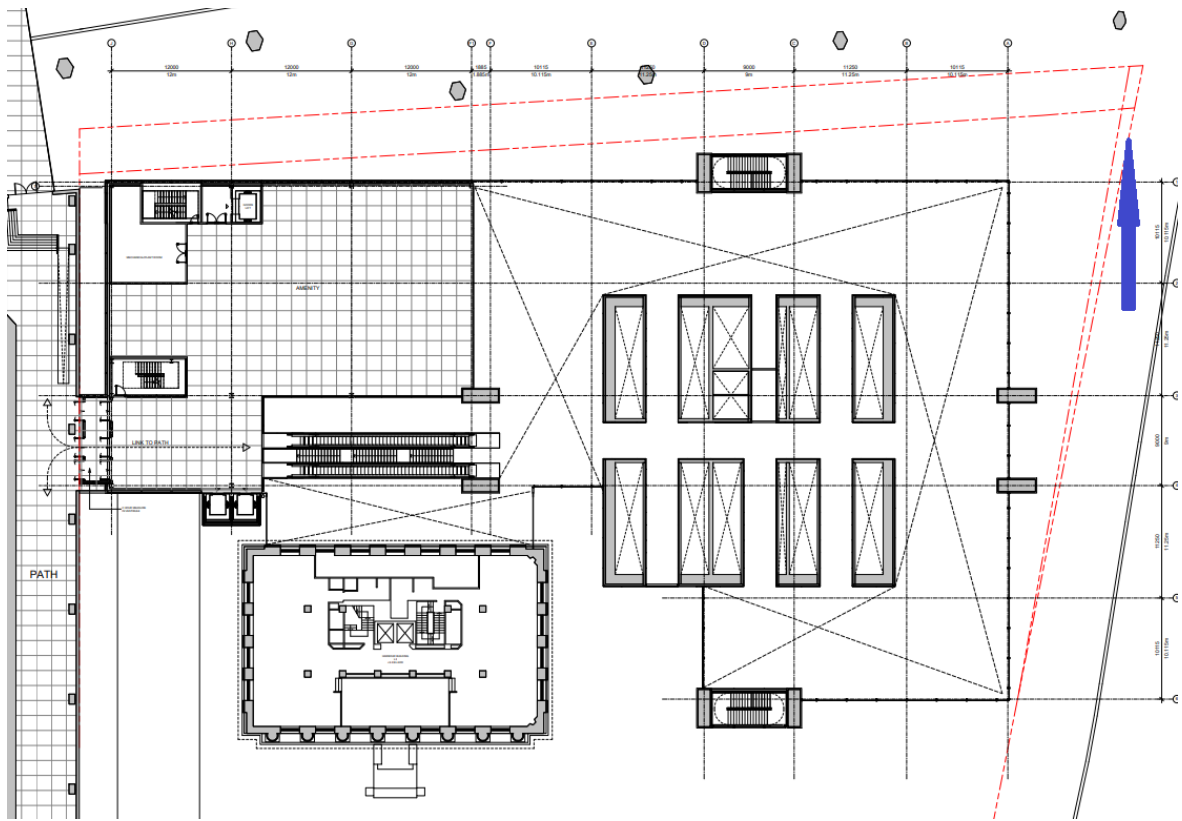
Landscape plan



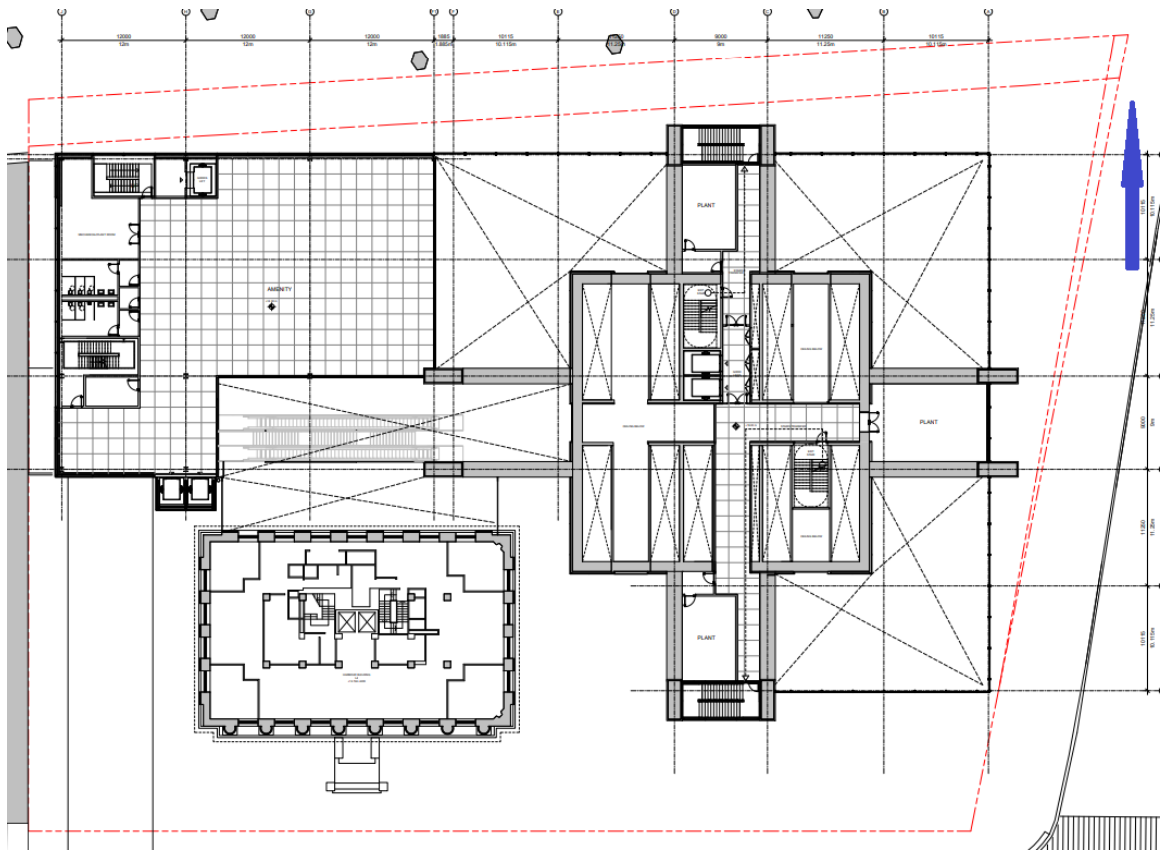
Ground floor plan



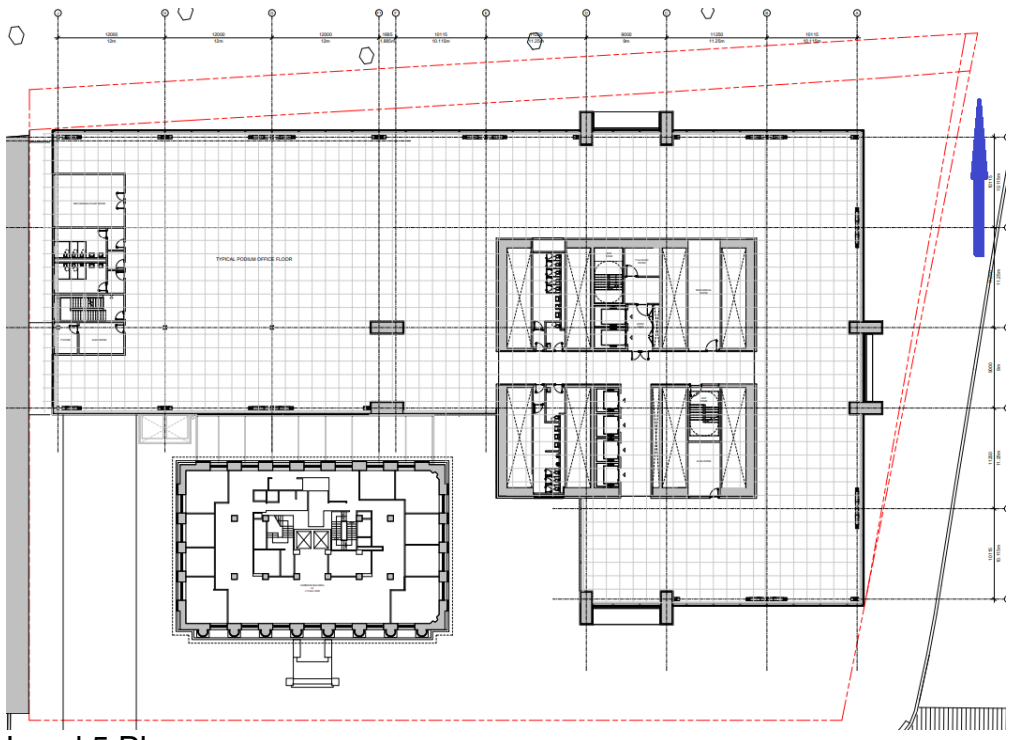
Level 2 Plan



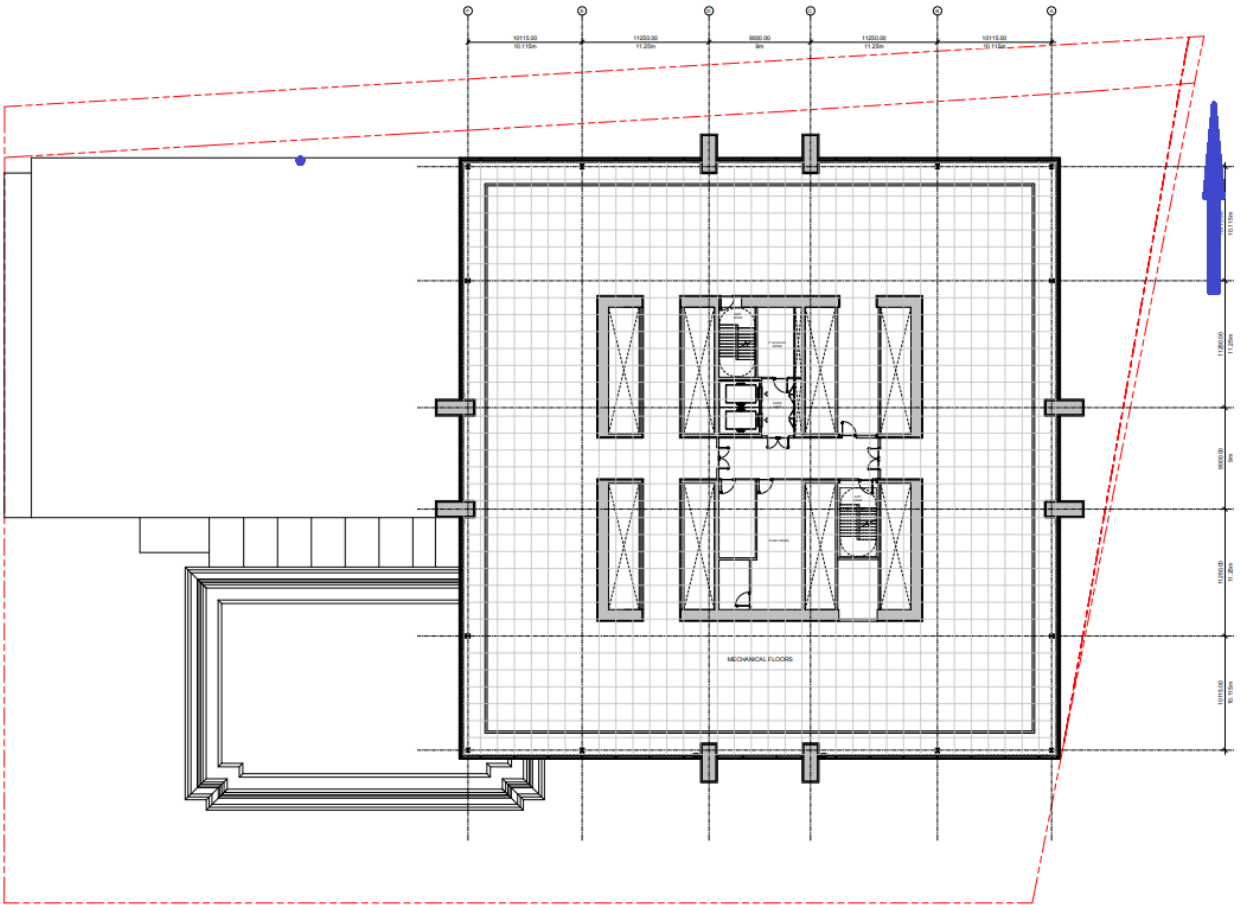
Level 3 Plan



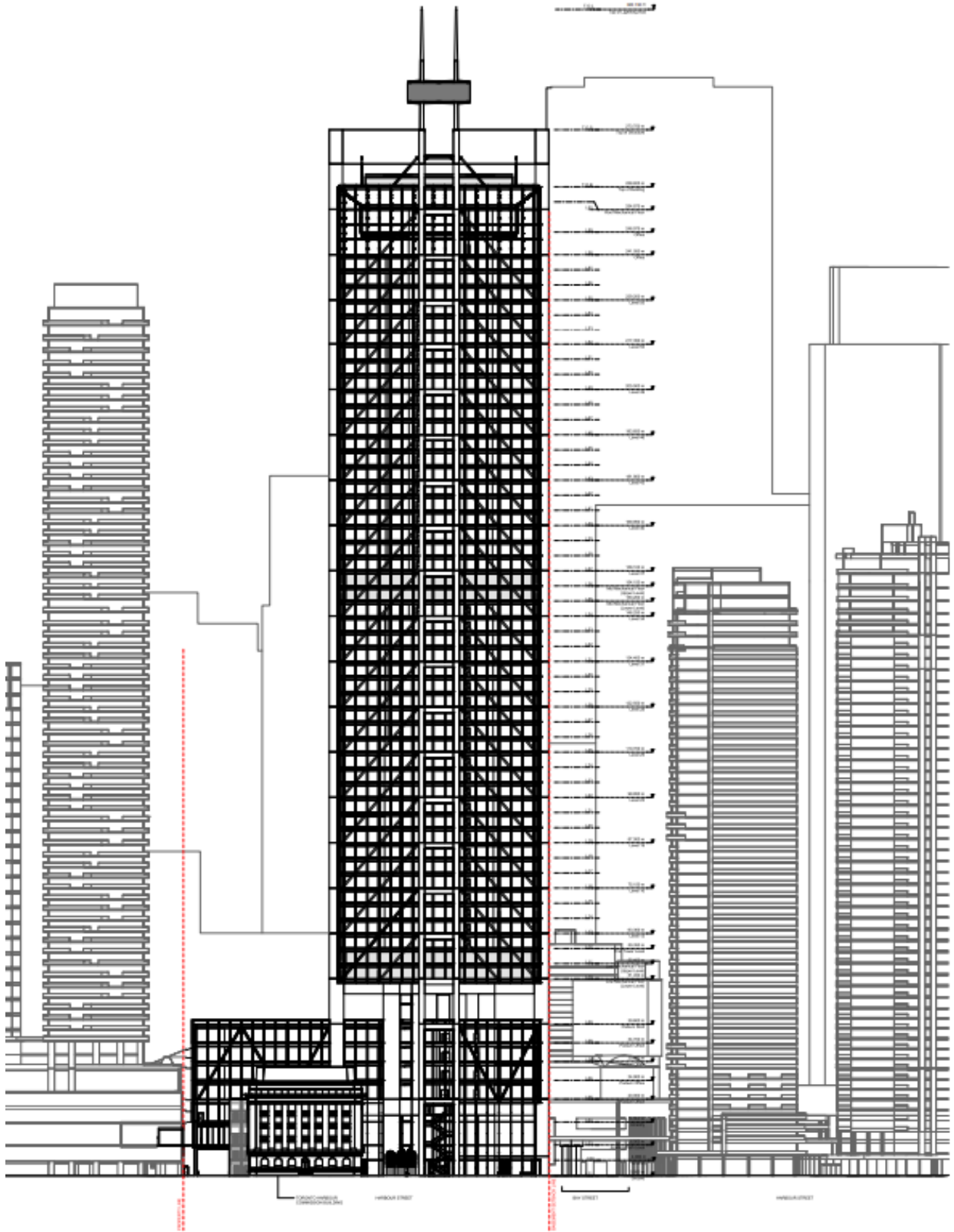
Level 4 Plan



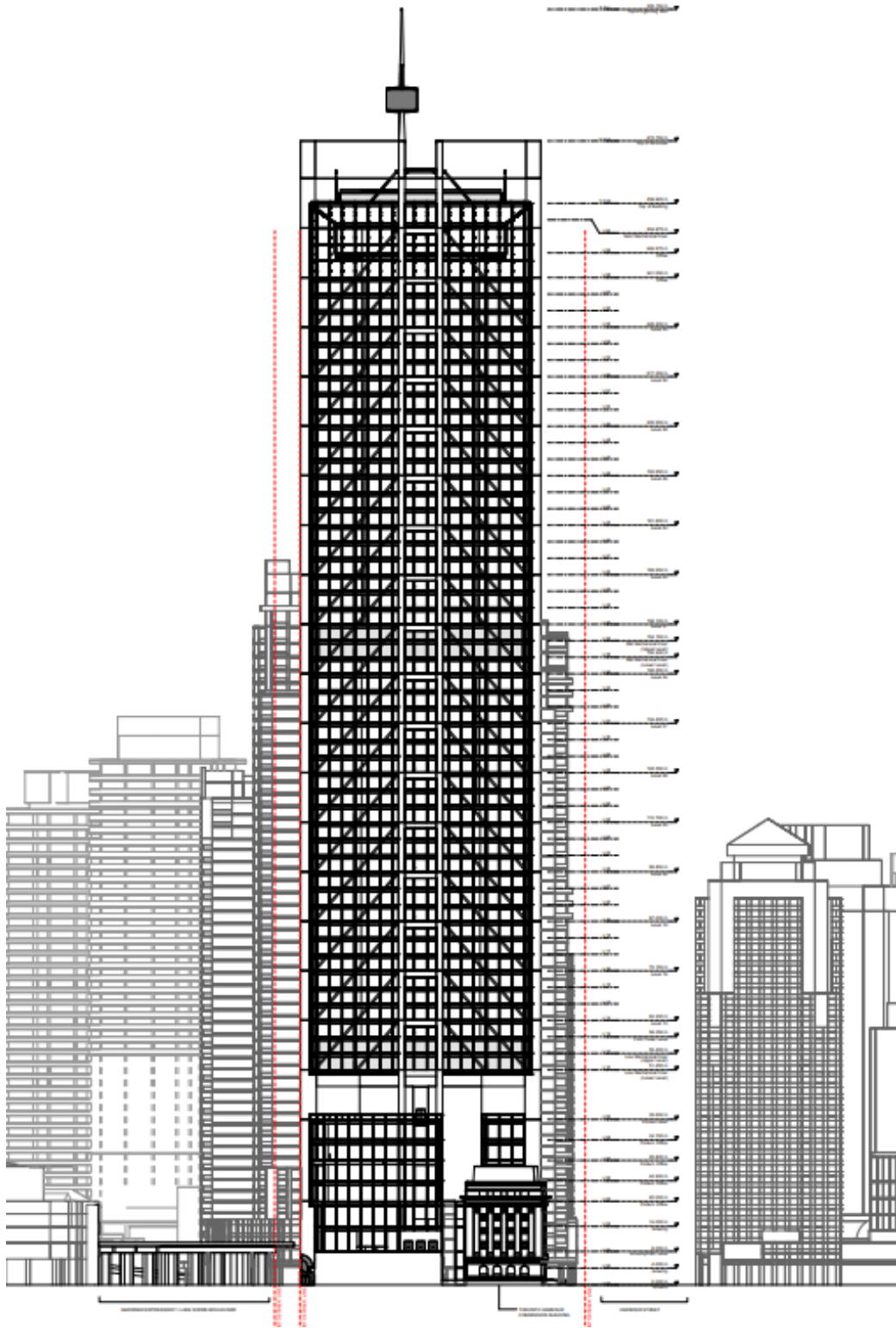
Level 5 Plan



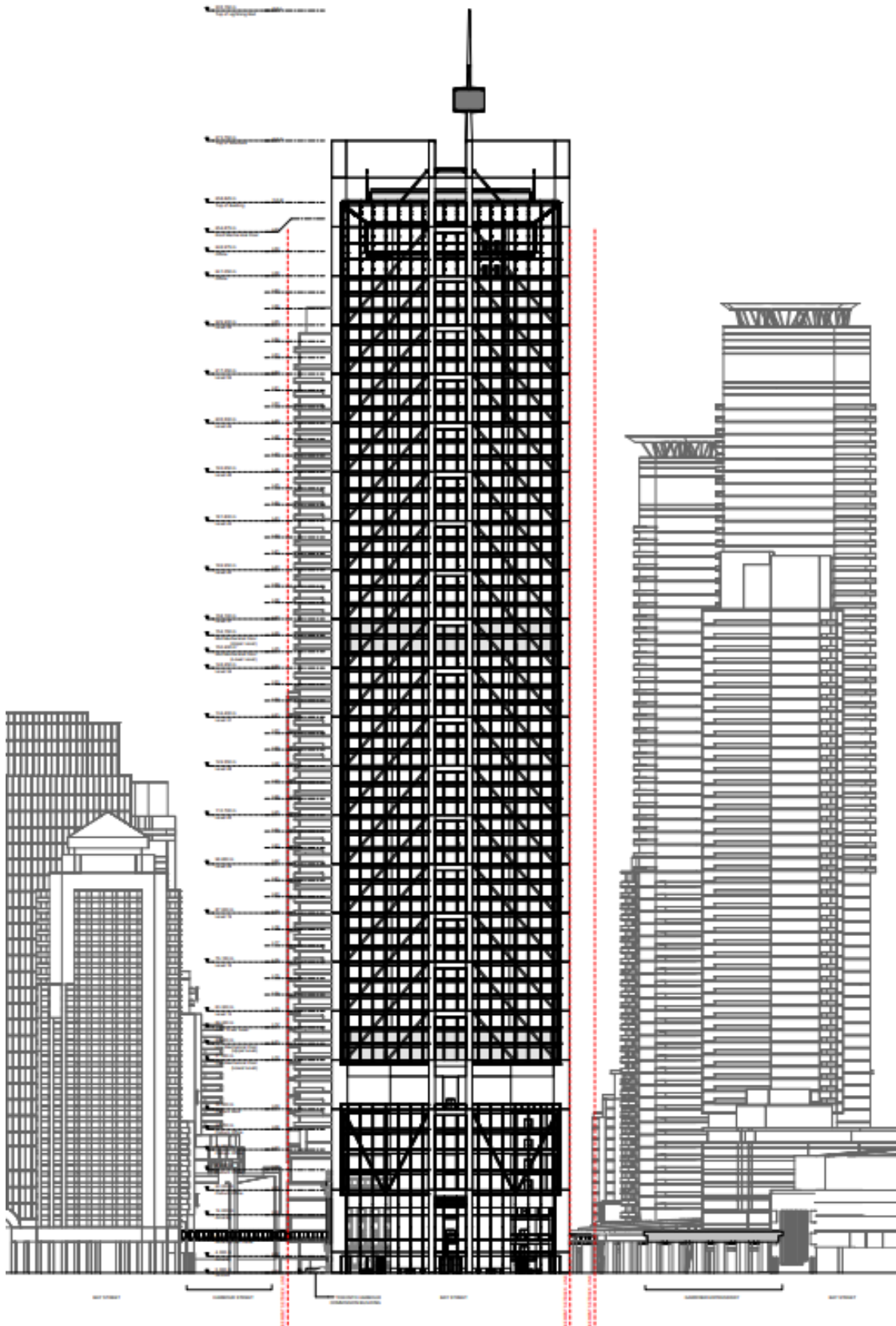
Level 10 plan



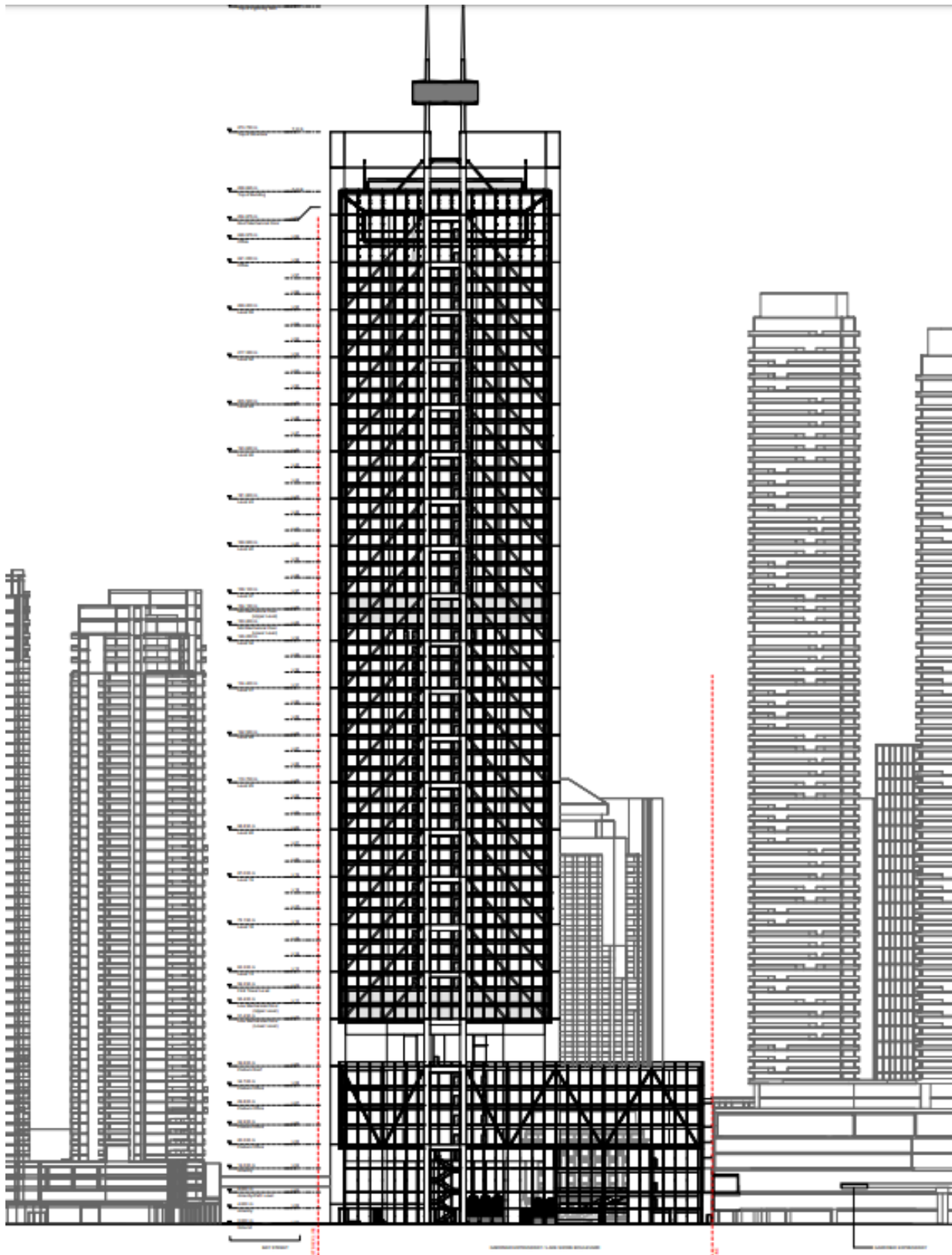
Proposed south elevation



Proposed west elevation



Proposed east elevation



Proposed north elevation