

Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement - 582 King Street West

Date: June 8, 2020

To: Toronto Preservation Board
Toronto and East York Community Council

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

Wards: Ward 10 - Spadina - Fort York

SUMMARY

This report recommends that City Council approve the alterations proposed for the property at 582 King Street West, including 590 and 592 King Street West and 471 and 473 Adelaide Street West, in accordance with Section 33 of the Ontario Heritage Act to allow for the construction of a mixed use building over the heritage buildings on the site as per the revised plans and drawings submitted to the City in conjunction with an appeal to the Local Planning Appeal Tribunal ("LPAT") of an application to amend the Zoning By-law.

RECOMMENDATIONS

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

1. City Council approve the alterations to the heritage property at 582 King Street West, including 590 and 592 King Street West and 471 and 473 Adelaide Street West, in accordance with Section 33 of the Ontario Heritage Act to allow for the construction of a mixed use building that includes alterations to the heritage buildings in conjunction with an appeal to the Local Planning Appeal Tribunal (the "LPAT") for the requested amendment to the Zoning By-law for the lands municipally known as 582 King Street West, including 590 and 592 King Street West and 471 and 473 Adelaide Street West (collectively the "Lands") comprised of the revised plans and drawings prepared by KFA Architects and Planners Inc. dated March 13, 2020 and the Heritage Impact Assessment (HIA) prepared by GBCA Architects dated February 28, 2020, both on file with the Senior Manager, Heritage Planning, all subject to and in accordance with a Conservation Plan satisfactory to the Senior Manager, Heritage Planning and subject to the following additional conditions:

a. Prior to issuance of an LPAT order for the Zoning By-law Amendment for the Lands, the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the property at 582 King Street West, including 590 and 592 King Street West and 471 and 473 Adelaide Street West, substantially in accordance with plans and drawings prepared by KFA Architects and Planners Inc. dated March 13, 2020, and the Heritage Impact Assessment (HIA) prepared by GBCA Architects dated February 28, 2020, subject to and in accordance with the approved Conservation Plan required in Recommendation 1.a.2, all to the satisfaction of the Senior Manager, Heritage Planning including execution of such agreement to the satisfaction of the City Solicitor.
2. The owner shall 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 the Lands dated February 28, 2020, to the satisfaction of the Senior Manager, Heritage Planning.
3. Withdraw their appeal(s) of the King-Spadina Heritage Conservation District Plan, and if not an appellant, but rather a party to such appeals, the owner shall withdraw as a party and not seek any party or participant status on the appeals.

b. Prior to Final Site Plan approval in connection with the Zoning By-law Amendment for the Lands, or any part of the Lands, the owner shall:

1. Provide final site plan drawings including drawings related to the approved Conservation Plan required in Recommendation 1.a.2 to the satisfaction of the Senior Manager, Heritage Planning.
2. Provide an Interpretation Plan for the subject property to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning.
3. Provide a Heritage Lighting Plan that describes how the buildings on the subject property will be sensitively illuminated to enhance its heritage character to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager Heritage Planning.

c. Prior to the issuance of any permit for all, or any part of the Lands, including a heritage permit or a building 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 Planning, the owner shall:

1. Obtain final approval for the necessary Zoning By-law amendment required for the alterations to the Lands, where such amendments to have

been approved by City Council and by the LPAT Order and such amendments have come into effect in a form and with content acceptable to the City.

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.2 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 Planning.

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 Planning to secure all work included in the approved Conservation Plan, Heritage Lighting Plan and Interpretation Plan.

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, lighting and interpretation has been completed in accordance with the relevant approved plans and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Planning.

2. Provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Planning.

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 property at 582 King Street West, including 590 and 592 King Street West and 471 and 473 Adelaide Street West, in a form and with content satisfactory to the City Solicitor and Chief Planner and Executive Director, City Planning Division.

3. City Council authorize the City Solicitor to introduce the necessary bill in Council authorizing the entering into of a Heritage Easement Agreement for the property at 582 King Street West, including 590 and 592 King Street West and 471 and 473 Adelaide Street West.

FINANCIAL IMPACT

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

DECISION HISTORY

On May 17, 18 and 19, 2005, City Council adopted the recommendation to include 582 King Street West (the Canadian Kodak Building) on the City of Toronto Inventory of Heritage Properties, now known as the Heritage Register.

On October 2, 2017, City Council adopted Item TE26.14, and in accordance with Section 41 of the Ontario Heritage Act, designated under by-law 1111-2017 amended by by-law 1241-2017, the King-Spadina Heritage Conservation District (HCD) and King-Spadina Heritage Conservation District Plan under Part V of the Ontario Heritage Act. The boundaries of the HCD include the subject property.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE26.14>

On February 28, 2020 the Toronto Preservation Board adopted recommendations to designate the property at 582 King Street West under Part IV of the Ontario Heritage Act, followed by adoption of the recommendations by the Toronto and East York Community Council on March 12, 2020.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PB14.1>

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.TE14.14>

This item was to have been considered by City Council on April 1, 2020 but was delayed due to the Declaration of Emergency by the Province on March 17, 2020. At the time of writing this report it is anticipated the designation of the property will be considered by City Council on June 29, 2020.

BACKGROUND

Site/Heritage Properties

The property at 582 King Street West is located in the King-Spadina neighbourhood and proposed Heritage Conservation District area, east of Portland Street. The property spans from the north side of King Street West to the south side of Adelaide Street West and contains a complex of two four-storey factory-type buildings at 582-592 King Street West and one four-storey factory-type building with a two-storey wing at 473 Adelaide Street West. A three-storey bridge over the laneway from Portland Street links the buildings. A single-storey garage (471 Adelaide Street), designed by Kaplan & Sprachman Architects, was added to the property in 1928-31. The development site also includes a parking lot at the intersection of Portland and Adelaide Streets.

The complex of buildings at 582-592 King Street West and 473 Adelaide Street West were constructed between 1902-1911 for the Kodak Company of Canada Ltd., to the designs of architects Chadwick & Beckett and F. A. Fifield.

These buildings were all included on the City's Heritage Register in 2005 and the full property is the subject of a report recommending designation under Part IV of the Ontario Heritage Act, adopted by the Toronto Preservation Board on February 28, 2020

and the Toronto and East York Community Council on March 12, 2020 and will be considered by City Council on June 29, 2020. All of the buildings on the site, including the garage at 471 Adelaide Street West, have been identified as contributing properties in the King-Spadina Heritage Conservation District.

The western half of the King Street West buildings was constructed in 1902 with its eastern half being added in 1904. The building behind at 473 Adelaide Street was constructed in 1909/10. These buildings have design value as well-crafted, early 20th-century factory buildings that include elements of the Edwardian Classical style. They were built for the Canadian Kodak Company Ltd and were later occupied for over 60 years by Ontario Silknit Ltd. They have historical value because of these associations and with the history of industrial development in the King-Spadina neighbourhood. The "Lovable" sign on the east wall of 473 Adelaide Street West was painted by Ontario Silknit Ltd. and is a visible link to the area's "Fashion-District" identity. These buildings also demonstrate the work of Chadwick & Beckett who were one of Toronto's most prolific architectural firms in the early twentieth century and are important in defining the early 20th-century industrial character of the King-Spadina area.

The single storey building at 471 Adelaide Street West was constructed as a garage by Ontario Silknit Ltd in 1928-31. It was designed by Kaplan & Sprachman who are known for their designs that use Style Moderne details. Although retaining its original form this building has been substantially altered with the addition of large window openings in each of the four bays on the street-facing elevation.

Original Proposal

An application to amend the Zoning By-law was submitted to the City in 2017. This application proposed a new 12-storey development on the site with a new infill building in the current parking lot at the corner of Adelaide Street West and Portland Street. The buildings at 582-592 King Street West and 473 Adelaide Street West were proposed to be fully conserved with three additional floors atop the King Street building (a total of 6 storeys - 26.25m) and a new 12-storey (51.45m) building along Adelaide Street incorporating the retained heritage building at 473 Adelaide Street West. The single storey building at 471 Adelaide Street West was proposed to be demolished and replaced with a new five-storey base building. The existing uses of the property would be maintained and new offices provided in the additional floors. Four loading spaces and four levels of underground parking were also proposed which would be accessed from Portland Street.

Citing the City's failure to make a decision on the applications within the legislated timeframe, the applicant filed an appeal to the LPAT in July 2019.

Current Proposal

The current revised LPAT proposal continues to conserve the heritage buildings at 582-592 King Street West and 473 Adelaide Street West in their full three-dimensional form and incorporates them into a new 10-to-12-storey development featuring retail uses at the ground floor level with commercial spaces at the upper levels. Along the King Street West frontage, the new proposal would contain a total of 10 storeys with a height of

47.95 metres. Along the Adelaide Street West frontage, the proposal would contain a total of 12 storeys with a height of 51.95 metres, including the mechanical penthouse. The one-storey building at 471 Adelaide Street West is proposed to be demolished and replaced with a four-storey base building for loading access that steps back at the second-storey level.

Policy Framework

Planning Act

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.”

Provincial Policy Statement

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.”

Policy 2.6.3 states that "Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved."

Growth Plan for the Greater Golden Horseshoe, 2019

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2019) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform to the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform to the Growth Plan.

Official Plan

The City of Toronto's Official Plan provides the policy framework for heritage conservation in the City. The following Official Plan policies apply to the revised conservation strategy:

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."

3.1.5.27: "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. This assessment will be achieved through a Heritage Impact Assessment, consistent with Schedule 3 of the Official Plan, to the satisfaction of the City."

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."

King-Spadina Secondary Plan

The proposed development is subject to the King-Spadina Secondary Plan found in Chapter 6.16 of the Official Plan. The King-Spadina Secondary Plan emphasizes reinforcement of the characteristics and qualities of the area through special attention to built form and the public realm. The policies of Section 4, Heritage, provide the following direction for new development: "New buildings should achieve a compatible relationship with heritage buildings in their context through consideration of such matters as, but not limited to, building height, massing, scale, setbacks, step backs, roof line and profile and architectural character and expression."

The Standards and Guidelines for the Conservation of Historic Places in Canada

The Standards and Guidelines 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.

COMMENTS

Staff have reviewed the revised proposal, including the supporting Heritage Impact Assessment prepared by GBCA Architects, in the context of applicable provincial and municipal policies as well as the attributes set out in the 2005 listing report and the King-Spadina Heritage Conservation District Plan, which is under appeal and not currently in force.

Conservation Strategy

The revised proposal involves conserving the whole of the heritage buildings at 582-592 King Street West and 473 Adelaide Street West with interventions to the original building fabric only where necessary. The scheme will also maintain the existing uses and tenants, who are anticipated to remain on-site during construction.

Masonry cleaning and conservation will be undertaken on the retained buildings, select blocked window openings will be restored and the interior spaces, including wood finishes, will be preserved.

The painted "Lovable" sign on the east wall of 473 Adelaide Street West will be also maintained.

582-592 King Street West

The revised proposal involves the addition of six storeys atop these two buildings. The first two storeys will step back 6.0 metres from the primary elevation and span across the building from end to end with external supports on the west wall, thereby eliminating the need for a structural system within the building itself.

The remaining four storeys will be stepped back 5.0 metres from the primary elevation, 3.8 metres from the west wall and 5.50 metres from the east wall.

The proposed step backs of the new development will mitigate the impact of the development atop the heritage buildings by setting the massing back away from the front and most visible elevation as well as from the side elevations, allowing the three-dimensional integrity of the buildings to be read from the street. In addition, the external supports will limit interventions to the buildings' fabric and structure and will allow them to be fully retained as whole buildings.

473 Adelaide Street West

The building at 473 Adelaide Street West will be retained in its entirety, including its connection to the King Street building and the bridge over the lane at Portland Street.

The new six-storey glazed volume above this building will be stepped back 3.0 metres from the front elevation. New construction immediately west of the heritage building will include a commercial lobby entrance with a glazed entrance that is set back 3.41 metres from the property line allowing visibility of the retained west elevation of the building at 473 Adelaide Street West from the street. The proposed step back, set back, transparent glazing and whole building retention will mitigate the impact of the new development on this four-storey heritage building.

471 Adelaide Street West

Staff reviewed the revised proposal comprehensively. While the one-storey garage building at 471 Adelaide Street West has been recently identified as built heritage resource in the report recommending designation of the property under Part IV of the Ontario Heritage Act, staff's review of the project and the mediated settlement was based on the 2005 listing report that did not include the building as a heritage resource.

During the application review process, both staff and the applicant acknowledged that the one-storey garage building at 471 Adelaide Street West had been identified as contributing to the King-Spadina HCD and best efforts were made to incorporate the front elevation of the building into the new development. However, it became clear that the applicant's ability to retain this building would not be possible given the project's need for loading access in this location with a large loading door and a set back from the property line to address safety concerns. Combined with the alterations to the building that have already occurred, staff believe that insufficient integrity of the building would remain to warrant its retention.

To mitigate the loss of this heritage building, the proposed replacement building will reflect the low-rise scale of the original building along the street wall and step the remainder of the massing back. This strategy will maintain visibility of the front portion of the east elevation of 473 Adelaide Street West and the painted "Lovable" sign and will be compatible with the heritage character of the King-Spadina area.

King Spadina Heritage Conservation District Plan

Staff have also reviewed the application in the context of the emerging policy framework for the area including the King-Spadina Heritage Conservation District Plan (the HCD Plan). The proposal satisfies many of the policies of the HCD Plan but falls short on others. The proposal includes whole building retention, step backs, visibility of fenestrated side elevation and conservation of the buildings' three-dimensional integrity, satisfying many of the HCD policies. Where the proposal falls short is in the removal of the contributing building at 471 Adelaide Street West.

While staff would prefer to see the policies of the adopted HCD Plan adhered to, the proposal responds to many of the heritage issues raised by staff and complies with many of the City of Toronto Heritage Official Plan policies. In the overall context of a settlement, staff are able to support the proposal.

Conservation Plan

Prior to the issuance of an LPAT Order for 582 King Street West, including 590 and 592 King Street West and 471 and 473 Adelaide Street West, staff is recommending that the applicant be required to provide a detailed Conservation Plan to the satisfaction of the Senior Manager, Heritage Planning that fully describes how the cultural heritage values of the property at 582 King Street West will be conserved.

Heritage Interpretation Plan

Heritage interpretation enhances personal experiences, increases respect and understanding, and communicates the importance of our cultural heritage properties.

Prior to final Site Plan approval for the proposed development at 582 King Street West staff is recommending that the applicant be required to provide a detailed Interpretation Plan to the satisfaction of the Senior Manager, Heritage Planning that fully describes how the cultural heritage values of the property will be interpreted.

Heritage Lighting Plan

Prior to final Site Plan approval for the proposed development, staff is recommending that the applicant be required to submit a Lighting Plan to the satisfaction of the Senior Manager, Heritage Planning. This plan will provide details of how the heritage property will be lit to enhance their heritage character as viewed from the public realm at night.

Signage Plan

Should Council approve the proposed conservation strategy, staff is recommending that the applicant be required to provide a Signage Plan that provides a strategy for the location and types of signage appropriate for the heritage buildings, to the satisfaction of the Senior Manager, Heritage Planning, as a condition of final site plan approval.

Heritage Easement Agreement

Should City Council approve the settlement proposal, staff are recommending that the owner enter into a Heritage Easement Agreement to secure the long-term protection of the heritage buildings at 582-592 King Street West and 473 Adelaide Street West.

CONCLUSION

Heritage Planning staff has reviewed the revised development proposal for the heritage properties at 582 King Street West, including 590 and 592 King Street West and 471 and 473 Adelaide Street West and is satisfied the proposal largely meets the intent of the Planning Act, the Provincial Policy Statement, the Growth Plan and the City of Toronto's Official Plan heritage policies in conjunction with the Standards and Guidelines for the Conservation of Historic Places in Canada. Overall, staff supports the proposed retention strategy and feel that it meets the intent of Policy 3.1.5.27 as the scale, form, and massing of the heritage properties will be conserved in the context of a new development on the site.

Staff are of the opinion that the whole building retention of the King Street and 473 Adelaide Street buildings, including their original floor plans, bridging over the laneway and interior spaces, presents a conservation strategy that fully meets the City's Official Plan policies and balances the loss of removal of the structure at 471 Adelaide Street West to allow for intensification of this site in the context of a potential settlement at the LPAT.

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SIGNATURE

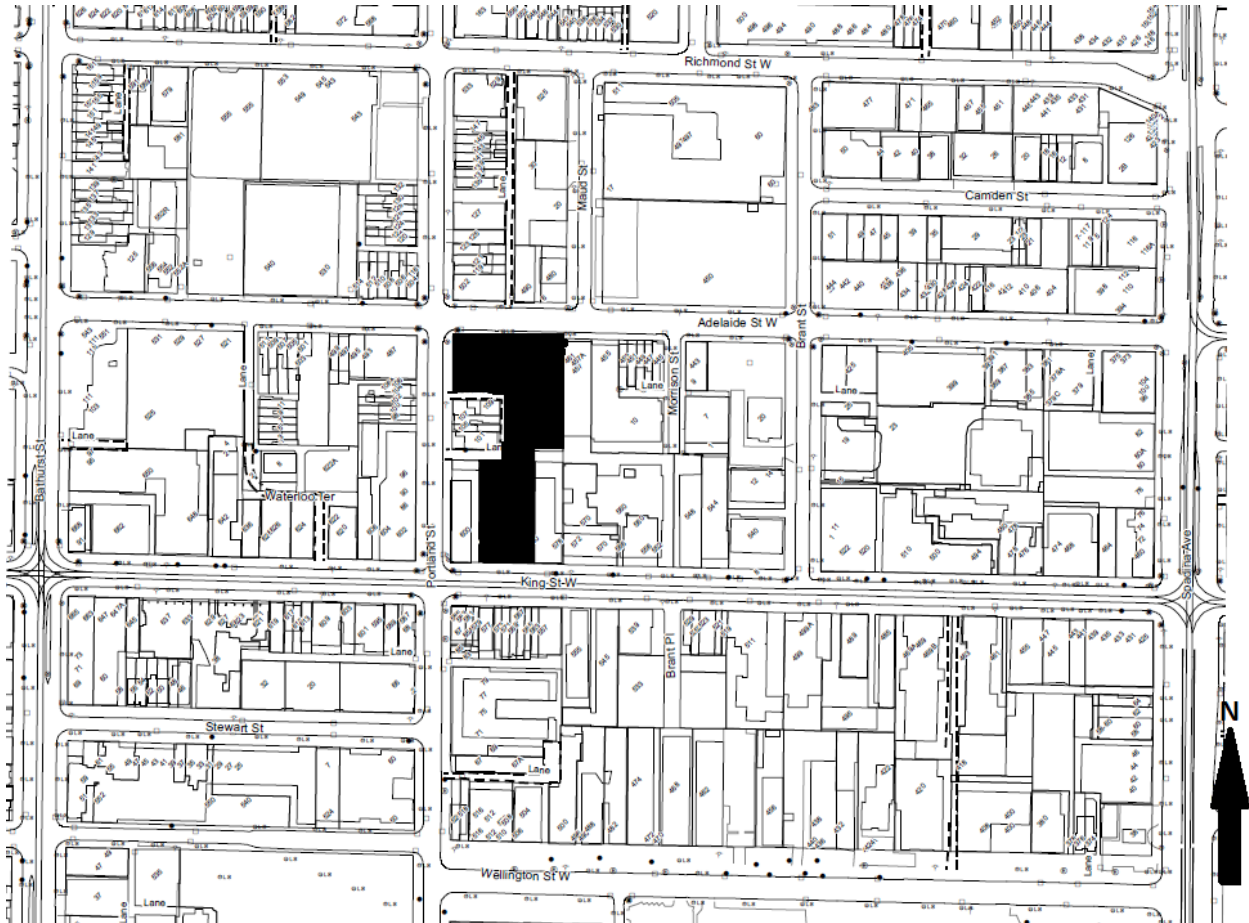
Mary L. MacDonald, MA, CAHP
Senior Manager, Heritage Planning
Urban Design, City Planning

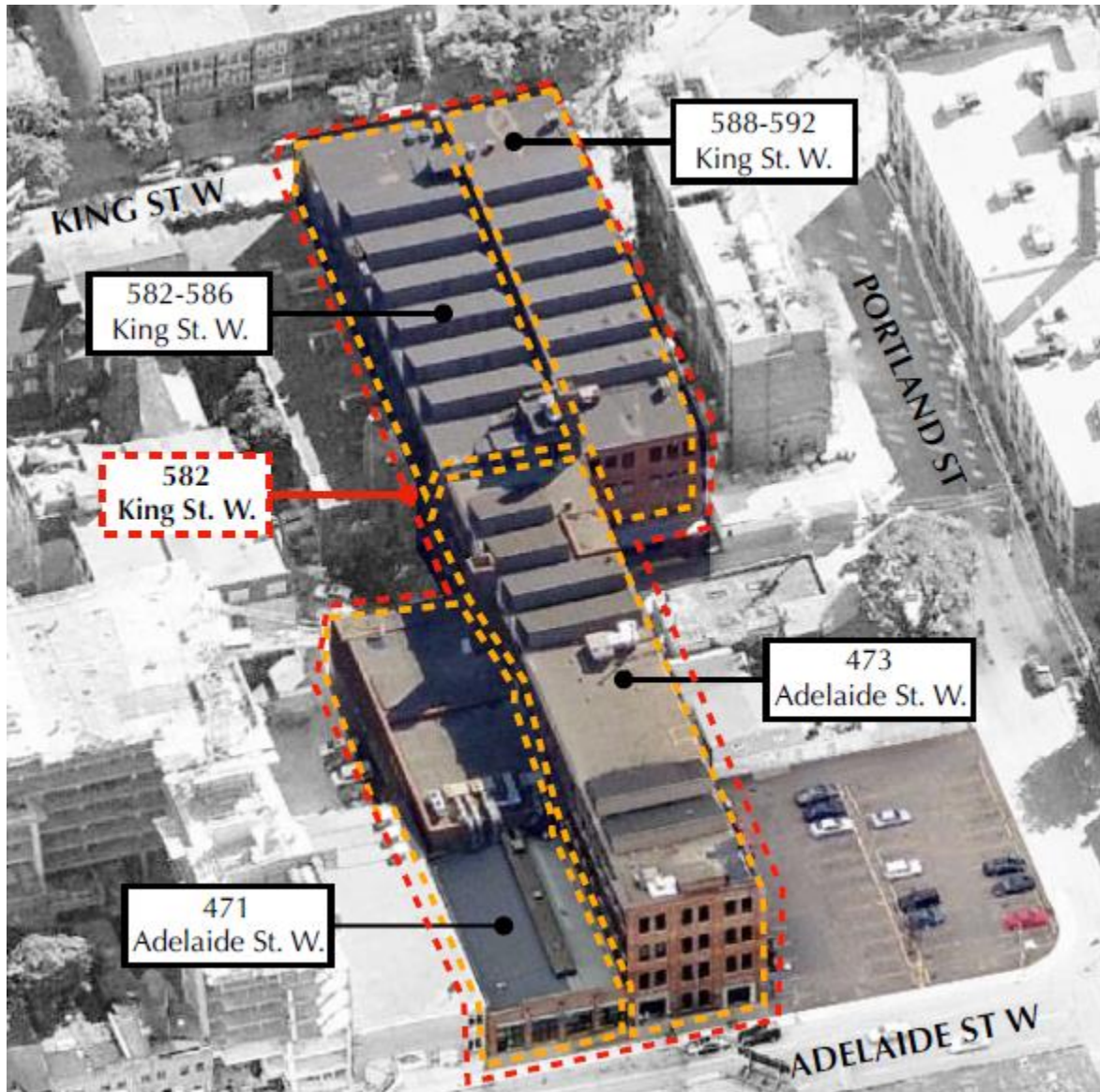
ATTACHMENTS

Attachment 1 - Location Map
Attachment 2 - Aerial View
Attachment 3 - Photographs, 582 King Street West
Attachment 4 - Axonometric Views, 582 King Street West
Attachment 5 - Architectural Plans and Drawings, 582 King Street West

LOCATION MAP
582 King Street West

ATTACHMENT 1







582-592 King Street West - west (left) & south (right) elevations



PHOTOGRAPHS
582 King Street West



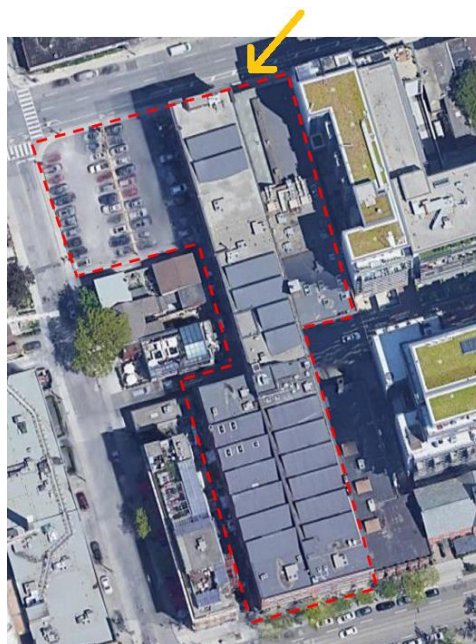
473 Adelaide St W - south (left) & west (right) elevations



PHOTOGRAPHS
582 King Street West



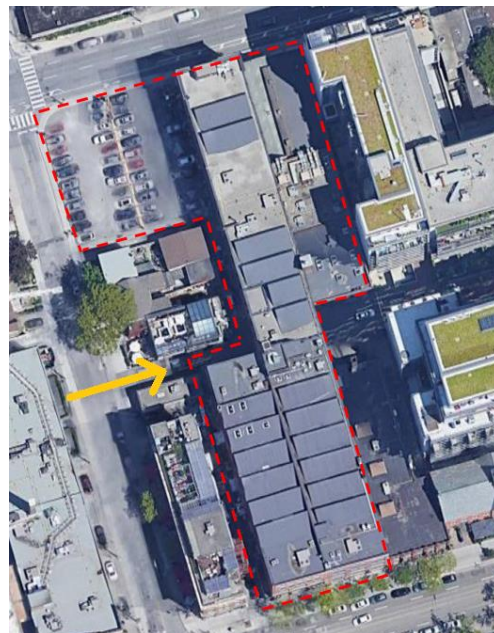
471 Adelaide St W (left) and 473 Adelaide St W (right)

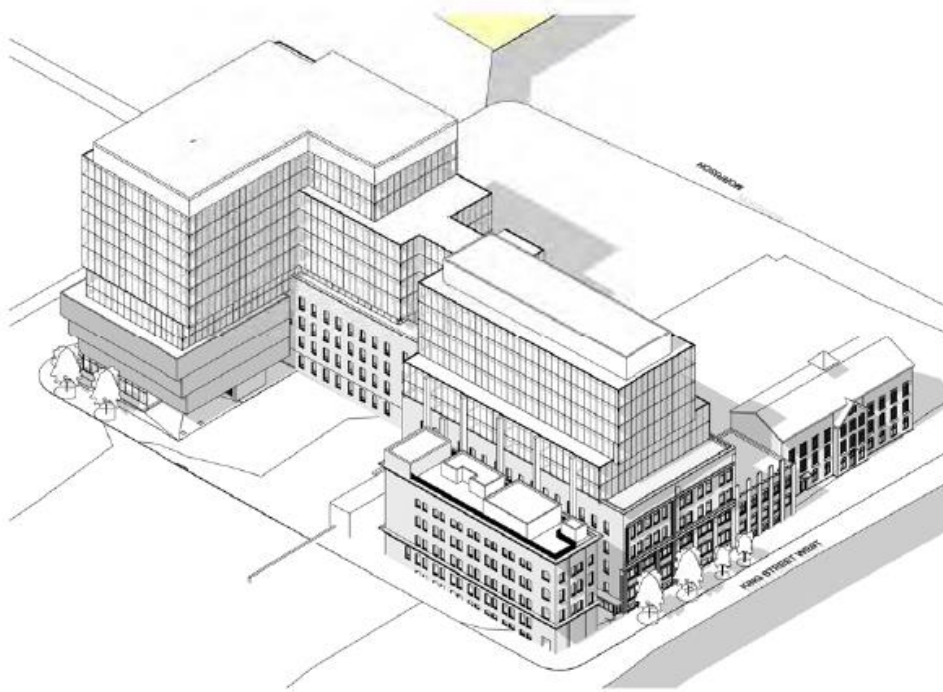


PHOTOGRAPHS
582 King Street West



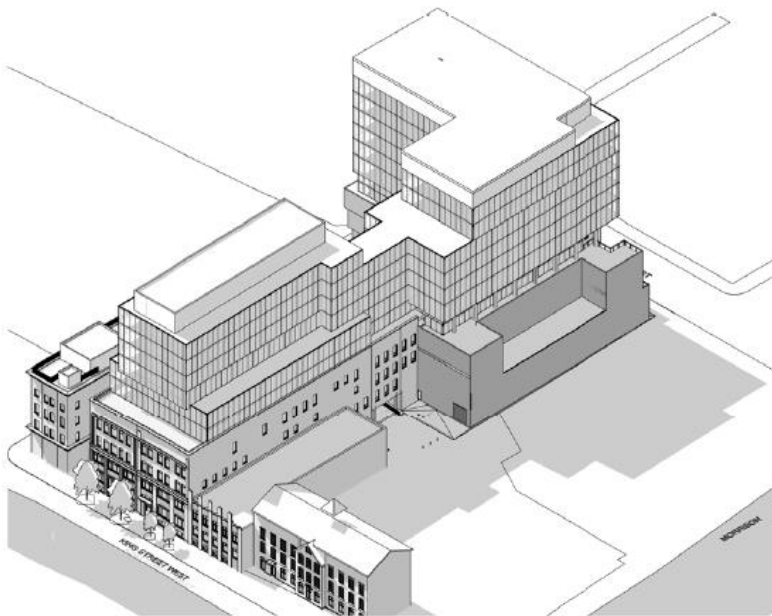
473 Adelaide Street West bridging across to 582 King Street West over the lane at Portland St





2. Axo King St. West at Portland

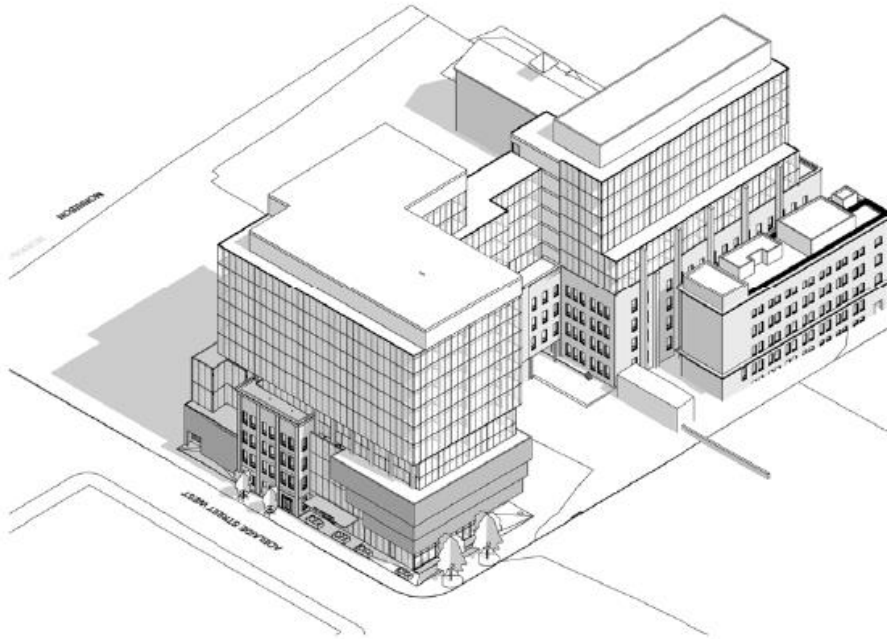
View looking north-east



3. Axo King St. West & Brant St.

View looking north-west

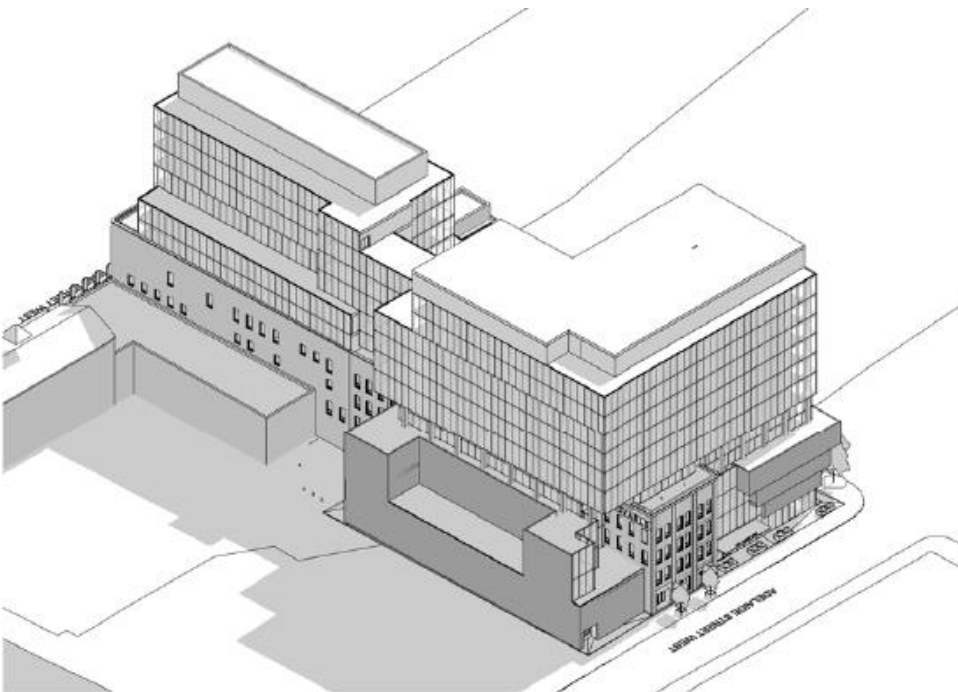
AXONOMETRIC VIEWS 582 King Street West



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1. Axo Adelaide St. West at Portland

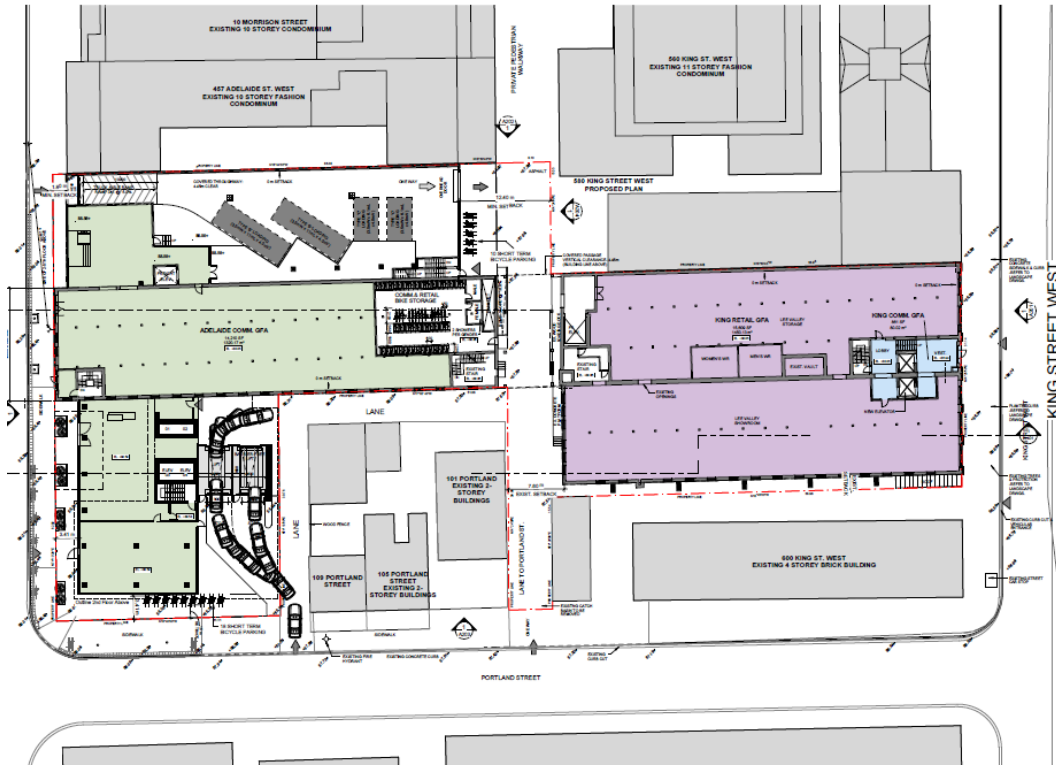
View looking south-east



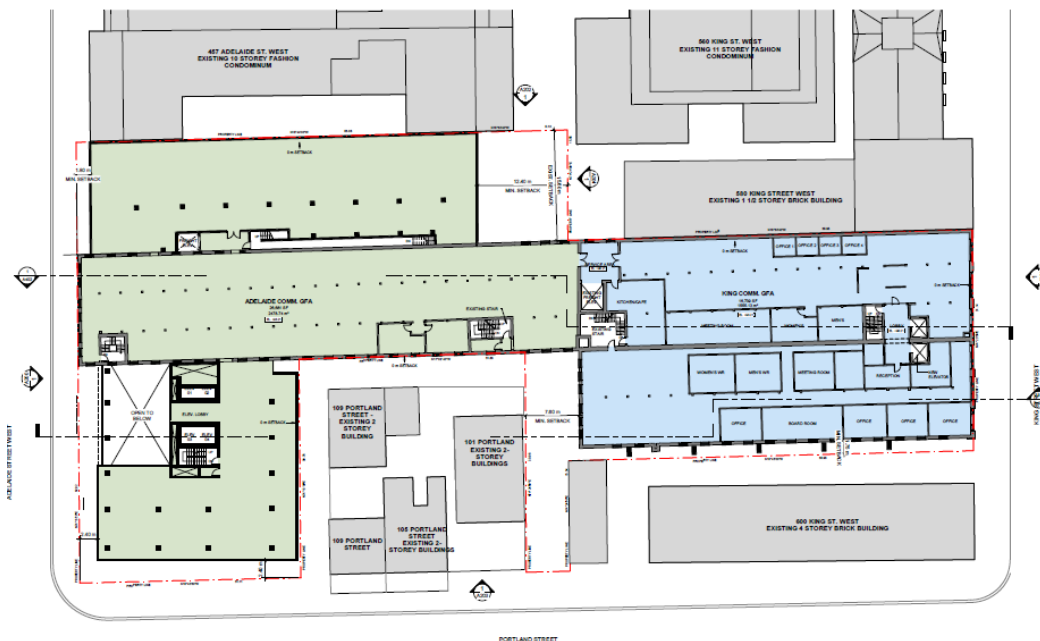
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4. Axo Adelaide St. West & Morrison

View looking south-west



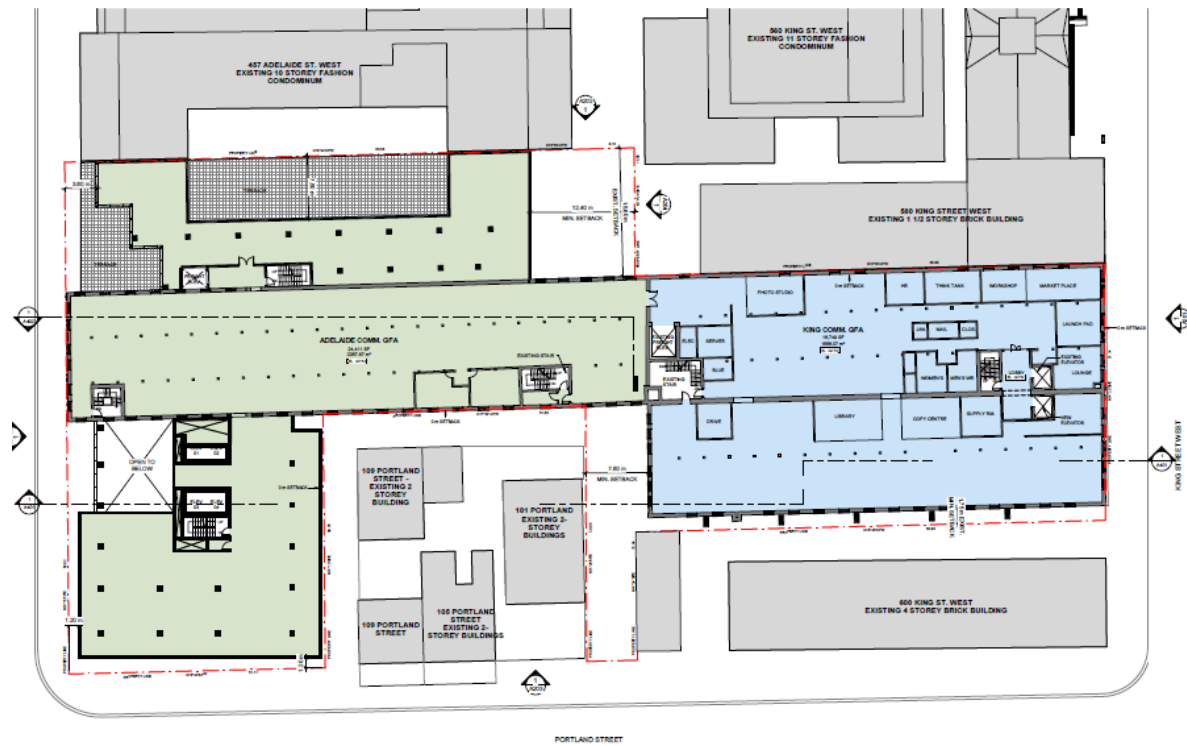
Ground/Site Plan



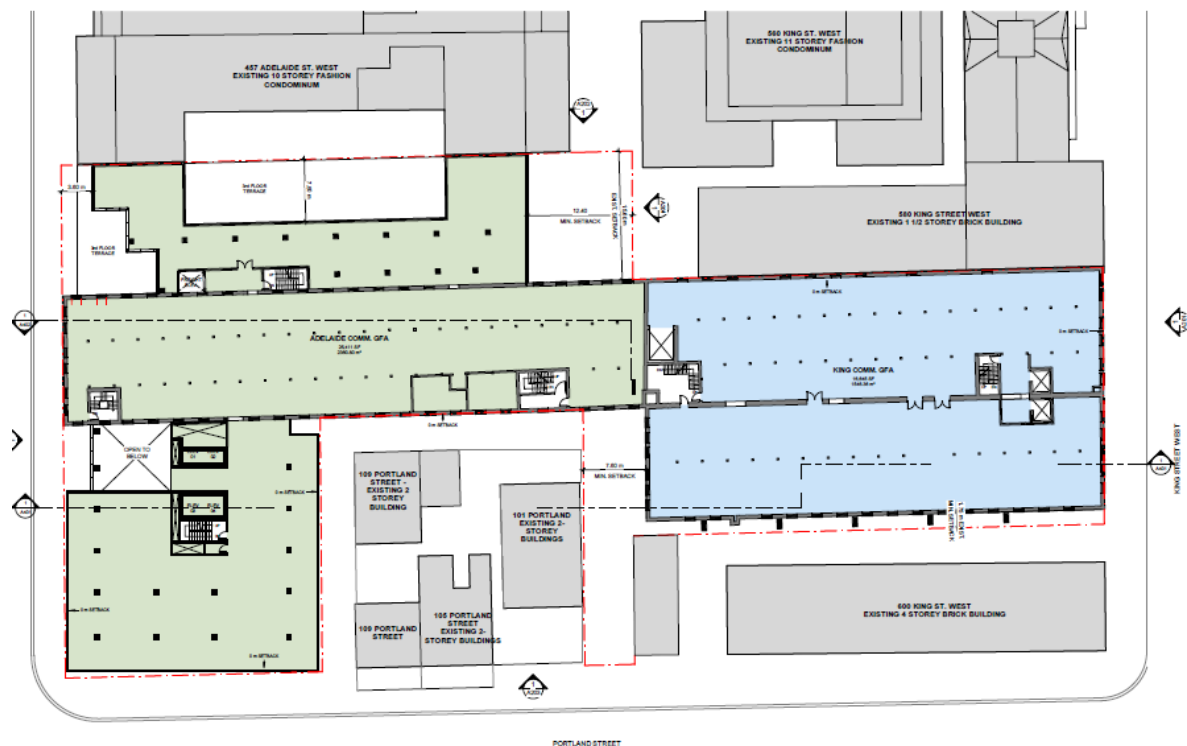
Second Floor Plan

ARCHITECTURAL PLANS & DRAWINGS

582 King Street West



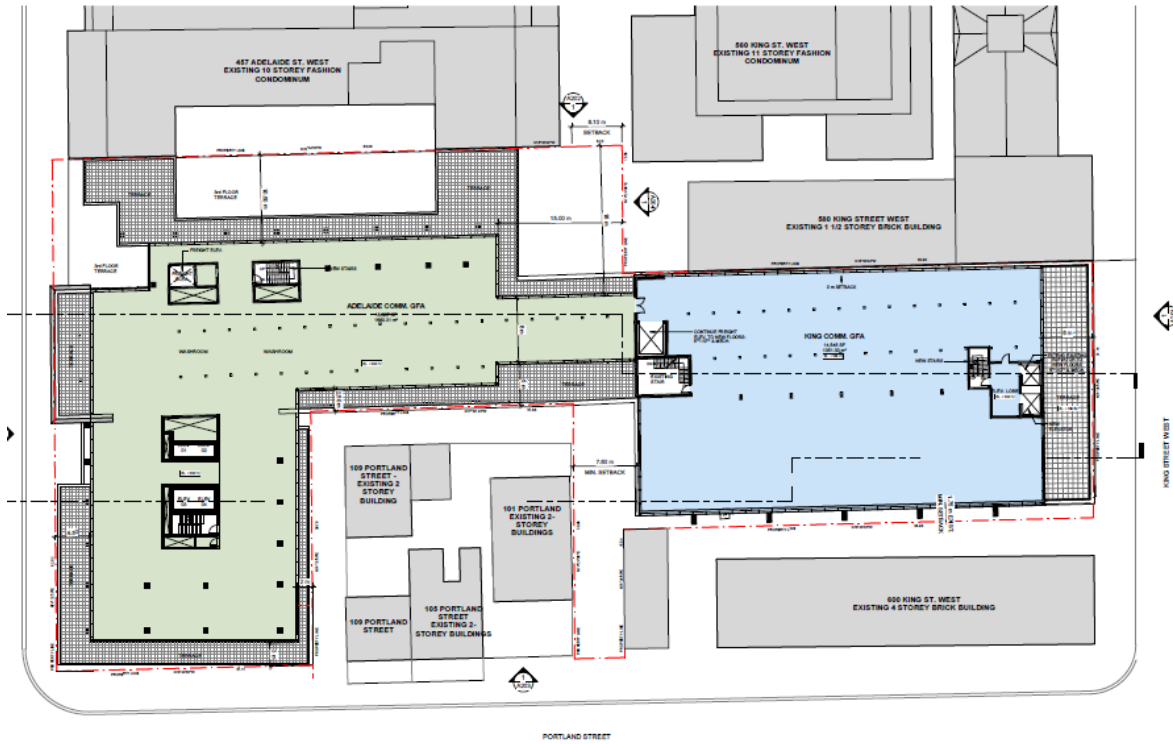
Third Floor Plan



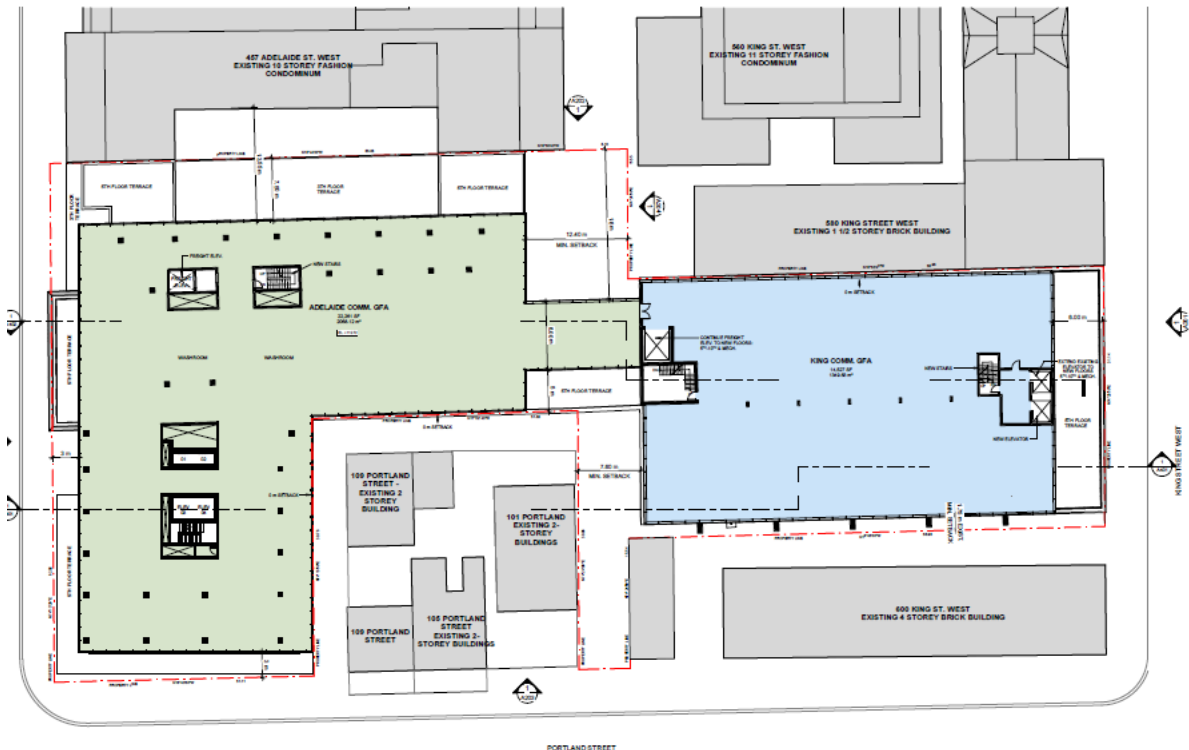
Fourth Floor Plan

ARCHITECTURAL PLANS & DRAWINGS

582 King Street West

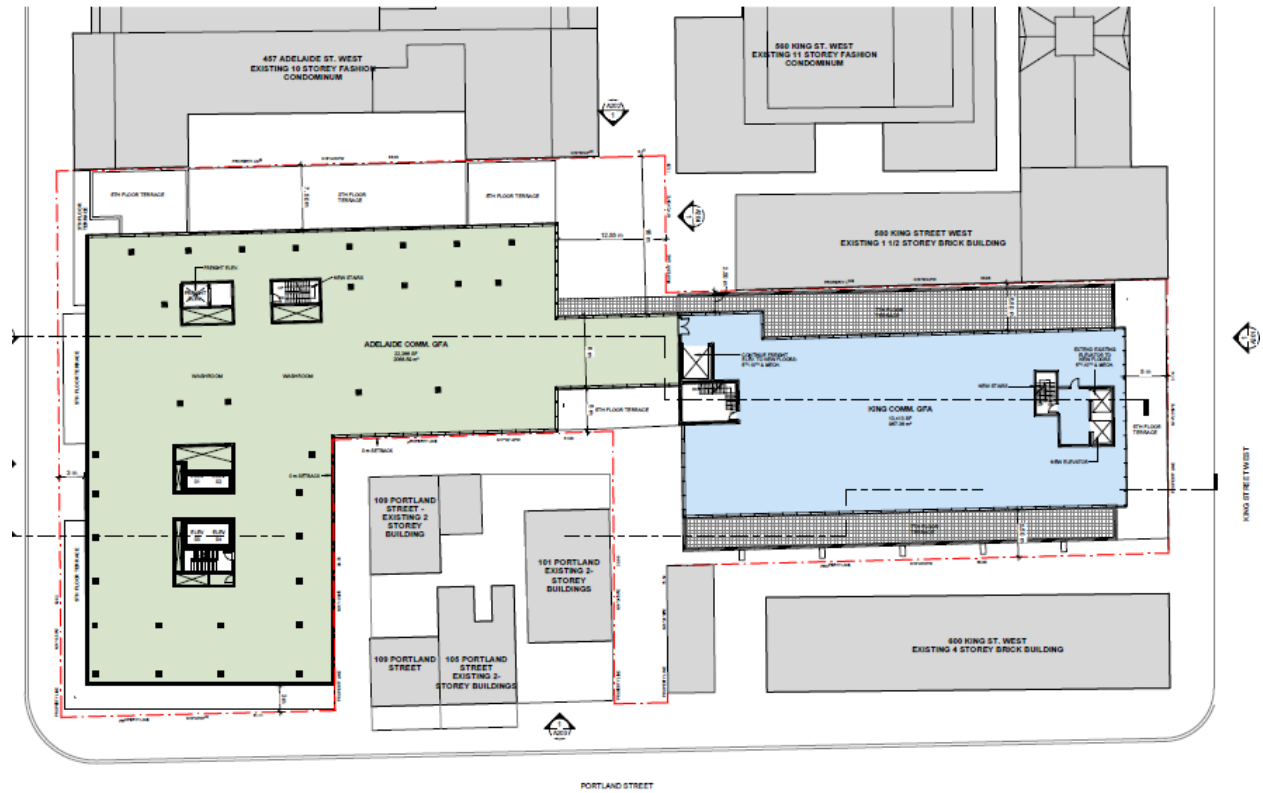


Fifth Floor Plan



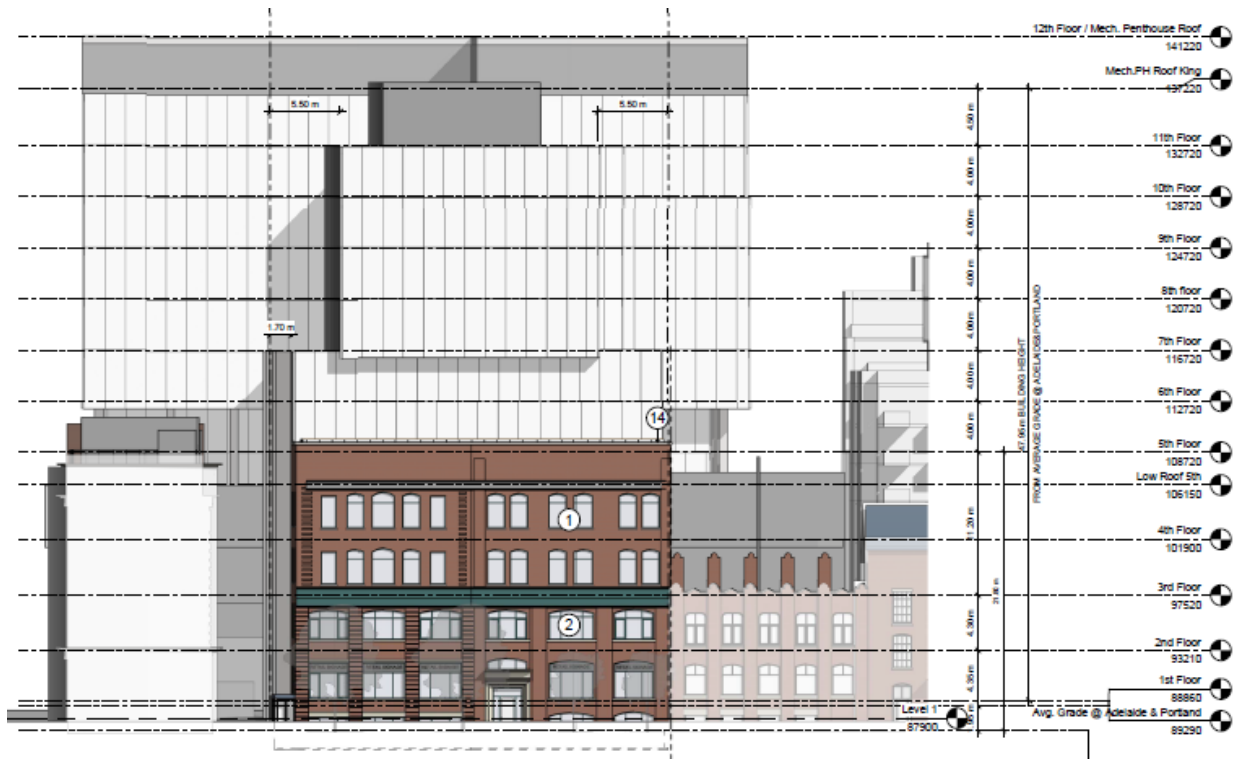
Sixth Floor Plan

ARCHITECTURAL PLANS & DRAWINGS 582 King Street West



Seventh, Eighth & Ninth Floor Plans

ARCHITECTURAL PLANS & DRAWINGS 582 King Street West



King Street West (south) elevation

ARCHITECTURAL PLANS & DRAWINGS

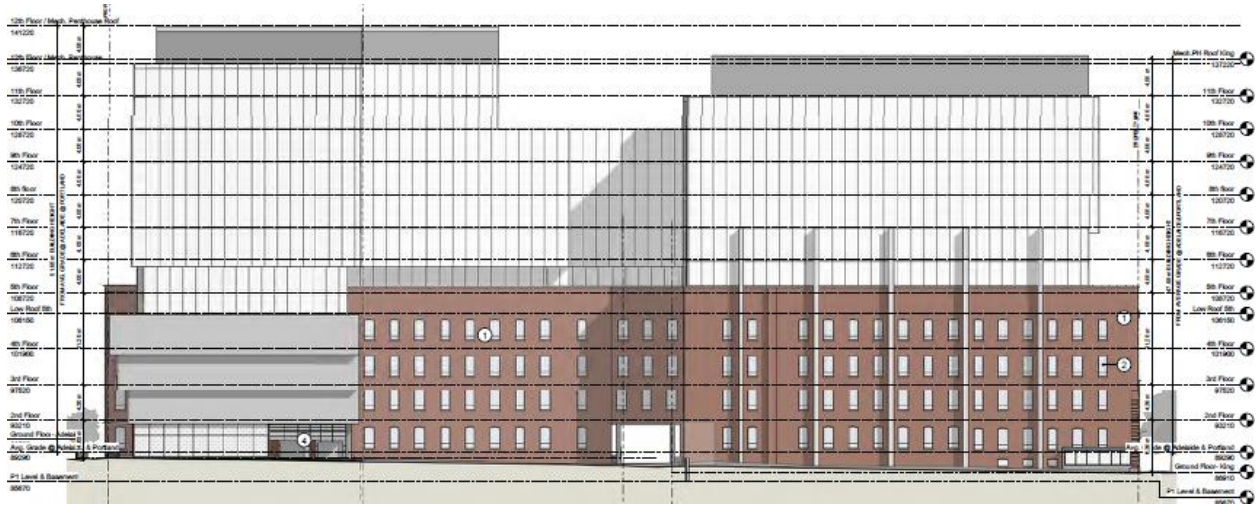
582 King Street West



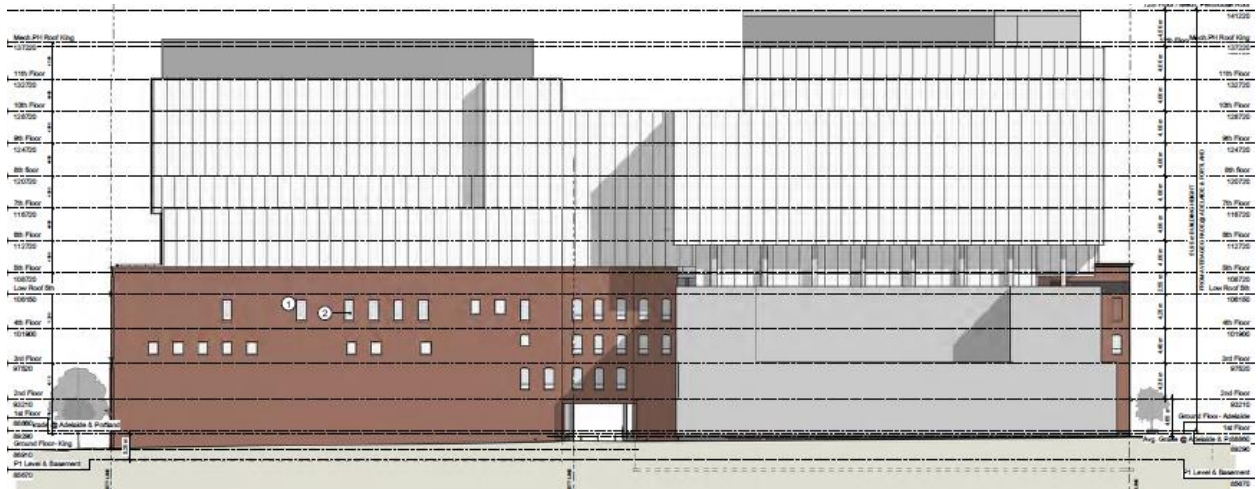
Adelaide Street West (north) elevation

ARCHITECTURAL PLANS & DRAWINGS

582 King Street West



Portland Street (west) elevation



East elevation