

# **Alterations to a Designated Heritage Property in the Union Station Heritage Conservation District Under Parts IV and V of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement - 1 Front Street West**

Date: August 7, 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**

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This report recommends that City Council approve the alterations proposed for the heritage property located at 1 Front Street West, the Dominion Public Building, in connection with a proposed redevelopment of the subject property and that Council grant authority to enter into a Heritage Easement Agreement for the subject property.

## **RECOMMENDATIONS**

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

1. City Council approve the alterations to the heritage property at 1 Front Street West, in accordance with Sections 33 and 42 of the Ontario Heritage Act, to allow for the construction of a new mixed used development incorporating the heritage building on the lands known municipally in the year 2020 as 1 Front Street West, with such alterations substantially in accordance with plans and drawings dated July 19, 2018 and revised April 13, 2020, prepared by Architects Alliance, and on file with the Senior Manager, Heritage Planning; and the Heritage Impact Assessment (HIA), prepared by ERA Architects Inc., dated July 23, 2018 and revised July 15, 2020, and 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. That prior to any Local Planning Appeals Tribunal Order issuing in connection with the Official Plan Amendment and Zoning By-law Amendment appeal, the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the property at 1 Front Street West in accordance with the plans and drawings dated July 19, 2018 and revised April 13, 2020, prepared by Architects Alliance, and on file with the Senior Manager, Heritage Planning, the Heritage Impact Assessment prepared by ERA Architects Inc., dated July 23, 2018 and revised July 15, 2020, and in accordance with the Conservation Plan required in Recommendation 1.a.2, to the satisfaction of the Senior Manager, Heritage Planning including registration of such agreement to the satisfaction of the City Solicitor.
2. 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 1 Front Street West prepared by ERA Architects Inc., dated July 23, 2018 and revised July 15, 2020, to the satisfaction of the Senior Manager, Heritage Planning.
3. Enter into and register on the property at 1 Front Street West 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, and the Senior Manager, Heritage Planning 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 and securing such matters generally as set forth in these Recommendations.

b. That prior to final Site Plan approval for the proposed Official Plan Amendment and Zoning By-law Amendment by City Council, for the property located at 1 Front Street West the owner shall:

1. Provide final site plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 1.a.2 to the satisfaction of the Senior Manager, Heritage Planning.
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 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.
4. Provide a detailed landscape plan for the subject property, satisfactory to the Senior Manager, Heritage Planning.

5. 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.

6. Submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Planning.

c. That prior to the issuance of any permit for all or any part of the property at 1 Front Street West, 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 Planning, 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.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 Heritage Interpretation Plan.

4. Provide full documentation of the existing heritage property, 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 Planning.

d. That prior to the release of the Letter of Credit required in 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 and Interpretation Plan 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 1 Front Street West in a form and content satisfactory to the City Solicitor and the Chief Planner and Executive Director, City Planning.

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 1 Front Street West.

## **FINANCIAL IMPACT**

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

## **DECISION HISTORY**

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In 1996, the Ontario Municipal Board approved a settlement between the Federal Government (the previous owner of 1 Front Street West), and the City to permit a tower massing envelope with a maximum height of 137 metres sited in the middle of the 1 Front Street West property, above the Dominion Public Building as part of By-law 42593 to amend the former City of Toronto Zoning By-law 436-86. By-law 425-93.

On July 27, 2006, City Council enacted By-law 634-2006 designating the Union Station Heritage Conservation District ("the HCD") under Part V of the Ontario Heritage Act. The HCD includes the Dominion Public Building at 1 Front Street West.

[www.toronto.ca/legdocs/bylaws/2006/law0634.pdf](http://www.toronto.ca/legdocs/bylaws/2006/law0634.pdf)

On February 3 and 4, 2016, City Council stated its intention to designate the Dominion Public Building under Part IV, Section 29 of the Ontario Heritage Act, to be effective upon the transfer of the property by the federal government and that notice of intention to designate be served on the new owner following the transfer of the property.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE13.18>

On February 14, 2019, Toronto and East York Community Council adopted a preliminary report on the subject application. Community Council authorized staff to conduct a community consultation meeting with an expanded notification area.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.TE3.60>

On September 6, 2017, Toronto and East York Community Council adopted a preliminary report on the City-initiated Zoning By-law Amendment for 1 Front Street West.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE26.58>

On May 14, 2019, Toronto City Council considered a report from the Director, Community Planning, Toronto and East York District, 1 Front Street West and 141 Bay Street - Official Plan Amendment and Zoning Amendment Applications - Refusal Report and refused the Rezoning and Official Plan Amendment application for the subject property.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.TE5.9>

## **BACKGROUND**

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### **Original Proposal**

In July of 2018 the applicant submitted an application to amend the Official Plan and Zoning By-law for the subject property to allow for the construction of two tall buildings above the Dominion Public Building at 45 and 49-storeys respectively. The Dominion Public Building was proposed to be altered to allow for 8,989 square metres of retail space and a 22,045 square metre hotel. The exterior elevations and the interior Long Room were to be retained in-situ. Staff recommended refusal of the application in part because the proposed tower separation distances were insufficient, the proposal eliminated the existing office use within the building, and the proposal did not conserve the Dominion Public Building. Specifically, the proposed tower placement had an unacceptable impact on the scale, form, and massing of the building, and the proposal would have seen extensive alteration to the primary façade of the Beaux-Arts style building with all of the ground floor window openings being extended to grade.

Toronto City Council refused the original proposal but directed staff that should the applicant appeal Council's decision to the Local Planning Appeals Tribunal (the LPAT), that staff should use mediation, conciliation or other dispute resolution techniques in an attempt to resolve the Official Plan Amendment and Zoning By-law Amendment applications. The applicant subsequently appealed Council's decision to the LPAT.

### **Current Proposal**

As directed by Council, following Council's refusal of the original application staff have met with the applicant in an effort to reach a resolution on the proposed development. The applicant submitted a revised application as a result of these discussions with City staff. The revised proposal proposes two new tall buildings above the Dominion Public Building (an east and west tower). This proposal includes a five-storey shoulder element above the building linking the tall buildings.

From a heritage conservation perspective the revised proposal is to retain all of the building's exterior elevations (protected and governed by Part IV of the Ontario Heritage

Act) and the interior Long Room in-situ (protected and governed by Part IV of the Ontario Heritage Act). The proposal for the exterior alterations has been revised and no longer includes alterations to the window openings on the building's principle elevation. The west tower has been shifted slightly west, and the massing of the east tower has been moved north so that it no longer cantilevers over the south façade of the building. A step back of 10 metres has been maintained from the Front Street West Elevation.

## **Heritage Property**

The Dominion Public Building has cultural heritage value for its historic role as the federal government's Toronto Customs House for the administration, taxation, inspection and storage of imported and exported goods. Conceived by the federal government as a Customs House only, the Dominion Public Building was completed as the third and largest Customs House in the city, as well as the first to incorporate the public offices and the examining warehouse in the same building. The construction of the Dominion Public Building during the Great Depression of the 1930s was a reflection of the significance of Toronto to the nation's economic status and recovery.

The associative value of the Dominion Public Building is also through its connection to T. W. Fuller, who served from 1927 to 1936 as the Chief Architect of the Federal Department of Public Works, which was responsible for the in-house design of nearly all public architecture in Canada in the late 19th and early 20th centuries. During the Great Depression, the Chief Architect oversaw monumental projects in the country's major centres, including Toronto where the Dominion Public Building remains Fuller's best known work.

From a design standpoint, the Dominion Public Building is valued as a rare and exceptional example in Canada of Beaux-Arts Classicism, the international style popularized for monumental public architecture in the late 18th and early 19th centuries. The Dominion Public Building has the hallmarks of the style with its imposing scale, the symmetrical organization of the facades, the hierarchy of spaces from grand to utilitarian, the decorative detailing inspired by classical precedents, and its placement in a highly visible and prominent setting. As a rare and early surviving example of a public building in Toronto constructed by the federal government in the early 20th century, the Dominion Public Building was among the first applications of Beaux-Arts Classicism to a federal design.

The Dominion Public Building stands as an important physical reminder of the imposing public spaces created by the federal government, combining the monumentality and grandeur of the Front Street portion of the building (including the interior Long Room) with the practicality and accessibility of the warehouse component to the rear. Designed in two phases, over time the Dominion Public Building changed from a Customs House to a multi-use federal building, and the interior alterations dating to the 1980s and 1990s are part of the evolution of the building.

In combination with the neighbouring Union Station (which was officially opened in 1927), the Dominion Public Building establishes the character of the area along Front Street, west of Yonge Street. Following the Great Fire of 1904 that destroyed most of the existing buildings in this area, Toronto's Civic Improvement Committee

commissioned a plan (1911) by architect John M. Lyle based on the principles of the City Beautiful Movement that envisioned Front Street as a grand boulevard with expansive tracts reserved for monumental architecture that included a new Union Station and Customs House (the Dominion Public Building). According to the federal government, "The Dominion Public Building and Union Station together form probably the most imposing Beaux-Arts streetscape in Canada."

Contextually, the Dominion Public Building is historically, visually, physically and functionally linked to its important setting on the south side of Front Street where it anchors the southwest corner of Yonge Street (Toronto's "main street") and extends across the entire city block to Bay Street. As the third Customs House on the site, the Dominion Public Building occupies what was historically among the most sought-after locations in Toronto with its proximity to the city's financial district directly north, Union Station as its neighbour on the west, and the railway corridor and harbour to the south. The Dominion Public Building, with its office and warehouse components aligned to access Front, Yonge and Bay Streets, forms an important precinct.

As a monumental federal government building in a prominent location beside and complementing Union Station, the Dominion Public Building is a local landmark in Toronto.

The Dominion Public Building was classified as a Federal Historic Site in 1983 while it was still owned by the Federal Government. Today the Dominion Public Building is in private ownership.

### **Adjacent Heritage Properties**

The following heritage properties are adjacent to the development site:

#### **71 Front Street West**

The property at 71 Front Street West is immediately west of the development site and comprises Union Station. Union Station is designated under Part IV of the Ontario Heritage Act by City of Toronto By-law 948-200, is a National Historic Site of Canada, and is subject to a triparty Heritage Easement Agreement with the City of Toronto, and the Federal and Provincial governments.

#### **181 Bay Street**

The property at 181 Bay Street is located immediately north of the development site and contains the commercial office complex known as Brookfield Place. Brookfield Place includes the property formerly addressed as 42 Yonge Street, the Charles Moore and Company Importers and Wholesale Grocers Warehouse and Store, the property formerly known as 30 Yonge Street, the Bank of Montreal Building, and the property formerly known as 20 Front Street West, the Gowans Kent Building. This property is subject to multiple designation by-laws under Part IV of the Ontario Heritage Act and to multiple Heritage Easement Agreements with the City of Toronto.

## **200 Bay Street**

The property at 200 Bay Street contains the commercial office complex known as the Royal Bank Plaza. This property is included on the Heritage Register as part of the Union Station Heritage Conservation District.

## **1 Front Street East**

The property at 1 Front Street East contains the performing arts venue formerly known as the O'Keefe Centre. This property is designated under Part IV of the Ontario Heritage Act by City of Toronto By-Law 115-2008.

## **Union Station Heritage Conservation District**

The Union Station Heritage Conservation District ("HCD") Plan was adopted by City Council on July 27, 2006 as By-law 634-2006 and is in-force for the subject site. The Union Station HCD study was a component of the broader Union Station District Urban Design study, which was initiated by the City Planning Division as part of the Union Station Master Plan. The resulting Union Station HCD Plan includes an examination of heritage character, provides district guidelines and identifies those properties that contribute to the heritage value of the Plan area. It is used by the City and property owners as a tool to strengthen and protect the significant heritage character of the Union Station Precinct.

The Statement of Cultural Heritage Value for Union Station in the Heritage Conservation District Plan states in part that "A strong Beaux-Arts presence around Union Station creates one of the most stylistically cohesive areas in the City of Toronto. This civic-minded architecture speaks strongly to the prominence of Union Station as a centre of urban activity."

The development site is within the Union Station HCD Plan. The Dominion Public Building, Union Station, and the Bank of Montreal building are identified as "contributing buildings" within the Plan. The HCD Plan can be found here:

[https://toronto.ca/wp-content/uploads/2018/01/8dfc-CityPlanning\\_Union-stationHCD.pdf](https://toronto.ca/wp-content/uploads/2018/01/8dfc-CityPlanning_Union-stationHCD.pdf)

The Plan includes the following guidelines for new development:

Designers of new buildings should look to surrounding buildings for context, and especially consider the relationship of the building to Union Station [...] The following criteria however, should be considered:

- The new structure respects the general size, shape and scale of the features associated with adjacent properties and the district as a whole, as well as directly considering its relationship with Union Station
- The site plan respects the general site characteristics associated with the property itself and district as a whole
- The design respects the general historic and architectural characteristics associated with the district



- The materials chosen are considered in context with those of adjacent contributing properties and with the district as a whole
- In the case of additions, critical significant features on existing buildings are not obscured, damaged or destroyed

### **City Initiated Rezoning**

During the drafting of the former City of Toronto Official Plan in the early 1990s and the associated amendments to the Zoning by-law 438-86, the height limit and density limit on the subject property were reduced to more closely reflect the height of the existing heritage building on the property. As a result, Public Works Canada, on behalf of the Crown, appealed the changes to the Ontario Municipal Board. They argued that, given the context of the site, directly adjacent to the Financial District, this zoning change was onerous and unfair. They also argued that the lands to the south had higher as-of-right density and height permissions. It was concluded that there was merit to their objections. Planning staff worked with the city staff, including Toronto Historical Board staff, and the Federal government to develop an appropriate development scheme for the property that was in their opinion sensitive to the heritage of the site.

A site-specific exception to the Zoning by-law was approved by the Ontario Municipal Board in 1996 which allows for a tower on top of the existing heritage building with a specific building envelope that ranges in height between 74 and 137 metres. The tower would be situated over and flanking the existing central pavilion of the building.

At its meeting of November 8, 2016, City Council approved the construction of a 53-storey office building at 141 Bay Street. The 141 Bay Street property is located immediately south of the 1 Front Street West property. Should a tower be built within the existing zoning envelope at 1 Front Street West the separation distance between this tower and the approved building at 141 Bay Street would be insufficient.

Through their recommendations to Council in 2016 staff were of the opinion that the existing zoning envelope would not result in a development that would conserve the Dominion Public Building and that the additional height of the above building would be more appropriately accommodated at the east end of the property. As a result, Council requested that the Chief Planner and Executive Director, City Planning to report back to the Toronto and East York Community Council early in 2017 on amendments to the approved zoning on the property located at 1 Front Street West. This City initiated rezoning application is still active and under the current circumstances is being dealt with through the current rezoning application. It is Heritage Planning's understanding that if the proposed zoning for the revised application is approved the Site Specific Zoning By-law 425-93 would be repealed in conjunction with that approval.

## **Heritage Planning Policy Framework**

### **The Planning Act**

The Planning Act guides development in the Province of Ontario. It 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.” and 2(r) a built form that is well designed and provides for a sense of place.

### **The Provincial Policy Statement (2020)**

The Provincial Policy Statement (2020) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- the efficient use and management of land and infrastructure
- ensuring the sufficient provision of housing to meet changing needs including affordable housing
- ensuring opportunities for job creation
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards
- conservation of cultural heritage and archaeology

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the [Planning Act](#) and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

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, management and use 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."

## **Provincial Plans**

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

## **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part.

The Growth Plan (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 with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Policy 4.2.7.1 of the Growth Plan states that "Cultural Heritage Resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas."

## **Toronto Official Plan**

This application has been reviewed against the policies of the City of Toronto Official Plan. The Plan provides 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 façades 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."

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

## **Standards and Guidelines**

The Standards and Guidelines for the Conservation of Historic Places in Canada (the "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) the Standards for Rehabilitation (10-12), and the Standards for Restoration (13-14) apply to this project.

The Standards and Guidelines can be accessed here:

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

## COMMENTS

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### **Proposed Conservation Strategy**

Heritage Planning has reviewed the Heritage Impact Assessment prepared by ERA Architects Inc. submitted in support of the application. The HIA states in part that proposed development conserves the cultural heritage values, attributes, and character of the site, its contribution to the cultural heritage value of the Union Station Heritage Conservation District, and the District as a whole. Generally, staff agree with this assessment.

### **Retention Strategy**

The proposal is to retain all of the exterior elevations of the Dominion Public Building in-situ with the exception of a limited portion of the south elevation that will be temporarily altered to allow for construction access. On the interior of the building the existing Long Room will also remain in-situ during construction. The proposal has been designed with a transfer slab that will structurally support the new development and allow the Long Room to remain intact. The project includes an underground parking garage that will be connected to the parking garage immediately south of the development site at 141 Bay Street. Underground parking is not proposed to be constructed below the Long Room. The remainder of the building's interior floor plates will be removed. New floor plates will be reinserted in approximately the same locations so that the relationship with the existing window openings is largely retained.

Should Council approve the proposal, the details of the proposal to temporarily modify portions of the south elevation to allow for construction access will be advanced through the preparation of the required conservation plan. The extent of the modification will be minimized to the greatest extent possible. The conservation plan will be submitted to the satisfaction of the Senior Manager prior to the LPAT Order for the proposed development.

### **Interior Alterations**

The interior alterations are governed by Part IV of the Ontario Heritage Act. As described above, with the exception of the Long Room, the proposal is to remove the majority of the building's interior. The HIA provides a comprehensive history of interior changes to the building and the condition of its interior features. It finds that with the exception of the Long Room, most of the interior features have been extensively altered over the years. In particular, a major intervention in the 1970s completely re-worked the interior of the building with the exception of the Long Room. In many cases historic cladding material in the lobbies that may appear to be original was actually removed and reconstructed as new assemblies at this time. As part of the proposal the applicant is proposing to remove this cladding in the east lobby and re-instate it as part of their mitigation strategy. This will reinstate the sense of arrival as visitors pass through the east entrance, into the east lobby and into the conserved Long Room.

## **Exterior Alterations**

The exterior alterations are governed by Part IV and Part V of the Ontario Heritage Act. The proposal is to keep the exterior elevations of the Dominion Public building largely intact. This in contrast to the original proposal that would have seen substantial alterations to the ground floor window openings on the building's Front Street West elevation. In the current proposal new exit doors will be installed on the east and south elevation. Modifications will also be made to the west entry to allow pedestrian passage through the building into Union Station to the south. This will respond to an existing pedestrian pinch point at the southwest corner of the intersection. Window openings on the south elevation will also be modified to facilitate the animation of proposed mews and to improve pedestrian connections to the south. Should Council approve the proposal these interventions will need to be further detailed at the Conservation Plan stage and staff will work with the applicant to ensure that they not have a significant negative impact on the cultural heritage value of the property.

## **Building Massing**

The proposed tall buildings will be located at the east end of the site. They have been designed to respond to the geometry of the site with the towers sited at the widest part of the property. The towers will be stepped back approximately 10 metres from the building's primary elevation on Front Street West, and approximately 5 - 6 metres from the building's east elevation on Yonge Street.

On the south side of the building the proposed towers and base building will be largely in line with the existing parapet. The first floor has been designed as a one storey reveal that will be in-set to ensure the existing parapet remains prominent when viewed from the street. This represents a significant improvement over the original proposal which would have seen this massing of the east tower project approximately seven metres beyond the parapet and beyond the building. This portion of the building is highly visible from the intersection of Yonge Street and The Esplanade. Support columns were originally proposed to be constructed in this location proud of the existing south elevation. The original proposal would have created a negative visual impact on the property in this location: the revised proposal appropriately addresses this impact.

A five-storey shoulder building is proposed to be constructed above the Dominion Public Building. The massing of this shoulder will be mitigated by stepping the north elevation in by two metres between the tall buildings. The fifth storey of the shoulder is also proposed to be further inset by an additional five metres at the north and two metres at the south. This should serve to further break up the massing of this shoulder above the heritage building and reduce its visual impact as viewed from the street.

Siting the towers at the east side of the property where it is at its widest is also an improvement over the existing site specific exception to the in force zoning by-law which allows for the construction of a single tall building over the much narrower central portion of the existing building above and flanking the centre pavilion where appropriate step backs are much more difficult to obtain.

The applicant is proposing to install a residential amenity space on the roof of the building. The HIA includes a view study that demonstrates that this amenity space will not be visible from grade within the public realm. This is largely because the height of the building's existing parapet. In order to ensure that this amenity space does not have future negative visual impacts on the building the companion Community Planning report on the development from the Director of Community Planning will include a recommendation that the site include provision prohibiting structures on this amenity space to be secured in the site specific amending zoning by-law and/or as a legal convenience matter in a section 37 agreement.

### **Restoration Work**

The proposal includes an extensive restoration program of the existing building grounded in the HIA's condition assessment and historical research. The scope of work will include the replacement of the existing non-original windows with new aluminum windows designed to match the building's original windows, in addition to restoration of the existing exterior masonry and metal work. On the south elevation the canopy that once ran the length of the building will be restored based on archival evidence. While not currently prominent, this elevation will be animated by the proposed pedestrian muse south of the building between the subject property and the adjacent office building approved by Council. Should Council approve the proposal the restoration work will be detailed in the required Conservation Plan.

### **Union Station Heritage Conservation District**

A key objective of the Union Station Heritage Conservation District Plan is that new development within the District respect visual relationships between the new construction and Union Station. In keeping with the District Plan, the proposed towers have been sited specifically to respond to the Dominion Public Building's relationship with Union Station. Views towards the proposed development have been studied with particular attention paid to the views from the public promenade in front of Union Station on Front Street West towards the proposed development. The proposed tall buildings have been sited on the portion of the development site that is furthest from Union Station and have been stepped back a minimum of ten metres from the Front Street West elevation of the building. These design moves will ensure that the continuous street wall of Beaux-Arts buildings on Front Street West will continue to read uninterrupted as viewed from in front of Union Station and from further west. This objective would have been much more difficult to achieve with the existing building envelope in the site-specific exception to the Zoning By-law in By-law 425-93 which allowed for a tall building in the very centre of the property and with a reduced step back from Front Street West.

The District Plan designation applies to the exterior of buildings within the plan area. The design of the current proposal responds to the District's Plan's principle that calls for minimal intervention to heritage fabric and the preservation of key architectural features. This is in contrast to the original proposal for the site which would have substantially altered all of the building's ground floor north facing windows on Front Street West. Such an alteration would have had a significant impact on the cultural heritage value of this Beaux-Arts building.

The design of the proposed towers also satisfied the District Plan's General Heritage Principles that in part call for creative and contemporary design solutions and that draws from design solutions with in the District while respecting its neighbours. The proposed contemporary metal and glass towers are distinctive in design and materiality from the original building yet is an approach that is prevalent throughout the District.

### **Adjacency**

The project has been designed to conserve the heritage properties adjacent to the development site. As previously described particular care has been taken to assess the impact of the proposal on views from the public realm in front of Union Station. Locating the proposed towers on the east end of the development site and stepping the towers back a minimum of ten metres from Front Street West should ensure that the historic street wall will not be negatively impacted by the new development.

At the same time the 5 to 6 metre step back of the proposed tower from Yonge Street appropriately mitigates potential visual impacts of the proposed massing of the east tower on both the adjacent former O'Keefe Centre at 1 Front Street across the street to the east and on the heritage buildings that form part of 181 Bay Street (Brookfield Place). The Yonge Street frontage of Brookfield Place is comprised of a near continuous wall of heritage buildings. The proposed step back of the east tower will ensure that the Dominion Public Building continues to visually support and extend this historic streetscape as viewed from the public realm south on Yonge Street.

## **Heritage Easement Agreement and Additional Plans**

### **Conservation Plan**

Should Council approve the proposed conservation strategy, prior to the issuance of the first permit for the development 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 Planning. The conservation plan should detail all of the recommended interventions and conservation work including: any recommended restoration work; required repair work to the exterior walls; 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, Lighting Plan, and Signage Plan**

Should Council approve the proposed conservation strategy, prior to the issuance of a heritage permit for the proposed development the applicant should be required to submit a signage plan, heritage lighting plan and a heritage interpretation plan to the satisfaction of the Senior Manager of Heritage Planning. The lighting plan should provide details of how the heritage buildings will be lit so that their unique heritage character is highlighted. The interpretation plan should serve to communicate the cultural heritage values of the property to users and visitors of the property.



## **Heritage Easement Agreement**

Should Council approve the proposed conservation strategy, staff are recommending that the owner enter into a Heritage Easement Agreement to secure the long-term protection of the heritage property at 1 Front Street West.

## **CONCLUSION**

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Heritage Planning Staff are supportive of the revised development proposal to alter the property at 1 Front Street West, the Dominion Public Building, to allow for its incorporation into a new mixed-use development in the context of the revised proposal. The revised proposal conserves the subject property and adjacent heritage properties consistent with the Provincial Policy framework, and the City's Official Plan. The proposal satisfies the guidelines for new development within the Union Station Heritage Conservation District Plan. Additionally, the revised proposal will result in a built form that is an improvement over what is permitted in the site specific by-law 425-93.

## **CONTACT**

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## **SIGNATURE**

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

## **ATTACHMENTS**

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Attachment No. 1 - Location Plan - 1 Front Street West  
Attachment No. 2 - Photographs - 1 Front Street West  
Attachment No. 3 - Proposal -1 Front Street West  
Attachment No. 4 - Designating By-Law 1 Front Street West



This location map is for information purposes only and is oriented North at the top. The exact boundaries of the property are not shown. The arrow marks the north boundary of the property at 1 Front Street West containing the Dominion Public Building. The property is bounded by Front Street West (north), Yonge Street (east), The Esplanade (south) and Bay Street (west) with Union Station directly west.



Historic photograph of the Dominion Public Building taken from the intersection of Yonge Street and Front Street in 1935.



The Dominion Public building from the intersection of York Street and Front Street West (ERA Architects Inc.)



The central pavilion of the Dominion Public Building on the north elevation (ERA Architect Inc.)

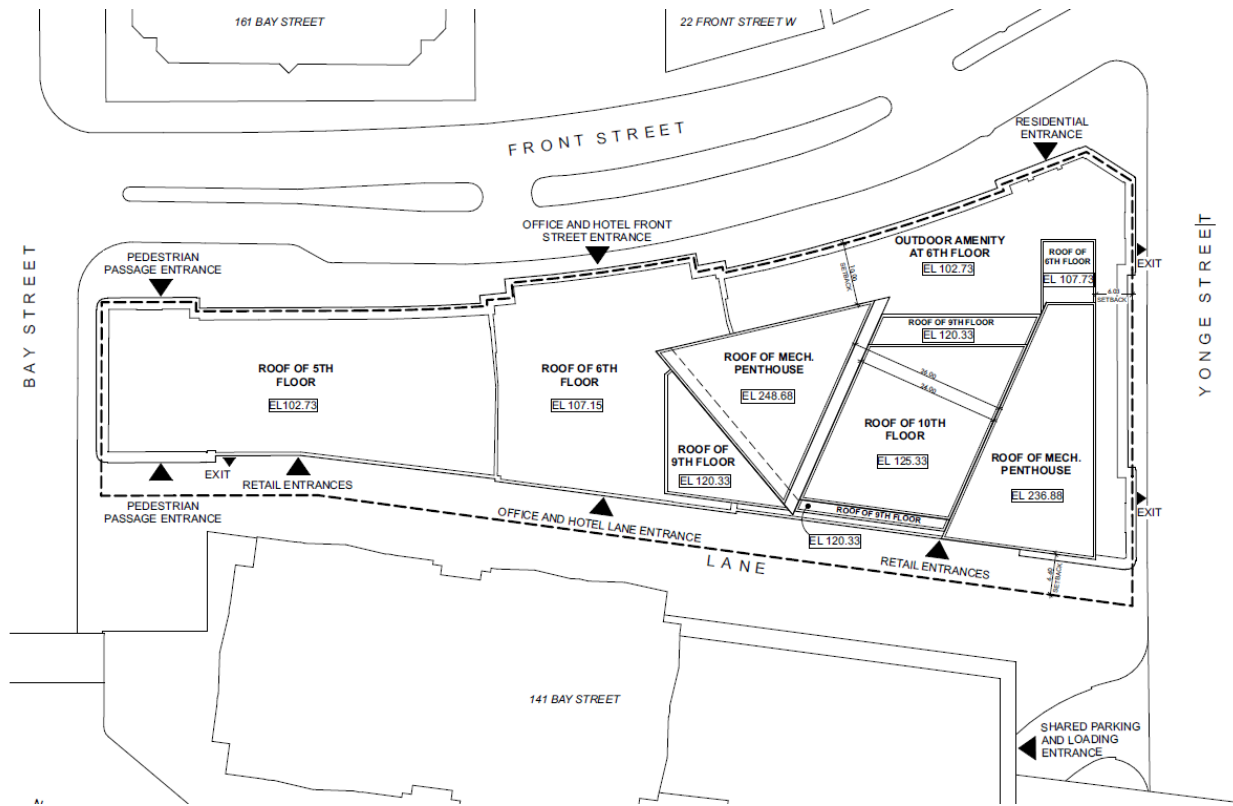


The south elevation of the Dominion Public building looking west (ERA Architects Inc.)

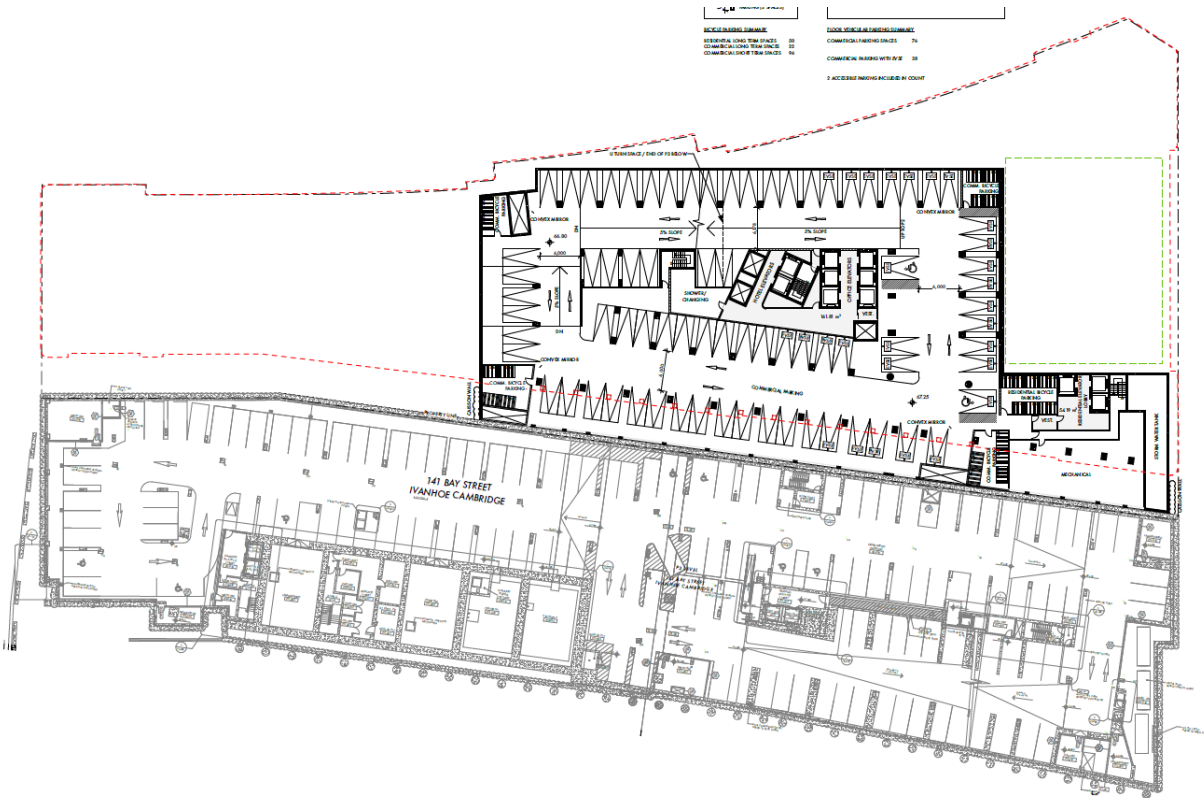




The Interior Long Room of the Dominion Public Building (ERA Architects Inc.)

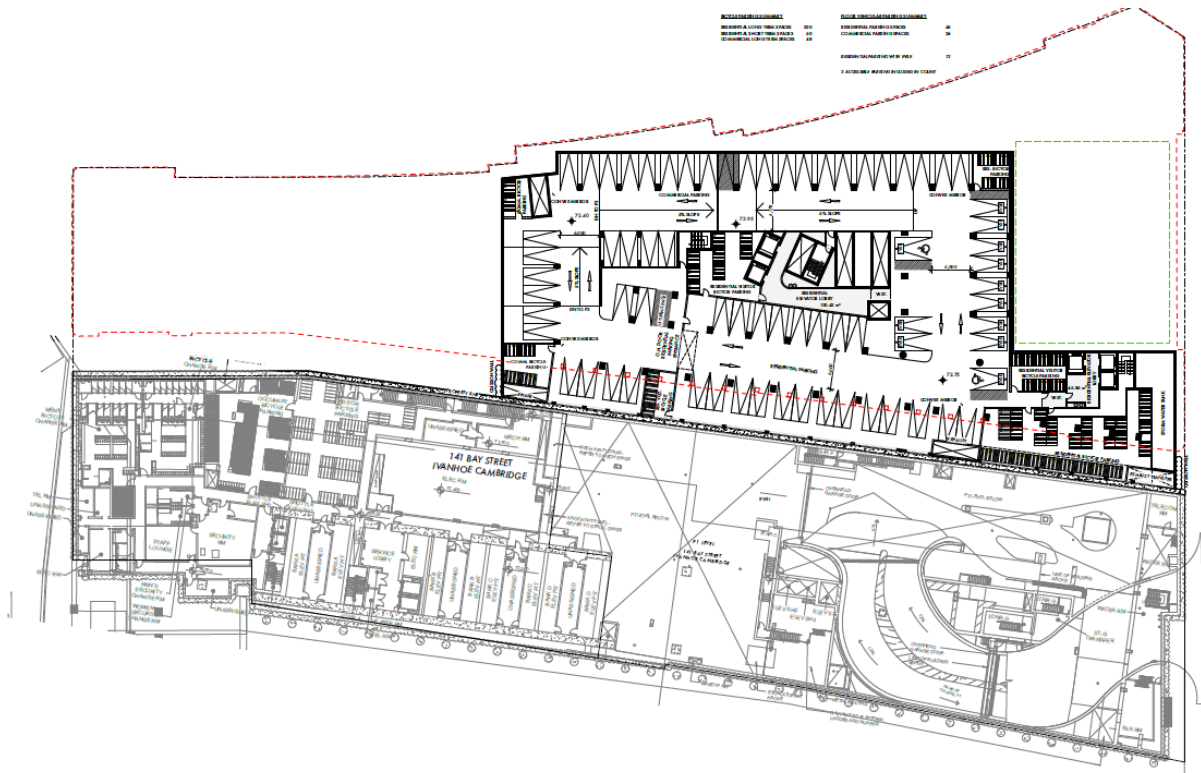


Proposed Site Plan

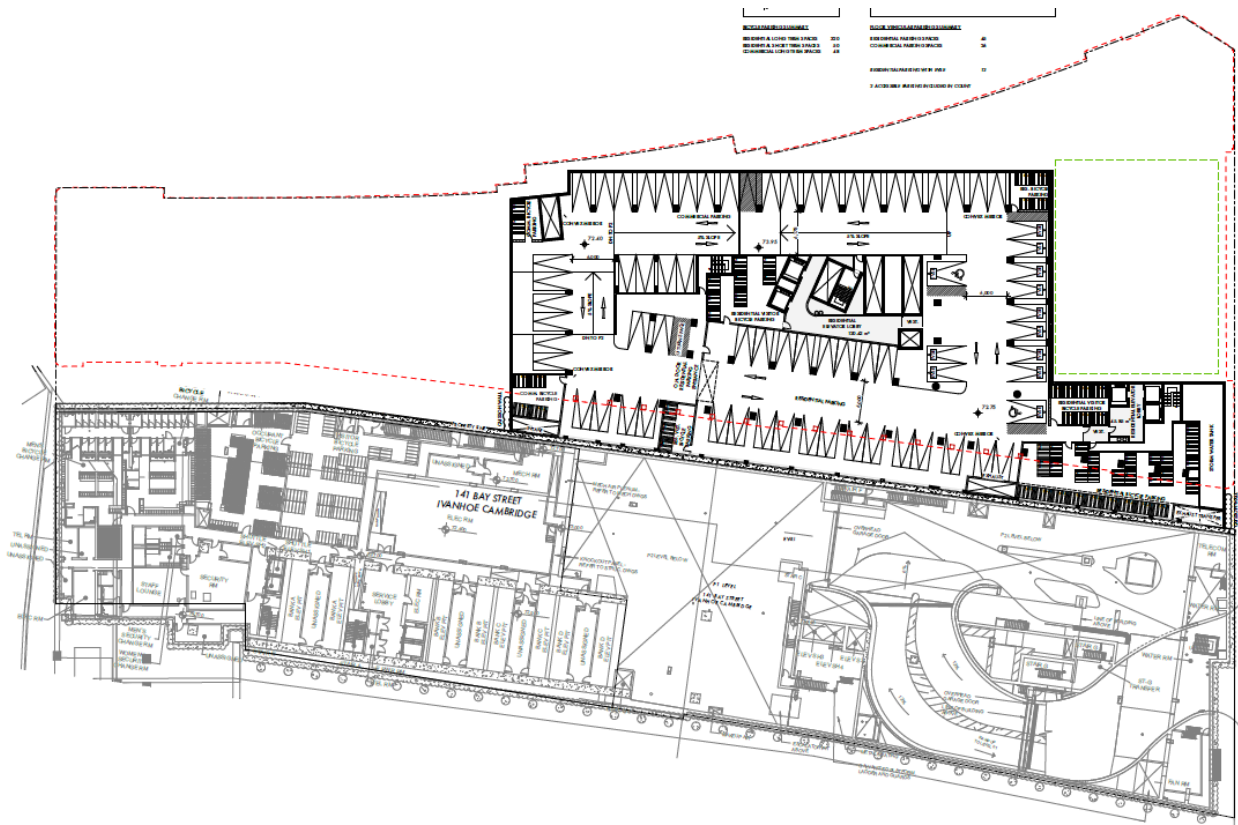


Proposed P3 Level

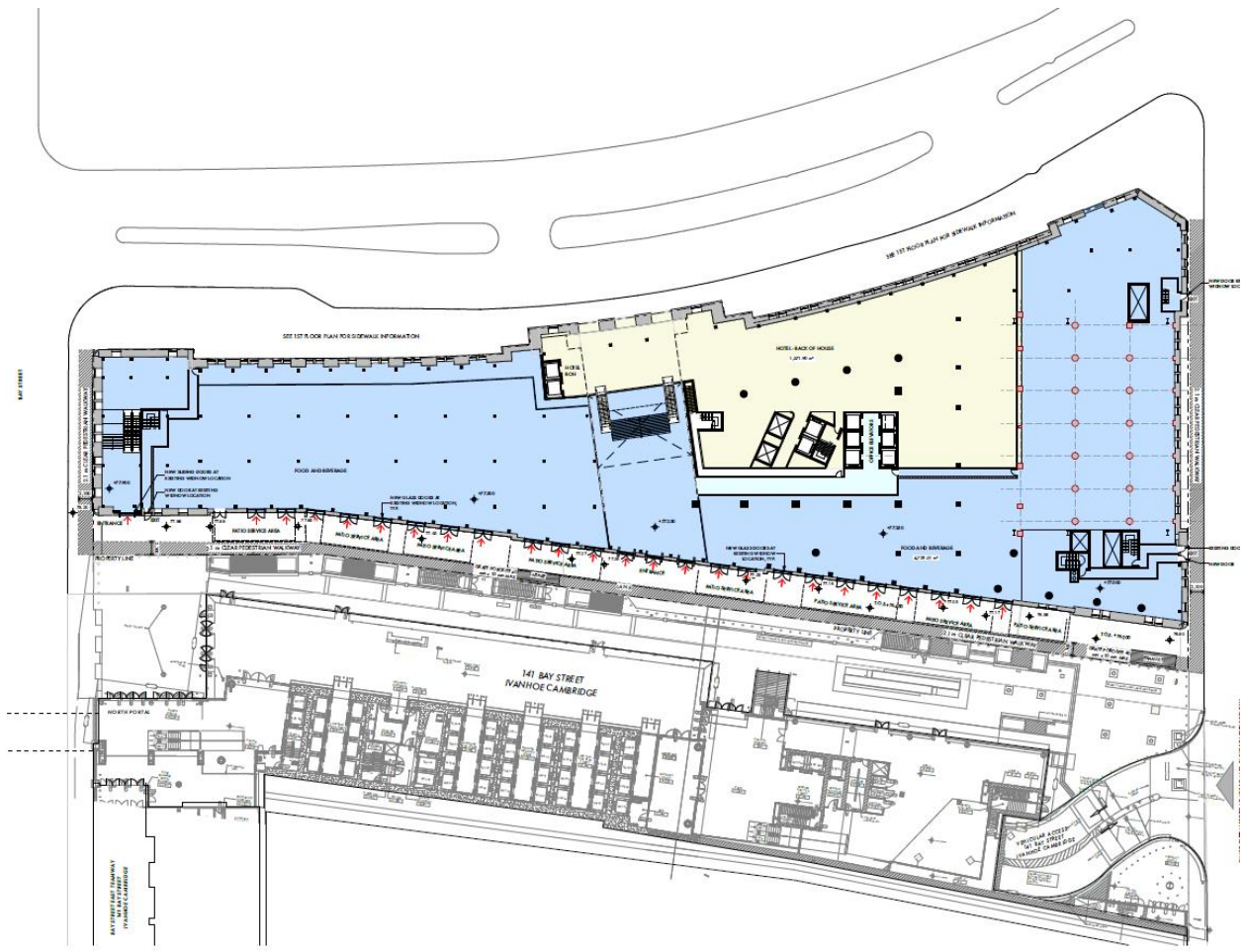




Proposed P2 Level

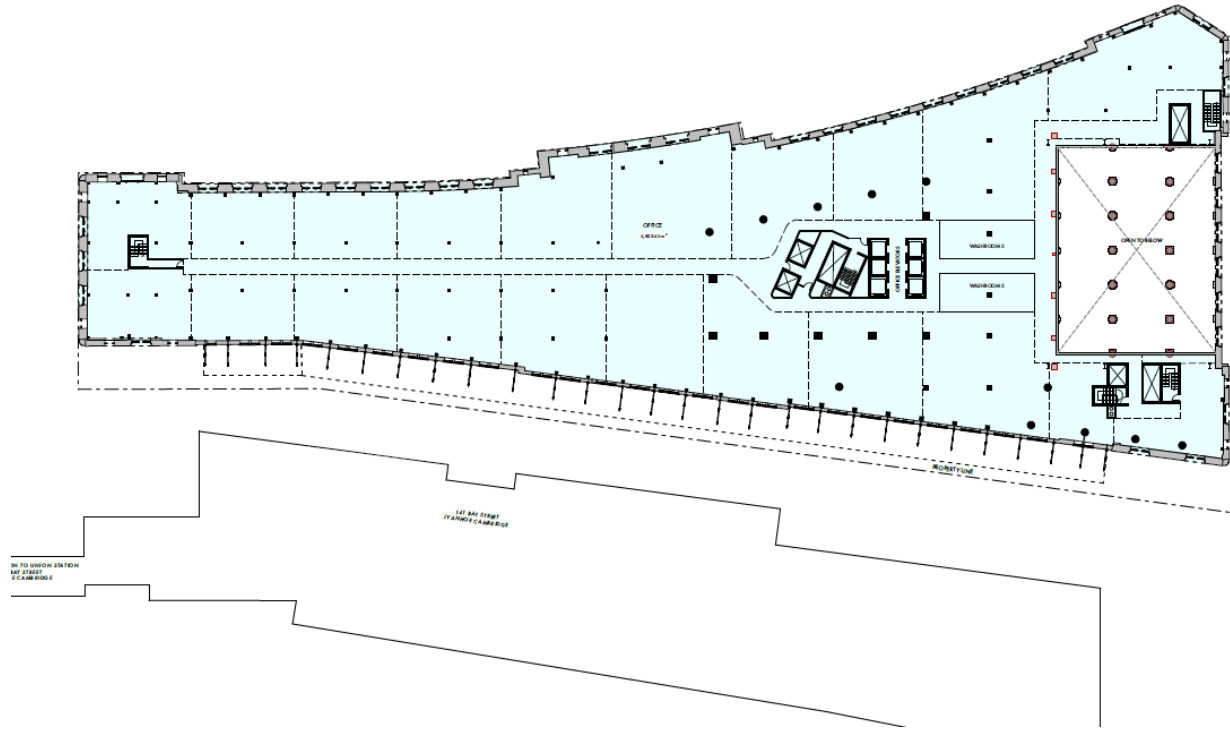


Proposed P1 Level

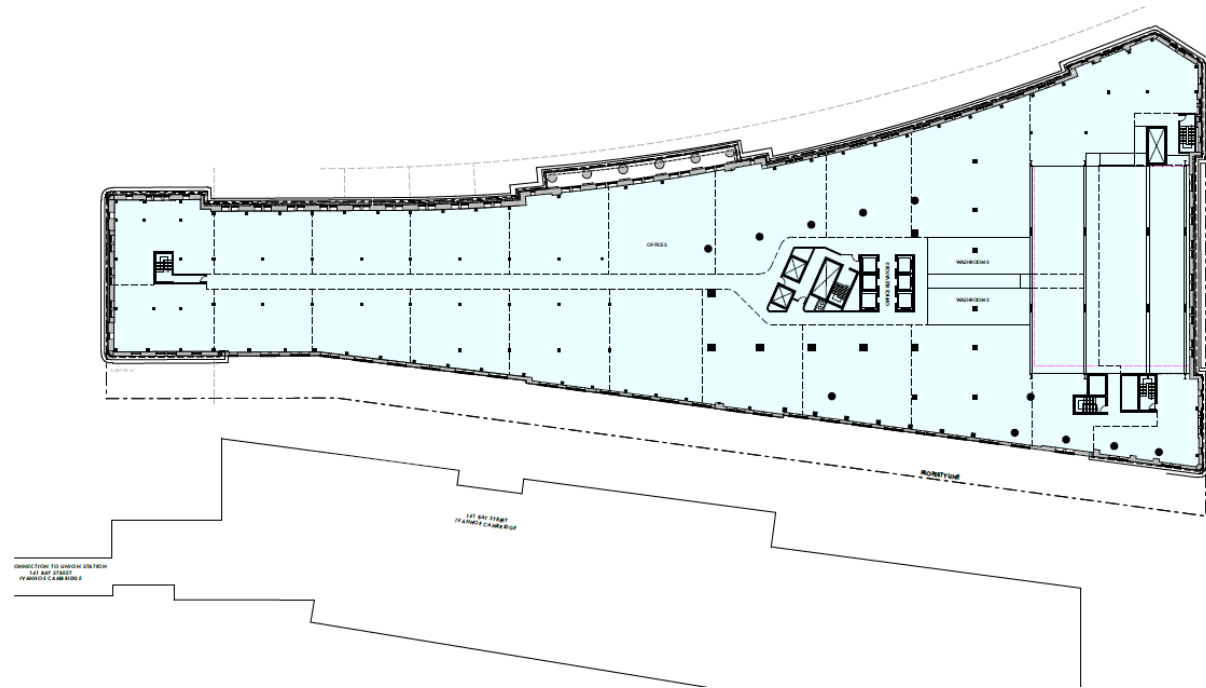


Proposed Ground Level

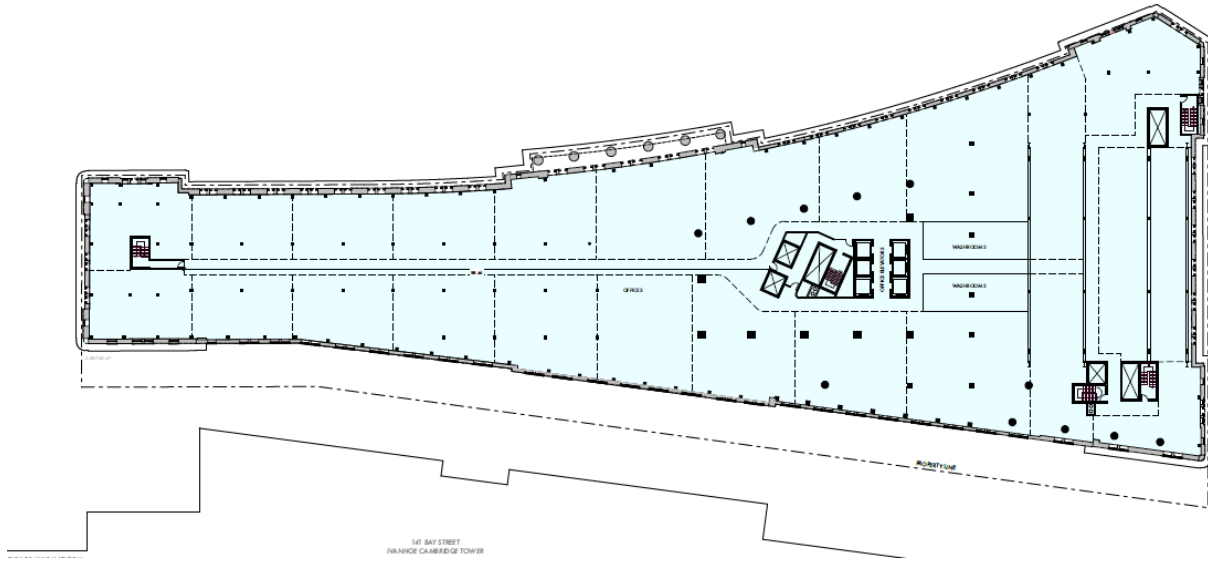




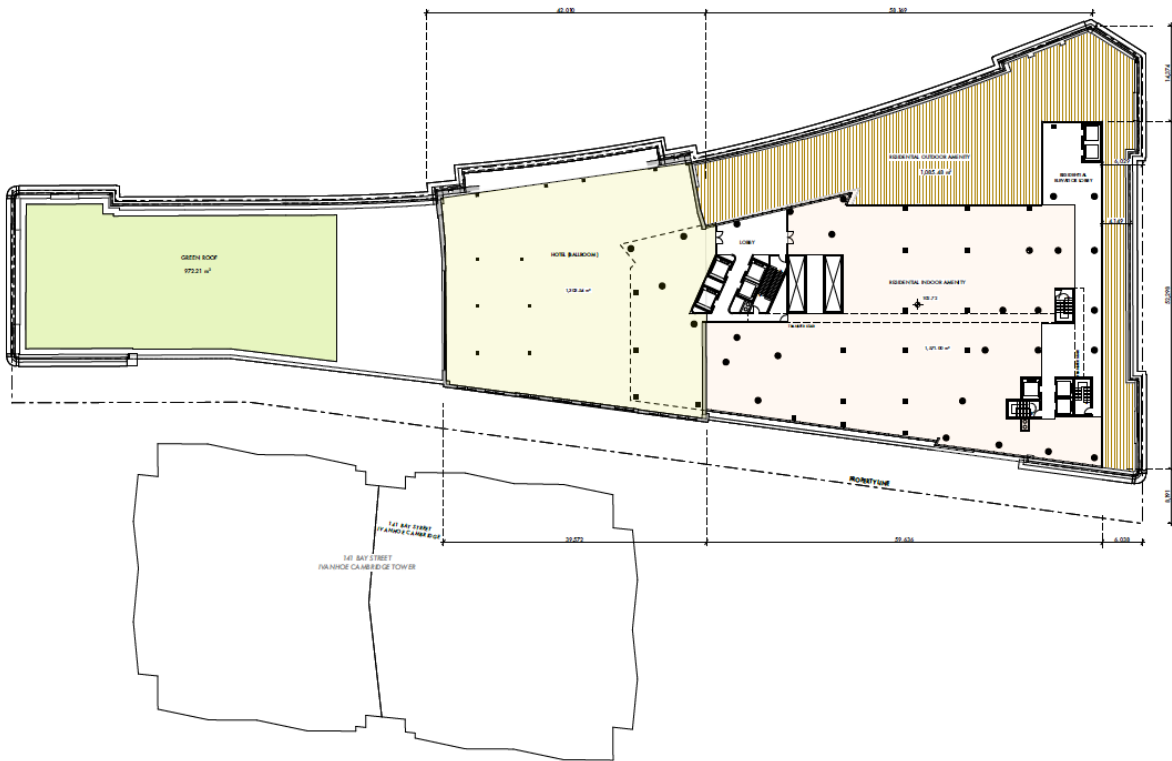
Proposed Level 2



Proposed Level 3

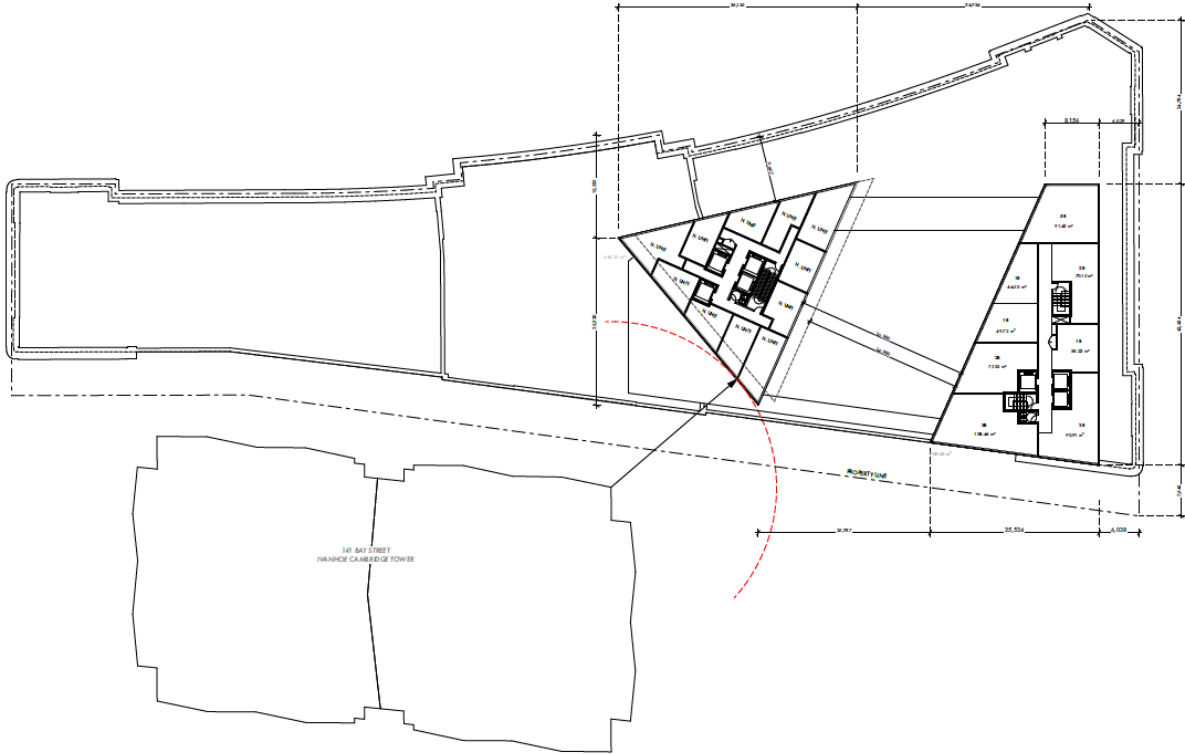


Proposed Level 4 - 5



Proposed Level 6

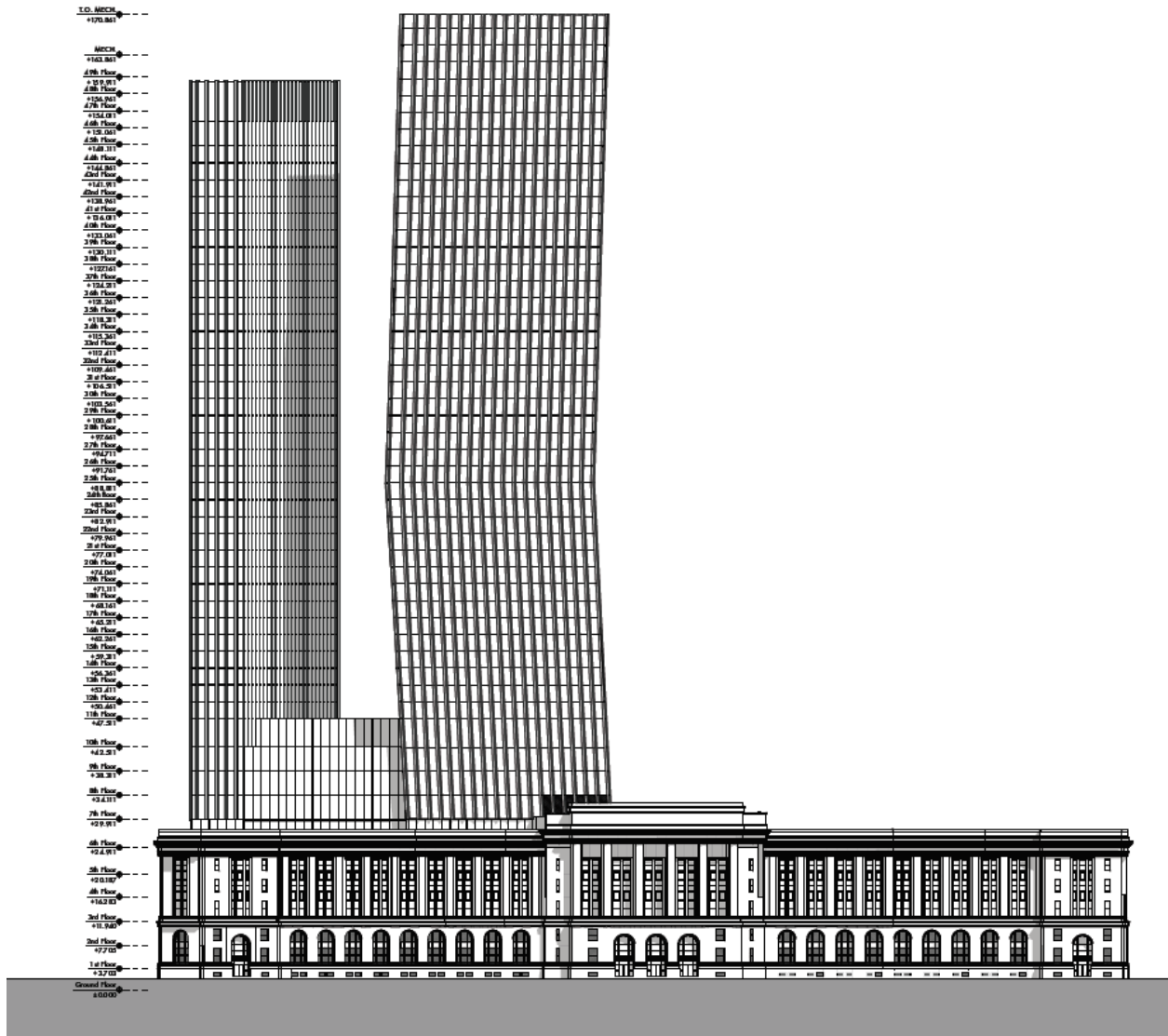




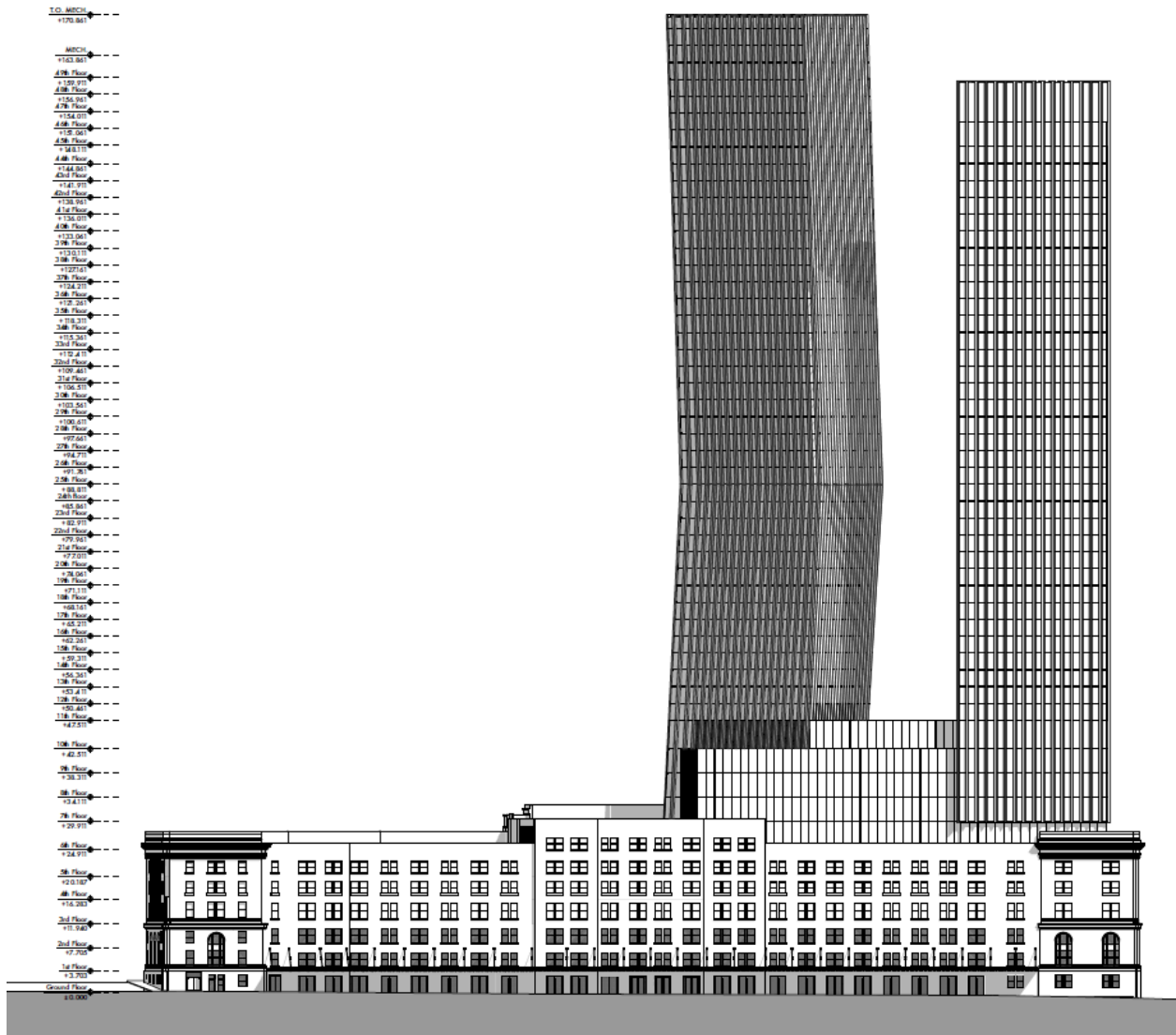
Proposed Levels 11 - 33



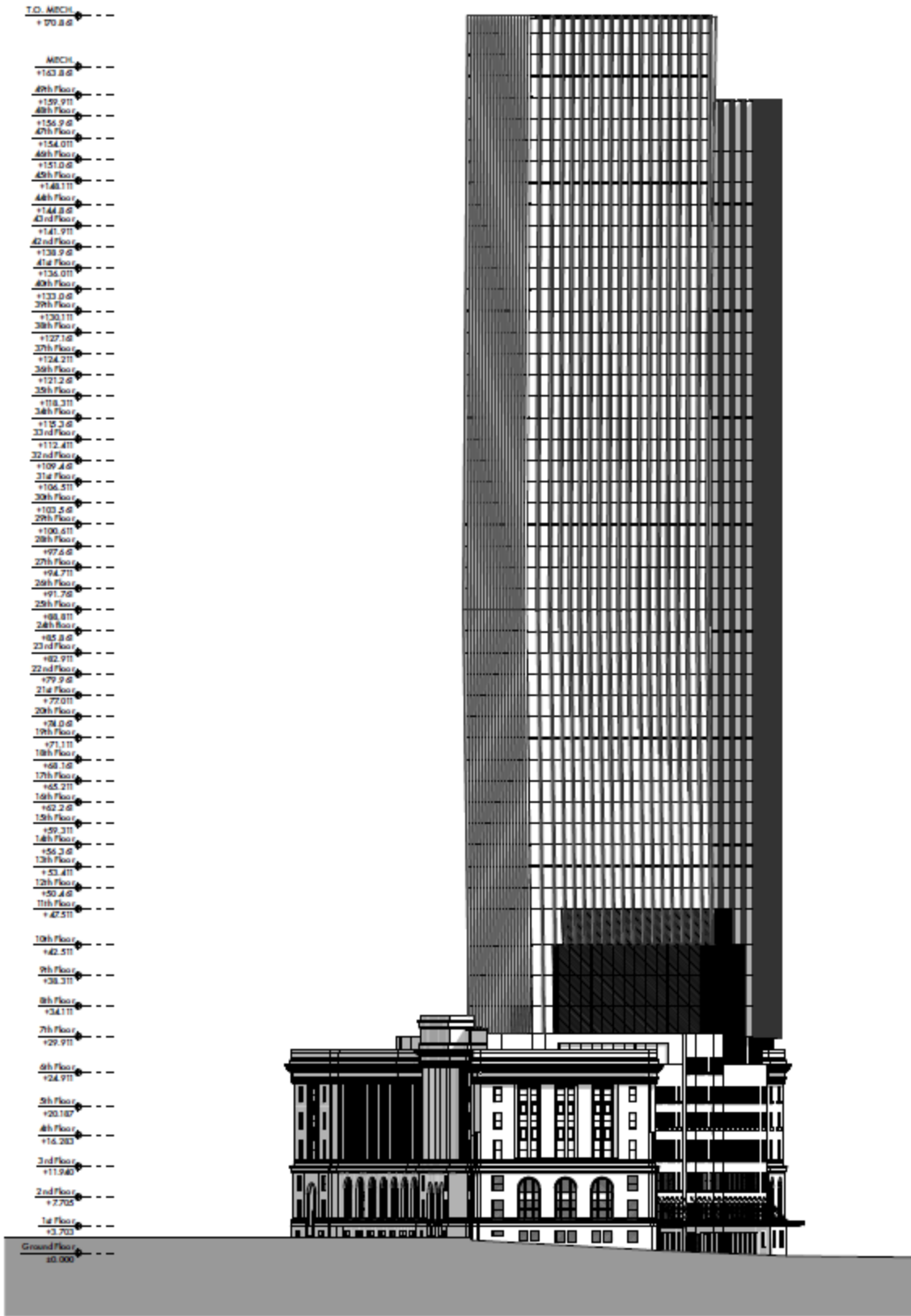




Proposed North Elevation

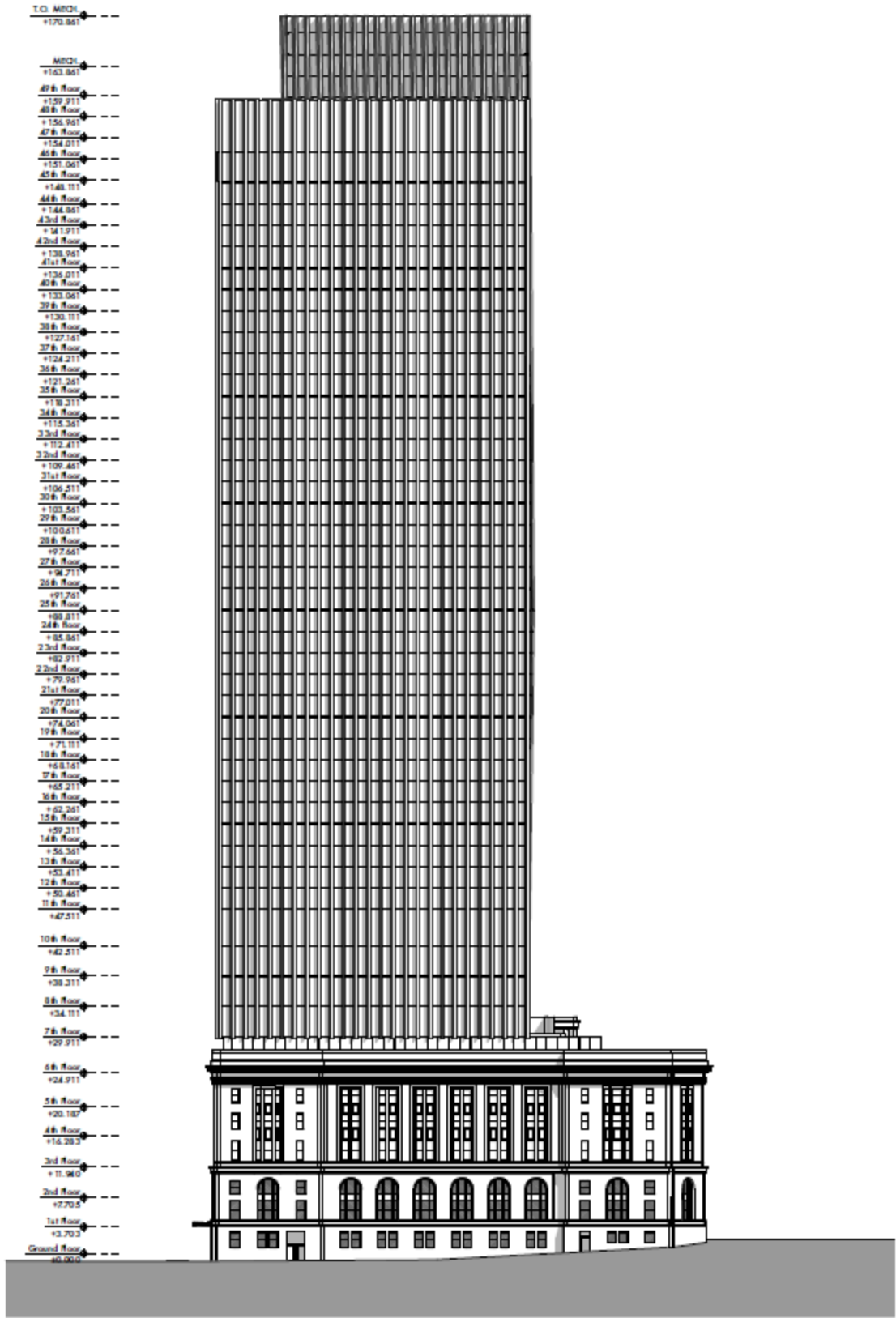


Proposed South Elevation

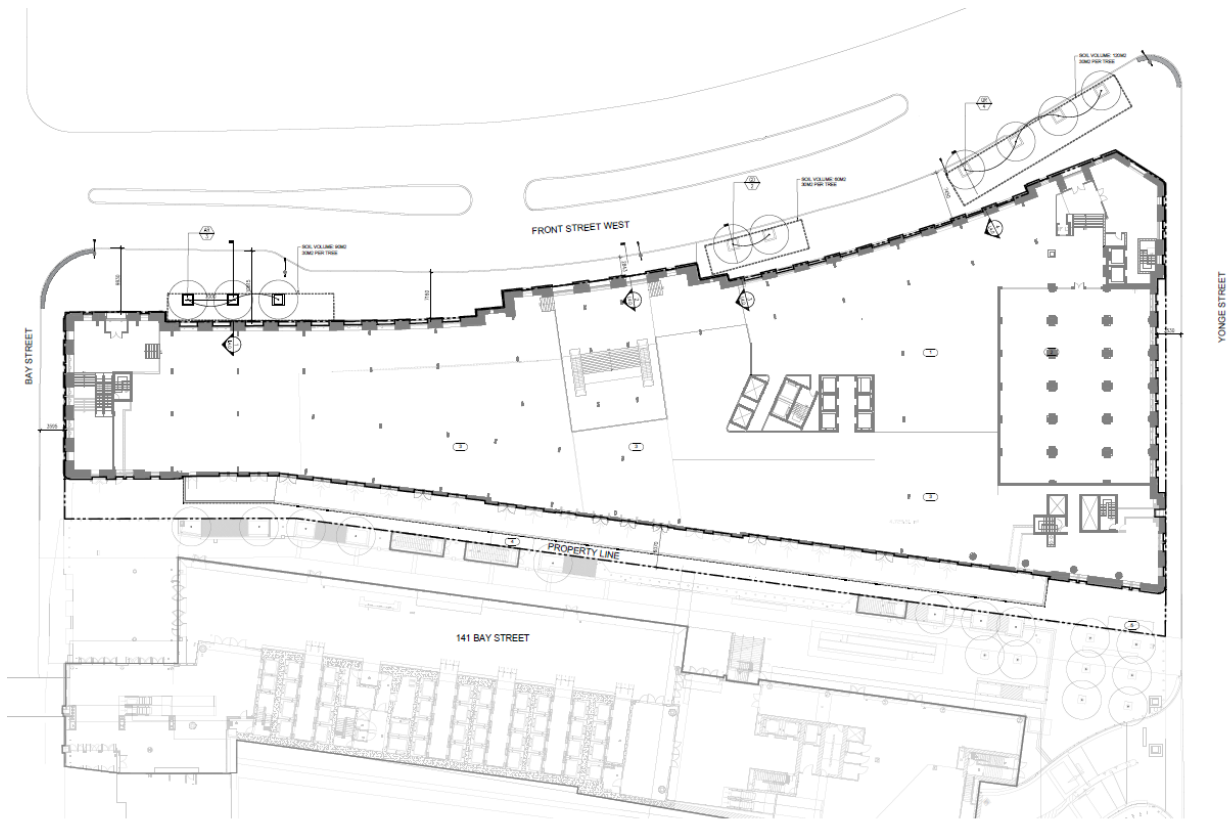


WEST ELEVATION  
SCALE: 1/400

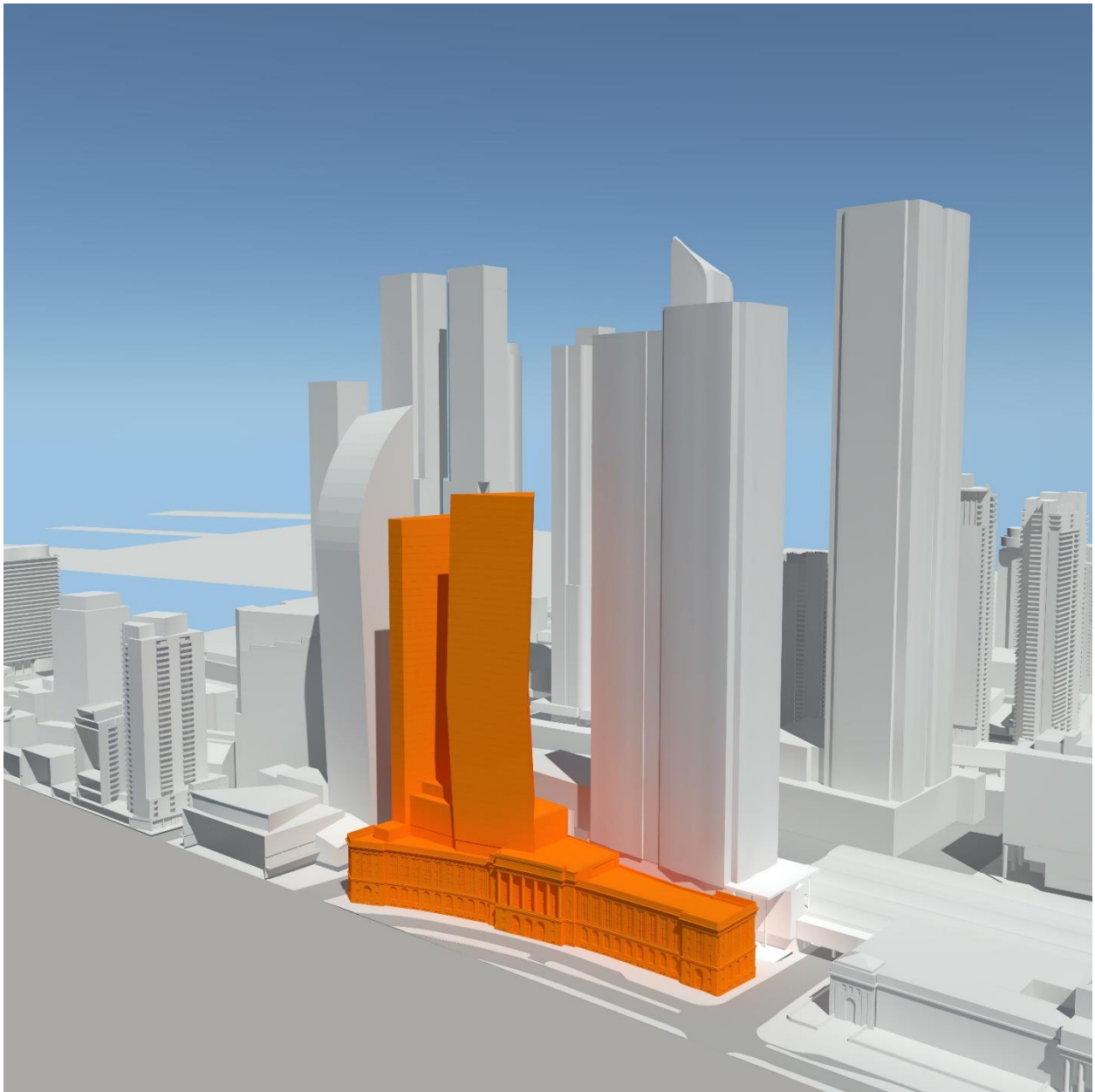
Proposed West Elevation



Proposed East Elevation



Proposed Conceptual Landscape Plan



Massing model of the proposed development looking southeast





Perspective drawing of the proposed development looking south on Yonge Street from Wellington Street East





Perspective drawing of the proposed development looking west from the intersection of Front Street West and Yonge Street



Perspective drawing of the proposed development looking East from the north side of Front Street West in front of Union Station

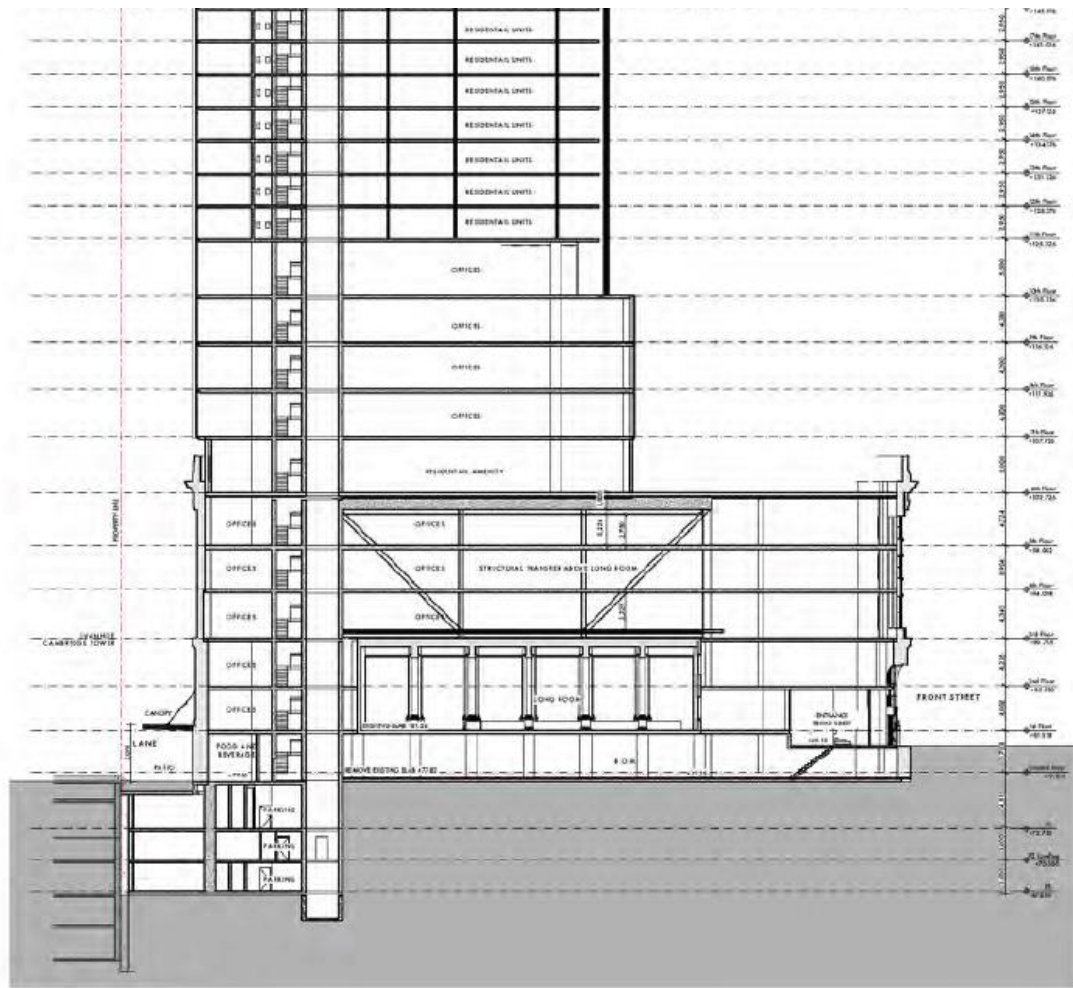




Perspective drawing of the proposed development as looking southwest as viewed from Berczy Park.



Perspective Drawing of the proposed development looking northwest from Yonge Street and The Esplanade

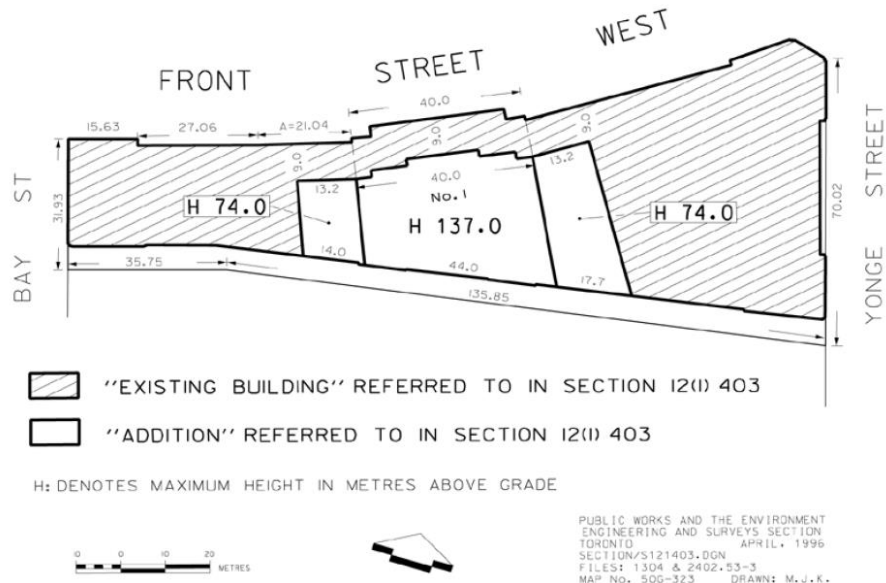


PARTIAL SECTION - LONG ROOM  
SCALE: 1/200

Partial Section of the proposed development showing the long room with the protective steel structure above and without underground parking below.



(425-93, as amended by OMB Order No. 1996-4 Folio No. 231 dated July 17, 1996)



Existing site specific exemption to the inforce zoning by-law that allows for the construction of a tower up to 137 metres high with wings up to 74 metres high in the centre of the subject property.

**REASONS FOR DESIGNATION (STATEMENT OF SIGNIFICANCE)**

City of Toronto By-law 423-2017

The property at 1 Front Street West 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 three categories of design, associative and contextual values. Listed on the inaugural City of Toronto Inventory of Heritage Properties (now the City of Toronto's Heritage Register) in 1973, the Dominion Public Building is a key component of the Union Station Heritage Conservation District, which was designated under Part V of the Ontario Heritage Act in 2006. Parks Canada's Federal Heritage Buildings Review Office (FHBRO) designated the Dominion Public Building as a Classified Federal Heritage Building in 1983, and it was listed on the Canadian Register of Historic Places in 2011.

**Description**

Anchoring the southwest corner of Yonge Street and Front Street West, the Dominion Public Building is a large-scale federal government building that was commissioned by the Government of Canada's Department of Public Works and originally served as Toronto's Customs House. Completed in two phases in 1929-31 (centre and east pavilions) and 1934-35 (west pavilion), the north section of the building on Front Street West rises five stories, while the rear section extends six stories to address the change in grade.

**Statement of Cultural Heritage Value**

The Dominion Public Building has cultural heritage value for its historic role as the federal government's Toronto Customs House for the administration, taxation, inspection and storage of imported and exported goods. Conceived by the federal government as a Customs House only, the Dominion Public Building was completed as the third and largest Customs House in the city, as well as the first to incorporate the public offices and the examining warehouse in the same building. The construction of the Dominion Public Building during the Great Depression of the 1930s was a reflection of the significance of Toronto to the nation's economic status and recovery.

The associative value of the Dominion Public Building is also through its connection to T. W. Fuller, who served from 1927 to 1936 as the Chief Architect of the Federal Department of Public Works, which was responsible for the in-house design of nearly all public architecture in Canada in the late 19th and early 20th centuries. During the Great Depression, the Chief Architect oversaw monumental projects in the country's major centres, including Toronto where the Dominion Public Building remains Fuller's best known work.

From a design standpoint, the Dominion Public Building is valued as a rare and exceptional example in Canada of Beaux-Arts Classicism, the international style

popularized for monumental public architecture in the late 18th and early 19th centuries. The Dominion Public Building has the hallmarks of the style with its imposing scale, the symmetrical organization of the facades, the hierarchy of spaces from grand to utilitarian, the decorative detailing inspired by classical precedents, and its placement in a highly visible and prominent setting. As a rare and early surviving example of a public building in Toronto constructed by the federal government in the

early 20th century, the Dominion Public Building was among the first applications of Beaux-Arts Classicism to a federal design. The Dominion Public Building stands as an important physical reminder of the imposing public spaces created by the federal government, combining the monumentality and grandeur of the Front Street portion of the building (including the interior Long Room) with the practicality and accessibility of the warehouse component to the rear. Designed in two phases, over time the Dominion Public Building changed from a Customs House to a multi-use federal building, and the interior alterations dating to the 1980s and 1990s are part of the evolution of the building.

With the neighbouring Union Station (which was officially opened in 1927), the Dominion Public Building establishes the character of the area along Front Street, west of Yonge Street. Following the Great Fire of 1904 that destroyed most of the existing buildings in this area, Toronto's Civic Improvement Committee commissioned a plan (1911) by architect John M. Lyle that was based on the principles of the City Beautiful Movement and that envisioned Front Street as a grand boulevard with expansive tracts reserved for monumental architecture that included a new Union Station and Customs House (the Dominion Public Building). According to the federal government, "The Dominion Public Building and Union Station together form probably the most imposing Beaux-Arts streetscape in Canada."

Contextually, the Dominion Public Building is historically, visually, physically and functionally linked to its important setting on the south side of Front Street where it anchors the southwest corner of Yonge Street (Toronto's "main street") and extends across the entire city block to Bay Street. As the third Customs House on the site, the Dominion Public Building occupies what was historically among the most sought-after locations in Toronto with its proximity to the city's financial district directly north, Union Station as its neighbour on the west, and the railway corridor and harbour to the south. The Dominion Public Building, with its office and warehouse components aligned to access Front, Yonge and Bay Streets, forms an important precinct.

As a monumental federal government building in a prominent location beside and complementing Union Station, the Dominion Public Building is a local landmark in Toronto.

### **Heritage Attributes**

The heritage attributes of the building known historically as the Dominion Public Building on the property at 1 Front Street West are:

- The placement, setback and orientation of the building on the south side of Front Street West where it extends from Yonge Street to Bay Street



- The scale, form and massing of the irregularly-shaped plan that rises five stories along Front Street to the flat roofline and follows the curve of Front Street west of Yonge • The partially raised stone base with window openings, which is extended in height where the grade changes south of Front Street West
- On the reinforced concrete structure and above the granite clad foundation, the limestone cladding that is channelled on the extended first (ground) floor and smoothly dressed in the stories above, with the stone and metal detailing
- The tripartite organization of the north elevation on Front Street into the centre pavilion and the adjoining east and west pavilions, with the west pavilion rounded at the northwest corner and the east pavilion truncated at the northeast corner
- The horizontal division of the north elevation by the cornices above the extended first storey and beneath the parapet
- The centre pavilion, with the five-storey projecting frontispiece composed of six freestanding Ionic columns supporting the entablature inscribed "Dominion Public Building A.D. MCMXXX"
- At the base of the centre frontispiece, the two-storey main entrance where the three round-arched openings contain paired bronze doors beneath large transoms with metal mullions incorporating rope detailing and cast metal beavers (as symbols of Canada)
- The single secondary entrances on the north elevations of the east and west pavilions that repeat the detailing introduced on the central entrance The east elevation on Yonge Street, which extends 12 bays and is divided into three parts with a recessed centre section
- The five-bay west elevation facing Bay Street
- The fenestration on the north, east and west elevations, which is arranged between Ionic pilasters and features double-height round arched openings with keystones in the first floor, and single, paired and triple flat-headed openings with spandrel panels in the remaining floors, and the metal window mullions with the rope detailing in the first and second floors
- The classical detailing on the elevations facing Front, Yonge and Bay Streets, including the carved acanthus leaves, the dentils and the stone lion's heads
- On the rear (south) elevation, the end bays (east and west) that continue the decorative detailing and fenestration from the east and west elevations
- The central utilitarian section of the south wall with the fenestration and raised centre section
- On the interior, the organization and layout of the public spaces on the first-floor, including the three marble-clad lobbies
- The detailing in the east vestibule and lobby, with the marble floors, dado and door and window surrounds, including the marble door pediment inscribed "Long Room", the bronze window mullions between the lobby and the Long Room, the "enquiry" window in the lobby, and the classical detailing
- In the east pavilion, the two-storey Long Room, with the marble floors, dado and door and window surrounds, the marble counters with the brass wickets, the double row of square columns with the pilasters and the Corinthian capitals, the entrances with the bronze doors and classical detailing, the metal window mullions, the second-storey gallery with the brass balustrade, and the coffered plaster ceiling with the dentils and mouldings.