

June 11, 2021

Toronto Preservation Board
c/o Heritage Preservation Services
Toronto City Hall
100 Queen St. W.
17th floor, East Tower
Toronto ON M5H 2N2

Dear Board Members:

**Re: Toronto Preservation Board (“TPB”) Agenda Item No. PB25.5
Intention to Designate 1354, 1358, and 1360 Queen Street West, City of Toronto**

Aird & Berlis LLP acts for Queen and Brock Holdings Inc., with respect to the properties municipally known as 1354, 1358 and 1360 Queen Street West and 8-10, 12 and 14 Brock Street. (collectively, the “Site”) in the City of Toronto (the “City”).

The Site is currently composed of the following properties which are the subject of the above noted report to the TPB and which are occupied with the following buildings:

- 1354 Queen Street West is located on the northwest corner of Queen Street West and Brock Street. The existing structure is a three-storey structure situated on the corner with a one-storey extension at the rear.
- 1358 and 1360 Queen Street are each two-storey structures located west of 1354 Queen Street West.

On May 25, 2021, Heritage Planning issued a report to the Toronto Preservation Board and Toronto and East York Community Council recommending that City Council state their intention to designate the properties at 1354, 1358 and 1360 Queen Street West pursuant to Part IV, section 29 of the *Ontario Heritage Act* (the “OHA”)¹.

Our client has now had the opportunity to review Staff’s report with its heritage consultant ERA Architects. Our client, and ERA, do not agree with the Reasons for Designation contained in the Staff Report, particularly with respect to 1354 Queen Street East and also do not agree with the proposed designation of 1354 Queen Street East.

We would note that, based on the expert advice of ERA, our client *does* agree that there is cultural heritage value in the storefronts at 1358 -1360 Queen Street West, which have been incorporated into and conserved through the development proposal for the larger Site. Our client is prepared to work with Heritage Planning Staff on the treatment of the heritage attributes at 1358-1360

¹ R.S.O. 1990, c. O.18.

Queen Street West but continues to have concerns with the Reasons for Designation for these properties.

The purpose of this letter is to advise the TPB that, at this time, our client objects to the proposed designation of the properties at 1354, 1358 and 1360 Queen Street West and the reasons given for designation in the May 25, 2021 Staff Report. We request that the TPB not accept the Staff recommendation to designate at this time nor the stated Reasons for Designation. Instead, our client requests that consideration of the designation and Reasons for Designation be addressed through the development review process.

On September 29, 2020, our client filed applications to amend the Official Plan and Zoning By-laws for the Site. The proposed amendments would allow for the development of a new nine-storey mixed use building. Included with the complete application materials was a Heritage Impact Assessment prepared by ERA Architects. To date, no comments have been received on the HIA submitted with the application.

At the time of the submission, the Site was not included on the City's Heritage Register. The properties at 1354, 1358 and 1360 Queen Street West were subsequently listed on the Register on December 16, 2020 after being identified through West Queen West Planning Study (2020) and Parkdale Main Street Heritage Conservation District Study. While part of the planning and heritage planning processes respectively, neither of these documents have been approved as a Heritage Conservation District Plan under Part V of the *Ontario Heritage Act*.

As noted, our client recognizes the cultural heritage value of the properties at 1358-1360 Queen Street West, particularly in their heritage storefront pattern, but disagrees that the remaining properties warrant designation for the reasons outlined below. Our client also submits that the designation should not proceed at this time but be the result of on-going evaluation of the development proposal for the broader Site.

With respect to the design and physical values of the buildings, the Reasons for Designations of 1354, 1358 and 1360 Queen Street West "are valued as representative examples of the Italianate style". The buildings have been heavily modified, causing significant loss and damage to the original design elements. In the HIA prepared as part of the complete development application for the Site, ERA provided a comprehensive review of the cultural heritage value of these properties. Our client disagrees with the reference to "the Italianate style" as it relates to these properties.

Although the Site was not listed on the Heritage Register when the applications were filed, our client's heritage architect recommended that the proposed development retain the primary (south) facing elevation of 1358-1360 Queen Street West, which would be extended eastwards and integrated with the new construction. While some of the existing brick is in poor condition, the overall condition will allow for it to be restored and integrated accordingly, which is contemplated in the proposed development. Unfortunately, other design elements are recognized to be poor condition, including the wood windows and sashes, and the cornice above the storefront

Concerning 1354 Queen Street West, the south, east, and north elevations have been extensively reclad with stucco applied directly to the brick and painted numerous times. We understand that while the stucco is not bonded to the brick, its removal will cause a significant loss of brick. Further, the underlying stucco and paint may be trapping moisture against the original masonry at the more exposed locations, including the base and parapet levels. Again, these conditions are

detailed in the HIA prepared by ERA which in its professional opinion has concluded that the integrity of the building on this property has been severely compromised.

The Reasons for Designation identifies the historical and associative value with J.C. Mussen, the original developer of the buildings, and the long-time occupants Sheldon and Beverly Fainers' business Designer Fabrics. And specifically, the consolidated first-storey recessed entrance in the second bay of 1360 Queen Street West. The proposed development contemplates retaining the consolidated entrance.

Regarding the association with J.C. Mussen and the Fainer's Designer Fabrics business, our client respectfully submits that an interpretative approach honouring the Site's original developer and the long-time company is more suitable than requiring the strict conservation of the existing buildings.

Regarding the contextual value, our client respectfully submits that the proposed development respects and responds to the key elements identified in Reasons for Designation. These include the recessed, first storey corner entrance at 1354 Queen Street West, flat roof, rectangular form and the building placement and orientation. Further, the emerging context in Parkdale includes buildings higher than three storeys, particularly along Brock Street.

Based on the foregoing, our client respectfully requests that the TPB not recommend designation of the properties at this time, and, in the alternative, that potential designation of 1358-1360 Queen Street West proceed following a review of the Reasons for Designation through further consultation with our client and its consultants and in coordination with the development review process.

If you have any questions or require any additional information, please do not hesitate to contact the undersigned.

Yours truly,

AIRD & BERLIS LLP



Eileen P. K. Costello
Partner

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