

Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement - 14 Duncan Street

Date: June 17, 2022

To: Toronto Preservation Board

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

Wards: Spadina-Fort York - Ward 10

SUMMARY

This report recommends that City Council approve the alterations proposed for the Telfer Paper Box Company building at 14 Duncan Street (designated under Part IV of the Ontario Heritage Act) in connection with a Zoning By-law Amendment application on the subject property. In addition, authority to enter into a Heritage Easement Agreement is also requested.

The subject property is located within the King-Spadina Heritage Conservation District (under appeal) and contains the Telfer Paper Box Building, a three-storey structure on a raised basement that was constructed in 1902 by the Telfer Manufacturing Company according to the designs of the well-known Toronto architects Gregg and Gregg. The property is fashioned in the Edwardian Classical style. Occupied for 60 years by the Telfer Paper Box Company, the facility was expanded in 1906 by Wickson and Gregg and again in 1925, when a westward extension was added as was a fourth-storey to this wing. The property was modified at the end of the 20th century when it was converted for commercial uses and continues to contribute to the distinctive heritage character of the King-Spadina neighbourhood, which is grounded in its early-mid 20th-century transformation as the city's primary manufacturing hub and its fashion district identity.

The development application proposes the construction of a 48-storey tower and a new base building, removal of the 1989 additions and interior portions of 14 Duncan Street and a conservation strategy that includes both restoration and rehabilitation of the Duncan and Pearl Street facades of the heritage building.

RECOMMENDATIONS

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

1. City Council approve the alterations to the designated heritage property at 14 Duncan Street, in accordance with Section 33 of the Ontario Heritage Act, for the construction of a new 48 storey tower and podium with alterations to the building on the designated property consistent with the plans and drawings dated February 24, 2022 prepared by Quadrangle Architects Limited and the Heritage Impact Assessment dated February 28, 2022 prepared by Philip Goldsmith Architect all subject to and in accordance with a Conservation Plan satisfactory to the Senior Manager, Heritage Planning and subject to the following conditions:

a. That the related site-specific Zoning By-law Amendment permitting the proposed alterations has been enacted by City Council and has come into full force and effect in a form and with content acceptable to City Council, as determined by the Chief Planner and Executive Director, City Planning, in consultation with the Senior Manager, Heritage Planning.

b. That the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the property at 14 Duncan Street substantially in accordance with plans and drawings dated February 24, 2022 prepared by Quadrangle Architects Limited and the Heritage Impact Assessment dated February 28, 2022 prepared by Philip Goldsmith Architect, subject to and in accordance with the approved Conservation Plan required in Recommendation 1.b.2, to the satisfaction of the Senior Manager, Heritage Planning including execution of such agreement to the satisfaction of the City Solicitor.

2. 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 14 Duncan Street prepared by Philip Goldsmith Architect, dated February 28, 2022, to the satisfaction of the Senior Manager, Heritage Planning.

3. Recommendation 1.b.1. and 1.b.2. above are required to be satisfied prior to the introduction of the bill for any Zoning By-law Amendment related to the property, unless other legal mechanisms are utilized so as to satisfy the City Solicitor that no Building Permit will be issued until such time as the Owner has entered into the Heritage Easement Agreement and registered the agreement on title. In any case, the Conservation Plan must be accepted and the Heritage Easement Agreement must be entered into and registered no later than December 9, 2022, or such later date as may be agreed by the owner and the Senior Manager, Heritage Planning in writing, failing which this condition will be determined to be unfulfilled.

c. That prior to Final Site Plan approval in connection with the Zoning By-law Amendment for the property at 14 Duncan Street the owner shall:

1. Provide final Site Plan drawings including drawings related to the approved Conservation Plan required in Recommendation 1.b.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 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. Submit a Signage Plan for the proposed development to the satisfaction of the Senior Manager, Heritage Planning.

d. That prior to the issuance of any permit for all or any part of the property at 14 Duncan Street, including a heritage permit or a building permit, but excluding permits for repairs and maintenance and usual and minor works for the existing heritage building as are acceptable to the Senior Manager, Heritage Planning, the owner shall:

1. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 1.b.2 above including a description of materials and finishes, to be prepared by the project architect and a qualified heritage consultant to the satisfaction of the Senior Manager, Heritage Planning.
2. 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.

e. That prior to the release of the Letter of Credit required in Recommendation 1.d.2 above, the owner shall:

1. Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work, required heritage lighting work, and the required interpretive work has been completed in accordance with the Conservation Plan, Lighting Plan and Interpretation Plan and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage 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 14 Duncan Street 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 14 Duncan Street.

FINANCIAL IMPACT

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

DECISION HISTORY

King-Spadina Heritage Conservation District

At its meeting of October 2, 2012, City Council adopted TE18.18, authorizing the study of the King-Spadina neighbourhood as a potential Heritage Conservation District (HCD) under Part V of the Ontario Heritage Act.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.TE18.18>

At its meeting of October 2, 2017, City Council adopted TE26.14 thereby designating the King-Spadina Heritage Conservation District Plan under Part V of the Ontario Heritage Act as the district plan for the King-Spadina Heritage Conservation District. The property at 14 Duncan Street is identified as a contributing heritage property in the King-Spadina HCD Plan. This plan is not currently in force and effect as it is the subject of appeal(s).

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

Designation under Part IV of the Ontario Heritage Act

The subject property is designated under Part IV of the Ontario Heritage Act by by-law 567-2022, enacted June 16, 2022.

BACKGROUND

Site/Heritage Property

The property at 14 Duncan Street is located in the King-Spadina Heritage Conservation District (under appeal) at the north-west corner of Duncan and Pearl Streets. The property contains a three-storey structure at the corner of Duncan and Pearl Streets, known as the Telfer Paper Box Building, constructed in 1902. The facility was expanded in 1906 with a four-storey extension along Pearl Street and a 1925 addition further west which was replaced with a five-storey addition in 1989.

The subject property is adjacent to the following heritage properties:

257 Adelaide Street West (listed)
263 Adelaide Street West (Part IV)
15 Duncan Street (listed)
20 Duncan Street (listed)
276 King Street West (Part IV)
284 King Street West (Part IV)
300 King Street West (Part IV)

Cultural Heritage Value

The subject property has cultural heritage value as containing an early-20th century factory building with Edwardian Classical styling designed by the Toronto architectural firm of Gregg and Gregg with a complementary west addition (1906) by architects Wickson and Gregg. As part of an important collection of former factories and warehouses that were constructed in the early-20th century in similar architectural styles, the subject property supports the historic character of the King-Spadina neighbourhood. The property at 14 Duncan Street is also physically, functionally, visually and historically linked to its setting. While the Telfer Paper Box Building was altered in the late-20th century, it retains its integrity and its cultural heritage values and attributes.

Previous Alterations

The impacts of the 1989 alterations include the loss of the westernmost 1925 building extension, retention of only the façades of the 1902 building and the 1906 extension, new construction replacing the fourth storey of the extension, extensive alterations to the window and ground floor openings, interventions to the connection between the 1902 and 1906 buildings, and an addition atop the 1902 building.

Proposal

The applicant is proposing to redevelop the site by constructing a 48-storey mixed-use building with a base building that incorporates the east and south elevations of the original 1902 building and the south elevation of the 1906 west addition, which will remain in situ. The design of the new development is comprised of three parts: a base, a middle "waist" and a tower. The 1980s additions at 184 and 188 Pearl Street are to be

replaced with a new five-storey base building. The current cladding on the fourth storey of the 1906 extension facing Pearl Street will be removed and the original wall will be repaired.

The tower is stepped back 6.0 metres from the Duncan Street elevation with an 8.0 metre recess at the fourth and fifth levels ("waist"). On the Pearl Street elevation, the tower step back ranges from 1.2 to 3.0 metres with a 4.0 metre recess at the fourth to seventh levels.

The historic building facades will be rehabilitated by reducing the size of the previously enlarged window openings on the east and south elevations and reinstating brick in areas where it had been previously removed, restoring the original cornice (now missing) based on as-found drawings from 1989 and historic photographs, and redesigning the ground floor storefronts.

A new glass link will replace the current glazing between the 1906 extension and the 1902 building.

Heritage Planning Framework

Provincial Policy Statement and 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."

The Provincial Policy Statement 2020 (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 of the PPS directs 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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on May 16, 2019 and was amended through an Order in Council that came into effect on August 28, 2020. This plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2020) 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 (2020) 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 (2020) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

City of Toronto Official Plan

This City-initiated Zoning By-law amendment 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. Relevant policies include the following:

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 as 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. Where a Heritage Impact Assessment is required in Schedule 3 of the Official Plan, it will describe and assess the potential impacts and mitigation strategies for the proposed alteration, development or public work.

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.

Parks Canada Standards and Guidelines for Conservation of Historic Places in Canada

The Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada (Standards and Guidelines) is the official document guiding planning, stewardship and conservation approach for all listed and designated heritage resources within the City of Toronto.

<http://www.historicplaces.ca/en/pages/standards-normes.aspx>

COMMENTS

Massing and Step Backs

The proposed new building is described in the HIA as, "a corseted figure draped in glass fabric - an artistic reference to the fashion district generally..." The design of the tower "unfolds" above the recessed waist section with light glass and irregular rounded forms intended to distinguish it from the solid masonry of the heritage building below and to reduce the visual weight of the new building above.

The new five-storey base building at the western end of Pearl Street will step back at the fifth storey thereby matching the four-storey street wall height of the adjacent 1906 extension at 180 Pearl Street. In addition, the new building has been designed with complementary materials and solid to void ratios, providing a compatible relationship with the heritage buildings on the site.

The new glass link proposed between the 1902 and 1906 buildings on Pearl Street will continue to reinforce the understanding of the two heritage buildings as separate structures and will replace the current unsympathetic glass connection.

Duncan Street contains a concentration of commercial properties with a consistent street wall and character and is an important view corridor in the King-Spadina neighbourhood. The 6.0 and 8.0 metre tower step backs will help conserve the important four-to-eight storey commercial building character along Duncan Street and allow the visual integrity of the scale, form and massing of the building on the subject heritage property to be conserved. While the step backs from Pearl Street are less than those from Duncan Street, Pearl Street is much narrower, providing constrained visibility of the step backs above the heritage buildings.

Conservation Strategy

The historic building facades along both Duncan and Pearl Streets are proposed to be rehabilitated for new uses but will be redesigned to be closer to the original design and configuration than they are at present. The south-east corner will be restored consistent with the original appearance. Brick wall infills will be reconstructed where they have been previously removed and new punched windows reinstalled. A 13.45 metre portion of the north wall will be dismantled and reconstructed. The retention in situ of this portion of the north wall is not proposed as it would require a caisson wall which would impede construction of the lower levels. Staff support the dismantling and reconstruction of this secondary wall which has limited visibility from Duncan Street. A new cornice will be reinstated based on as-found drawings and photographic documentation.

Given the substantial amount of insensitive interventions that have taken place to date, staff support the conservation strategy which will bring the buildings, in particular the 1902 building, much closer to their original design and will better contribute to the historic context of the area.

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, 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 Plan

Should Council approve the proposed conservation strategy, prior to final Site Plan approval, the applicant will be required to submit an Interpretation Plan to the satisfaction of the Senior Manager, Heritage Planning.

Heritage Lighting Plan

The Heritage Lighting Plan should provide details of how the heritage features of 14 Duncan Street be lit.

Signage Plan

The recommended Signage Plan should provide details of the signage strategy for the property at 14 Duncan Street including the appropriate type, scale, location and number of signs.

Heritage Easement Agreement

Staff is recommending that the owner enter into a Heritage Easement Agreement to secure the long-term protection of 14 Duncan Street included in the development site.

CONTACT

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SIGNATURE

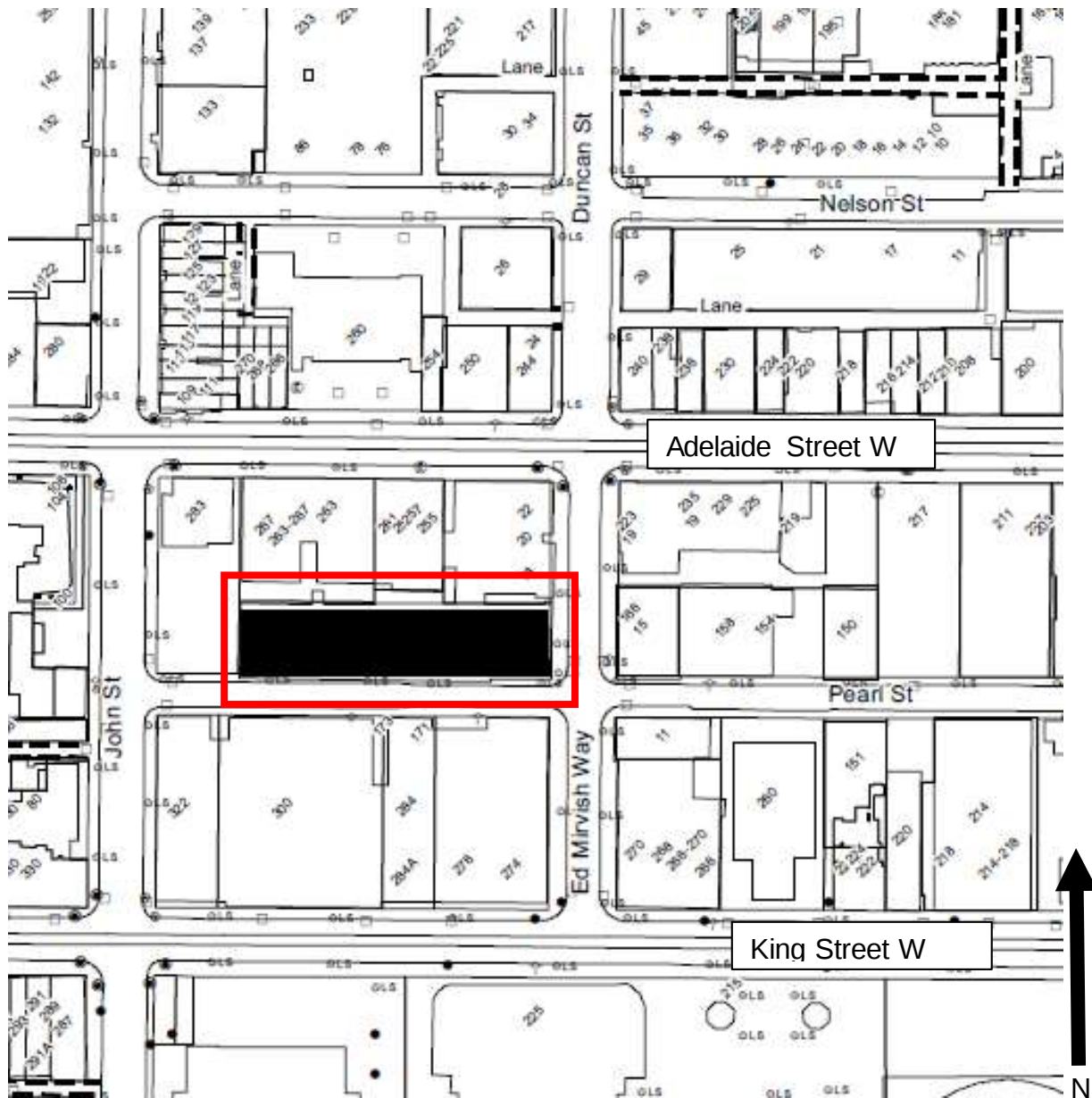
Mary L. MacDonald, MA, CAHP
Senior Manager, Heritage Planning
Urban Design, City Planning

ATTACHMENTS

Attachment 1 - Location Map
Attachment 2 - Photographs
Attachment 3 - Plans and Drawings
Attachment 4 - Renderings

LOCATION MAP
14 Duncan Street

ATTACHMENT 1

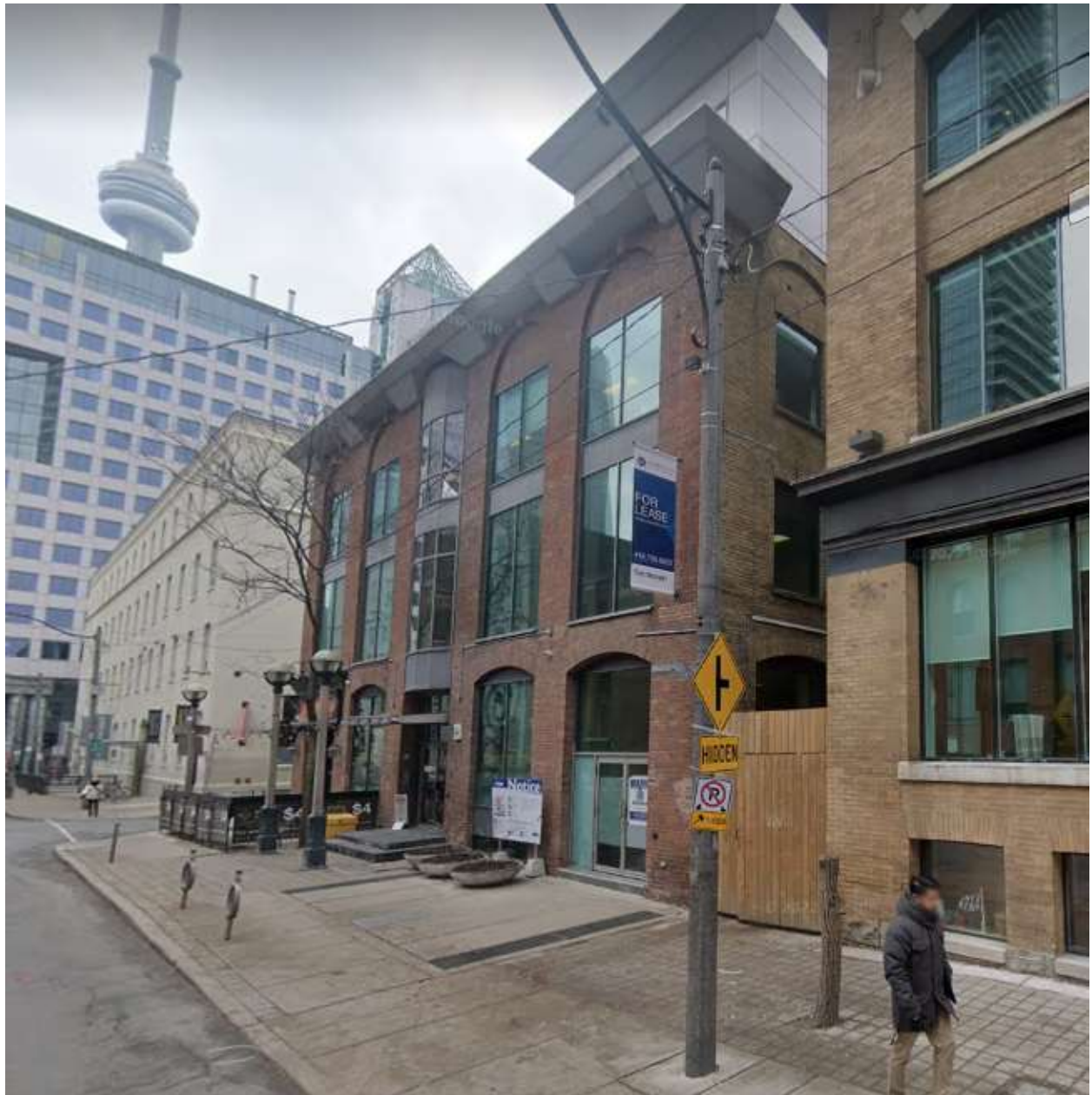


Location Map

14 Duncan Street



View of the southeast corner (Heritage Planning, 2022)



View of the northeast corner

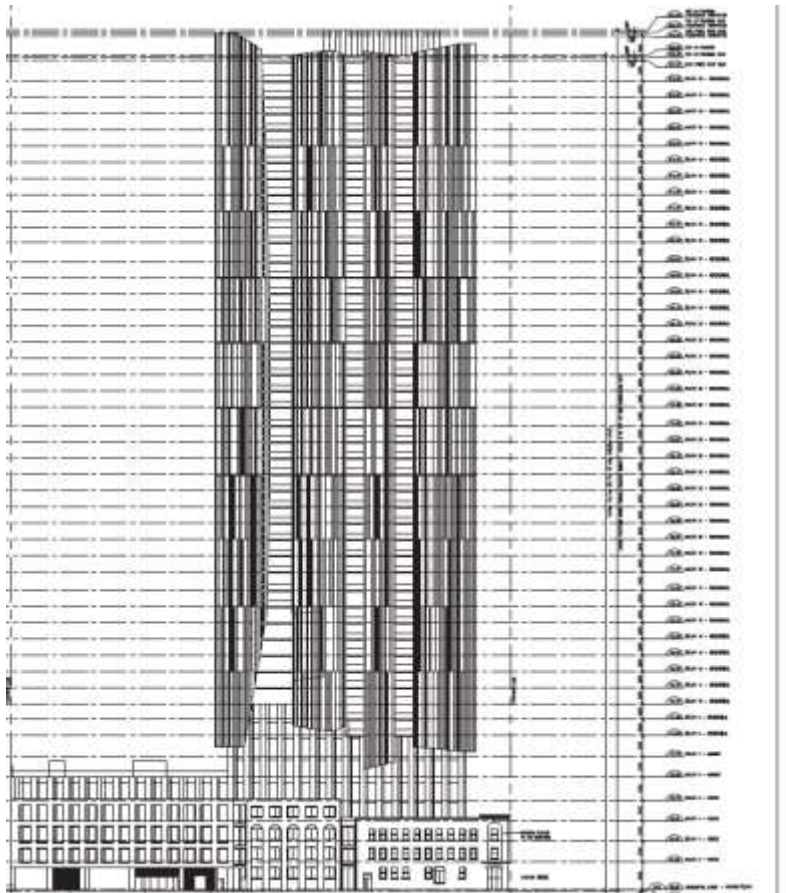


Pearl Street (south) elevation showing the 1902 building (right) and the 1906 extension (left) with the fourth-storey addition that was re-clad in the 1980's

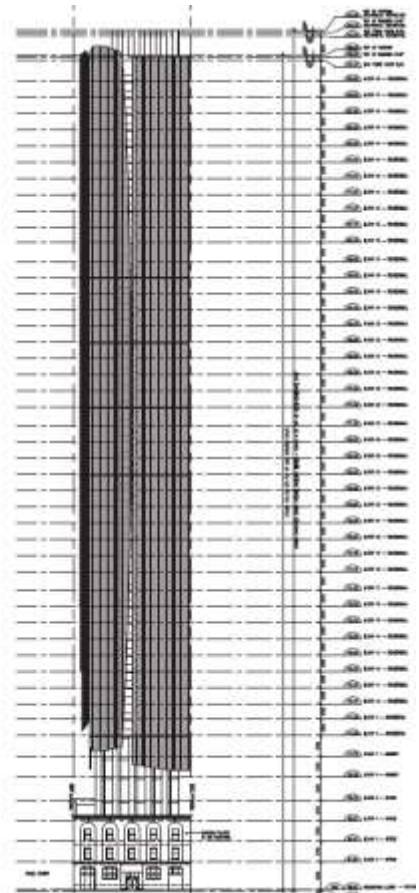
ARCHITECTURAL PLANS & DRAWINGS

14 Duncan Street

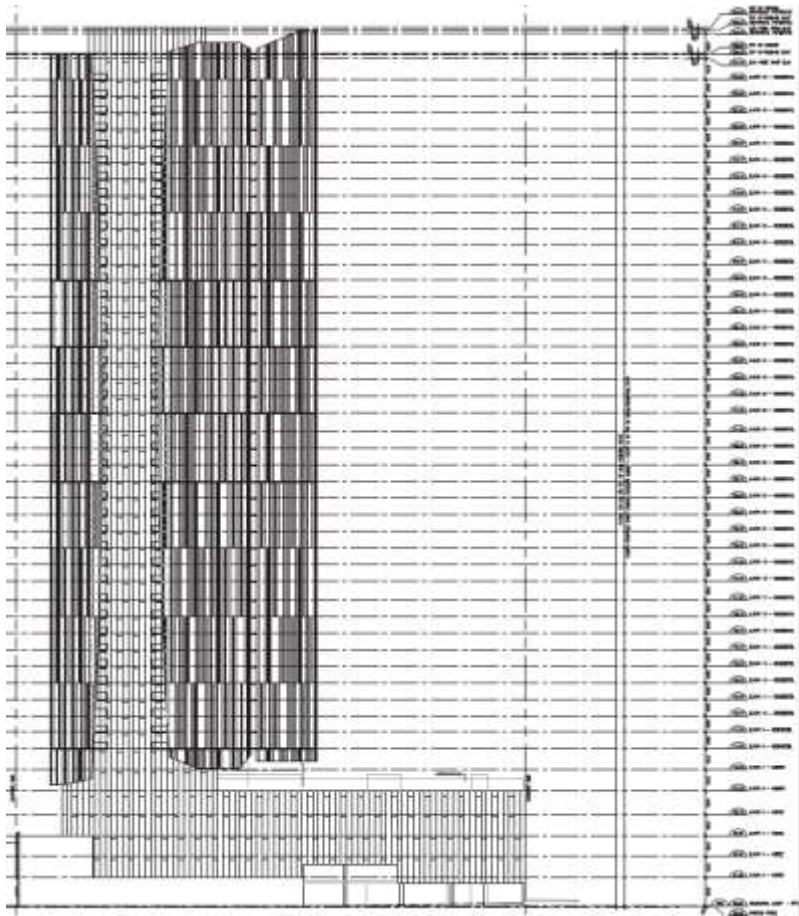
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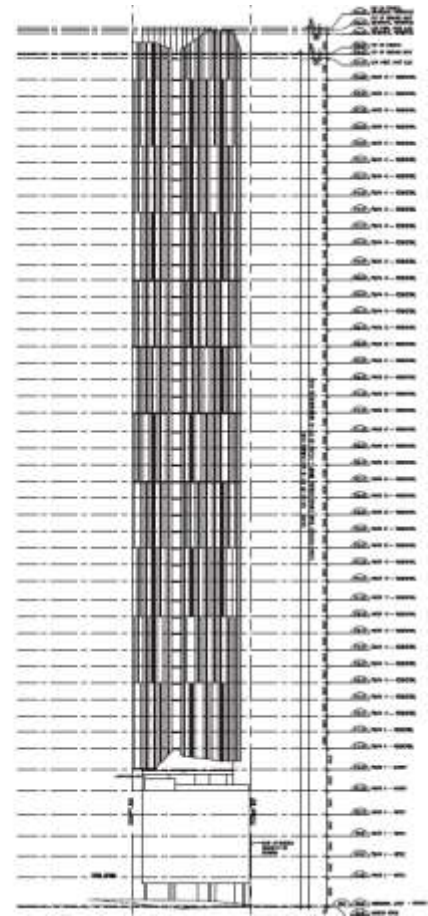
South Elevation



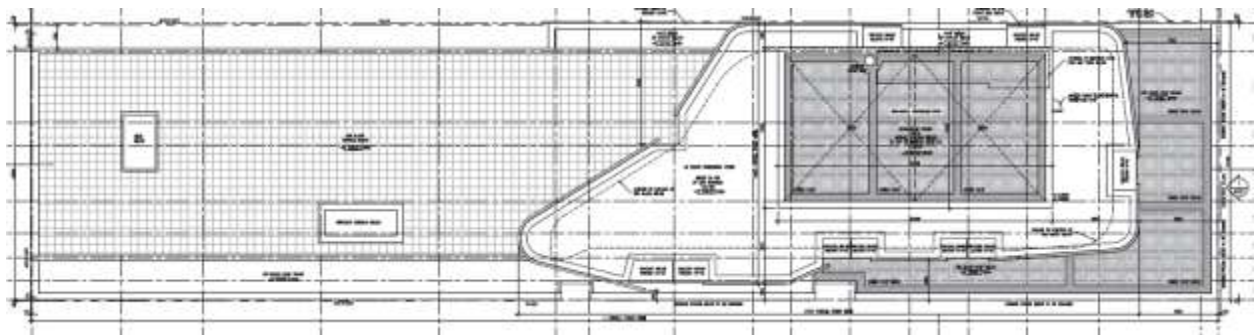
East Elevation



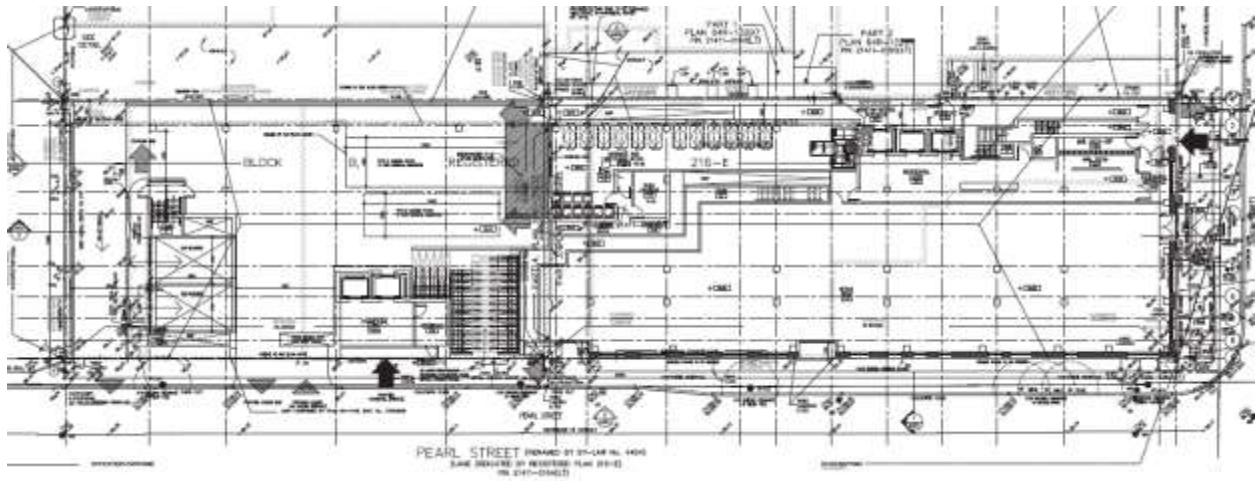
North Elevation



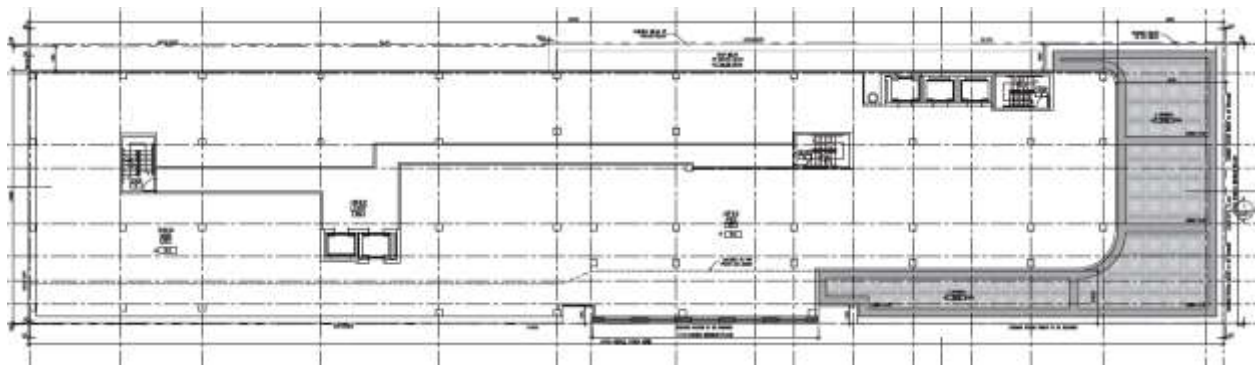
West Elevation



Roof Plan



Ground Floor Plan



Fourth Floor Plan

14 Duncan Street



Rendering of view looking north-west



Rendering of view looking south on Duncan Street
The arrow at the bottom indicates the location of the heritage building and the arrow at the top shows the new tower.