

Cultural Heritage Evaluation - 1233 Yonge Street

Date: July 14, 2022

To: Toronto Preservation Board

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

Wards: 11 - University-Rosedale

SUMMARY

This report recommends receipt of the heritage evaluation for the property at 1233 Yonge Street. City staff have concluded that although the property is listed on the City of Toronto's Heritage Register it has insufficient design value, contextual value or associative value to merit designation under Part IV Section 29 of the Ontario Heritage Act.

The property at 1233 Yonge Street is located on the southeast corner of the intersection of Yonge Street and Woodlawn Avenue East, in the Yonge-St. Clair area. A three-storey mid-20th century apartment building containing 40 rental units, the Aeneas Court Apartments is a U-shaped plan with a central courtyard entered from Yonge Street. The apartment building was designed by architect Ernest Aubrey Butler (1886-1961) in a Modern Classical style for the property owner Hugh Walker, and was completed by May 1940 when the building was partially occupied.

On July 25, 2006, City Council included the property at 1233 Yonge Street (Aeneas Court Apartments) on the City of Toronto Inventory of Heritage Properties. On June 23, 2006, the Toronto Preservation Board had considered a staff report recommending designation under Part IV of the Ontario Heritage Act but recommended to the Toronto and East York Community Council that City Council only include the property at 1233 Yonge Street (Aeneas Court Apartments) on the City of Toronto Inventory of Heritage Properties. The Board received staff recommendation (2) to designate the property.

Subsequent to the City Council decision to list the property, the City enacted a designation by-law in error in November 2007. On January 30, 2008, By-law 2008-0072 repealed By-law 2007-1229 on the basis that City Council had only granted authority for the listing of the property on the City's Inventory of Heritage Properties and not for the designation. Redevelopment of the property was under consideration at that time but no planning applications have been considered by Council in the intervening years since the Council listing.

On December 30, 2021 the City Clerk issued a complete application notice for an Official Plan Amendment, Zoning By-law Amendment, and Rental Housing Demolition application that would demolish the existing structures at 1233 Yonge Street, including 40 rental dwelling units and 9 Woodlawn Avenue East to allow for the construction of a 13 storey (45.5-metre excluding the mechanical penthouse) mixed-use building, containing 110 dwelling units (including 40 replacement rental units) with 600 square metres of grade-related retail space.

In June 2019, the More Homes, More Choice Act, 2019 (Bill 108) received Royal Assent. Schedule 11 of this Act included amendments to the Ontario Heritage Act. The Bill 108 Amendments to the Ontario Heritage Act came into force on July 1, 2021. Section 29(1.2) of the Ontario Heritage Act now restricts City Council's ability to give notice of its intention to designate a property under the Act to within 90 days after the City Clerk gives notice of a complete application for certain planning applications. The 90 day limitation can be extended to a mutually agreed upon date between the property owner and City Council. A waiver from the owner was received by the City with a deadline of August 31, 2022. City Council has until that date to issue a Notice of Intention to Designate.

A Heritage Impact Assessment (HIA) is required for all development applications that affect listed properties and an HIA was prepared by ERA Architects on December 7, 2021 in support of the application. On March 9, 2022, EVOQ Architecture was retained by City Planning to provide a peer review of the submission. After conducting supplemental research, Dima Cook, OAA and Principal EVOQ Architecture issued a letter on June 28, 2022 to the Senior Manager, Heritage Planning stating general agreement with the conclusion of the HIA that the subject property does not meet the criteria of design, associative, and contextual values for designation under Part IV Section 29 of the Ontario Heritage Act. Staff concur with the conclusions of the peer review.

This report summarizes the research and evaluation that has been undertaken to inform staff recommendation.

RECOMMENDATIONS

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

1. Toronto Preservation Board receive the Heritage Evaluation for 1233 Yonge Street, contained within the report (July 14, 2022) from the Senior Manager, Heritage Planning, Urban Design, City Planning Division, for information.

FINANCIAL IMPACT

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

DECISION HISTORY

On April 21, 2022, Toronto and East York Community Council received a Preliminary Report (2022.TE32.35) on 1233 Yonge Street and 9 Woodlawn Avenue East - Official Plan Amendment, Zoning By-law Amendment, and Rental Housing Demolition Applications. This report provides information and identifies a preliminary set of issues regarding the Official Plan Amendment, Zoning By-law Amendment, and Rental Housing Demolition applications to demolish 40 rental dwelling units and allow for the construction of a 13-storey (45.5-metre excluding the mechanical penthouse) mixed-use building, containing 110 dwelling units (including 40 replacement rental units) and 600 square metres of grade-related retail space.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.TE32.35>

On January 31, 2018, City Council adopted the report (November 30, 2017) from the Acting Chief Planner and Executive Director, City Planning, on the Prioritization of Outstanding Heritage Conservation District Studies and Interim Protective Measures. City Council direct that four Cultural Heritage Resource Assessment Studies be initiated for the Agincourt, Leaside, Liberty Village and Summerhill study areas shown in Attachment 2 to the report.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG25.4>

On January 30, 2008, By-law 2008-0072 repealed By-law 2007-1229 on the basis that City Council had only granted authority for the listing of the property on the City's Inventory of Heritage Properties and not for the designation of the property. A copy of By-law 2008-0072 can be found here:

<https://www.toronto.ca/legdocs/bylaws/2008/law0072.pdf>

On November 11, 2007, By-law 2007-1229 designating 1233 Yonge Street under Part IV of the Ontario Heritage Act was enacted in error. A copy of By-law 2007-1229 can be found here: <https://www.toronto.ca/legdocs/bylaws/2007/law1229.pdf>

At its April 2007 meeting, City Council authorized Summerhill for study as a potential Heritage Conservation District.

<http://www.toronto.ca/legdocs/mmis/2007/cc/decisions/2007-04-23-cc07-dd.pdf>

On July 25, 2006, City Council adopted the recommendations of the Toronto and East York Community Council. As seen below, however, the amendment to the recommendation was not noted. City Council's decision can be found here:

<https://www.toronto.ca/legdocs/2006/agendas/council/cc060725/cofa.pdf>

On May 9, 2006, Toronto and East York Community Council received a Preliminary Report on an Official Plan and Zoning By-law Amendment application to permit a 9 storey (28-metre) building containing 103 dwelling units (14 replacement rental units) and 402 square metres of grade-related retail space.

<https://www.toronto.ca/legdocs/2006/agendas/committees/te/te060509/te060509.tedd.pdf>

On July 11, 2006, Toronto and East York Community Council considered a report (May 25, 2006) from the Director, Policy and Research, City Planning Division recommending inclusion of the property at 1233 Yonge Street (Aeneas Court Apartments) on the City of Toronto Inventory of Heritage Properties and that City Council state its intention to designate the property under Part IV of the Ontario Heritage Act. Community Council amended the recommendations, based on communications from the Toronto Preservation Board, so as to only include the property on the Inventory of Heritage Properties. Community Council's decision can be found here:

<https://www.toronto.ca/legdocs/2006/agendas/committees/te/te060711/te060711.tedd.pdf>

On June 23, 2006 the Toronto Preservation Board considered a May 25, 2006 report from the Director, Policy and Research, City Planning Division which recommended the property at 1233 Yonge Street be listed on City of Toronto Inventory of Heritage Properties and designated under Part IV, Section 29 of the Ontario Heritage Act. The Board recommended that City Council adopt staff recommendation (1) to include the property at 1233 Yonge Street (Aeneas Court Apartments) on the City of Toronto Inventory of Heritage Properties but received staff recommendation (2) to designate the property which effectively removes the recommendation from Council consideration if the Board's recommendations are adopted.

<https://www.toronto.ca/legdocs/2006/agendas/council/cc060725/te6rpt/cl018.pdf>

BACKGROUND

Heritage Planning Framework

The conservation of cultural heritage resources is an integral component of good planning, contributing to a sense of place, economic prosperity, and healthy and equitable communities. Heritage conservation in Ontario is identified as a provincial interest under the Planning Act. Cultural heritage resources are considered irreplaceable and valuable assets that must be wisely protected and managed as part of planning for future growth under the Provincial Policy Statement (2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). Heritage Conservation is enabled through the Ontario Heritage Act. The City of Toronto's Official Plan implements the provincial policy regime, the Planning Act, the Ontario Heritage Act and provides policies to guide decision making within the city.

Good planning within the provincial and municipal policy framework has at its foundation an understanding and appreciation for places of historic significance, and ensures the conservation of these resources are to be balanced with other provincial interests. Heritage resources may include buildings, structures, monuments, and geographic areas that have cultural heritage value or interest to a community, including an Indigenous community.

The Planning Act establishes the foundation for land use planning in Ontario, describing how land can be controlled and by whom. Section 2 of the Planning Act identifies heritage conservation as a matter of provincial interest and directs that municipalities shall have regard to the conservation of features of significant architectural, historical, archaeological or scientific interest. Heritage conservation contributes to other matters of provincial interest, including the promotion of built form that is well-designed, and that encourages a sense of place.

The Planning Act requires that all decisions affecting land use planning matters shall conform to the Growth Plan and shall be consistent with the Provincial Policy Statement, both of which position heritage as a key component in supporting key provincial principles and interests.

<https://www.ontario.ca/laws/statute/90p13>

The Provincial Policy Statement provides policy direction on land use planning in Ontario and is to be used by municipalities in the development of their official plans and to guide and inform decisions on planning matters, which shall be consistent with the Provincial Policy Statement. The Provincial Policy Statement articulates how and why heritage conservation is a component of good planning, explicitly requiring the conservation of cultural heritage and archaeological resources, alongside the pursuit of other provincial interests. The Provincial Policy Statement does so by linking heritage conservation to key policy directives, including building strong healthy communities, the wise use and management of resources, and protecting health and safety.

The Ontario Heritage Act is the key provincial legislation for the conservation of cultural heritage resources in Ontario. It regulates, among other things, how municipal councils can identify and protect heritage resources, including archaeology, within municipal boundaries. This is largely achieved through listing on the City's Heritage Register, designation of individual properties under Part IV of the Ontario Heritage Act, or designation of districts under Part V of the Ontario Heritage Act.

Section 27 of the Ontario Heritage Act gives municipalities the authority to maintain and add to a publicly accessible heritage register. The City of Toronto's Heritage Register includes individual heritage properties that have been designated under Part IV, Section 29, properties in a heritage conservation district designated under Part V, Section 41 of the Act as well as properties that have not been designated but City Council believes to be of "cultural heritage value or interest."

<https://www.ontario.ca/laws/statute/90o18>

Ontario Regulation 9/06 sets out the criteria for evaluating properties to be designated under Part IV, Section 29 of the Ontario Heritage Act. The criteria are based on an evaluation of design/physical value, historical and associative value and contextual value. A property may be designated under section 29 of the Act if it meets one or more of the provincial criteria for determining whether it is of cultural heritage value or interest.

<https://www.ontario.ca/laws/regulation/060009>

The Ontario Heritage Toolkit provides guidance on designating properties of municipal significance, including direction on the purpose of designating heritage properties and

information about how the Provincial Policy Statement and the Ontario Heritage Act provide a framework for the conservation of heritage properties within the land use planning system. In June 2019, the More Homes, More Choice Act, 2019 (Bill 108) received Royal Assent. Schedule 11 of this Act included amendments to the Ontario Heritage Act (OHA). The Bill 108 Amendments to the OHA came into force on July 1, 2021, which included, amongst other matters, amendments to the listing and designation processes. Guidance from the Province related to the implementation of Bill 108 Amendments is forthcoming.

[Ontario Heritage Tool Kit \(gov.on.ca\)](https://www.gov.on.ca)

The City of Toronto's Official Plan contains a number of policies related to properties on the City's Heritage Register and properties adjacent to them, as well as the protection of areas of archaeological potential. Indicating the integral role that heritage conservation plays in successful city-building, Section 3.1.5 of the Official Plan states that, "Cultural heritage is an important component of sustainable development and place making. The preservation of our cultural heritage is essential to the character of this urban and liveable City that can contribute to other social, cultural, economic and environmental goals of the City."

Policy 3.1.5.2 states that properties of potential cultural heritage value or interest "will be identified and evaluated to determine their cultural heritage value or interest consistent with provincial regulations, where applicable, and will include the consideration of cultural heritage values including design or physical value, historical or associative value and contextual value. The evaluation of cultural heritage value of a Heritage Conservation District may also consider social or community value and natural or scientific value. The contributions of Toronto's diverse cultures will be considered in determining the cultural heritage value of properties on the Heritage Register."

Policy 3.1.5.3 states that heritage properties "will be protected by being designated under the Ontario Heritage Act, and/or included on the Heritage Register". This includes designation under Parts IV or V of the OHA, as well as listing under Section 27 of the Act.

Policy 3.1.5.4 states that heritage resources on the City's 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."

Policy 3.1.5.6 encourages the adaptive re-use of heritage properties while Policy 3.1.5.26 states that, when new construction on, or adjacent to, a property on the Heritage Register does occur, it will be designed to conserve the cultural heritage values, attributes and character of that property and will mitigate visual and physical impacts on it. Heritage Impact Assessments (HIA) are required for development applications that affect listed and designated properties. An HIA shall be considered when determining how a heritage property is to be conserved.

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

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

The municipal Heritage Register is an important tool in planning for the conservation of heritage properties. The former City of Toronto began listing properties on the Heritage Inventory in 1973, with the inaugural set of 490 properties found within the old City of Toronto boundaries recognized for architectural, historical and/or contextual reasons. In the following decades, the surrounding municipalities of Scarborough, North York, York and Etobicoke which now form the amalgamated City of Toronto adopted their own lists of heritage properties; following amalgamation, these lists were combined and additional properties have been added over the years.

In 2019 City Council adopted the City-wide Heritage Survey Feasibility Study, and requested that the City Planning Division prioritize outstanding nominations for the inclusion of properties on the Heritage Register in the first phase of the Toronto Heritage Survey. This work is ongoing.

COMMENTS

Heritage Evaluation (2006) and report to City Council

In May 2006, City staff evaluated 1233 Yonge Street according to criteria for municipal designation, O. Reg. 9/06, that was newly prescribed by the Province of Ontario in January 2006. Based on this evaluation, heritage staff recommended both listing and designation to the Toronto Preservation Board and City Council. On June 23, 2006, The Toronto Preservation Board recommended to the Toronto and East York Community Council that City Council: (1) adopt the following staff Recommendations (1) and (5) in the Recommendations Section of the report (May 25, 2006) from the Director, Policy and Research, City Planning Division: “(1) City Council include the property at 1233 Yonge Street (Aeneas Court Apartments) on the City of Toronto Inventory of Heritage Properties; and (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”; and receive the additional recommendations including (2) City Council state its intention to designate the property at 1233 Yonge Street (Aeneas Court Apartments) under Part IV of the Ontario Heritage Act and (3), (4) recommendations.

Subsequently, Council included the property at 1233 Yonge Street (Aeneas Court Apartments) as building being a representative example of a mid-20th century apartment house designed in the Modern Classical style and its scale for defining and maintaining the character of the Deer Park neighbourhood on Yonge Street as it evolved in the mid-20th century as an area of low-scale buildings supporting the residential neighbourhood to the east. The listing report noted the heritage attributes of the Aeneas Court Apartments related to the building’s cultural heritage value as a representative example of a mid-20th century apartment house.

Summerhill Heritage Study

In 2006, the Summerhill BIA requested that a study be conducted to determine if the area bounded by Woodlawn to the north and Crescent Road to the south along Yonge

Street become a Heritage Conservation District. The subject property is located within the boundaries of the study area of Summerhill Heritage Conservation District (HCD) Study that was originally authorized by City Council in 2007.

In January 2018, City Council adopted the recommendation to initiate the Cultural Heritage Resource Assessment (CHRA) Study for the Summerhill study area. However, at the time of this report, the study has yet to be prioritized in the City Planning Division's Study Work Program.

Current Planning Act application

City Planning staff are currently reviewing planning applications for an Official Plan Amendment, Zoning By-law Amendment, and Rental Housing Demolition to demolish existing structures at 1233 Yonge Street including 40 rental dwelling units and 9 Woodlawn Avenue East to allow for the construction of a 13 storey (45.5-metre excluding the mechanical penthouse) mixed-use building, containing 110 dwelling units (including 40 replacement rental units) and 600 square metres of grade-related retail space.

Part IV designations related Section 29(1.2) of the Ontario Heritage Act now restricts City Council's ability to give notice of its intention to designate a property under the Act to within 90 days after the City Clerk gives notice of a complete application to certain Planning Act applications. The City Clerk issued a complete application notice on December 30, 2021, and the applicant subsequently provided a waiver extending consideration of designation until August 31, 2022.

On April 21, 2022, Toronto and East York Community Council received a Preliminary Report (2022.TE32.35) on 1233 Yonge Street and 9 Woodlawn Avenue East - Official Plan Amendment, Zoning By-law Amendment, and Rental Housing Demolition Applications that provided information about the development and identified a preliminary set of issues, including the proposed demolition of the listed property. City Planning staff held a Community Consultation Meeting for the application with the Ward Councillor on April 26, 2022.

As a part of the application, a HIA was prepared by ERA Architects on December 7, 2021. In contrast with the staff report of 2006, ERA Architects determined that the Aeneas Court Apartments was not a good representative example of a mid-20th century apartment house designed in the Modern Classical style and, while the three-storey Aeneas Court Apartments supports the existing low- to mid-rise scale, the building's architectural character and at-grade residential use is not considered to be important in defining, maintaining and supporting the character of the Deer Park neighbourhood on Yonge Street.

While present-day heritage staff generally concurred with the findings of the HIA, the alternative recommendations of heritage staff in 2006, and the sustained advocacy for the heritage value of the property by some local community members (including individuals who advocated for the designation in 2006) needed to be taken into account.

As a result, City Planning retained EVOQ Architecture in March 2022 to provide a peer review of the submission. On March 28, 2022, Toronto Branch Chair of the Architectural Conservancy of Ontario wrote to the Senior Manager, Heritage Planning, stating that community members have notified the Toronto Branch regarding their concerns over the development proposal of the residential low-rise rental apartment at 1233 Yonge Street and the proposed demolition of the Aeneas Court Apartments. The stated hope of the ACO within the correspondence is that the research and evaluation Heritage Planning is currently undertaking will result in a heritage designation of the property.

After reviewing the HIA, and conducting supplemental research, Dima Cook, OAA and Principal EVOQ Architecture issued a letter on June 28, 2022 to the Senior Manager, Heritage Planning stating general agreement with the conclusion of the HIA that the subject property does not meet the criteria of design, associative, and contextual values for designation under Part IV Section 29 of the Ontario Heritage Act.

Heritage Planning's preliminary review of the HIA, an internal review of the City's records relating to the previous heritage evaluation summarized in a staff report (May 25, 2006) to the Toronto Preservation Board, the Preservation Board and Council's decisions regarding the listing of the property, and the erroneous designation by-law prepared for the property in 2007 (and its subsequent repeal) have all added layers of complexity to the evaluation of this property. In addition, closer examination of the subject property and the evolved existing context of Summerhill area along Yonge Street (sixteen years after the original evaluation), confirmed city staff's conclusion that a re-evaluation of the listed property's cultural heritage value was required because the 2006 report could not be relied upon.

The peer review by EVOQ Architecture has provided essential assistance to staff, given their expertise and the need for a completely neutral perspective. With sincere appreciation for the concerns and advocacy of local residents and the Toronto Branch of the ACO, City staff have considered all new and relevant information and are not recommending that the property at 1233 Yonge Street be designated under the Ontario Heritage Act.

A summary of the research and evaluation that forms the basis of this conclusion is contained within following section of the report.

2. BACKGROUND

1233 YONGE STREET

Research and Evaluation according to Ontario Regulation 9/06



West (principal) elevation of 1233 Yonge Street - Aeneas Court Apartments
(Heritage Planning July 2022)

City staff prepared the following research for this report. This research and evaluation section of the report describes the history, architecture and context of the property at 1233 Yonge Street, and applies evaluation criteria as set out in Ontario Regulation 9/06, under the headings of historical/associative, design/physical and contextual value to determine whether they merit designation under Part IV, Section 29 of the Ontario Heritage Act. The application of the criteria is found in Section 3 (Evaluation Checklist)

The conclusions of the research and evaluation are found in the Conclusion of the report. Maps and Photographs are located in Attachment 1. The sources for the research are found in Attachment 2.

i. HISTORICAL TIMELINE

Key Date	Historical Event
	The area now known as the City of Toronto is the traditional territory of many nations including the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples, and is now home to many diverse First Nations, Inuit and Métis peoples. Toronto is covered by Treaty 13 signed with the Mississaugas of the Credit (1805), and the Williams Treaties (1923) signed with multiple Mississaugas and Chippewa bands.
1796-1833	The patent for the 200-acre Lot 17, Second Concession (on the east side of Yonge Street to Bayview Avenue between present-day Woodlawn Avenue East and Shaftesbury Avenue) is granted to John Playter and is passed successively to Samuel Ridout, John Castle and John Henry Dunn. ¹
1830s	Charles Thompson ran stagecoaches on the Toronto-Newmarket line and steamboats for passengers, freight and mail delivery, purchases lot 17, a 200 acre lot on the east side of Yonge.
1842	The Summer Hill house is constructed for Charles Thompson. It was designed by renowned architect John George Howard
1866	The Summer Hill property, now consisting of about seventy-five acres, was bought by Larratt William. He died in 1905, but his widow and family remained in the house until 1911.
1872	The City of Toronto bought a large piece of land in the north-west section of Summer Hill from Larratt William for a reservoir.
1908	Deer Park is annexed to the City of Toronto
1913	The Summer Hill property was purchased by J. J. Vaughan, who demolished Summer Hill house, and subdivided its large property into smaller lots for residential development.
May 1940	Aeneas Court Apartments was designed by architect Ernest Aubrey Butler (1886-1961), for the property owner Hugh Walker. ² Aeneas Court Apartments were completed when the building was partially occupied

ii. HISTORICAL BACKGROUND

The following section outlines the history and facts related to the properties which are the basis for determining 'Historical and Associative Value' according to O. Reg. 9/06 Criteria.

Summerhill Neighbourhood: The Aeneas Court Apartments located at 1233 Yonge Street is situated in what is known today as the Summerhill area. As part of the Deer Park neighbourhood, the Summerhill community comprises the area adjacent to Yonge Street on the ridge of the escarpment south of St. Clair Avenue. Summerhill takes its name from the home of transportation magnate, Charles Thompson, who in 1833 purchased Lot 17, Concession 2 on the east side of Yonge Street, at the then north

¹ Land Registry Records, Plan 277, 662, 669, 636, Lot 17 in Metro Toronto Book 389.

² 1233 Yonge Street (Aeneas Court Apartments) report (May 25, 2006) from the Director, Policy and Research, City Planning Division

edge of the Town of York, and had his 'Summer Hill House' built there in 1842 (now demolished). The designer of Summer Hill House, Toronto's prominent 19th-century architect John G. Howard had recently completed William Hume Blake's 'Woodlawn' estate on the west side of Yonge Street, which is designated under Part IV, Section 29 of the Ontario Heritage Act. By the mid-1800s, Toronto's wealthiest and most prominent families established country estates on 'the Hill', an elevated enclave prized for both its views of the city and its healthier atmosphere than the downtown core.

The southernmost portion of what is today known as the Summerhill neighbourhood (then part of Deer Park) is annexed to the City of Toronto in 1908.³ Annexation ushered in a new wave of urban land use development in the area. In the 1920s there was a series of road widenings and improvements along both Yonge Street and St. Clair Avenue.⁴ Following annexation to the City, the southeast corner of Yonge Street and Woodlawn Avenue East and the south side of Woodlawn Avenue East were further subdivided for residential development, as shown in the Goad's Fire Insurance Plan from 1910. By 1913, the south side of Woodlawn Avenue East featured continuous residential development, including the current house-form building at 9 Woodlawn Avenue East. The area's residential boom of the early 20th century was also accompanied by the construction of new retail and community buildings along the area's main commercial corridor, Yonge Street. These new buildings included the Yonge Street United Church, which was constructed in 1911 immediately south of 1233 Yonge Street. The Yonge Street United Church was later destroyed by fire in 1971.⁵

The property at 1233 Yonge Street remained undeveloped until 1940, when the Aeneas Court Apartments was designed by architect Ernest Aubrey Butler (1886-1961), for the property owner Hugh Walker.⁶

iii. ARCHITECTURAL DESCRIPTION

The following section provides an architectural description and analysis related to the property which will establish the basis for determining 'Design and Physical Value' according to O. Reg. 9/06 Criteria.

Current and historical photographs of the property are found in Attachment 1 of this report. 1233 Yonge Street is a three-storey apartment building in a U-shaped plan

3 Deer Park's western and eastern boundaries are marked by the ravines that intersect St. Clair Avenue near Spadina Road and east of Yonge Street. The southern boundary consists of the Canadian Pacific Railway tracks; while the northern boundary is the old Belt Line Railway Bridge. The Deer Park neighbourhood gets its name from mid-19th century Deer Park estate belonging to the Heath family, which was located at Yonge Street and the Third Concession Road (St. Clair Avenue). At the time of its annexation, Deer Park was bound by Gormley Avenue and Mount Pleasant Cemetery to the north, the Vale of Avoca to the east, Woodlawn Avenue and Farnham Avenue to the south, and Oriole Road to the west (Lundell)

4 Lost Toronto, "Yonge and St. Clair/Then and Now." 2013. Accessed on June 10, 2022 online at: <https://losttoronto2.wordpress.com/tag/the-deer-park-hotel/>

5 Heritage Impact Assessment: 1233 Yonge Street and 9 Woodlawn Avenue East, ERA Architects, December 7, 2021

6 1233 Yonge Street (Aeneas Court Apartments) report (May 25, 2006) from the Director, Policy and Research, City Planning Division

located on the east side of Yonge Street. The building reflects a restrained Modern Classical design with simple classical details such as stone window sills, banding and cornice, as well as octagonal window openings. The building's primary (west) elevation contains a raised central forecourt atop a set of stairs, with its main entrance opening to Yonge Street. The building features red brick cladding punctuated by rectangular and octagonal-shaped windows which contain green frames with stone sills. The building also features stone banding across its primary (west), north and south elevations above its raised basement. The building's flat roof features a stone cornice, and chimneys at the rear.⁷

The Aeneas Court Apartments was designed by architect Ernest Aubrey Butler (1886-1961). Born in Toronto on August 30, 1886, Butler began his career in Toronto and trained with E.J. Lennox (in 1904-06), with Denison & Stephenson (in 1907-10) and opened an office there in late 1910. He practised briefly in Saskatoon and Niagara Falls before returning to his home town. He moved to Saskatoon and was active there in 1912-13, but returned to Toronto and worked in various offices until 1920. At that time he moved to Niagara Falls to take a position as assistant to Charles M. Borter. By 1926 he was again recorded as practising in Toronto, and carried out his own commissions as well as working as an assistant in offices of Wickson & Gregg (in 1928-29) and with W.L. Somerville (in 1929-30). He is credited for the design of the Gracewood Apartments, De Savery Crescent at Penrose Road, for A. Grace in 1928. (see attachment 1). He appears to have closed his office in 1935 or 1936 but likely continued to work for other architects until after 1950. Butler died in Toronto in 1961, and was buried at Mount Pleasant Cemetery, Toronto (inf. Ontario Assoc. of Architects).⁸

iv. CONTEXT

The following section provides contextual information and analysis related to the property which is the basis for determining 'Contextual Value' according to O. Reg. 9/06 Criteria.

The building at 1233 Yonge Street forms the northern boundary of the low scale buildings along Yonge Street in the Summerhill area.

3. EVALUATION AND APPLICATION OF O.REG 9/06 CRITERIA

The following evaluation applies Ontario Regulation 9/06 made under the Ontario Heritage Act: Criteria for Determining Cultural Heritage Value or Interest. The criteria are prescribed for municipal designation under Part IV, Section 29 of the Ontario Heritage Act, and the City of Toronto also uses these criteria when assessing properties for inclusion on the City of Toronto's Heritage Register. There are three categories for a total of nine criteria under O. Reg 9/06. A property may be designated under Section 29 of the Act if it meets one or more of the provincial criteria for determining whether it is of cultural heritage value or interest. The evaluation table is marked "N/A" if the criterion is "not applicable" to the property or "✓" if it is applicable to the property.

⁷ Heritage Impact Assessment: 1233 Yonge Street and 9 Woodlawn Avenue East, ERA Architects, December 7, 2021

⁸ Biographical Dictionary of Architects in Canada 1800-1950

Please note the explanatory text below has been provided ERA and EVOQ and is footnoted accordingly.

DESIGN OR PHYSICAL VALUE

Design or Physical Value	
i. rare, unique, representative or early example of a style, type, expression, material or construction method	N/A
ii. displays high degree of craftsmanship or artistic merit	N/A
iii. demonstrates high degree of scientific or technical achievement	N/A

The Aeneas Court Apartments are a three-storey (plus raised basement) red brick building featuring a U-shaped plan, constructed in 1940. While the property reflects a restrained Modern Classical design with simple Classical details, the property is similar to many early- and mid-20th century apartment buildings found throughout Toronto, and cannot be said to be a rare, or good representative example of an architectural style. Further, while the property reflects some simplified Classical architectural features, including stone window sills, stone banding, a stone cornice, and octagonal window openings, the property’s design is relatively unremarkable and does not reflect a high degree of craftsmanship, artistic merit, or technical achievement.⁹

EVOQ reviewed images of additional apartment buildings of the same typology. This review reinforces the HIA’s statement that the property “cannot be said to be rare, or a good representative example of an architectural style”, nor does it “reflect a high degree of craftsmanship, artistic merit, or technical achievement” especially when compared to the other buildings.¹⁰

HISTORICAL OR ASSOCIATIVE VALUE

Historical or Associative Value	
i. direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community	N/A
ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture	N/A
iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community	N/A

The staff report of 2006 concluded the property has no historical or associative value.

EVOQ reviewed The Toronto Archaeological Potential Map provided by the City of Toronto to confirm the property’s lands does not “yield or have the potential to yield information that contributes to an understanding of a community or culture”.

⁹ Heritage Impact Assessment: 1233 Yonge Street and 9 Woodlawn Avenue East, ERA Architects, December 7, 2021

¹⁰ EVOQ Architects memo to the Senior Manager, Heritage Planning, June 28, 2022 regarding the Heritage Impact Assessment: 1233 Yonge Street and 9 Woodlawn Avenue East, ERA Architects, December 7, 2021

Regarding the architect Ernest Aubrey Butler, EVOQ reviewed images of his other buildings in Ontario. Butler’s earlier work, such as the Gracewood Apartments (1928) in Toronto and the Samford First United Church (1926-1927) in Niagara Falls, confirms that the subject property is not a particularly significant work by the architect. As such, EVOQ concurs with ERA's conclusion that 1233 Yonge Street does not demonstrate or reflect the ideas of an architect who is significant to the community, and therefore does not meet Ontario Regulation 9/06 for historical/associative value.¹¹

CONTEXTUAL VALUE

Contextual Value	
i. important in defining, maintaining or supporting the character of an area	N/A
ii. physically, functionally, visually or historically linked to its surroundings	N/A
iii. landmark	N/A

In 2006, City staff concluded the property is not a landmark.

Upon further examination and evaluation of the context, ERA Architects determined that "while the three-storey Aeneas Court Apartments supports the existing low- to mid-rise scale, the building’s architectural character and at-grade residential use are incongruous with surrounding built form. As a result, 1233 Yonge Street is not considered to be uniquely important in defining, maintaining, or supporting the character of the area, or to be significantly physically, visually, or historically linked to its surroundings. Additionally, 1233 Yonge Street is found to be an isolated example of the residential apartment typology in the Midtown area."¹²

Having reviewed the HIA’s Section 1.4 Surrounding Context, which describes the form, function, massing, and character of area within which the subject property sits, EVOQ agrees that “1233 Yonge Street is not considered to be uniquely important in defining, maintaining, or supporting the character of the area”.¹³

CONCLUSION

The Ontario Heritage Act's time limitations for designations relating to certain Planning Act applications, coupled with disparate perspectives on the heritage value of the property over time, prompted the Senior Manager, Heritage Planning to seek the services of an expert heritage consultant to inform staff recommendations.

City Planning's consultant, EVOQ Architects, is satisfied with the findings of Section 6.1 Evaluation of 1233 Yonge Street under Ontario Regulation 9/06 of the Heritage Impact Assessment prepared by ERA Architects (December 7, 2021). After conducting supplemental research, EVOQ is in general agreement with the report’s conclusion that

¹¹ EVOQ Architects memo to the Senior Manager, Heritage Planning, June 28, 2022

¹² Heritage Impact Assessment: 1233 Yonge Street and 9 Woodlawn Avenue East, ERA Architects, December 7, 2021

¹³ EVOQ Architects memo to the Senior Manager, Heritage Planning, June 28, 2022 regarding the Heritage Impact Assessment: 1233 Yonge Street and 9 Woodlawn Avenue East, ERA Architects, December 7, 2021

the subject property does not meet the criteria of design, associative, and contextual values for designation under Part IV of the Ontario Heritage Act.

After reviewing all available material, and taking into consideration two independent expert assessments, City staff are in agreement with the two qualified heritage professional assessments which independently concluded that the property located 1233 Yonge Street does not merit designation under Part IV Section 29 of the Ontario Heritage Act. Staff are therefore not recommending any further action.

CONTACT

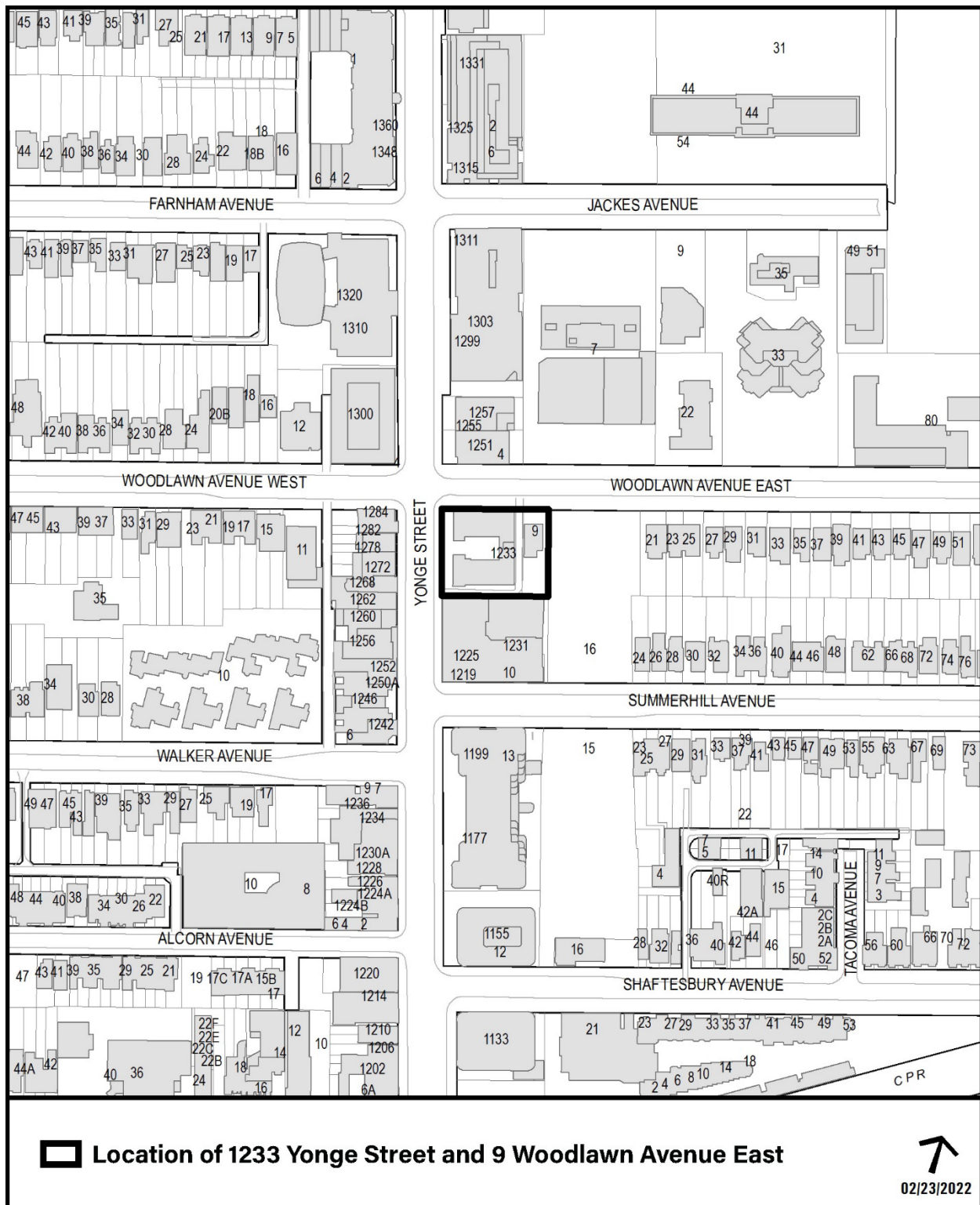
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SIGNATURE

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Urban Design, City Planning

ATTACHMENTS

Attachment 1: A location map and photographs
Attachment 2: Sources





West (principal) elevation of the property located at 1233 Yonge Street
(Heritage Planning July 2022)



Yonge Street looking north to the intersection of Woodlawn Avenue. 1223 Yonge (on the right, east side of the street) (Source: Google Streetview 2020)



Courtyard space at the primary (west) elevation of 1233 Yonge Street (Source: ERA Architects).



Main entrance (Source: ACO TO Built website, B Krawczyk)



North elevation of 1233 Yonge Street taken from Woodlawn Avenue East (Source: ERA Architects).



East elevation (Heritage Planning July 2022)



West and south elevations (Heritage Planning July 2022)



Octagonal windows (Heritage Planning July 2022)



The Gracewood Apartments (1928) located at 25 DeSavery Crescent designed by architect Ernest Aubrey Butler Source: Google Maps

Archival Sources

- Archival maps and atlases, <http://oldtorontomaps.blogspot.com/p/index-of-maps.html>
- Archival Photographs, City of Toronto Archives
- Goad's Fire Insurance Plan from 1910
- Land Registry Records, Plan 277, 662, 669, 636, Lot 17 in Metro Toronto Book 389

Secondary Sources

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