

## **200 University Avenue - Proposed Designation By-Law under Part IV, Section 29 of the Ontario Heritage Act – Consideration of Objection**

Date: July 4, 2023

To: City Council

From: Chief Planner and Executive Director, City Planning

Wards: Ward 10 – Spadina-Fort York

### **SUMMARY**

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This report recommends that City Council amend its decision of March 29, 30 and 31, 2022 (CC5.42) stating its intention to designate the property at 200 University Avenue (the subject property) under Part IV, Section 29 of the Ontario Heritage Act (the Act). The City has received an objection to the notice of intention to designate on behalf of the property owner (GWL Realty Advisors) within the statutory time limit. Staff are recommending an amendment in response to this objection in order to clarify the Statement of Significance as adopted by Council.

Located on the southwest corner of Richmond Street West and University Avenue, the property at 200 University Avenue contains the Sun Life Building constructed in 1958-1961 and designed by John C. Parkin of John B. Parkin Associates, Canada's largest architectural firm at the time. The subject property is among the earliest examples of a modernist high rise building in Toronto to be entirely clad in metal and glass, with its glass and metal curtain wall set back from exposed perimeter support columns. As the first tall building to successfully challenge the early 20th century by-laws governing University Avenue from its prominent position at the point at which University Avenue becomes a grand ceremonial boulevard, the property is historically linked to the post-war phase of development along University Avenue. The property was listed on the City of Toronto's Heritage Register in 1991.

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 which included amendments to the listing and designation processes. The Bill 108 Amendments to the Act came into force on July 1, 2021. City Council has until August 3, 2023, 90 days from the date of the end of the objection period, to make a decision on this objection as per the timeline under the Act.

Staff have reviewed the objections raised on behalf of the property owner and remain of the opinion that this property holds cultural heritage value or interest. The property meets Ontario Regulation 9/06, the criteria prescribed for municipal designation under Part IV, Section 29 of the Ontario Heritage Act under all three categories of design and physical, historical and associative, and contextual values.

Staff have re-examined the Statement of Significance (Reasons for Designation) for the property at 200 University Avenue, however, and recommend revision to provide clarification on the existing door types and use of granite on the east and west sides of the property.

As the property has cultural heritage value or interest and meets the prescribed criteria pursuant to Part IV, Section 29 of the Ontario Heritage Act, staff are of the opinion that this property should be designated. Designation enables City Council to review proposed alterations for the property, enforce heritage property standards and maintenance, and refuse demolition.

## **RECOMMENDATIONS**

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The Chief Planner and Executive Director, City Planning recommends that:

1. City Council enact a by-law designating the property at 200 University Avenue under Part IV, Section 29 of the Ontario Heritage Act substantially in accordance with the Revised Statement of Significance: 200 University Avenue (Reasons for Designation) attached as Attachment 3 to the report July 4, 2023 from the Chief Planner and Executive Director, in consideration of the objections received by the City Clerk.
2. City Council authorize the City Solicitor to introduce the necessary bills in City Council designating the property at 200 University Avenue under Part IV, Section 29 of the Ontario Heritage Act.

## **FINANCIAL IMPACT**

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

## **DECISION HISTORY**

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On March 29, 30 and 31, 2023, City Council adopted a report from the Chief Planner and Executive Director, "200 University Avenue - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act" (CC5.42) and stated its intention to designate the property at 200 University Avenue under Part IV, Section 29 of the Ontario Heritage Act. <https://secure.toronto.ca/council/agenda-item.do?item=2023.CC5.42>

## **BACKGROUND**

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City Council has stated its intention to designate the subject property under Part IV, Section 29 of the Ontario Heritage Act. A notice of intention to designate was served on the property owners and the Ontario Heritage Trust and was published in accordance with the Act. The objection period ended on May 5, 2023.

The City Clerk received a notice of objection on behalf of GWL Realty Advisors within the required time limit set out in the Act. The Act requires that City Council consider and make a decision about the objection within 90 days from the end of the objection period. City Council may decide to withdraw, amend, or affirm its intention to designate. City Council has until August 3, 2023, to make a decision on the objection.

## **COMMENTS**

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Staff have reviewed the notice of objection dated May 5, 2023, and prepared by ERA Architects Inc. A copy of the notice of objection is included as Attachment 1 to this report. Although the objector acknowledges that the property has cultural heritage value, the objector has concerns with three identified heritage attributes, as drafted, in the Statement of Significance (Reasons for Designation).

The Statement of Significance (Reasons for Designation) adopted by Council as part of Item CC5.42 is appended to this report as Attachment 2. The amended Statement of Significance (Reasons for Designation) is appended to this report as Attachment 3 and the revisions are bolded for ease of reference.

The objector is concerned that the Statement of Significance, as written, which identifies the through-building lobby passage and unobstructed views of the east, north and west elevations as Heritage Attributes, would preclude the viability of certain aspects of the proposed development. The Ontario Heritage Act prescribes the process for designation of a property and also provides for the alteration of a heritage property under Part IV of the Act. The Act also prescribes criteria under Ontario Regulations 9/06 which are to be used to evaluate whether a property has cultural heritage value or interest, and which therefore determine if a property should be recommended for designation under the Act.

Planning Act applications do not determine the cultural heritage value or interest of a heritage property nor are they included in criteria for the evaluation or determination of cultural heritage value. Instead, Planning Act applications are to be informed by the designation by-laws and cultural heritage value or interest determined under the Act such that a determination can be made whether the level of intervention and conservation proposed for a designated property is appropriate.

To reach this understanding it is necessary to first understand the cultural heritage value of a property prior to planning for change and considering interventions to the heritage property. In other words, the designation of a property under Part IV of the Act does not reflect the future state of a property with respect to any specific development application. Following designation under Part IV of the Act, the appropriateness of any

proposed intervention to a heritage property is determined through an alteration or demolition application under Section 33 and Section 34 of the Act.

With respect to the subject property, a staff report addressing the alteration will be brought forward to the Toronto Preservation Board and subsequent City Council meeting with respect to the proposed interventions related to the site-specific development application. The sequential approach described above is consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada and is also consistent with the intent of the changes to the Provincial Policy Statement (2020), which clarify that determination of the cultural heritage value of a property, in accordance with the Act, should be undertaken prior to the application of heritage conservation policies to a particular planning application.

The objector also disputes the type of doors currently found at the main entrance on the east elevation of the property. To provide clarity in response to this stated concern, staff are recommending that the Statement of Significance be amended to reflect a central revolving door with flanking main doors on the east elevation.

The objector also disputes that a granite public plaza exists on the west elevation. To provide clarity on the use of granite at grade on the property, the single attribute, as written in the Statement of Significance, has been separated into two attributes to avoid conflation and misinterpretation: one that deals with the east elevation and one that deals with the west elevation.

On June 29, 2023, staff met with ERA Architects Inc, who prepared the Notice of Objection, to explain the proposed amendments to the Statement of Significance.

The subject property is included in an Official Plan Amendment and Zoning By-law Amendment application (22 166819 STE 10 OZ) currently under review by the City.

Should Council adopt the revised Statement of Significance, the City Solicitor will introduce a designating by-law to Council under Section 29 of the Act. Once Council has passed a designating by-law, notice has been provided, and the by-law has been published in accordance with the Act, an appeal may be made to the Ontario Land Tribunal in accordance with the Act. Through an appeal under Section 29 of the Act, there is an opportunity for the heritage attributes to be modified through the appeals process, should the Tribunal deem it appropriate. The Ontario Land Tribunal Decision is binding.

## **CONCLUSION**

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The property at 200 University Avenue meets Ontario Regulation 9/06, the criteria prescribed for municipal designation under Part IV, Section 29 of the Ontario Heritage Act, under all three categories of design/physical, historical/associative, and contextual values. As such, despite the notice of objection, this property should be designated.

Staff have reviewed the owner's notice of objection to Council's notice of intention to designate and recommend revisions to clarify the Statement of Significance and related attributes. The revisions are to clarify that the granite public plaza refers only to the east elevation, and to clarify the type of current entrance doors on the east and west elevations.

A technical revision is recommended by staff to the numbering of the building's floor levels to indicate that the tower portion of the building rises from the second floor rather than the third floor. Finally, a one-word grammatical revision clarifies the total number of building floors as 16 (14 plus a 2-storey mechanical penthouse).

For ease of reference, these changes are indicated by bolded text in the Revised Statement of Significance and related heritage attributes (Attachment 3).

## **CONTACT**

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## **SIGNATURE**

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Gregg Lintern, MCIP, RPP  
Chief Planner and Executive Director  
City Planning

## **ATTACHMENTS**

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Attachment 1 – Letter of Objection – 200 University Avenue  
Attachment 2 - Statement of Significance (Reasons for Designation) – 200 University Avenue: Sun Life Building  
Attachment 3 - Revised Statement of Significance (Reasons for Designation) – 200 University Avenue: Sun Life Building  
Attachment 4 – Photograph

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

The property at 200 University Avenue is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value, and meets Ontario Regulation 9/06, the provincial criteria prescribed for municipal designation under the criteria of design and physical, historical and associative and contextual values.

**Description**

Located on the southwest corner of University Avenue and Richmond Street West, the property at 200 University Avenue known as the Sun Life Building contains a 14-storey office building including a 2-storey mechanical penthouse constructed between 1958 and 1961, designed in the Modernist style by John C. Parkin of Canada's largest architectural firm at the time, John B. Parkin Associates. Designed for the Sun Life Assurance Company of Canada, the building is characterized by its glass and metal curtain wall set behind perimeter columns. The 2-storey glass and metal-clad mechanical penthouse is defined by its dramatic up-lighting and set back from the University Avenue and Simcoe Street building facades while remaining flush with the north and south elevations.

**Statement of Cultural Heritage Value****Design and Physical Value**

The Sun Life Building is a rare, representative and early example of a modernist office tower featuring a glass and metal curtain wall set back from exposed perimeter support columns. Constructed between 1958 and 1961, the property is among the earliest examples of a modernist high rise building in Toronto to be entirely clad in metal and glass and the earliest example along University Avenue. The emphasis on verticality, through the prominent treatment of the perimeter columns and use of narrow I-beam 'fins' running continuously from the third through thirteenth floors, marked a departure from the horizontal emphasis of earlier modernist or 'transitional' buildings. The property was the first tall office building constructed along University Avenue that did not adhere to the policies of University Avenue By-Law 13409 which required that structures be constructed to the property line, feature step-backs, and be clad in buff brick or stone.

The public space created by the setback from University Avenue and the adjacent banking pavilion located to the south of the building (since demolished) represented an early example of the plaza and pavilion typology that was first introduced by New York City's Seagram Building (1958), and would later be a feature of the Toronto Dominion Centre (1969).

**Historical and Associative Value**

The property is valued for its association with the architectural firm of John B. Parkin Associates, one of Canada's leading Modernist and most prolific firms of the 1950s and

1960s that contributed many significant buildings to Toronto during this period. Designed and built between 1958 and 1961 by John C. Parkin, the firm's Chief Designer and described as one of Canada's most important modernist architects, the Sun Life Building exemplifies the firm's work at this time which was chiefly aligned with International Style Modernism in its rigour, expressed structure and formal clarity, typically favouring glass cladding and light-coloured materials.

## **Contextual Value**

The property is important in defining and supporting the overall character of University Avenue through its alignment with properties to the north. Constructed at the point where University Avenue transitions from the 1928-1931 extension south of Queen Street to the earlier and wider axial boulevard section north of Richmond Street West, the Sun Life Building's setback frames the point at which University Avenue becomes a grand ceremonial boulevard.

The property is visually and historically linked to University Avenue. The creation of the granite public plaza along University Avenue was in response to the irregular shape of the property which was the result of the extension of University Avenue between 1928 and 1931. Set back from University Avenue, the building was sited to align with the earlier section of University Avenue to the north, including the Bank of Canada Building, Canada Life Building, and United States Consulate. As the first tall building to successfully challenge the policies of By-Law 13409 governing University Avenue, the property is historically linked to the post-war phase of development along University Avenue.

## **Heritage Attributes**

### **Design and Physical Value**

Attributes that contribute to the value of the property at 200 University Avenue as representative of the Modernist style include:

- The scale, form and massing of the 14-storey plus 2-storey mechanical penthouse office building, situated on the southwest corner of University Avenue and Richmond Street West
- The shared design, articulation and organization of the four elevations from the third to thirteenth floors
- The metal-clad perimeter columns extending from the first through thirteenth floors on the east and west elevations, and the first through sixteenth floors on the north and south elevations
- The recessed fourteenth floor
- The 2-storey mechanical penthouse (fifteenth and sixteenth floors) with its east and west setbacks from the tower elevations below. The north and south ends of the mechanical penthouse, which are flush with the tower elevations below, cantilever over the recessed fourteenth floor
- The glass-clad ground floor and mezzanine level set back from the perimeter columns and tower elevations

- The granite public plaza, terracing and entrance steps on the east and west elevations

Interior Attributes that contribute to the value of 200 University Avenue as representative of the Modernist style include:

- The entrance lobby, accessed through two sets of doors on the east and west elevations and aligned directly across from each other on the same east-west axis
- The metal door frames surrounding the two sets of entrance doors, including the roof canopies
- The travertine wall panelling and granite flooring throughout the entrance hall at street level
- The elevator lobby in the entrance hall and at each floor, with the travertine walls and stainless steel elevator doors and surrounds

### **Contextual Value**

Attributes that contribute to the contextual value of 200 University Avenue as defining and supporting the character of the University Avenue precinct, and as being historically and visually linked to its surroundings include:

- The setback, placement and orientation of the building, with its primary entrance on University Avenue
- The granite, open public plaza between the primary (east) elevation of the building and University Avenue
- The unobstructed view of the east, north, and west elevations from University Avenue, Richmond Street West, and Simcoe Street



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

The property at 200 University Avenue is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value, and meets Ontario Regulation 9/06, the provincial criteria prescribed for municipal designation under the criteria of design and physical, historical and associative and contextual values.

**Description**

Located on the southwest corner of University Avenue and Richmond Street West, the property at 200 University Avenue known as the Sun Life Building contains a 14-storey office building **plus** a 2-storey mechanical penthouse constructed between 1958 and 1961, designed in the Modernist style by John C. Parkin of Canada's largest architectural firm at the time, John B. Parkin Associates. Designed for the Sun Life Assurance Company of Canada, the building is characterized by its glass and metal curtain wall set behind perimeter columns. The 2-storey glass and metal-clad mechanical penthouse is defined by its dramatic up-lighting and set back from the University Avenue and Simcoe Street building facades while remaining flush with the north and south elevations.

**Statement of Cultural Heritage Value****Design and Physical Value**

The Sun Life Building is a rare, representative and early example of a modernist office tower featuring a glass and metal curtain wall set back from exposed perimeter support columns. Constructed between 1958 and 1961, the property is among the earliest examples of a modernist high rise building in Toronto to be entirely clad in metal and glass and *the* earliest example along University Avenue. The emphasis on verticality, through the prominent treatment of the perimeter columns and use of narrow I-beam 'fins' running continuously from the **second** through thirteenth floors, marked a departure from the horizontal emphasis of earlier modernist or 'transitional' buildings. The property was the first tall office building constructed along University Avenue that did not adhere to the policies of University Avenue By-Law 13409 which required that structures be constructed to the property line, feature step-backs, and be clad in buff brick or stone.

The public space created by the setback from University Avenue and the adjacent banking pavilion located to the south of the building (since demolished) represented an early example of the plaza and pavilion typology that was first introduced by New York City's Seagram Building (1958), and would later be a feature of the Toronto Dominion Centre (1969).

## Historical and Associative Value

The property is valued for its association with the architectural firm of John B. Parkin Associates, one of Canada's leading Modernist and most prolific firms of the 1950s and 1960s that contributed many significant buildings to Toronto during this period. Designed and built between 1958 and 1961 by John C. Parkin, the firm's Chief Designer and described as one of Canada's most important modernist architects, the Sun Life Building exemplifies the firm's work at this time which was chiefly aligned with International Style Modernism in its rigour, expressed structure and formal clarity, typically favouring glass cladding and light-coloured materials.

## Contextual Value

The property is important in defining and supporting the overall character of University Avenue through its alignment with properties to the north. Constructed at the point where University Avenue transitions from the 1928-1931 extension south of Queen Street to the earlier and wider axial boulevard section north of Richmond Street West, the Sun Life Building's setback frames the point at which University Avenue becomes a grand ceremonial boulevard.

The property is visually and historically linked to University Avenue. The creation of the granite public plaza along University Avenue was in response to the irregular shape of the property which was the result of the extension of University Avenue between 1928 and 1931. Set back from University Avenue, the building was sited to align with the earlier section of University Avenue to the north, including the Bank of Canada Building, Canada Life Building, and United States Consulate. As the first tall building to successfully challenge the policies of By-Law 13409 governing University Avenue, the property is historically linked to the post-war phase of development along University Avenue.

## Heritage Attributes

### Design and Physical Value

Attributes that contribute to the value of the property at 200 University Avenue as representative of the Modernist style include:

- The scale, form and massing of the 14-storey plus 2-storey mechanical penthouse office building, situated on the southwest corner of University Avenue and Richmond Street West
- The shared design, articulation and organization of the four elevations from the **second** to thirteenth floors
- The metal-clad perimeter columns extending from the first through thirteenth floors on the east and west elevations, and the first through sixteenth floors on the north and south elevations
- The recessed fourteenth floor
- The 2-storey mechanical penthouse (fifteenth and sixteenth floors) with its east and west setbacks from the tower elevations below. The north and south ends of the mechanical penthouse, which are flush with the tower elevations below, cantilever over the recessed fourteenth floor

- The glass-clad ground floor and mezzanine level set back from the perimeter columns and tower elevations
- **The granite terracing and entrance steps on the west elevation**
- The granite public plaza, terracing and entrance steps on the **east elevation**

Interior Attributes that contribute to the value of 200 University Avenue as representative of the Modernist style include:

- The entrance lobby, accessed through two sets of doors on the west elevation **and by a central revolving door with flanking main doors on the east elevation** and aligned directly across the lobby space from each other on the same east-west axis
- The metal door frames surrounding the two sets of entrance doors, including the roof canopies
- The travertine wall panelling and granite flooring throughout the entrance hall at street level
- The elevator lobby in the entrance hall and at each floor, with the travertine walls and stainless steel elevator doors and surrounds

### **Contextual Value**

Attributes that contribute to the contextual value of 200 University Avenue as defining and supporting the character of the University Avenue precinct, and as being historically and visually linked to its surroundings include:

- The setback, placement and orientation of the building, with its primary entrance on University Avenue
- The granite, open public plaza between the primary (east) elevation of the building and University Avenue
- The unobstructed view of the east, north, and west elevations from University Avenue, Richmond Street West, and Simcoe Street



View of the property at 200 University Avenue looking southwest (Heritage Planning, 2023)