

1117 Queen Street West - Proposed Designation By-Law under Part IV, Section 29 of the Ontario Heritage Act – Consideration of Objection

Date: September 28, 2023

To: City Council

From: Chief Planner and Executive Director, City Planning

Wards: Ward 9 - Davenport

SUMMARY

This report recommends that City Council amend its decision of June 14, 2023 (PH4.2), stating its intention to designate the property at 1117 Queen Street West (the subject property) under Part IV, s. 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, Queen Street Post Inc., within the statutory timeline. Staff are recommending an amendment described in this report in response to this objection in order to clarify the Statement of Significance adopted by Council.

The subject property is located on the south side of Queen Street West, between Lisgar Street and Abell Street in the West Queen West neighbourhood, and contains Postal Station 'C', a two-storey building completed in 1903. The Beaux-Arts building was designed by the architecture branch of the federal Department of Public Works, with S.G. Curry acting as the local associate architect. The property was listed on the City of Toronto's Inventory of Heritage Properties (now the Heritage Register) on June 20, 1973, and is a landmark property in the West Queen West area.

City Council has until October 18, 2023, which is 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 Queen Street Post Inc. and remain of the opinion that this property holds cultural heritage value or interest. The property meets seven out of nine criteria relating to design/physical, historical/associative, and contextual values in Ontario Regulation 9/06, the criteria prescribed for municipal designation under Part IV, s. 29 of the Act.

As the property has cultural heritage value or interest and meets the prescribed criteria pursuant to Part IV, s. 29 of the 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

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

1. City Council enact a by-law designating the property at 1117 Queen Street West under Part IV, Section 29 of the Ontario Heritage Act substantially in accordance with the Revised Statement of Significance: 1117 Queen Street West (Reasons for Designation) attached as Attachment 3 to the report September 28, 2023 from the Chief Planner and Executive Director.
2. City Council authorize the City Solicitor to introduce the bill in City Council designating the property at 1117 Queen Street West under Part IV, Section 29 of the Ontario Heritage Act.

FINANCIAL IMPACT

There are no financial implications resulting from the adoption of this report. The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact Section.

DECISION HISTORY

On August 15, 2022, City Council adopted a report from the Chief Planner and Executive Director, "1117 Queen Street West - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act" (CC48.2) and stated its intention to designate the property at 1117 Queen Street West under Part IV, Section 29 of the Ontario Heritage Act.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.CC48.2>

On March 29, 2023, City Council adopted CC5.39 and reaffirmed the intention to designate the property at 1117 Queen Street West under Part IV, Section 29 of the Ontario Heritage Act, after considering the objection to the designation.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.CC5.39>

On June 14, 2023, City Council adopted a report from the Chief Planner and Executive Director, "1117 Queen Street West - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act" (PH4.2) and stated its intention to designate the property at 1117 Queen Street West under Part IV, Section 29 of the Ontario Heritage Act.

<https://www.toronto.ca/legdocs/mmis/2023/ph/bgrd/backgroundfile-236541.pdf>

BACKGROUND

City Council first stated its intention to designate the property at 1117 Queen Street West under Part IV, Section 29 of the Ontario Heritage Act on August 15, 2022. However, the designation by-law was not passed within the prescribed time frame of 120 days, as originally extended by the owner to April 18, 2023, and the Notice of the Intention to Designate the property was deemed to have been withdrawn in accordance with subsection 29(9) of the Ontario Heritage Act.

Subsequently, City Council stated its intention to designate the subject property under Part IV, s. 29 of the Act on June 14, 2023. A notice of intention to designate was served on the property owner and the Ontario Heritage Trust, and was published in accordance with the Act. The objection period ended on July 20, 2023.

The City Clerk received a notice of objection on behalf of the property owner within the required timeframe set out in the Act. The Act requires that City Council consider and make a decision on an objection within 90 days from the end of the objection period. City Council may decide to withdraw, amend, or affirm its intention to designate.

COMMENTS

Staff have reviewed the notice of objection dated June 27, 2023 and prepared by McCarthy Tétrault LLP. A copy of the notice of objection is included as Attachment 1 to this report. Although the objector acknowledges that the property may have some cultural heritage value, they oppose the intention to designate and request that it be withdrawn for a number of reasons related to both the process and content of the notice of intention to designate.

The Statement of Significance (Reasons for Designation) adopted by Council as part of Item PH4.2 is appended to this report as Attachment 2. An amended Statement of Significance (Reasons for Designation) is appended to this report as Attachment 3. The revision removes a reference to the proposed West Queen West Heritage Conservation District for greater clarity.

The objector is of the opinion that they were not contacted about or consulted on the proposed designation and that the designation process was unnecessarily rushed given that no development application has yet been submitted. The Act prescribes the content and process that Council must follow when serving notice of its intention to designate a property under s. 29 of the Act. Staff have reviewed the process that led to Council serving notice. There is no requirement to notify the property owner in advance of Council stating its notice of intention to designate any property under Part IV, s. 29 of the Act.

The City typically exceeds the requirements of the Act by advising property owners in advance of meetings where staff may be recommending that a property be designated. Staff are satisfied that the process Council followed in order to serve its intention to designate the subject property meets the requirements of the Act. Furthermore, staff

met with community members and a consultant representing the client several months in advance of the notice of intention to designate, and shared the proposed Council timeline with all affected stakeholders.

Regarding the opinion that the process was rushed given that no development application has yet been submitted, the Ontario Heritage Act prescribes the process of designation of a property under Part IV of the Act. There is no requirement under the Ontario Heritage Act to only designate a property where there is a development application. Also, amendments made to the Act reinforce identification and evaluation of heritage properties earlier in the development review process.

The Act also prescribes criteria under O. Reg 9/06 required to be evaluated to determine whether a property has cultural heritage value or interest and therefore 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.

The sequential approach described above is consistent with the Standards and Guidelines for Historic Places in Canada (Standards and Guidelines) 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 is of the opinion that the heritage attributes and description of cultural heritage value contained in the Statement of Significance preclude the viability of providing meaningful community space on the property. As written, the Statement of Significance does not include any interior attributes, nor does it add any restrictions on the use(s) of the building. As such, staff are of the opinion that there is nothing objectively preventing the owner from incorporating community space or community use on the property.

The objector also expressed the objection that the heritage attributes as currently written would limit the ability to achieve redevelopment that conforms to the Official Plan and represents good planning and best heritage practices. The alteration of a heritage property is provided for in the Ontario Heritage Act and within the Official Plan, which indicates that heritage conservation plays an integral role in successful city-building. The Official Plan also encourages the adaptive re-use of heritage properties providing that new construction on, or adjacent to, a property on the Heritage Register is designed to conserve the cultural heritage values, attributes and character of that property.

The objector asserts that if the designation by-law were enacted with the heritage attributes and Statement of Significance as written, the property would be "sterilized" by

precluding any ability to increase density through reasonable and appropriate vertical development. Standards 11 and 12 in the Standards and Guidelines specifically address how to plan for additions and alterations to heritage properties to accommodate new uses. The appropriateness of proposed interventions to a heritage property within the planning process is determined through an alteration or demolition application under s.33 and s.34 of the Act. The process is the same for all heritage properties, including those identified as landmarks.

Through their notice of objection, the objector submits that the heritage attributes included in the Reasons for Designation are overly broad and arbitrary, and in part, do not have any logical connection to the requisite statutory criteria for designation. For example, the objector asserts that a number of specific architectural features are not clearly linked to how they relate to the design principles of the Beaux-Arts style. City staff disagree. In designation by-laws, lists of specific architectural features that are shared among buildings of a certain era or type are how buildings are categorized into different architectural styles, and therefore the Statement of Significance identifies those features which are exemplified by the subject property as heritage attributes.

The Beaux-Arts style draws upon neoclassical design language. Staff are of the opinion that the building's use of symmetry, flat roof, raised first storey, and round-arched openings in particular, are a direct application of the style to the design of the building. Other attributes that exemplify the prudent use of public funds without compromising the Beaux-Arts architectural language and composition include, in part: the economical use of brick cladding in lieu of a more expensive stone; the incorporation of pilasters in lieu of free standing columns with carved capitals; and a simplified parapet and metal cornice, which together comprise an entablature, a design element distinctively derived from classical architecture.

Staff have re-examined the Statement of Significance (Reasons for Designation) for the property at 1117 Queen Street West and remain of the opinion that the extent of the Statement of Cultural Heritage Value and the Heritage Attributes appropriately describe the cultural heritage value or interest of this property as it relates to the criteria prescribed by Ontario Regulation 9/06 of the Act.

The objector also expressed the opinion that the Statement of Significance as written will require the preservation of all existing building elevations in perpetuity and also that architectural features which have been altered since the original date of construction should not be identified as heritage attributes. As outlined above, changes to a heritage property can be addressed through an alteration application under s.33 of the Act. The Standards and Guidelines recognize that historic places evolve over time and address the issue of non-original and altered features of a property through Standard 2, which calls for the conservation of changes to a property that have their own distinct value.

Staff remain of the opinion that the Statement of Cultural Heritage Value and the Heritage Attributes appropriately describe the cultural heritage value or interest of this property as it relates to both original and altered features.

The objector notes that the Statement of Cultural Heritage Value refers to the proposed West Queen West Heritage Conservation District, and that the presence (or absence) of

a proposed Heritage Conservation District has no bearing on whether an individual property is of cultural heritage value. Staff have considered this objection and are consequently recommending that the Statement of Significance be amended to remove reference to the proposed West Queen West Heritage Conservation District. Council has not adopted a District Plan for the West Queen West area, which remains under study.

Should Council adopt the revised Statement of Significance, the City Solicitor will introduce a designating by-law to Council under s. 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 s. 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

The property at 1117 Queen Street West meets seven out of nine criteria relating to design/physical, historical/associative, and contextual values in Ontario Regulation 9/06, the criteria prescribed for municipal designation under Part IV, s. 29 of the Ontario Heritage Act. As such, despite the notice of objection, it is recommended that this property be designated in accordance with the revised Statement of Significance.

CONTACT

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SIGNATURE

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

ATTACHMENTS

Attachment 1 – Letter of Objection – 1117 Queen Street West

Attachment 2 - Statement of Significance (Reasons for Designation) – 1117 Queen Street West

Attachment 3 - Revised Statement of Significance (Reasons for Designation) - 1117 Queen Street West

Attachment 4 - Photograph

1117 QUEEN STREET WEST
STATEMENT OF SIGNIFICANCE
(REASONS FOR DESIGNATION)

ATTACHMENT 2

The property at 1117 Queen Street West 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 all three categories of design, associative and contextual value.

Description

The property at 1117 Queen Street West is located on the south side of Queen Street West between Lisgar Street and Abell Street in the West Queen West neighbourhood, and contains the former Postal Station 'C', a two-storey building completed in 1903. The Beaux-Arts building was designed by the architecture branch of the federal Department of Public Works, with S.G. Curry acting as the local associate architect.

The property is uniquely positioned in that it is surrounded on all four sides by the public realm, facilitating visibility and access to all four of the building's elevations. On the north and east, the property abuts the adjacent street and sidewalk. To the west, a narrow extension of Lisgar Park connects to Queen Street West, and a public laneway running along the south property line has been integrated into the design of Lisgar Park.

The property was listed on the City of Toronto's Inventory of Heritage Properties (now the Heritage Register) on June 20, 1973, and is located within the proposed West Queen West Heritage Conservation District. The property is part of a collection of former institutional buildings within the West Queen West area, including the former Queen and Lisgar Library (1115 Queen Street West, designated Part IV in 2012) on the opposite side of Lisgar Street that has been adaptively reused as the Theatre Centre.

Statement of Cultural Heritage Value

Postal Station 'C' is valued for its design and physical value as an early example of the stripped Beaux-Arts style applied to federal buildings at the beginning of the 20th century. The two-storey square form and massing, brick cladding with stone detailing, and flanking entrances are characteristic of post offices contemporary to this era. The Beaux-Arts influences can be seen in the flat roofline, symmetrical composition of the four elevations, the double height pilasters, the metal cornice, rusticated stone base and stringcourses that wrap the entirety of the building, and the round arched openings on the ground floor and flat-headed openings on the upper floor.

The property at 1117 Queen Street West has additional associative value for its contribution to the understanding of the historical development and evolution of the West Queen West neighbourhood, with Queen Street West serving as the dividing line between the Park Lots and the Military Reserve that were established in 1793. The large lots on the south side of the street that were gradually parceled out from the Military Reserve lands for institutional use to support the growing City contrast with the ad hoc subdivision and narrower lots on the north side of the street.

The property at 1117 Queen Street West is further valued for its association with the architecture branch of the Department of Public Works of Canada, which was formed in 1871 and contributed significantly to establishing a cohesive and recognizable image for federal buildings across the nation. Under the tenure of Chief Architect David Ewart from 1897-1914, the Department of Public Works designed and constructed hundreds of federal buildings across Canada, including over 180 post offices. Postal Station 'C' introduced the modest and stripped down aesthetic that reflected the emphasis on rational and prudent use of public funds, whilst maintaining an appropriate appearance of civic grandeur. The Department of Public Works replicated these ideas in other projects constructed across the country.

Located on the south side of Queen Street West, the red brick and stone building at 1117 Queen Street West has contextual value for its contribution to the historical character of the West Queen West area, which is typified by narrow lots with commercial buildings on the north side of the street, and large lots originally held for institutional use on the south side of the street (the former Military Reserve lands). Like several other buildings on the south side of Queen Street West, all four elevations are visible from the public realm. This section of Queen Street West is part of the proposed West Queen West Heritage Conservation District.

The contextual value of Postal Station 'C' is also demonstrated by its historical and visual links to its surroundings on Queen Street West, where it contributes to an important collection of institutional buildings along this section of the street, including the neighbouring Queen and Lisgar Library (1115 Queen Street West), the Dovercourt YMCA (1089 Queen Street West), and the extant walls of the former Provincial Lunatic Asylum. These properties are connected through their creation in 1888 when the east and west portions of the Asylum grounds were subdivided and subsequently sold.

Postal Station 'C' is considered a local landmark.

Heritage Attributes

Design and Physical Value

The following heritage attributes contribute to the value of the property at 1117 Queen Street West as an early example of stripped Beaux-Arts principles applied to a federal building:

- The setback, placement, and orientation of the building on the south side of Queen Street West between Abell and Lisgar streets
- The scale, form and massing of the building that rises two stories above the rusticated stone base, including the projecting corner bays with their double height brick piers
- The materials including the red brick cladding and the brick and stone detailing
- The flat roofline, brick parapet and the metal cornice
- The round arched openings on the ground floor and the flat arched openings on the second floor on all four elevations
- Rusticated stone stringcourses accenting the level of the springline on the ground floor openings and the sill level for the second floor windows, on all four elevations

- The symmetrical organization of the building's four elevations
- On the north elevation, the two flanking entrances raised above grade and accessed by wide stairways and landings
- On the south elevation, the two symmetrically arranged brick chimneys next to the projecting corner bays

Historical and Associative Value

Attributes that contribute to the value of the property as connecting to the building program of the Department of Public Works of Canada:

- On the north elevation, the two flanking entrances (one for public access and one for private access) and the upwardly projecting stone nameplate inscribed with "Postal Station C"
- The use of the stripped Beaux-Arts style that reflected the emphasis on the prudent use of public funds, whilst maintaining an appropriate appearance of civic grandeur on all four elevations

Contextual Value

Attributes that contribute to the value of the property as defining, supporting and maintaining the historic character of the area, being historically, visually, functionally and physically linked to their setting, and being considered a landmark within the West Queen West neighbourhood:

- The two-storey scale, form, and massing, and flat roof
- The materials including the red brick cladding and the brick and stone detailing
- The setback, placement, and orientation of the property on the south side of Queen Street West between Abell and Lisgar streets, and adjacent to Lisgar Park which allows all four elevations of the building to be viewed from the public realm

Note: The loading dock on the rear (south) elevation was constructed in 2012 and is not considered a heritage attribute.

1117 QUEEN STREET WEST
REVISED STATEMENT OF SIGNIFICANCE
(REASONS FOR DESIGNATION)

ATTACHMENT 3

The property at 1117 Queen Street West 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 all three categories of design, associative and contextual value.

Description

The property at 1117 Queen Street West is located on the south side of Queen Street West between Lisgar Street and Abell Street in the West Queen West neighbourhood, and contains the former Postal Station 'C', a two-storey building completed in 1903. The Beaux-Arts building was designed by the architecture branch of the federal Department of Public Works, with S.G. Curry acting as the local associate architect.

The property is uniquely positioned in that it is surrounded on all four sides by the public realm, facilitating visibility and access to all four of the building's elevations. On the north and east, the property abuts the adjacent street and sidewalk. To the west, a narrow extension of Lisgar Park connects to Queen Street West, and a public laneway running along the south property line has been integrated into the design of Lisgar Park.

The property was listed on the City of Toronto's Inventory of Heritage Properties (now the Heritage Register) on June 20, 1973. The property is part of a collection of former institutional buildings within the West Queen West area, including the former Queen and Lisgar Library (1115 Queen Street West, designated Part IV in 2012) on the opposite side of Lisgar Street that has been adaptively reused as the Theatre Centre.

Statement of Cultural Heritage Value

Postal Station 'C' is valued for its design and physical value as an early example of the stripped Beaux-Arts style applied to federal buildings at the beginning of the 20th century. The two-storey square form and massing, brick cladding with stone detailing, and flanking entrances are characteristic of post offices contemporary to this era. The Beaux-Arts influences can be seen in the flat roofline, symmetrical composition of the four elevations, the double height pilasters, the metal cornice, rusticated stone base and stringcourses that wrap the entirety of the building, and the round arched openings on the ground floor and flat-headed openings on the upper floor.

The property at 1117 Queen Street West has additional associative value for its contribution to the understanding of the historical development and evolution of the West Queen West neighbourhood, with Queen Street West serving as the dividing line between the Park Lots and the Military Reserve that were established in 1793. The large lots on the south side of the street that were gradually parceled out from the Military Reserve lands for institutional use to support the growing City contrast with the ad hoc subdivision and narrower lots on the north side of the street.

The property at 1117 Queen Street West is further valued for its association with the architecture branch of the Department of Public Works of Canada, which was formed in 1871 and contributed significantly to establishing a cohesive and recognizable image for federal buildings across the nation. Under the tenure of Chief Architect David Ewart from 1897-1914, the Department of Public Works designed and constructed hundreds of federal buildings across Canada, including over 180 post offices. Postal Station 'C' introduced the modest and stripped down aesthetic that reflected the emphasis on rational and prudent use of public funds, whilst maintaining an appropriate appearance of civic grandeur. The Department of Public Works replicated these ideas in other projects constructed across the country.

Located on the south side of Queen Street West, the red brick and stone building at 1117 Queen Street West has contextual value for its contribution to the historical character of the West Queen West area, which is typified by narrow lots with commercial buildings on the north side of the street, and large lots originally held for institutional use on the south side of the street (the former Military Reserve lands). Like several other buildings on the south side of Queen Street West, all four elevations are visible from the public realm.

The contextual value of Postal Station 'C' is also demonstrated by its historical and visual links to its surroundings on Queen Street West, where it contributes to an important collection of institutional buildings along this section of the street, including the neighbouring Queen and Lisgar Library (1115 Queen Street West), the Dovercourt YMCA (1089 Queen Street West), and the extant walls of the former Provincial Lunatic Asylum. These properties are connected through their creation in 1888 when the east and west portions of the Asylum grounds were subdivided and subsequently sold.

Postal Station 'C' is considered a local landmark.

Heritage Attributes

Design and Physical Value

The following heritage attributes contribute to the value of the property at 1117 Queen Street West as an early example of stripped Beaux-Arts principles applied to a federal building:

- The setback, placement, and orientation of the building on the south side of Queen Street West between Abell and Lisgar streets
- The scale, form and massing of the building that rises two stories above the rusticated stone base, including the projecting corner bays with their double height brick piers
- The materials including the red brick cladding and the brick and stone detailing
- The flat roofline, brick parapet and the metal cornice
- The round arched openings on the ground floor and the flat arched openings on the second floor on all four elevations
- Rusticated stone stringcourses accenting the level of the springline on the ground floor openings and the sill level for the second floor windows, on all four elevations
- The symmetrical organization of the building's four elevations

- On the north elevation, the two flanking entrances raised above grade and accessed by wide stairways and landings
- On the south elevation, the two symmetrically arranged brick chimneys next to the projecting corner bays

Historical and Associative Value

Attributes that contribute to the value of the property as connecting to the building program of the Department of Public Works of Canada:

- On the north elevation, the two flanking entrances (one for public access and one for private access) and the upwardly projecting stone nameplate inscribed with "Postal Station C"
- The use of the stripped Beaux-Arts style that reflected the emphasis on the prudent use of public funds, whilst maintaining an appropriate appearance of civic grandeur on all four elevations

Contextual Value

Attributes that contribute to the value of the property as defining, supporting and maintaining the historic character of the area, being historically, visually, functionally and physically linked to their setting, and being considered a landmark within the West Queen West neighbourhood:

- The two-storey scale, form, and massing, and flat roof
- The materials including the red brick cladding and the brick and stone detailing
- The setback, placement, and orientation of the property on the south side of Queen Street West between Abell and Lisgar streets, and adjacent to Lisgar Park which allows all four elevations of the building to be viewed from the public realm

Note: The loading dock on the rear (south) elevation was constructed in 2012 and is not considered a heritage attribute.



View of the property at 1117 Queen Street West looking southwest (Heritage Planning, 2022)