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September 11, 2023

By E-Mail

Our File No. 306644

Toronto Preservation Board
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Administrator, Secretariat, City Clerk's Office
E-mail: hertpb@toronto.ca

Dear Chair and Members of the Toronto Preservation Board:

Re: PB9.3 - 509 Parliament Street – Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act

We act on behalf of Streetwise Properties Inc., with respect to the properties municipally known as 505, 507 and 509 Parliament Street (collectively, the “Site”) in the City of Toronto (the “City”). The Site is located on the east side of Parliament Street, south of Winchester Street and north of Carlton Street. The existing structure on 509 Parliament Street is a one- and two-storey structure.

On August 21, 2023, Heritage Planning issued a report to the Toronto Preservation Board recommending that City Council state their intention to designate the property at 509 Parliament Street pursuant to Part IV, section 29 of the *Ontario Heritage Act*.

Our client has now had the opportunity to review Staff’s report with its heritage consultant ERA Architects (“**ERA**”). Our client, and ERA, do not agree with the proposed designation of 509 Parliament Street. Please see the letter prepared by ERA, attached as **Appendix A**, detailing the reasons for same.

The purpose of this letter is to advise the TPB that our client objects to the proposed designation of the property at 509 Parliament Street and the Reasons for Designation in the August 21, 2023 Staff Report. We request that the TPB not accept the Staff recommendation to designate, nor the stated Reasons for Designation. Our client requests that any heritage considerations for 509 Parliament Street be instead addressed through the development review process, which has been a collaborative process between our client and City Staff to date.

On March 21, 2023, our client’s planning consultant, WND Associates, submitted a Zoning By-law Amendment application for the Site for the development of a new 10-storey mixed-use

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building. Included with the application materials was a Heritage Impact Assessment and a Cultural Heritage Evaluation Report prepared by ERA.

Based on the foregoing, our client respectfully requests that the TPB not recommend designation of the property at 509 Parliament Street.

We trust the enclosed is satisfactory. Should you require any further information, please do not hesitate to contact the undersigned.

Yours truly,

AIRD & BERLIS LLP



Andrea Skinner
Partner

AS/NM:np

cc: Mr. Kareem Sethi, Streetwise Properties Inc.
Mr. Philip Evans, ERA Architects Inc.
Ms. Naomi Mares, Aird & Berlis LLP

AIRD BERLIS



Date: September 11, 2023 **Sent by:** EMAIL
To: The Chair & Members of the Toronto Preservation Board
Subject: PB9.3 - 509 Parliament Street - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act

Dear Chair & Members of the Toronto Preservation Board,

This letter has been prepared to flag ERA's concerns with the proposed designation of the property at 509 Parliament Street (the "Site").

The Site and its neighbouring property at 505 Parliament Street are currently subject to a development application (No. 23124360STE13OZ), which proposes the retention and restoration of the existing principal (west) elevation of the existing building at 509 Parliament Street and its integration with a new residential building and commercial storefronts.

As part of this application, ERA prepared a Cultural Heritage Evaluation Report (CHER), which concluded that the Site carries some nominal heritage value, however, is not a strong candidate for designation under the OHA. We have outlined our concerns with the designation, generally, and the interior attributes, specifically, below.

Not a Strong Candidate for Designation

The building on the Site was constructed for the Carlton Theatre in 1929-30 (replacing the original 1914 Carlton Theatre). The theatre operated in the existing building for approximately 25 years, until 1954. The Canadian Broadcasting Centre (CBC) Radio Cabbagetown Studio operated from the building for the next 40 years, from 1955/56 to 1992. In 1995, the building was sold to the Canadian Contemporary Dance Theatre (CCDT), which is the current owner and occupant of the property. It has operated as a dance studio for just under 30 years.

Though this building was purpose-built as a theatre, it operated as such for only 25 years and has not operated as a theatre for nearly 70 years.

The interiors and the principal elevation have been significantly altered to accommodate its later uses. The stage and auditorium seating have been removed, the raked floor leveled, and partitions have been added to break up the auditorium volume to smaller studio spaces. Due to these alterations, the original clear-span of the auditorium is no longer legible and the three-part arrangement of the building lacks integrity. The exterior of the building has also been altered, including the removal of the original front entrance and marquee and the infilling of its original storefronts with concrete block.

The architect of the building, Herbert G. Duerr, was responsible for many theatres in the 1920s to 40s, some of which exemplifying high-quality theatre detailing and construction, such as the Tivoli Theatre in Hamilton. By contrast, this building's modest interior and exterior does not demonstrate a high degree of craftsmanship or artistic merit; it is a very modest example of Duerr's work and, when compared to other

extant Toronto theatres that date to the period, does not demonstrate a level of design excellence that warrants recognition. The significant interior and exterior alterations further reduce the design/physical value and integrity of the building (refer to the attached photographs).

For these reasons, while this building contributes to the character of the streetscape on Parliament, in our opinion it does not rise to a level of significance that merits designation under the Ontario Heritage Act and on that basis the property should not be designated.

Interior Attributes are Not Appropriate

Beyond it being our opinion that this property does not meet the threshold for designation, we are also concerned with the inclusion of interior attributes and attributes that cannot be seen/viewed from the public realm in the proposed designation by-law.

This is a private commercial property that ceased regular operation as a theatre open to the general public nearly 70 years ago. The extensive interior alterations are a testament to its change of use, and to the obsolescence of its original theatre form.

The proposed designation by-law contains a lengthy list of interior attributes, many of which have been altered and none of which demonstrate a high degree of artistic merit and/or quality of craftsmanship (see attached photographs). It also includes the “domed” roof of the auditorium, which is a faceted gable-end roof structure that is only visible from a bird’s eye view and not from Parliament Street (or any other street).

Designated interiors tend to be reserved for public buildings and/or buildings where the artistic merit and/or quality of craftsmanship of the interior design is very high. These factors are not present. On this basis, ERA would specifically recommend against the inclusion of the following attributes if the property were to be designated (which, again, in our opinion it should not be):

- *Interior finishes including auditorium pilasters (piers) ornamented with Art Deco motifs and classical medallions; the auditorium's stylized cornice and screen opening mouldings.*
- *The three-part arrangement of the building comprising lobby, clear-span auditorium, and stage/screen area.*
- *The elements of the original interior configuration including entrance vestibule, shallow interior lobby extending into corridors with stairways, and the extended ceiling height and open volume space of the auditorium.*

Further, we would recommend the below attribute be revised as follows:

- *The flat roof form of the lobby portion of the building and the ~~domed roof of the auditorium-parapet wall of the auditorium.~~*

We appreciate your review and consideration of the above.

Sincerely,



Philip Evans, Principal, ERA

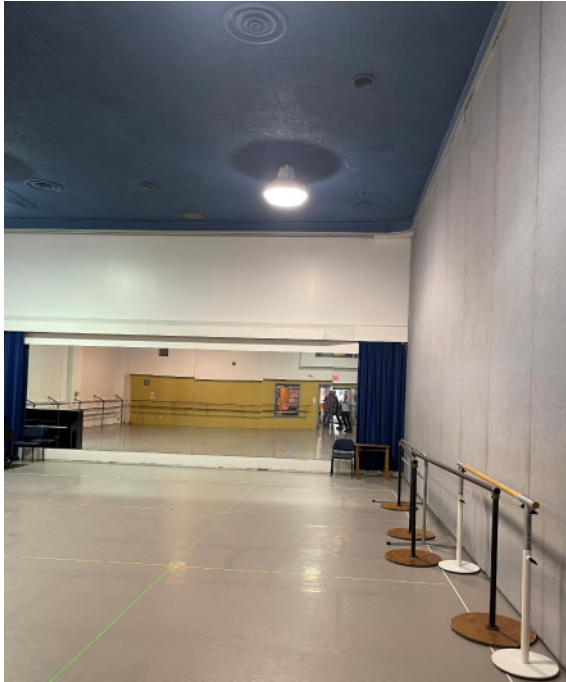
ATTACHEMENT: PHOTOGRAPHS OF 509 PARLIAMENT STREET



Front (west) elevation (ERA, 2022).



View looking north-east on Parliament Street (ERA, 2022).



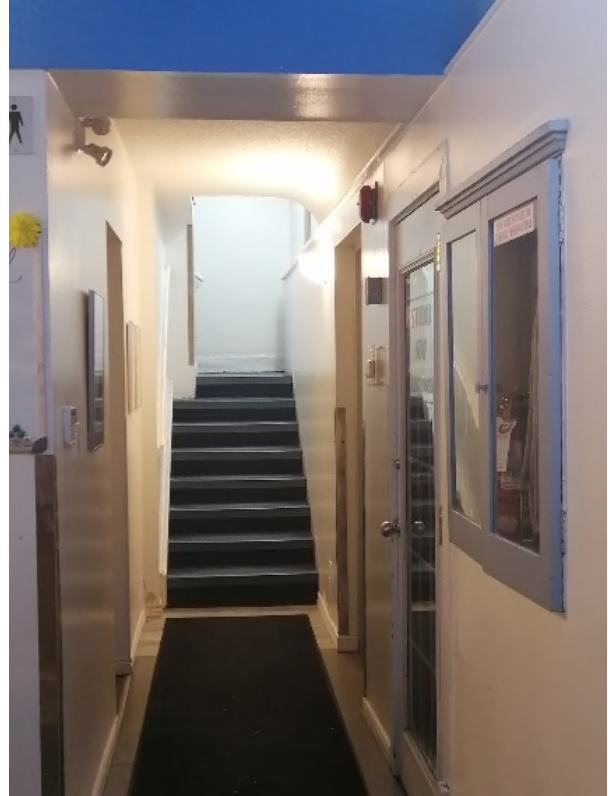
Former auditorium space that has been altered and partitioned off into smaller studio spaces (ERA, 2022).



Remaining screen opening mouldings (ERA, 2022).



Interior of lobby (ERA, 2022).



Stairwell off of the lobby leading to auditorium mezzanine walkway (right) (ERA, 2022).



Entrance Vestibule (ERA, 2022).



Stylized Cornice (ERA, 2022).



Pilaster piers and motifs (ERA, 2022).