

Toronto Preservation Board

Meeting No.	4	Contact	Ellen Devlin, Committee Administrator
Meeting Date	Thursday, March 23, 2023	Phone	416-392-7033
Start Time	9:30 AM	E-mail	hertpb@toronto.ca
Location	Video Conference	Chair	Sandra Shaul

PB4.3	ACTION	Adopted		Ward: 13
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153 and 185 Eastern Avenue - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act

Board Decision

The Toronto Preservation Board recommends to the Planning and Housing Committee that:

1. City Council state its intention to designate the properties at 153 and 185 Eastern Avenue under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance; 153 and 185 Eastern Avenue (Reasons for Designation) attached as Attachment 3, to the report, March 13, 2023, from the Senior Manager, Heritage Planning, Urban Design, City Planning.
2. If there are no objections to the designation, City Council authorize the City Solicitor to introduce the Bill in Council designating the property under Part IV, Section 29 of the Ontario Heritage Act.

Decision Advice and Other Information

Megan Albinger, Planner, Heritage Preservation, Urban Design, City Planning gave a presentation on 153 and 185 Eastern Avenue - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act.

Origin

(March 13, 2023) Report from the Senior Manager, Heritage Planning, Urban Design, City Planning

Summary

At its meeting on March 23, 2023, the Toronto Preservation Board considered Item [PB4.3](#) and made recommendations to City Council.

Summary from the report (March 13, 2023) from the Senior Manager, Heritage Planning, Urban Design, City Planning:

This report recommends that City Council state its intention to designate the listed heritage properties at 153 and 185 Eastern Avenue under Part IV, Section 29 of the Ontario Heritage Act for their cultural heritage value.

The properties at 153 and 185 Eastern Avenue are situated on the south side of Eastern Avenue between Cherry Street and Bayview Avenue. The vernacular mid-century industrial style buildings were occupied by Dominion Wheel & Foundries Ltd., who played an important role in supplying rail and train parts to Canada's burgeoning rail industry in the first half of the 20th century. As a collection, the surviving buildings are a unique example of an industrial complex typology in the West Don Lands neighbourhood, and they reflect the historical evolution of the area from its earliest use as a Government Reserve, followed by its rise and fall as an important industrial centre in the late-19th and early-20th centuries.

The Dominion Wheel & Foundries complex is also valued for its association with James, Proctor & Redfern (later Proctor, Redfern & Laughlin), a Toronto-based engineering firm. In addition to being responsible for the building program at the Dominion Wheel & Foundries Eastern Avenue complex during its period of expansion from the 1920s to the 1950s, the firm was instrumental in civil engineering and city-building in Southern Ontario's growing municipalities in the early 20th century.

The subject properties were included on the City of Toronto's Heritage Register on October 1, 2004.

In March 2022, a Heritage Conservation Agreement was signed between the Province and the new owner of the site. Since the subject properties are no longer under provincial ownership or control, Council can designate the site under Part IV, Section 29 of the Ontario Heritage Act.

Staff have completed the Research and Evaluation Report for the properties at 153 and 185 Eastern Avenue and determined that the properties meet Ontario Regulation 9/06, the criteria prescribed for municipal designation under Part IV, Section 29 of the Ontario Heritage Act under design and physical, historical and associative, and contextual values. As such, the properties are significant built heritage resources.

On October 22, 2020, Ontario Regulation 595/20 was filed and came into force, establishing the zoning for the site. The Minister's Zoning Order (MZO) was made under Section 47 of the Planning Act, and permits the construction of a maximum of three buildings, one of which must be an apartment building, with the remaining permitted uses of mixed-use building, commercial parking garage, community centre, common outdoor space, and uses, buildings and / or structures accessory to the other permitted uses. The order also sets out allowable height,

setbacks, parking, and other built form requirements; it does not address any requirements related to heritage.

An injunction to stop the Province continuing with the demolition of the buildings on the site was issued by the Divisional Court on January 29, 2021.

In August 2021, the Province and the City reached an "agreement in principle" and committed to ensuring that any purchaser of the property respects the vision for the redevelopment of the site, which includes the retention of many heritage features and allows for some demolition. The conservation of heritage resources on the site is compatible with the planning requirements of the Minister's Zoning Order.

City staff have reviewed the two heritage reports submitted by Infrastructure Ontario that were prepared by Stevens Burgess Architects, including a Cultural Heritage Evaluation Report (CHER) completed June 22, 2021, and a Heritage Impact Assessment (HIA) completed June 24, 2021.[1] A plan and renderings of the recommended conservation strategy for the site, showing which portions of the site will be demolished, retained, rebuilt, and replaced, were included as an appendix to the Heritage Impact Assessment released publicly in August 2021.

The Heritage Conservation Agreement with the Province requires that the alterations, recreations, and conservation work on the site is carried out and thereafter maintained substantially in accordance with the Heritage Impact Assessment prepared by Stevens Burgess Architects and the preliminary design concepts presented within an appendix to the Heritage Impact Assessment. The Heritage Impact Assessment indicates that the submission of a comprehensive Conservation Plan as part of the site plan control process may be used to resolve any outstanding issues raised by the preliminary design concepts.

On November 28, 2022, the More Homes Built Faster Act, 2022 (Bill 23) received Royal Assent. Schedule 6 of the More Homes Built Faster Act which amended the Ontario Heritage Act and came into effect on January 1, 2023. A property may be designated under Part IV, Section 29 of the Ontario Heritage Act, if it meets two or more of the nine provincial criteria.

Designation also enables City Council to review proposed alterations or demolitions to the property and enforce heritage property standards and maintenance.

Should a proposal for the subject property advance, the submission of a site plan application will be required. Site plan control may be used to require certain site elements, such as site access and servicing, on a parcel of land where development is proposed.

Should City Council support the designation of the subject properties as recommended by this report, any proposed alterations and conditions would require the approval of City Council and a separate report would be prepared by the Senior Manager, Heritage Planning.

[1] Earlier reports relevant to the subject properties have also been completed over the last two decades, including several authored by Unterman McPhail Associates and by Archaeological Services Inc. Unterman McPhail Associates prepared a Built Heritage Inventory Report

including the subject properties for the Ontario Realty Corporation in 2006, and an Heritage Impact Assessment for 153 Eastern Avenue for Kongats Architects and WATERFRONToronto in 2010; Archaeological Services Inc. conducted Stage 1 Archaeological Assessments for the West Don Lands, including the subject properties, in 2004, 2006, and 2008.

Background Information

(March 13, 2023) Report and Attachments 1 - 3 from the Senior Manager, Heritage Planning, Urban Design, City Planning on 153 and 185 Eastern Avenue - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act

(<https://www.toronto.ca/legdocs/mmis/2023/pb/bgrd/backgroundfile-234903.pdf>)

Staff Presentation - 153 and 185 Eastern Avenue - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act

(<https://www.toronto.ca/legdocs/mmis/2023/pb/bgrd/backgroundfile-235143.pdf>)

Communications

(March 22, 2023) E-mail from Franca Leeson on behalf of Respect Local Planning and Friends of the Foundry - Asif Hossain, Tim Hurson, Suzanne Kavanagh, Franca Leeson, Cynthia Wilkie (PB.Supp)

(<https://www.toronto.ca/legdocs/mmis/2023/pb/comm/communicationfile-166552.pdf>)

Declared Interests

The following member(s) declared an interest:

Julia Rady - as my firm, Stevens Burgess Architects Ltd., was engaged by Infrastructure Ontario for work at the property. I was one of the authors of the Cultural Heritage Evaluation and Heritage Impact Assessment. Therefore I have a pecuniary interest in the matter.

Written Declaration: <http://app.toronto.ca/tmmis/viewDeclaredInterestFile.do?id=11377>