

134 Carlton Street, 50 Richmond Street East and 860 Richmond Street West - Inclusion on the Heritage Register

Date: March 12, 2024

To: Toronto Preservation Board

Toronto and East York Community Council

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

Wards: Toronto Centre - Ward 13; Spadina-Fort York – Ward 10

SUMMARY

This report recommends that City Council include three properties on the City of Toronto's Heritage Register for their cultural heritage value and interest.

The three properties being recommended for inclusion on the Register are as follows:

134 Carlton Street, Toronto Centre - Ward 13

50 Richmond Street East, Toronto Centre - Ward 13

860 Richmond Street West (including the entrance address at 862 Richmond Street West), Spadina-Fort York – Ward 10

The subject properties include a three-storey apartment building on Carlton Street across from Allan Gardens, a five-storey factory/warehouse type building on Richmond Street East, and a three-storey factory/warehouse type building on Richmond Street West.

The three properties recommended for inclusion on the City's Heritage Register have been researched and evaluated by staff using the criteria prescribed in Ontario Regulation 9/06 and meet one or more of the provincial criteria for determining cultural heritage value or interest and are believed to be of cultural heritage value or interest.

On January 1, 2023, amendments to the Ontario Heritage Act (the Act) through the More Homes Built Faster Act, 2022 (Bill 23) came into effect. Under the Act, as amended, a municipal heritage register may include properties that have not been designated but Council believes to be of "cultural heritage value or interest", and that meet one or more of the provincial criteria for determining whether they are of cultural heritage value or interest. The Act now also limits listing to a period of two years.

As of January 1, 2023, should a property be subject to an Official Plan Amendment, Zoning By-law Amendment and/or Draft Plan of Subdivision Application, properties must be listed on the heritage register prior to Part IV designation and before the occurrence of a prescribed event. A prescribed event is a point of time when the application for an Official Plan Amendment, Zoning By-law Amendment and/or Draft Plan of Subdivision Application has been deemed complete and the City Clerk provides notice of that complete application to the public in accordance with the Planning Act.

The listing of non-designated properties on the municipal heritage register under the Act also extends interim protection from demolition and provides an opportunity for City Council to determine whether the property warrants conservation through designation under the Act should a development or demolition application be submitted.

Properties on the Heritage Register will be conserved and maintained in accordance with the Official Plan Heritage Policies. Heritage Impact Assessments (HIA) are required for development applications that affect listed properties.

RECOMMENDATIONS

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

1. City Council include the following three properties on the City of Toronto's Heritage Register in accordance with the Listing Statements (Reasons for Inclusion) attached as Attachments 1, 2 and 3 to the report, March 12, 2024, from the Acting Senior Manager, Heritage Planning, Urban Design, City Planning.

134 Carlton Street, Toronto Centre - Ward 13

50 Richmond Street East, Toronto Centre - Ward 13

860 Richmond Street West (including the entrance address at 862 Richmond Street West), Spadina-Fort York – Ward 10

FINANCIAL IMPACT

City Planning confirms there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

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 July 4, 2017, City Council authorized the acquisition by the City of the property known municipally as 50 Richmond Street East for municipal parking purposes and to support ancillary uses in the delivery of parking services, to be managed by the Toronto Parking Authority.

<https://secure.toronto.ca/council/agenda-item.do?item=2017.GM21.22>

On June 26, 2018, City Council adopted an amendment to the Official Plan for the lands at 822-838 Richmond Street West and 860-862 Richmond Street West. The Staff Report included a commitment from Heritage Planning to evaluate the properties for cultural heritage value.

<https://secure.toronto.ca/council/agenda-item.do?item=2018.TE33.7>

BACKGROUND

Provincial Plans and Policies

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.

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

Further, the policies and definitions of the Provincial Policy Statement (2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) identify the Ontario Heritage Act as the primary legislation through which heritage evaluation and heritage conservation will be implemented.

<https://www.ontario.ca/page/provincial-policy-statement-2020>

<https://files.ontario.ca/mmah-place-to-grow-office-consolidation-en-2020-08-28.pdf>

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, historical and associative value and contextual value. A property may be designated under Section 29 of the Act if it meets two or more of the nine provincial criteria for determining whether it is of cultural heritage value or interest.

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

As of July 1, 2021, Section 29(1.2) of the Ontario Heritage Act restricts City Council's ability to give notice of its intention to designate a property under the Act to within 90 days of a "Prescribed Event".

A Prescribed Event is a point of time when the application for an Official Plan Amendment, Zoning By-law Amendment and/or Draft Plan of Subdivision Application has been deemed complete and the City Clerk provides notice of that complete application to the public in accordance with the Planning Act. The Prescribed Event is not the date a development

application is deemed complete or when an application is made to the City. A Prescribed Event, including any prescribed exceptions, are defined under O. Reg. 385/21.

If a new or subsequent Official Plan Amendment, Zoning By-law Amendment and/or Draft Plan of Subdivision Application is submitted on the same property, the Prescribed Event date is reset to the new date the City Clerk issues notice to the public of the new or subsequent complete application.

On January 1, 2023, the Province's proposed amendments to the Ontario Heritage Act through the More Homes Built Faster Act, 2022 (Bill 23) came into effect. Bill 23 makes listing a prerequisite to designation under the Ontario Heritage Act, should a property be subject to a development application.

Official Plan

The City of Toronto's Official Plan implements the provincial policy regime and provides policies to guide decision making within the City. It 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 or archaeological potential. The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making. The Official Plan can be found here:

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

COMMENTS

Identifying properties of cultural heritage value or interest is an essential part of a municipality's role in heritage conservation. Including non-designated properties in the municipal register is a means to identify properties that the City believes to have cultural heritage value or interest.

The subject properties being recommended for inclusion on the Heritage Register include a three-storey apartment building on Carlton Street across from Allan Gardens, a five-storey factory/warehouse type building on Richmond Street East, and a three-storey factory/warehouse type building on Richmond Street West. Two of the properties, 50 Richmond Street West and 134 Carlton Street, have been identified as having design and physical value as well as historical/associative value related to the architects who designed them. The property at 860 Richmond Street West has been identified as having design and physical value, as well as contextual value related to its neighbourhood.

More detailed historical research conducted through a future evaluation for designation under Part IV of the Ontario Heritage Act may determine additional cultural heritage values for these properties.

Inclusion of (non-designated) properties on the City's Heritage Register

Non-designated listed properties do not have any protection under the Ontario Heritage Act, except insofar as an owner must give Council at least 60 days' notice of their intention to demolish or remove a structure on the property. Properties that are listed on the City's Heritage Register are flagged for review by Heritage Planning staff once a demolition permit has been submitted and owners must follow established Notice requirements under the Ontario Heritage Act following this action.

Although inclusion on the Heritage Register as a listed property provides interim protection from demolition, it does not preclude an owner's ability to make exterior and interior alterations in the case when demolition or a development application is not involved. Listing does not trigger maintenance requirements over and above existing property standards and it does not restrict altering, removing or adding any features on the property. It does not allow the City to withhold a building permit for non-demolition related alterations and it does not preclude a property from undergoing renovation.

A municipality is not required to consult with property owners or the public before including non-designated properties on the municipal register under the Act. The City's current practice, developed prior to Bill 23 amendments to the Act coming into effect, notifies property owners and invites them to attend the Toronto Preservation Board meeting to discuss the recommendation of a property's inclusion on the City's Heritage Register. There is also an opportunity for owners and the public to share concerns (in person or writing) when Community Council or Planning and Housing Committee considers a heritage related matter.

Short descriptive listings are prepared using a method by which properties are identified and recommended for inclusion on the Heritage Register. This approach to listing provides sufficient information to meet the requirements of Section 27 of the Act to list a non-designated property on the Heritage Register.

Brief statements, named "Reasons for Inclusion", are prepared for all recommended properties explaining why the property is believed to have cultural heritage value and how it meets one or more of the provincial criteria under O. Reg 9/06 providing a preliminary evaluation of the cultural heritage value or interest of the property. The description may include features of the property that may warrant conservation should the property be subject to development and/or further evaluated and determined to merit designation under Part IV of the Act. Location map and photographs are included in each Reasons for Inclusion.

Through Bill 108 and Bill 23, amendments were made to the Ontario Heritage Act to establish a process whereby owners can object to a property's listing on the Heritage Register and, should they do so, a subsequent decision on the listing must be made by the municipality. Owners can object to listings at any time. Chapter 103 of the Toronto Municipal Code establishes the process for Council consideration of objections to properties included on the Heritage Register.

CONCLUSION

Following research and evaluation of the three properties at 134 Carlton Street, 50 Richmond Street East, and 860 Richmond Street West according to Ontario Regulation 9/06, it has been determined that the properties meet one or more provincial criteria and merit inclusion on the City's Heritage Register. The Listing Statements (Reasons for Inclusion) are presented in Attachments 1, 2 and 3.

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ATTACHMENTS

Attachment 1 – 134 Carlton Street - Listing Statement (Reasons for Inclusion)
Attachment 2 – 50 Richmond Street East - Listing Statement (Reasons for Inclusion)
Attachment 3 – 860 Richmond Street West (including entrance address at 862 Richmond St. W) – Listing Statement (Reasons for Inclusion)

134 Carlton Street

ATTACHMENT 1

Listing Statement (Reasons for Inclusion)

Staff have undertaken research and evaluation for the property at 134 Carlton Street and believe that the property has cultural heritage value or interest and meets at least one or more of the criteria prescribed in Ontario Regulation 9/06 for including a non-designated property on a municipal register under Section 27 of the Ontario Heritage Act. The subject property may meet additional criteria, which could be informed by community engagement and determined through further research and evaluation.

Listing Statement:

Description: Located in the Cabbagetown-South St. James Town neighbourhood on the north side of Carlton Street between Jarvis Street and Sherbourne Street and across from Allan Gardens, the property at 134 Carlton Street comprises a three-storey brick apartment building.

The subject property at 134 Carlton Street is considered to have cultural heritage value as it meets the following criteria under Ontario Regulation 9/06 of the Ontario Heritage Act:

Constructed in 1926, the subject property, known as the LaVerne Apartments, holds design and physical value as a representative example of an early-twentieth century walk-up apartment building designed in the Georgian Revival style. The style is represented in the symmetrical design of the front (south) elevation, the stone quoining along the corners, the stone cornice under the flat roof line, the stone string course under the third floor and first floor windows, and the decorative stone surround and crest above the front entrance, and the entrance portico. The subject property is also associated with Baldwin and Green Architects and Engineers, a firm that designed several residential buildings across Toronto between 1924 and the early 1930s, including the Claridge Apartments (1 Clarendon Avenue) which is designated under Part IV of the Ontario Heritage Act.



Left: 134 Carlton Street (Heritage Planning, 2024). Right: 134 Carlton Street (indicated in red). Note: This location map is for information purposes only; the exact boundaries of the property are not shown. City of Toronto Mapping.

50 Richmond Street East

ATTACHMENT 2

Listing Statement (Reasons for Inclusion)

Staff have undertaken research and evaluation for the property at 50 Richmond Street East and believe that the property has cultural heritage value or interest and meets at least one or more of the criteria prescribed in Ontario Regulation 9/06 for including a non-designated property on a municipal register under Section 27 of the Ontario Heritage Act. The subject property may meet additional criteria, which could be informed by community engagement and determined through further research and evaluation.

Listing Statement:

Description: Located in the Downtown Yonge East neighbourhood on the north side of Richmond Street East between Victoria Street and Berti Street, the property at 50 Richmond Street East comprises a five-storey factory/warehouse type building.

The property at 50 Richmond Street East has cultural heritage value as it meets the following criteria under Ontario Regulation 9/06 of the Ontario Heritage Act:

Constructed circa 1912, the subject property holds design and physical value as a representative example of an early-twentieth century factory/warehouse type building with Edwardian Classical detailing. The five-storey scale, rectangular form and massing, yellow brick cladding with stone detailing, and flat roofline are characteristic of this building type. The subject property is associated with Leon S. Yolles, an architect who practised in Toronto from 1910 to 1916 before forming Yolles and Rotenberg Contractors, one of the earliest property development companies in the city. Yolles was involved in the design and construction of several notable structures in Toronto which are on the Heritage Register, including Northrop & Lyman Co. Building at 462 and 468 Wellington Street West and the construction of the art deco Sterling Tower (372 Bay Street) designed by Chapman & Oxley.



Left: 50 Richmond Street East (Heritage Planning, 2024). Right: 50 Richmond Street East (indicated in red). Note: This location map is for information purposes only; the exact boundaries of the property are not shown. City of Toronto Mapping.

**860 Richmond Street West
(including entrance address at 862 Richmond St W)**

ATTACHMENT 3

Listing Statement (Reasons for Inclusion)

Staff have undertaken research and evaluation for the property at 860 Richmond Street West (including the entrance address at 862 Richmond Street West) and believe that the property has cultural heritage value or interest and meets at least one or more of the criteria prescribed in Ontario Regulation 9/06 for including a non-designated property on a municipal register under Section 27 of the Ontario Heritage Act. The subject property may meet additional criteria, which could be informed by community engagement and determined through further research and evaluation.

Listing Statement:

Description: Located in the West Queen West neighbourhood on the north side of Richmond Street West between Strachan Avenue and Stafford Street, the property at 860 Richmond Street West contains a three-storey factory/warehouse type building on a rectangular plan that is currently used for office spaces. The subject property is adjacent to the West Queen West Heritage Conservation District Study Area.

The property at 860 Richmond Street West has cultural heritage value as it meets the following criteria under Ontario Regulation 9/06 of the Ontario Heritage Act:

The building comprising the property at 860 Richmond Street West has design and physical value as a representative example of an early-twentieth century factory/warehouse type building with Edwardian Classical detailing. The three-storey massing, symmetrical openings, and red brick cladding with stone detailing on the principal (south) elevation are characteristic of this type. The building was constructed in 1913 for H.P. Ritchie & Co., a lace manufacturing company that continued textile manufacturing operations at this location for almost forty years, from 1913 until 1952. The property is also valued for supporting and maintaining the mixed industrial and working-class residential character of its neighbourhood, and for its physical, visual, and historical linkages to its surroundings. It is one of several smaller scale factories constructed between 1890 and 1930, including the similarly-scaled factory/warehouse type building at 822 Richmond Street West which is designated under Part IV of the Act.



860 Richmond Street West (Heritage Planning, 2024). 860 Richmond Street West (indicated in red).

Note: This location map is for information purposes only; the exact boundaries of the property are not shown. City of Toronto Mapping.