

639, 641, 645, 649 and 651 Yonge Street – Alterations to and Demolition of Attributes on Designated Heritage Properties Under Part IV, Sections 33 and 34 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement

Date: May 3, 2024

To: Toronto Preservation Board

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

Wards: Ward 13 - Toronto Centre

SUMMARY

This report recommends that City Council approve the alterations and demolition of attributes proposed for the heritage properties at 639 Yonge Street (including entrance addresses 2 and 4 Isabella St.), 641 Yonge Street (including entrance address 63 Yonge St.), 645 Yonge Street, 649 Yonge Street (including entrance addresses 647 Yonge St. and 12A Isabella St.) and 651 Yonge Street in connection with the development of the site.

The proposal involves the construction of a new 76-storey residential tower plus mechanical penthouse and commercial and community cultural uses at grade. The proposal includes conservation of the street-facing elevations of the buildings on the subject heritage properties and the demolition of the interiors to create an interior atrium space. The street-facing elevations will continue to provide active entrances into the new atrium space.

The proposed alterations conserve the heritage attributes of the properties, and the impact of the new development is sufficiently mitigated to be consistent with the existing policy framework.

RECOMMENDATIONS

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

1. City Council approve:

a. The alterations to the heritage properties at 639, 641, 645, 649 and 651 Yonge Street in accordance with Section 33 of the Ontario Heritage Act to allow for the construction of a 76-storey plus mechanical tower with such alterations substantially in accordance with the plans and drawings dated January 25, 2024, prepared by AS + GG Canada Partnership and the Heritage Impact Assessment dated September 29, 2023, prepared by ERA Architects Inc., both on file with the Senior Manager, Heritage Planning, all subject to and in accordance with the Conservation Plan satisfactory to the Senior Manager, Heritage Planning and subject to conditions as set out below.

b. the demolition of the heritage attributes of the existing buildings on the designated heritage properties at 639 and 651 Yonge Street, in accordance with Section 34 of the Ontario Heritage Act in connection with the approval of a 76-storey plus mechanical tower on the subject lands substantially in accordance with the plans and drawings dated January 25, 2024, prepared by AS + GG Canada Partnership and the Heritage Impact Assessment dated September 29, 2023, prepared by ERA Architects Inc., both on file with the Senior Manager, Heritage Planning, all subject to and in accordance with the Conservation Plan satisfactory to the Senior Manager, Heritage Planning and subject to conditions as set out below.

2. City Council direct that it consents to the application to alter the designated properties at 639, 641, 645, 649 and 651 Yonge Street under Part IV, Section 33 of the Ontario Heritage Act and to the demolition of attributes on the designated heritage properties at 639 and 651 Yonge Street, under Part IV, Section 34 of the Ontario Heritage Act are also subject to conditions as set out below:

a. That prior to the introduction of the bills for such Zoning By-law Amendment by City Council, the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the properties at 639, 641, 645, 649 and 651 Yonge Street substantially in accordance with the plans and drawings dated January 25, 2024, prepared by AS + GG Canada Partnership and the Heritage Impact Assessment dated September 29, 2023, prepared by ERA Architects Inc., subject to and in accordance with the Conservation Plan required in Recommendation 2.a.2 below, to the satisfaction of the Senior Manager, Heritage Planning, including execution of such agreement to the satisfaction of the City Solicitor.

2. Provide a detailed Conservation Plan, prepared by a qualified heritage consultant that is consistent with the conservation strategy set out in the Heritage Impact Assessment dated September 29, 2023, prepared by ERA Architects Inc., to the satisfaction of the Senior Manager, Heritage Planning.

3. Withdraw their appeal(s) of the Historic Yonge Street Heritage Conservation District Plan as it relates to 639, 641, 645, 649 and 651 Yonge Street, and if not an appellant, but rather a party to such appeals, the owner shall withdraw as a party and not seek any party or participant status on the appeals, or advise the City Solicitor, in writing, that they shall not object to the Historic Yonge Street Heritage Conservation District Plan and only maintain a monitoring brief of the hearing on the merits.

b. That prior to Site Plan approval for the property 639, 641, 645, 649 and 651 Yonge Street, the owner shall:

1. Provide final Site Plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 2.a.2 to the satisfaction of the Senior Manager, Heritage Planning.

2. Provide a Heritage Lighting Plan that describes how the exterior of the properties located at 639, 641, 645, 649 and 651 Yonge Street will be sensitively illuminated to enhance its heritage character to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning.

3. Provide an Interpretation Plan for the properties located at 639, 641, 645, 649 and 651 Yonge Street, to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning.

c. That prior to the issuance of any permit for all or any part of the properties at 639, 641, 645, 649 and 651 Yonge Street, including a heritage permit or a building permit, but excluding permits for repairs and maintenance and usual and minor works for the existing heritage building, as are acceptable to the Senior Manager, Heritage Planning, the owner of the subject property shall:

1. Have entered into a Heritage Easement Agreement with the City required in Recommendation 2.a.1 for the properties at 639, 641, 645, 649 and 651 Yonge Street including registration on title of such agreement, to the satisfaction of the City Solicitor.

2. Have obtained final approval for the necessary Zoning By-law Amendment, and such Amendments to have come into full force and effect.

3. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved

Conservation Plan required in Recommendation 2.a.2 including a description of materials and finishes, to be prepared by the project architect and a qualified heritage consultant to the satisfaction of the Senior Manager, Heritage Planning.

4. Provide a Letter of Credit, including provision for upwards indexing, in a form and amount and from a bank satisfactory to the Senior Manager, Heritage Planning to secure all work included in the approved Conservation Plan and Interpretation Plan.

d. That prior to the release of the Letter of Credit required in Recommendation 2.c.4 above, the owner shall:

1. Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work and the required interpretive work has been completed in accordance with the Conservation Plan and Interpretation Plan and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Planning.

2. Provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Planning.

3. City Council authorize the entering into of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of the properties at 639, 641, 645, 649 and 651 Yonge Street in a form and content satisfactory to the City Solicitor and the Chief Planner and Executive Director, City Planning.

4. City Council authorize the City Solicitor to introduce the necessary Bill in City Council authorizing the entering into of a Heritage Easement Agreement for the properties at 639, 641, 645, 649 and 651 Yonge Street.

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 September 6, 2023 City Council enacted by-laws on the subject properties designating them under Part IV of the Ontario Heritage Act:

<https://www.toronto.ca/legdocs/bylaws/2023/law0811.pdf>

<https://www.toronto.ca/legdocs/bylaws/2023/law0812.pdf>
<https://www.toronto.ca/legdocs/bylaws/2023/law0813.pdf>
<https://www.toronto.ca/legdocs/bylaws/2023/law0814.pdf>
<https://www.toronto.ca/legdocs/bylaws/2023/law0815.pdf>

On July 28, 2015, the Toronto Preservation Board endorsed the staff report on the HCD Study and its recommendations, including the revised boundary and the recommendation to proceed with the development of a Plan for the Historic Yonge Street HCD. <https://secure.toronto.ca/council/agenda-item.do?item=2015.PB6.1>

On March 10, 2016, City Council adopted item TE14.4 designating by by-law the Historic Yonge Street Heritage Conservation District and adopted the Historic Yonge Street Heritage Conservation District Plan, dated January 2016, as the district plan for the Historic Yonge Street HCD.
<https://secure.toronto.ca/council/agenda-item.do?item=2016.TE14.4>

BACKGROUND

Area Context

The development site at 639-651 Yonge Street is located on the east side of Yonge Street between Isabella Street to the south and Charles Street East to the north. It is located within a section of Yonge Street that is characterized as a major mixed-use and transportation corridor that is comprised of primarily late-19th century to early 20th century low-rise commercial buildings which define the main street corridor.

In addition, the site is located within the Historic Yonge Street Heritage Conservation District (HCD), adopted by City Council on March 10, 2016, which is currently under appeal to the Ontario Land Tribunal and not in force.

Heritage Value

639 Yonge Street (2 and 4 Isabella Street)

By-law No. 811-2023, enacted by City Council on September 6, 2023

Dating to c.1879, the property at 639 Yonge Street has design and physical value as a representative example of the Second Empire architectural style that was popular in many prominent commercial, public, and residential buildings in Toronto from 1860 to 1900. This was the first retail location and office for the Canadian Tire Corporation, established while occupying the premises at 639 Yonge Street. The property is also associated with the theme of Yonge Street's role as a focal point for Toronto's counterculture, pop culture, and music scene during the latter half of the 20th century.

641 (643) Yonge Street

By-law No. 812-2023, enacted by City Council on September 6, 2023

The property at 641 Yonge Street contains a mixed-use brick building constructed in 1951, which retains its original scale, form, and massing as a 4-storey building designed in a Mid-century Modern architectural style. This property is part of a cohesive grouping of built heritage resources that provide a distinct sense of place and represent Toronto's 1860s-1950s architecture, a period when Yonge Street's commercial main street character was established and flourished. The subject property is also valued for being the location of the Roberts Gallery for over a half century (1961-2019), a notable institution for the Fine Arts in Canada.

645 Yonge Street

By-law No. 813, enacted by City Council on September 6, 2023

The property at 645 Yonge Street has design and physical value as a representative example of the Italianate style, which is evident in its extensive brick detailing and prominent cornice supported by brackets. The 3-storey property also has design and physical value as a representative example of a Main Street Commercial Row building constructed during a significant period of development along Yonge Street. The design of the property is consistent with the rhythm produced by fine-grained storefronts along the streetscape, and the building's Italianate style is one of several predominant architectural styles in the area.

649 Yonge Street (647 Yonge St & 12A Isabella St)

By-law No. 814-2023, enacted by City Council on September 6, 2023

The property at 649 Yonge Street (including entrance addresses at 647 Yonge Street and 12A Isabella Street) is located on the east side of Yonge Street, in the block between Isabella Street and Charles Street East. It comprises two earlier structures of different heights and dates of construction reclad with a newer 3-storey façade dating to the early-20th century. The property is part of a cohesive grouping of built heritage resources that provide a distinct sense of place and represent Toronto's 1860s-1950s architecture, a period when Yonge Street's commercial main street character was established and flourished.

651 (653) Yonge Street

By-law No. 815-2023, enacted by City Council on September 6, 2023

The property at 651 Yonge Street has design and physical value as a unique example of a mixed-use commercial building designed in the Second Empire style that has been converted into a theatre and is also valued for its association with and contribution to the establishment of Yonge Street as a prominent arts, culture, and entertainment district in Toronto and its contextual link to Yonge Street.

Development Proposal and Conservation Strategy

The proposal seeks to integrate components of the heritage fabric of the properties at 639, 641, 645, 649 and 651 Yonge Street into a new 76-storey mixed used development with mechanical penthouses from the 73rd to 75th floors.

The facades of the buildings facing Yonge and Isabella streets will be conserved in situ with the tower stepped back approximately 10 metres from the Yonge Street frontages and 6.66m to 7.53m metres from Isabella Street. The tower is designed in three parts - a dome tower, cooling tower and spire constructed of metal panels and glazing. The roofs of both 639 and 659 Yonge Street will be removed and reconstructed to match the original. A glazed roof is proposed be added at the junction of the tower and heritage building roofs from 639-649 Yonge Street to create an interior atrium. A contemporary infill building will be constructed at the rear of 639 Yonge Street on Isabella Street for a residential lobby.

The current cladding over the mostly intact façade at 651 Yonge Street is proposed to be removed and the underlying façade restore. This façade will not be covered by the atrium and will function as the residential lobby.

The interiors will be removed to create an interior atrium space. The ground floor will be open to the mezzanine level, featuring a cultural space with a walkway and seating area against the upper storeys of the heritage facades. At-grade retail uses will be maintained and accessed through the new interior atrium space.

The conservation strategy is further outlined in the Heritage Impact Assessment submitted with the application and can be found on the City's Application Information Centre: <https://www.toronto.ca/city-government/planning-development/application-details/?id=5166681&pid=229481&title=645-YONGE-ST>

Heritage Planning Policy Framework

The Planning Act

The Planning Act guides development in the Province of Ontario. It states that municipalities must have regard for matters of provincial interest. Section 2(d) specifically refers to "the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest" and 2(r) "to a built form that is well designed and provides for a sense of place."

The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- the efficient use and management of land and infrastructure
- ensuring the sufficient provision of housing to meet changing needs including affordable housing

- ensuring opportunities for job creation
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs
- protecting people, property and community resources by directing development away from natural or human-made hazards, and
- conservation of cultural heritage and archaeology

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the Planning Act and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

Policy 2.6.1 of the PPS directs that "Significant built heritage resources and significant cultural heritage landscapes shall be conserved." Properties included on the City's Heritage Register are considered to be significant in this context. "Conserved" is defined in the PPS as "the identification, protection, management and use of built heritage resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act."

Policy 2.6.3 states that "Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved."

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on May 16, 2019 and was amended through an Order in Council that came into effect on August 28, 2020. The Growth Plan (2020) continues to

provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part.

The Growth Plan (2020) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Policy 4.2.7.1 of the Growth Plan states that "Cultural Heritage Resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas."

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan. The Plan provides the policy framework for heritage conservation in the City. The following Official Plan policies apply to the proposed alterations:

3.1.6.4: "Properties on the Heritage Register will be conserved and maintained consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada, as revised from time to time and adopted by Council."

3.1.6.5: "Proposed alterations, development, and/or public works on or adjacent to, a property on the Heritage Register will ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained, prior to work commencing on the property and to the satisfaction of the City."

3.1.6.6: "The adaptive re-use of properties on the Heritage Register is encouraged for new uses permitted in the applicable Official Plan land use designation, consistent with the "Standards and Guidelines for the Conservation of Historic Places in Canada."

3.1.6.26: "New construction on, or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate visual and physical impact on it."

3.1.6.27: "Where it is supported by the cultural heritage values and attributes of a property on the Heritage Register, the conservation of whole or substantial portions of buildings, structures and landscapes on those properties is desirable and encouraged. The retention of façades alone is discouraged."

3.1.6.33: " Heritage Conservation Districts should be managed and conserved by approving only those alterations, additions, new development, demolitions, removals and public works in accordance with respective Heritage Conservation District plans."

The City of Toronto Official Plan can be found here:

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

Standards and Guidelines

The Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada (the "Standards and Guidelines") is the official document guiding planning, stewardship and the conservation approach for all listed and designated heritage resources within the City of Toronto. The General Standards (1-9), the Standards for Rehabilitation (10-12), and the Standards for Restoration (13-14) apply to this project.

The Standards and Guidelines can be accessed here:

<http://www.historicplaces.ca/media/18072/81468-parks-s+g-eng-web2.pdf>

COMMENTS

Conservation Strategy

Heritage Planning staff have reviewed the Heritage Impact Assessment submitted with the proposal and are supportive of the proposed conservation strategy for the buildings at 639, 641, 645, 649 and 651 Yonge Street.

Massing

The form, scale and massing of the subject heritage resources will be impacted as a result of the substantial amount of new development proposed for the site.

The 10m step back of the tower from Yonge Street will mitigate the impact of the massing on the relatively low-scaled heritage buildings and will allow them to maintain their prominence along Yonge Street. In addition, the 7.53 to 6.66 metre step back from Isabella will mitigate the impact of the massing at that elevation. The HIA notes that, "The angular plane of the tower's south elevation tapers towards the southwest corner of Yonge and Isabella Streets, creating an appropriate setback that retains the prominent corner condition of 639 Yonge Street." While balconies are proposed for the west (Yonge Street) elevation of the tower, they are introduced at the ninth-floor level, well above the roofline of the three-storey heritage facades. In addition, the step back from Yonge Street at 10m will allow for the lower-scale historic Yonge Street character to be maintained within the HCD.

Additional Interventions

The removal of the mansard roofs of the buildings at 639 and 651 Yonge Street is required as they extend into the proposed area of excavation. In addition, many elements of the roofs would require replacement due to deterioration, combustibility, etc. therefore staff support the proposal to remove the roofs prior to construction and replace them with new structures to match the existing.

The building at 651 Yonge Street is currently clad with a metal screen and large billboard. The proposal to restore the façade, based on existing materials and archival images, and remove the current cladding located over the mostly intact façade at 651 Yonge Street is a positive one. This façade will not be connected to the atrium and will function as the residential lobby for the residential tower.

The proposal to remove the majority of the interior walls and floors behind the retained facades to create an interior atrium space is not staff's preferred strategy as it reduces the three-dimensional integrity of the buildings. The applicant has, however, introduced partial demising walls in their original locations at the ground and mezzanine floor levels and a walkway and seating area at the third-floor level in an effort to mitigate that impact. Active entrance doors along Yonge Street will be maintained as access points to new retail and cultural uses through the atrium.

Conservation Plan

Should Council approve the proposed conservation strategy, the owner will be required to submit a Conservation Plan which will detail the recommended interventions and conservation work. It will also include a detailed plan describing how the heritage buildings will be protected during construction, a schedule of short and long-term maintenance requirements and estimated costs for all conservation work.

Interpretation Plan

Should Council approve the proposed conservation strategy, prior to final Site Plan approval, the applicant will be required to submit an Interpretation Plan to the satisfaction of the Senior Manager, Heritage Planning. The Interpretation Plan should be substantial and should communicate the cultural heritage value of the properties as described in the Statements of Significance.

Heritage Lighting Plan

The Heritage Lighting Plan will provide details of how the buildings will be lit so that their unique heritage character is highlighted.

Heritage Easement Agreement

Staff is recommending that the owner enter into a Heritage Easement Agreement to secure the long-term protection of the subject properties.

CONCLUSION

Staff are supportive of the proposal to alter the designated heritage properties at 639, 641, 645, 649 and 651 Yonge Street to permit the development of a 76-storey mixed use tower.

Staff support the proposed alterations and removals under Sections 33 and 34 of the Ontario Heritage Act in the context of the conservation and mitigation strategies proposed for the site. Staff are of the opinion that the proposal has been designed to conserve the cultural heritage values, attributes, and character of the heritage properties and the currently under-appeal Historic Yonge HCD. As such, staff are satisfied that the proposed conservation strategy outlined in the HIA meets the intent of the Planning Act, and the heritage policies in the Provincial Policy Statement, the Growth Plan (2020) and the City of Toronto's Official Plan in conjunction with the Standards and Guidelines for the Conservation of Historic Places in Canada.

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SIGNATURE

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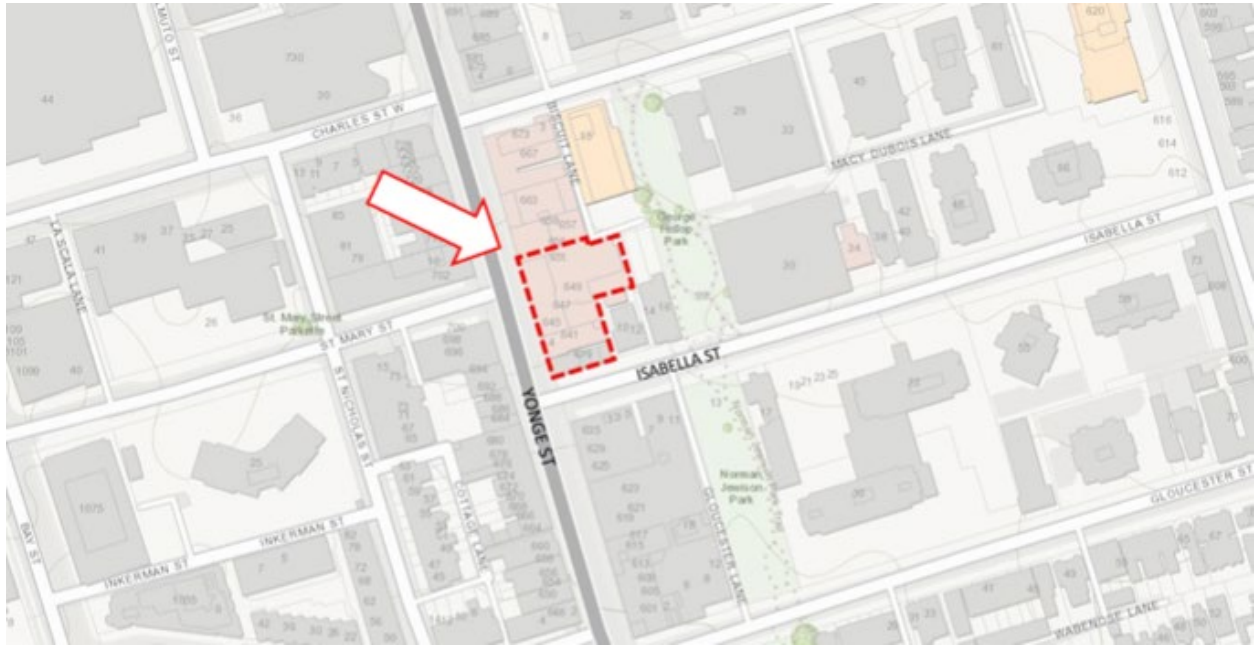
ATTACHMENTS

Attachment 1 - Location Map
Attachment 2 - Aerial Photograph
Attachment 3 - Photographs
Attachment 4 - Conservation Strategy Drawings
Attachment 5 - Proposal Renderings
Attachment 6 - Selected Drawings
Attachment 7 - Historical Photographs

LOCATION MAP

ATTACHMENT 1

639, 641, 645, 649 and 651 Yonge Street



AERIAL PHOTOGRAPH

ATTACHMENT 2

639, 641, 645, 649 and 651 Yonge Street



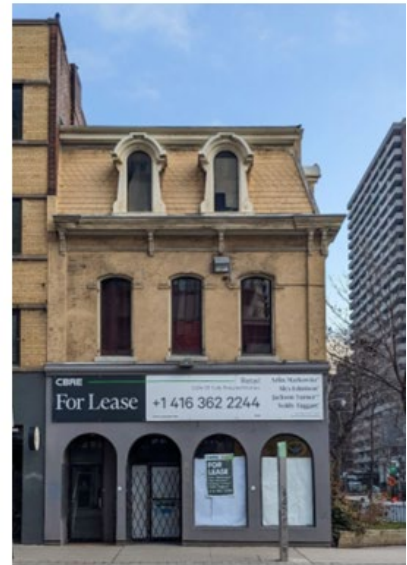
PHOTOGRAPHS

639, 641, 645, 649 and 651 Yonge Street

ATTACHMENT 3



639 Yonge St. south and west elevations



639 Yonge St West elevation



645 Yonge St. west elevation



641 Yonge St. west elevation



649 Yonge St. west elevation



651 Yonge St. west elevation



View of 639-651 Yonge Street looking southeast along Yonge Street

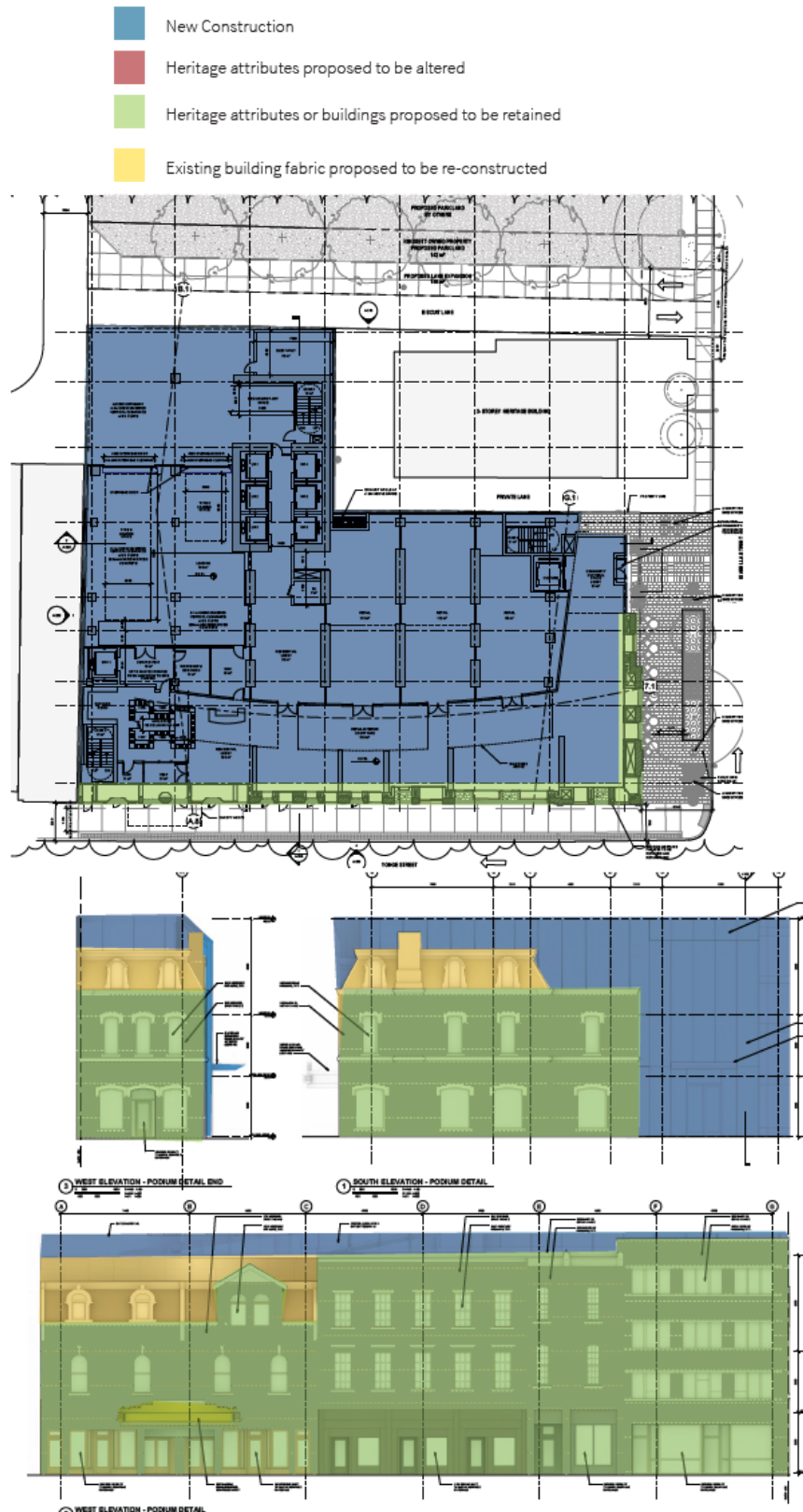


View of 639 Yonge Street looking west along Isabella Street

CONSERVATION STRATEGY DRAWINGS

639, 641, 645, 649 and 651 Yonge Street

ATTACHMENT 4



PROPOSAL RENDERINGS

ATTACHMENT 5

639, 641, 645, 649 and 651 Yonge Street



Note: location of balconies is not accurate

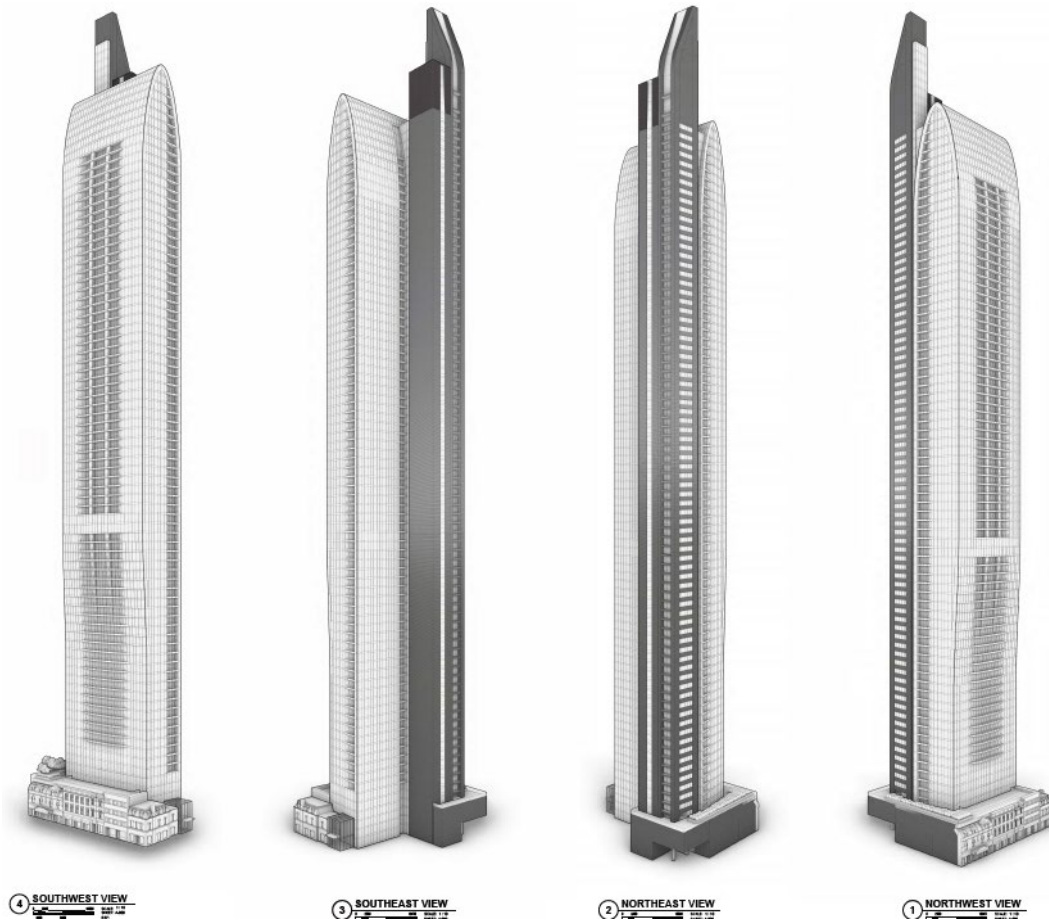


Views of interior atrium

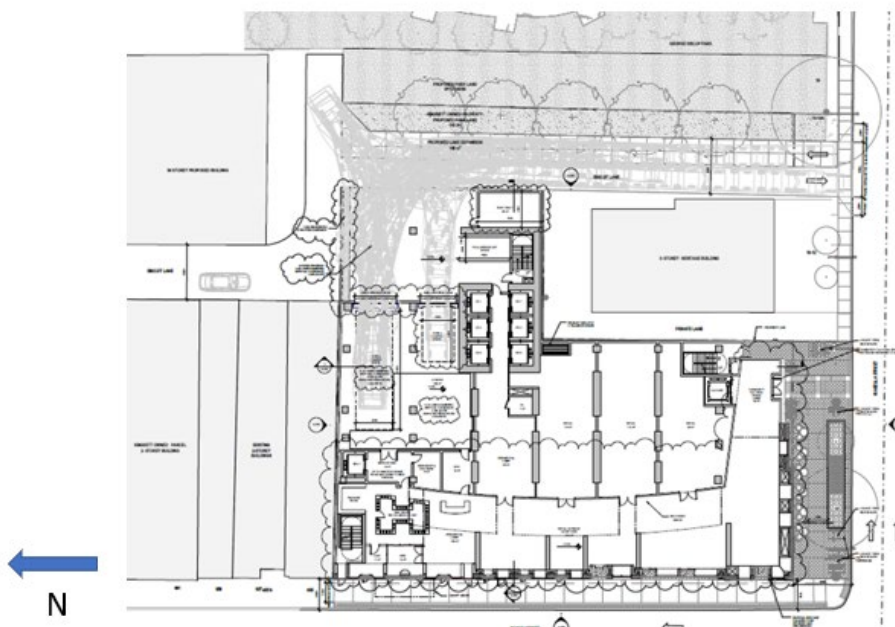
SELECTED DRAWINGS

ATTACHMENT 6

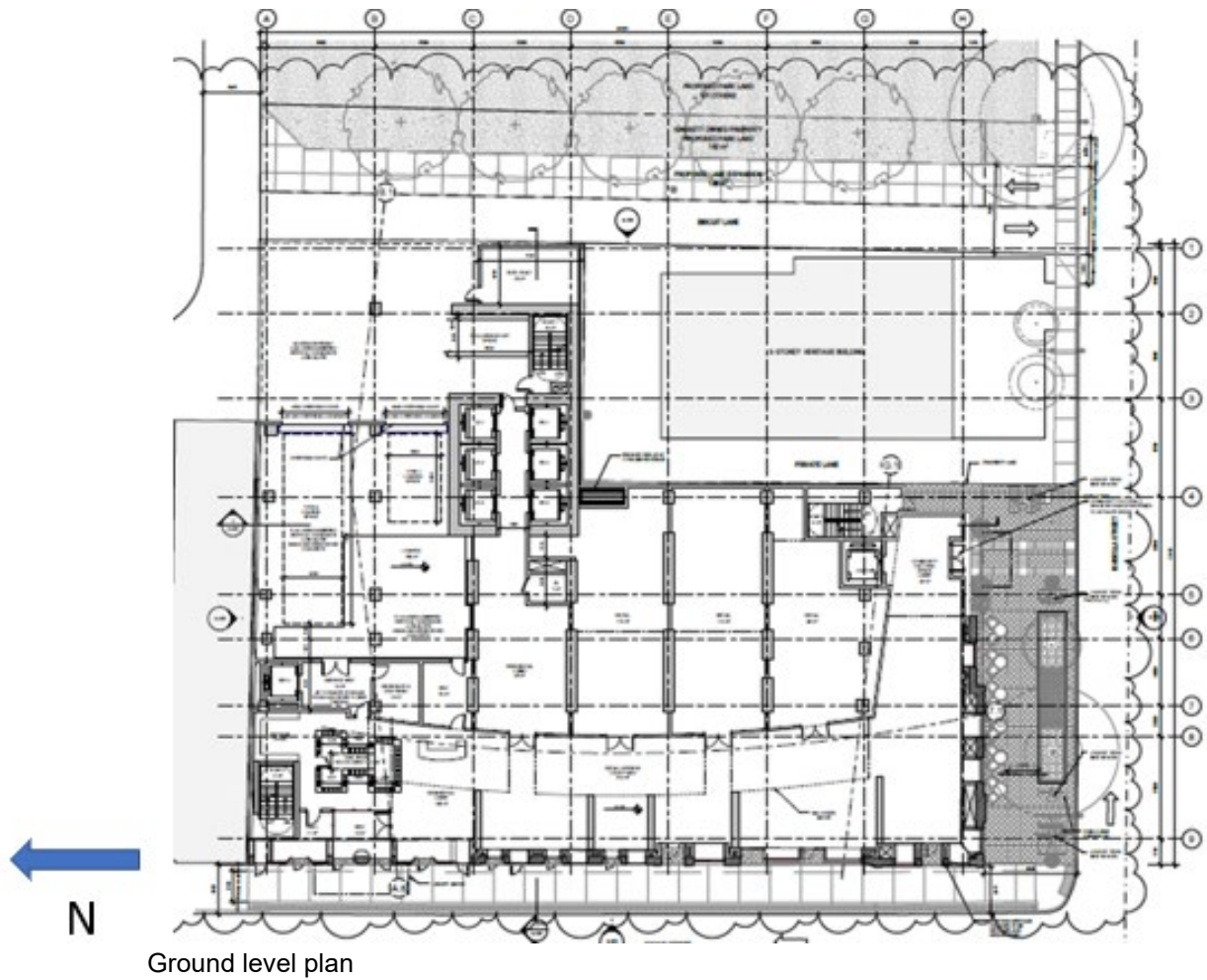
639, 641, 645, 649 and 651 Yonge Street

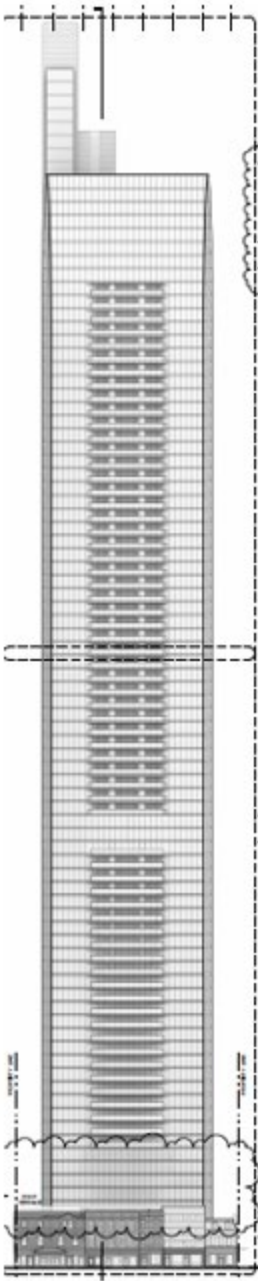


Axonometric views

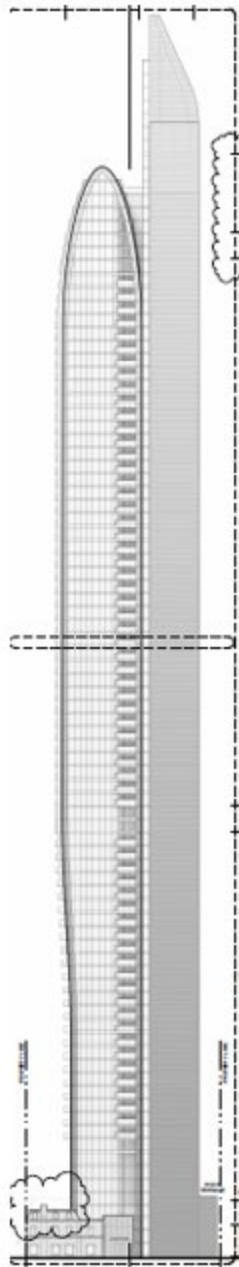


Site Plan





West elevation



South elevation



Detail drawings west and south elevations

651 Yonge Street



Archival photograph from 1948 showing the east side of Yonge Street, north of Isabella Street. Reilly's Lock Corporation was the tenant of 639 Yonge Street for over 30 years. The extant building at 641 Yonge Street had not yet been built (City of Toronto Archives).



Archival photograph from c.1950, showing the entrance to the Astor Theatre at 651-653 Yonge Street flanked by two storefront units. Lionel Rawlinson's name appears on the fascia for 649 Yonge Street with a portion of the carved wood entrance visible (City of Toronto Archives).