

20 (22) Front Street West - Alterations to a Heritage Property Under Part V, Section 42 of the Ontario Heritage Act and Authority to Amend the Heritage Easement Agreement

Date: June 17, 2024

To: Toronto Preservation Board

Toronto and East York Community Council

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 under Part V Section 42 of the Ontario Heritage Act proposed for the heritage property at 20 Front Street West (with an entrance address of 22 Front Street West) in connection with the redevelopment of the site. Located within the Union Station Heritage Conservation District which is designated under Part V of the Ontario Heritage Act, the property contains the Gowns-Kent Building, an eight-storey Classically influenced commercial building which was constructed in 1923. The property is also designated under Part IV of the Ontario Heritage Act and subject to a Heritage Easement Agreement which requires amendment in connection with approval of the proposal.

The proposal involves the construction of a new 52-storey tower for residential and retail uses and incorporates the south (Front Street) façade into a new base building. The upper portion of the south wall will be demolished to allow for construction access and subsequently reconstructed while the lower portion will be conserved in situ with select alterations.

The proposed alterations conserve the majority of the heritage attributes of the property and the Union Station HCD, 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 consent to the application to alter the designated property at 20 Front Street West with conditions, under Part V, Section 42 of the Ontario Heritage Act to allow for the construction of a new mixed-use building with the alterations to the designated heritage property being substantially in accordance with the plans and drawings prepared by Core Architects dated May 3, 2024, on file with the Senior Manager, Heritage Planning; and the Heritage Impact Assessment (HIA) prepared by ERA Architects Inc. dated May 8, 2024 also on file with the Senior Manager, Heritage Planning, all subject to and in accordance with a Conservation Plan satisfactory to the Senior Manager, Heritage Planning.

2. City Council direct that its consent of the application to alter the designated property at 20 Front Street West under Part V, Section 42 of the Ontario Heritage Act is also subject to the following conditions:

a. That the related Official Plan Amendment and Zoning By-law Amendment requiring the proposed alterations have been enacted by City Council and have come into full force and effect.

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

1. Amend the Heritage Easement Agreement registered on title as Instrument No. CT920105 on December 21, 1987 with the City for the property at 20 Front Street West in accordance with the Heritage Impact Assessment prepared by ERA Architects Inc. dated May 8, 2024 and the Conservation Plan required in Recommendations 1 and 2.b.2 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 and demolition/reconstruction strategies set out in the Heritage Impact Assessment prepared by ERA Architects Inc. dated May 8, 2024 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 property at 20 Front Street West, 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. Provide a Heritage Lighting Plan that describes how the exterior of the property at 20 Front Street West 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.

2. Provide an Interpretation Plan for the property located at 20 Front Street West 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. Submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Planning.

4. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 2.b.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.

5. 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.5 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 City Solicitor to amend the existing Heritage Easement Agreement registered on title for the property at 20 Front Street West as Instrument No. CT920105 on December 21, 1987 and introduce the necessary Bill in Council.

4. City Council authorize the City Solicitor and City staff to take all necessary actions to implement City Council's decision.

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

The property at 20 Front Street West is designated under Part IV of the Ontario Heritage Act by By-law No. 108-83, enacted on January 24, 1983.

On December 21, 1987, a Heritage Easement Agreement was registered on title as Instrument No. CT920105 to secure the long-term conservation of the property.

On July 27, 2006, City Council passed By-law No. 634-2006 designating the Union Station Heritage Conservation District under Part V of the Ontario Heritage Act.
<https://www.toronto.ca/legdocs/bylaws/2006/law0634.pdf>

BACKGROUND

Union Station Heritage Conservation District

Union Station has held a prominent role in the landscape of the City of Toronto since its opening in 1927. Union Station and its function as the city's primary transportation hub has defined and continues to define the character of the area that surrounds it. The grand civic architecture of Union Station and its Front Street neighbours anchors a district that represents many periods of Toronto development and acts to connect divergent districts of the city.

The heritage character of the Union Station HCD is an assembly of buildings, streets and open spaces whose collective history and interdependence represent an important asset to the downtown core of Toronto. The overlapping development and planning of Toronto's railway lands, waterfront and central business district; historic and monumental architecture; as well as physical patterns of interrelated function, describe key heritage attributes that define Union Station and its surroundings as of significant cultural heritage value.

20 Front Street West - Cultural Heritage Value

The Gowans Kent Building at 20 Front Street West was built in 1923 to the designs of architects, MacVicar and Heriot. The reasons for its designation are described in the by-law as being classically influenced, the stone detailing of the facade is distinctive with four arched openings inset with finely crafted metal entrances and display windows. The mouldings, keystones, spandrels and cornice are other features that contribute to the significance of this building in context with the scale and materials of the Dominion Public Building and Union Station on Front Street West.

Development Proposal and Conservation Strategy

The proposal seeks to redevelop the property at 20 Front Street West and integrate the primary façade of the building into a new 52-storey mixed-use building with retail at grade and residential uses in the upper storeys. The tower would be stepped back by 5m from Front Street West and 3.45m from the west with a graduated step back on the east side. The lower four storeys of the primary (south) façade of the building would be retained in situ while the upper storeys would be documented, dismantled and reinstated onto new backup construction. Windows at levels two to eight would be removed and replaced with new windows based on archival documentation. In addition, alterations to the metal storefronts at the ground level would involve their replacement and rehabilitation and restoration to their original condition.

The property was previously altered in the early 1990's as part of the BCE Place development (now Brookfield Place) with the primary (south) façade and new east and west return wall portions retained with new development above.

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/>

Union Station Heritage Conservation District Plan

The Union Station HCD Plan is intended to recognize the cultural heritage value of the district and to ensure there is balance in the preservation of its architectural integrity and new and innovative design ideas that encourage a cohesive and complementary relationship. The HCD Plan can be found here: https://www.toronto.ca/wp-content/uploads/2018/01/8dfc-CityPlanning_Union-Station-HCD.pdf

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

The Union Station HCD contains general heritage principles and design guidelines which are recommended to manage change in a manner that strengthens the character of the district. The subject property contributes to the heritage character of the area despite its previous redevelopment. The cultural heritage value and attributes of the property at 20 Front Street West can be found in its primary (south) façade facing Front Street West - the only remaining element of the original building.

The current proposal will introduce a substantial amount of additional massing to the property, however the new structure has been designed to respect the general historic and architectural characteristics of both the property and the district by stepping the new massing back and maintaining the prominence of the building's primary façade. In addition, the new development would reference the original scale, form and massing of the original building in the new base building with a contemporary expression of the west elevation which is compatible with the architectural character of the historic façade. The rehabilitated west elevation will also enhance the relationship of that elevation to the adjacent plaza to the west.

The demolition of the upper four levels of the building's façade is required for access to the site during construction. Staff encouraged the applicant to explore other options for site access but it was determined that construction access by any other means would not be possible. The original strategy removed the five upper levels and it was subsequently found that the removal of four levels would be sufficient to facilitate the new construction. Other factors that contributed to staff's acceptance of the strategy to demolish and reconstruct the upper wall was that the reconstruction would match the original form, articulation and proportion and that it would provide an opportunity to upgrade the stone anchorage and envelope detailing which will extend the physical life of the stone cladding units.

Alterations to the lower four levels of the façade will allow for the installation of new historically appropriate windows, and to refurbish the previously-altered storefronts in an off-site workshop. As described in the HIA, "the existing flanking single doors and transoms at the metal entrances will be replaced with full-height sidelites which will reinstate the original condition and reverse a previous alteration. The central double doors at the entrances were previously recessed to accommodate the door swing within the property line, a soffit was installed beneath the transom and decorative grille, and new wood panelled returns and doors were added. Together, these alterations resulted in a loss of transparency and an inadvertent visual barrier to entry. While the recessed position of the doors will be maintained, the pedestrian experience will be enhanced by new glazed returns, removing the soffits to expose the full height of the entrances, and providing new fully glazed metal doors with glazed transoms to establish more welcoming entries for the retail and residential uses."

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 building 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 property as described in the Statement of Significance.

Heritage Lighting Plan

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

Heritage Easement Agreement

Staff is recommending that the existing Heritage Easement Agreement be amended to reflect the new proposal and conservation strategy and continue to secure the long-term protection of the subject property.

CONCLUSION

Staff are supportive of the proposal to alter the designated heritage property at 20 Front Street West to permit the development of a 52-storey mixed use tower.

Staff support the proposed alterations under Section 42 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 both the subject heritage property and the Union Station Heritage Conservation District. 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 and the Union Station HCD Plan.

CONTACT

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SIGNATURE

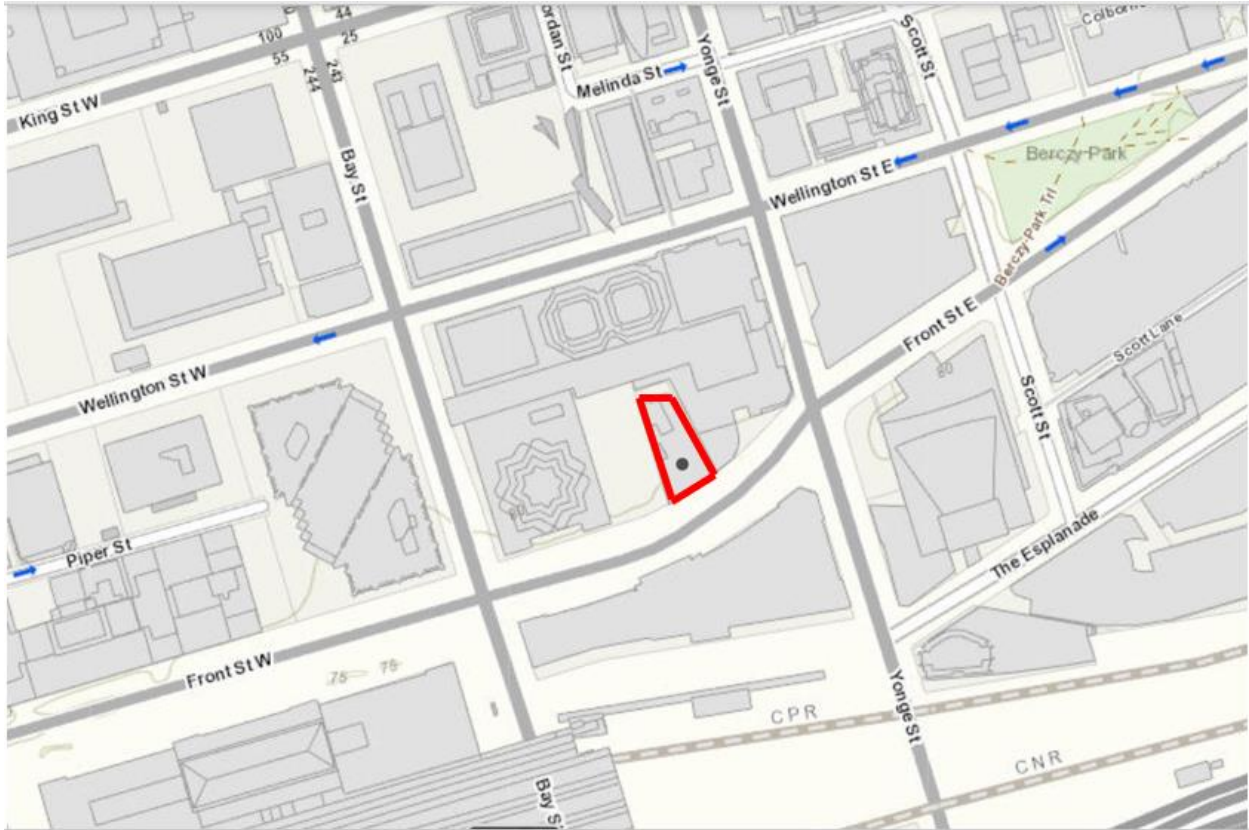
Anne Fisher, MCIP, RPP, MRTPI, CAHP
Acting Senior Manager, Heritage Planning
Urban Design, City Planning

ATTACHMENTS

Attachment 1 - Location Map
Attachment 2 - Aerial Photograph
Attachment 3 - Photographs
Attachment 4 - Proposal Renderings
Attachment 5 - Proposal Plans and Drawings

LOCATION MAP
20 Front Street West

ATTACHMENT 1



AERIAL PHOTOGRAPH
20 Front Street West

ATTACHMENT 2



View looking west

PHOTOGRAPHS

ATTACHMENT 3

20 Front Street West



View of south (primary elevation)



View of west elevation (left)



View looking west along Front Street West showing south and east elevations (right)

PROPOSAL RENDERINGS
20 Front Street West

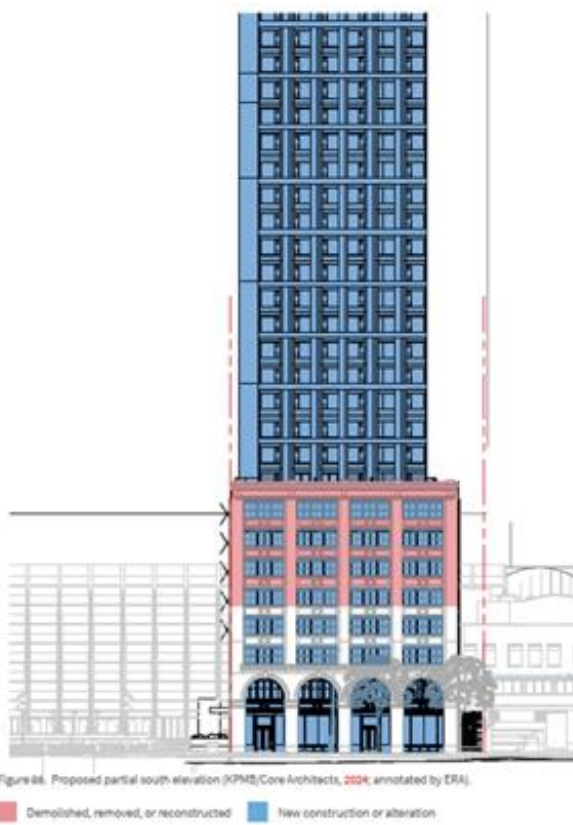
ATTACHMENT 4



Proposal rendering



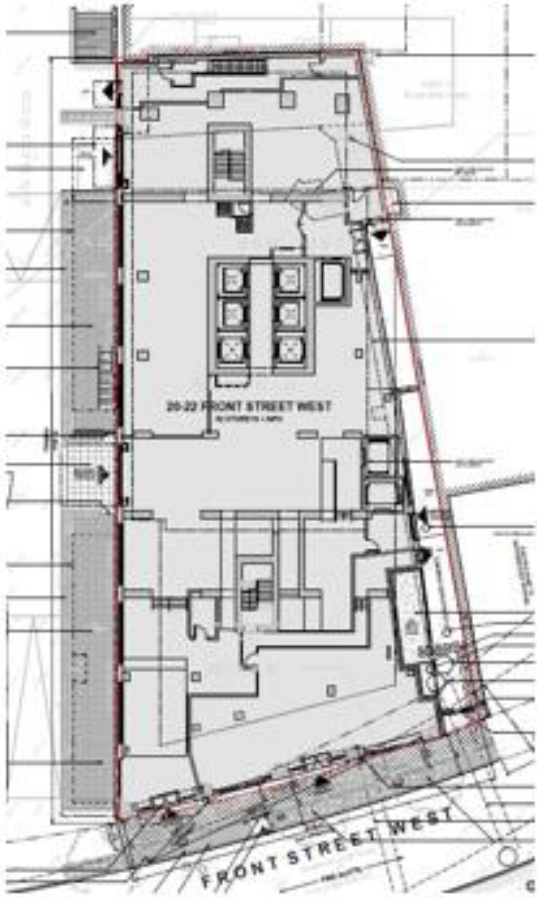
Aerial rendering of proposal



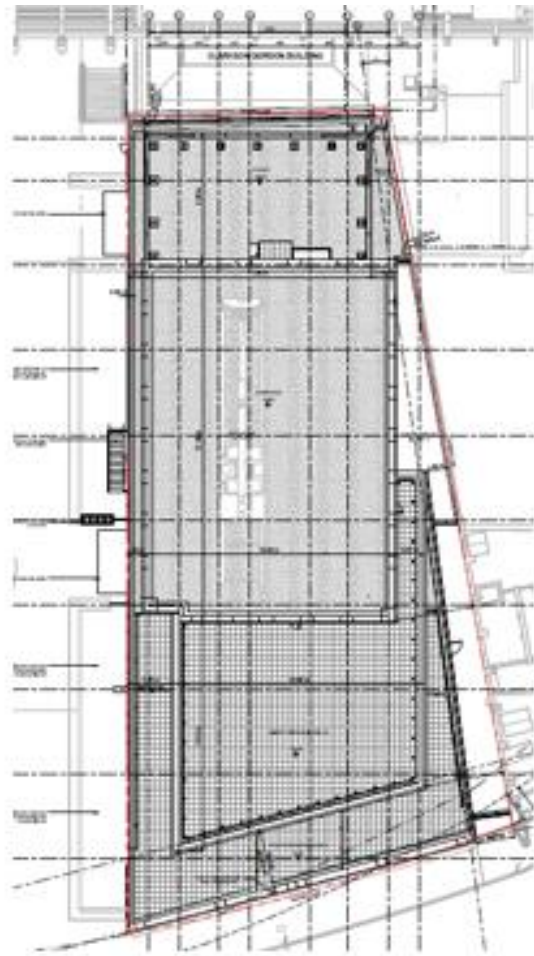
Partial south elevation showing retention strategy



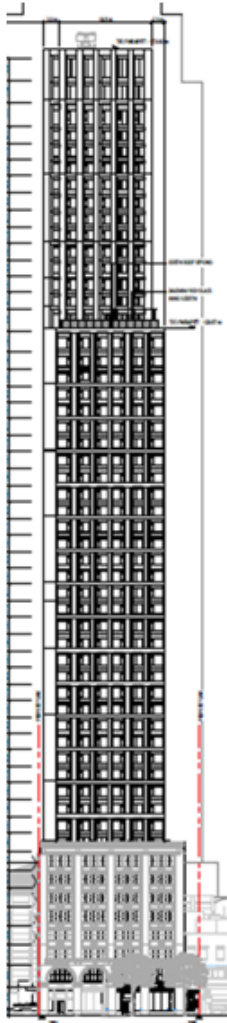
Partial west (top) and east (bottom) elevations



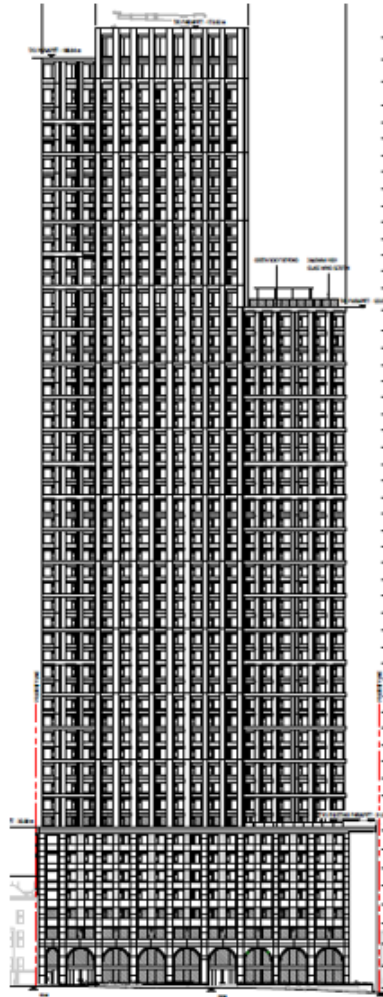
Site Plan



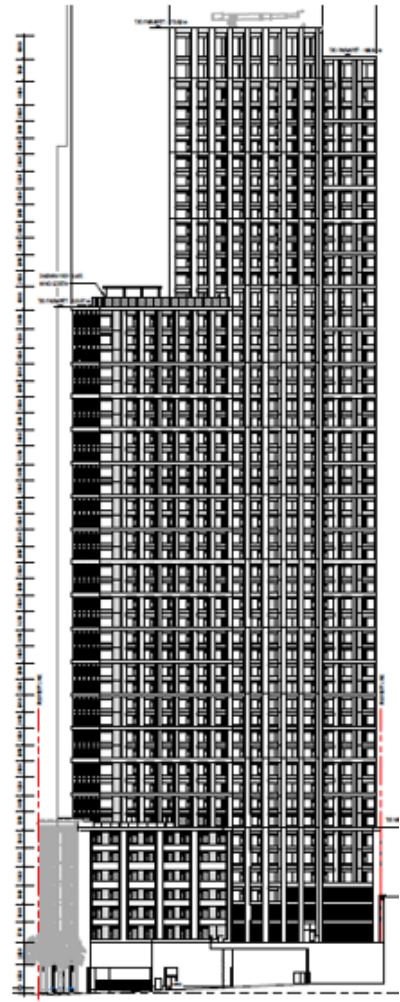
Roof Plan



South elevation



West elevation



East elevation