

81 Isabella Street - Inclusion on the Heritage Register

Date: October 17, 2024

To: Toronto Preservation Board

Toronto and East York Community Council

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

Wards: 13-Toronto Centre

SUMMARY

This report recommends that City Council include 81 Isabella Street (including entrance address 83 Isabella Street) on the City of Toronto's Heritage Register for its cultural heritage value and interest according to the Listing Statement (Reasons for Inclusion) found in Attachment 1.

The subject property at 81 Isabella Street is located on the south side of Isabella Street between Church Street and Jarvis Street in the Church-Wellesley neighbourhood. It contains an early-20th century brick apartment building, known as The Merlan, designed by architect Norman Alexander Armstrong and constructed in 1927. A location map and current photograph of the property are found in Attachment 1.

The property recommended for inclusion on the City's Heritage Register has been researched and evaluated by staff using the criteria prescribed in Ontario Regulation 9/06 and meets one or more of the provincial criteria for determining cultural heritage value or interest and is 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 Senior Manager, Heritage Planning, Urban Design, City Planning, recommends that:

1. City Council include 81 Isabella Street (including entrance address 83 Isabella Street) on the City of Toronto's Heritage Register in accordance with the Listing Statement (Reasons for Inclusion) attached as Attachment 1 to the report, October 17, 2024 from the Senior Manager, Heritage Planning, Urban Design, City Planning.

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

In 2013, City Council adopted the Urban Design Guidelines for North Downtown Yonge. The property located at 81 Isabella was identified as a having potential heritage value. <https://www.toronto.ca/legdocs/mmis/2013/te/bgrd/backgroundfile-61187.pdf>.

POLICY AND REGULATION CONSIDERATIONS

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 Planning Statement (2024) identify the Ontario Heritage Act as the primary legislation through which heritage evaluation and heritage conservation will be implemented.

Ontario Regulation 9/06 sets out the criteria for evaluating properties to be included in the Heritage Register under subsection 27 (1) of the Ontario Heritage Act. The criteria are based on an evaluation of design/physical value, historical and associative value and contextual value. A property may be included on the Heritage Register as a non-designated property if the property meets one or more of the provincial criteria for determining whether it is of cultural heritage value or interest.

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

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 of 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 property at 81 Isabella Street (including entrance address 83 Isabella Street) is a three-storey brick apartment building with Edwardian Classical detailing. The subject property was constructed in 1927 and is an early example of an apartment designed by architect Norman Alexander Armstrong. The property was identified as having potential heritage value through the North Downtown Yonge Urban Design Guidelines. Community interest in the property was expressed through a nomination for heritage evaluation in March 2022.

The subject property at 81 Isabella Street has been identified as having design, associative and contextual value. 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 the property.

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 property at 81 Isabella Street (including entrance address 83 Isabella Street) according to Ontario Regulation 9/06, it has been determined that the property meets one or more provincial criteria and merits inclusion

on the City's Heritage Register. The Listing Statement (Reason for Inclusion) is presented in Attachment 1.

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment 1 – 81 Isabella Avenue (including entrance address 83 Isabella Avenue) –
Listing Statement (Reasons for Inclusion)

(INCLUDING ENTRANCE ADDRESS 83 ISABELLA STREET**Listing Statement (Reasons for Inclusion)**

Staff have undertaken research and evaluation for the property at 81 Isabella Street (including entrance address 83 Isabella 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 Church-Wellesley neighbourhood on the south side of Isabella Street between Church Street and Jarvis Street, the property at 81 Isabella Street contains a three-storey brick apartment building constructed in 1927. The property is adjacent to 90, 90A, 92 and 94 Isabella Street which are designated under Part IV of the Ontario Heritage Act.

The property at 81 Isabella Street (including entrance address 83 Isabella) has cultural heritage value as it meets the following criteria under Ontario Regulation 9/06 of the Ontario Heritage Act:

Constructed in 1927, the subject property, known as The Merlan, holds design value as a representative example of an early-20th century apartment building. Its design value is reflected in its height, massing, and U-shaped plan which fronts onto the street with two symmetrical pavilions. The Merlan features Edwardian Classical detailing notable in a rusticated brick base below a limestone string course, stone quoining at the corners, and elaborate limestone surrounds and cornices marking the windows and front entrances. The property is associated with architect Norman Alexander Armstrong, and is an early example of Armstrong's apartment building design in Toronto. Contextually, the property contributes to an understanding of the social and developmental history of the area north of the city core and a collection of early-20th century brick walk-up apartment buildings on Isabella Street and the surrounding Church-Wellesley neighbourhood.



81 Isabella Street (Heritage Planning, 2024).



81 Isabella Street (outlined in red). Note: This location map is for information purposes only; the exact boundaries of the property are not shown (City of Toronto Mapping).