



Figure 91. East elevation north entryway key-stones and jambs displaying soiling (ERA, 2022).



Figure 92. East elevation stone soiling (ERA, 2022).



Figure 93. East elevation north entryway base stone and sill with soiling and erosion (ERA, 2022).



Figure 94. East elevation stone soiling (ERA, 2022).



Figure 95. East elevation south entryway base stone soiling and erosion (ERA, 2022).



Figure 96. East elevation displaying mortar loss and soiling (ERA, 2022).



Figure 97. East elevation stone sign soiling (ERA, 2022).



Figure 98. East elevation typical soiling of stone sills (ERA, 2022).

Openings

All windows and doors appear to be in good condition and were replaced during a 2008 renovation, excluding the maintenance and rear entrance doors which appear to be original.

At the north elevation, some basement windows and the second window bay from the east side, have been infilled with brick. These openings are observed to be in fair condition with some chipping and soiling.

The east side also has openings at the basement and ground level that have been in filled with brick. Surrounding the maintenance opening on the east side, there has been several repairs and replacement.



Figure 99. Typical condition of windows at exterior (ERA, 2022).

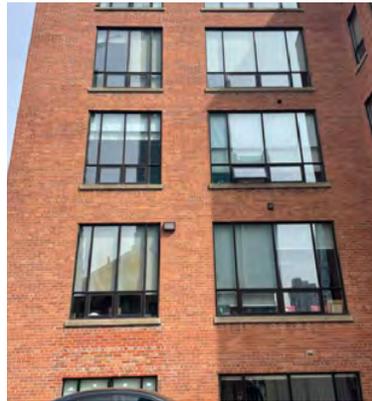


Figure 100. Typical condition of windows at exterior (ERA, 2022).

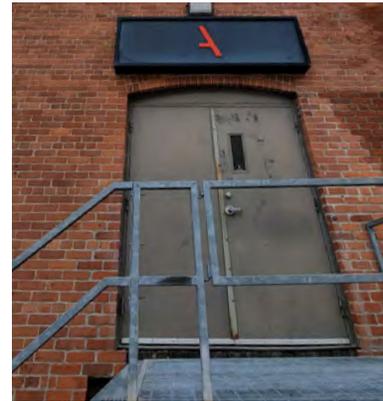


Figure 101. Steel door at west elevation (ERA, 2022).



Figure 102. Typical door condition at east elevation (ERA, 2022).



Figure 103. Steel door for maintenance access at north elevation (ERA, 2022).



Figure 104. Basement window infill at north elevation (ERA, 2022).



Figure 105. Second bay from east side of the north elevation displaying window infill (ERA, 2022).



Figure 106. Basement window infill at north elevation (ERA, 2022).



Figure 107. Basement window infill at west elevation with surrounding spalling, parging and holed bricks (ERA, 2022).



Figure 108. Maintenance door opening at west elevation displaying several surrounding brick replacements (ERA, 2022).

Roof

The flat roof assembly of the building is comprised of rubber and/or modified bitumen membrane. The assembly is in fair condition, although there is evidence of previous patch repairs. Roof ponding is evident where deeper depression occur below the built up membrane. A wooden deck is supported by a steel structure that is in fair condition. Anchor points are sealed at the edges with elastomeric caulking and minor cracking is visible in many locations. HVAC units are secured to the roof via wide base plates. Elevator shafts, hatches and chimneys make up the protruding structures on the perimeter of the roof.

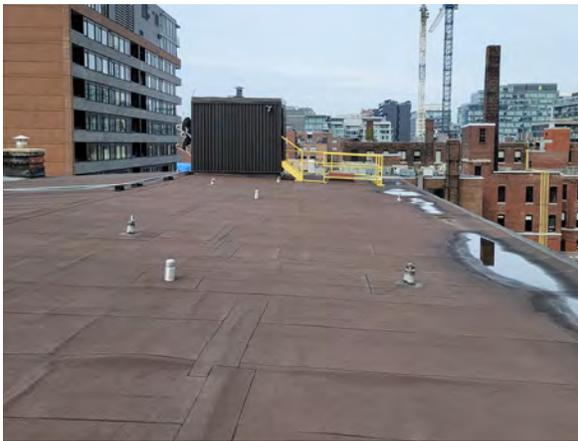


Figure 109. Built up roof system with membrane (ERA, 2022).



Figure 110. HVAC components on steel structure (ERA, 2022).

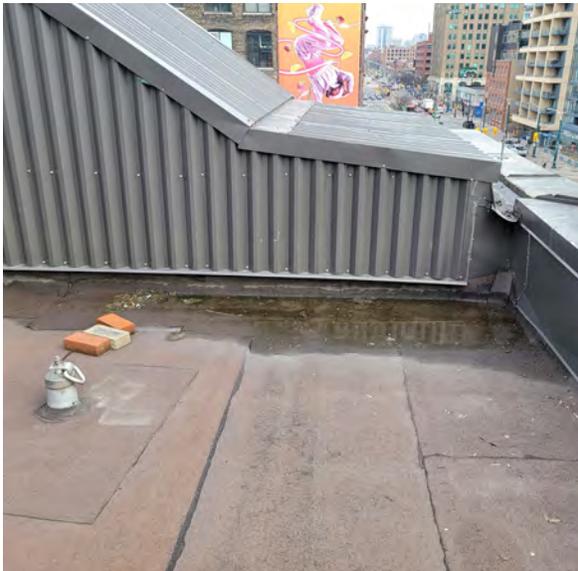


Figure 111. Steel anchor point and water pooling (ERA, 2022).

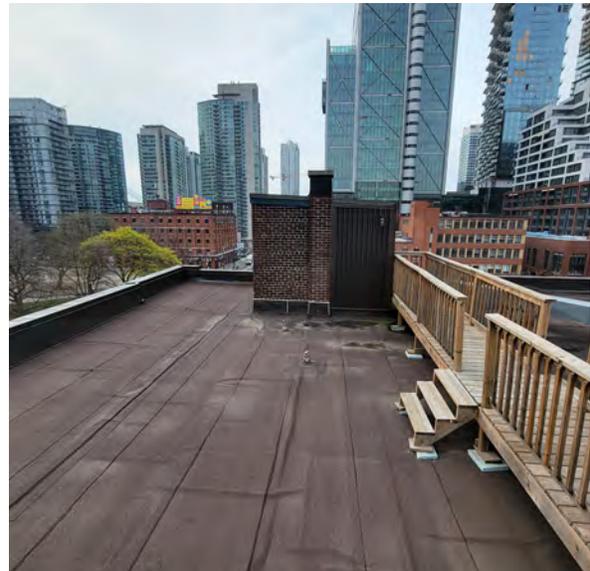


Figure 112. Wood deck and rear elevator shaft (ERA, 2022).

Interior Structure & Finishes

The 1908 interior is a post and beam timber construction with wood floors and exposed brick walls. The overall condition is good with localized areas noted to be poor. The interior brick is in poor condition as it has been sandblasting, which has caused it to form pitting and erosion.

Supporting brick arches and dividing masonry walls are exposed throughout. Wood posts and heavy steel brackets are in good condition with minor splitting visible in some locations.

The 1947 south addition is steel frame construction with masonry walls on the perimeter. Steel components are in good condition. Wood floors are similar to that of the original north building and in fair condition.



Figure 113. North east stairwell (ERA, 2022).

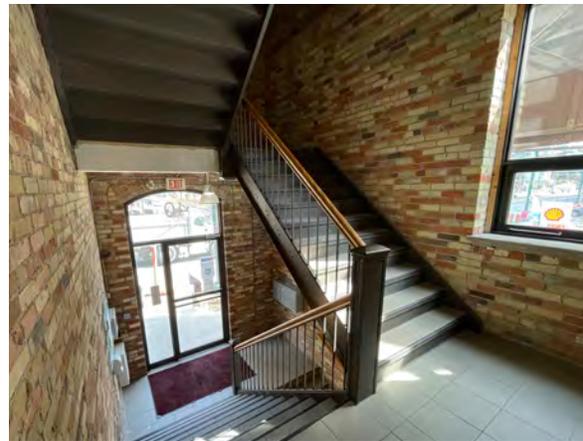


Figure 114. South east stairwell (ERA, 2022).



Figure 115. Steel beam and column detail (ERA, 2022).

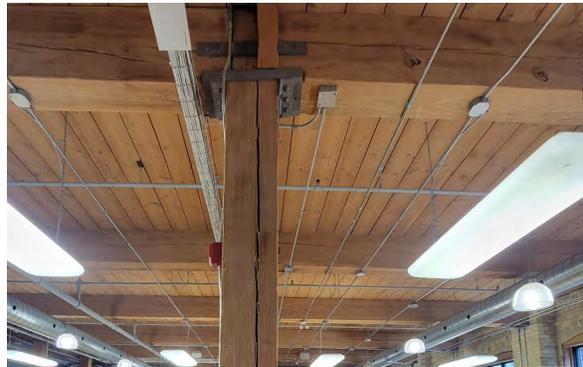


Figure 116. Post and beam construction with steel bracket (ERA, 2022).

14 DESCRIPTION OF PROPOSED DEVELOPMENT OR SITE ALTERATION

The proposed development will modify the Site to accommodate a new mixed-use building containing retail and residential uses. The proposal will retain elements of 40-46 Spadina, including the in-situ retention of the entire east façade facing Spadina Avenue, the eastern portion of the south façade, with a partial west return. The eastern portion of the north façade will be partially reconstructed. The existing two-storey buildings at 58-62 Spadina and the one-storey structures to their west will be demolished that were screened out by the City as non-contributing properties as part of the HCD study.

The proposed development will include a four-storey podium with a tower above. Within the retained elevations, the ground floor will include a double-height space in the retail area. The retail area will be accessed through the historic north and south entrances on the east elevation. Three secondary entrances for retail flexibility are proposed at the central portion of the east elevation. The existing ground level will be lowered to grade for accessibility and certain window openings will be adjusted to facilitate the realigned floor level, to provide additional access to retail space, and to provide for additional daylight. Existing openings will be modified and new openings introduced on the retained east elevation, and the windows on the reconstructed north elevation will be relocated to avoid conflicts with the floor levels.

North of the retained elevations, the proposed development will be setback from the east property line and the ground floor will include a residential lobby accessed from the east. The second floor of the proposed development will include residential units, outdoor amenity space, and a green roof. Within the retained elevations, the second floor will include a double-height indoor amenity space. The third floor will include residential units. The fourth floor will include indoor amenity space and residential units. The fifth floor will include a green roof above the retained facades and residential units. The tower above the four-storey podium will step back from the east and south elevations and will include residential units. At the 15th floor, the tower will step back from the north and south elevations and include two green roofs.

Vehicular access will be provided from Spadina Avenue to a covered drive aisle that will run east-west along the north portion of the Site and lead to the entrance to below-grade parking and loading spaces. The covered drive aisle will include a pedestrian walkway providing an east-west connection to the rear of the building. A proposed mid-block connection will run along the west boundary of the Site and provide a north-south connection between the private laneway to the north of the Site and Wellington Street West to the south.

Select plans and elevations from the architectural package by Wallman Architects are provided over the following pages to illustrate the proposed development.

Refer to Appendix G for diagrams showing the existing and proposed conditions of the property with areas proposed to be demolished or removed identified in red or altered in blue.

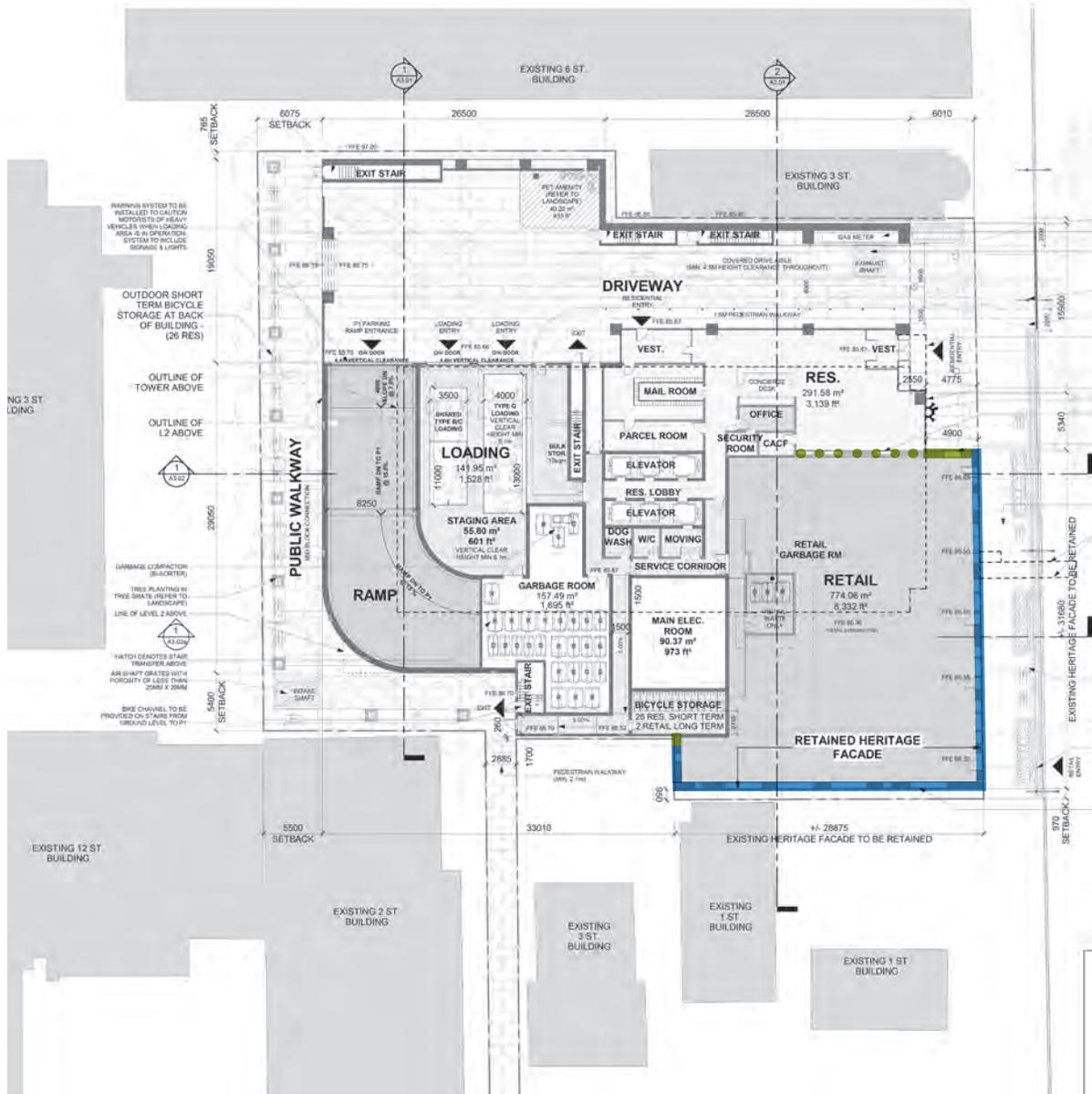


Figure 117. Proposed ground floor and site plan with retained and reconstructed facades highlighted (Wallman Architects, 2024; annotated by ERA).

- Retained in-situ
- Reconstructed at Levels 1 to 4
- Reconstructed at Level 1, internalized

Proposed Elevation



Figure 118. Proposed east elevation (Wallman Architects, 2024).



Figure 119. Proposed south elevation (Wallman Architects, 2024).



Figure 120. Proposed west elevation (Wallman Architects, 2024).



Figure 121. Proposed north elevation (Wallman Architects, 2024).

Renderings



Figure 122. Rendering of proposed development looking west from Spadina Ave (Wallman Architects, 2024).



Figure 123. Rendering of proposed development looking southwest from Spadina Ave (Wallman Architects, 2024).

15 DEMOLITION

The OHA does not define the term demolition or removal.

The definition of demolition and removal as contained in the City of Toronto Official Plan Chapter 3.1.5 (consolidated April 2021), are as follows:

Demolition: is the complete destruction of a heritage structure and property from its site, including the disassembly of structures and properties on the Heritage Register for the purpose of reassembly at a later date.

Removal: is the complete and permanent dislocation of a heritage resource from its site, including relocation of structures to another property.

The proposal does not contemplate demolition or removal of the heritage structure as defined by Chapter 3.1.5 of the Official Plan, as substantial portions of the property at 40-46 Spadina Avenue which is listed on the heritage register will be retained. Given that the buildings at 58-62 Spadina Avenue and the structures to their west are not currently included on the heritage register, nor listed or designated under the OHA, and have been identified as non-contributing buildings, the proposal does not contemplate demolition or removal under the OHA or Chapter 103 of the City of Toronto Municipal Code for these properties.

16 ANALYSIS OF THE IMPACT OF DEVELOPMENT OR SITE ALTERATION

This section evaluates the impacts and mitigation of the proposed redevelopment on the cultural heritage value and attributes of the heritage property on the Site as identified in the CHER.

Elements of the Site will be conserved and maintained in a manner consistent with the *Parks Canada Standards and Guideline for the Conservation of Historic Places in Canada*. The proposed conservation approach for the Site is **rehabilitation**, defined by Parks Canada as:

“the action or process of making possible a continuing or compatible contemporary use of an historic place, or an individual component, while protecting its heritage value.”

The reason for selecting rehabilitation as the primary conservation treatment is to allow for the Site to evolve, leading to new and continued uses of the Site while ensuring that the elements that define the Site’s cultural heritage value are maintained.

Relevant legislation, policies and guidelines have been applied when considering the impact and mitigation for proposed alterations affecting the cultural heritage value and attributes of the Site. The following were among the sources reviewed in preparing this HIA:

Legislation

- The Ontario Heritage Act (R.S.O. 1990)
- The Planning Act (R.S.O. 1990)

Land Use Policy

- The Provincial Policy Statement (2020)
- A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) as amended in 2020
- City of Toronto Official Plan (consolidated April 2021)
- Downtown Plan (2019)
- King-Spadina Secondary Plan (2020) – under appeal
- King-Spadina Heritage Conservation District - By-law 1111-2017 (2017) – under appeal

Heritage Registers

- Toronto Heritage Register

Guidelines

- Standards and Guidelines for the Conservation of Historic Places in Canada
- City of Toronto Tall Building Guidelines (2013)

A review of the above noted policies that are applicable to this HIA can be found in Appendix D.

16.1 Impacts, Rationale and Mitigation

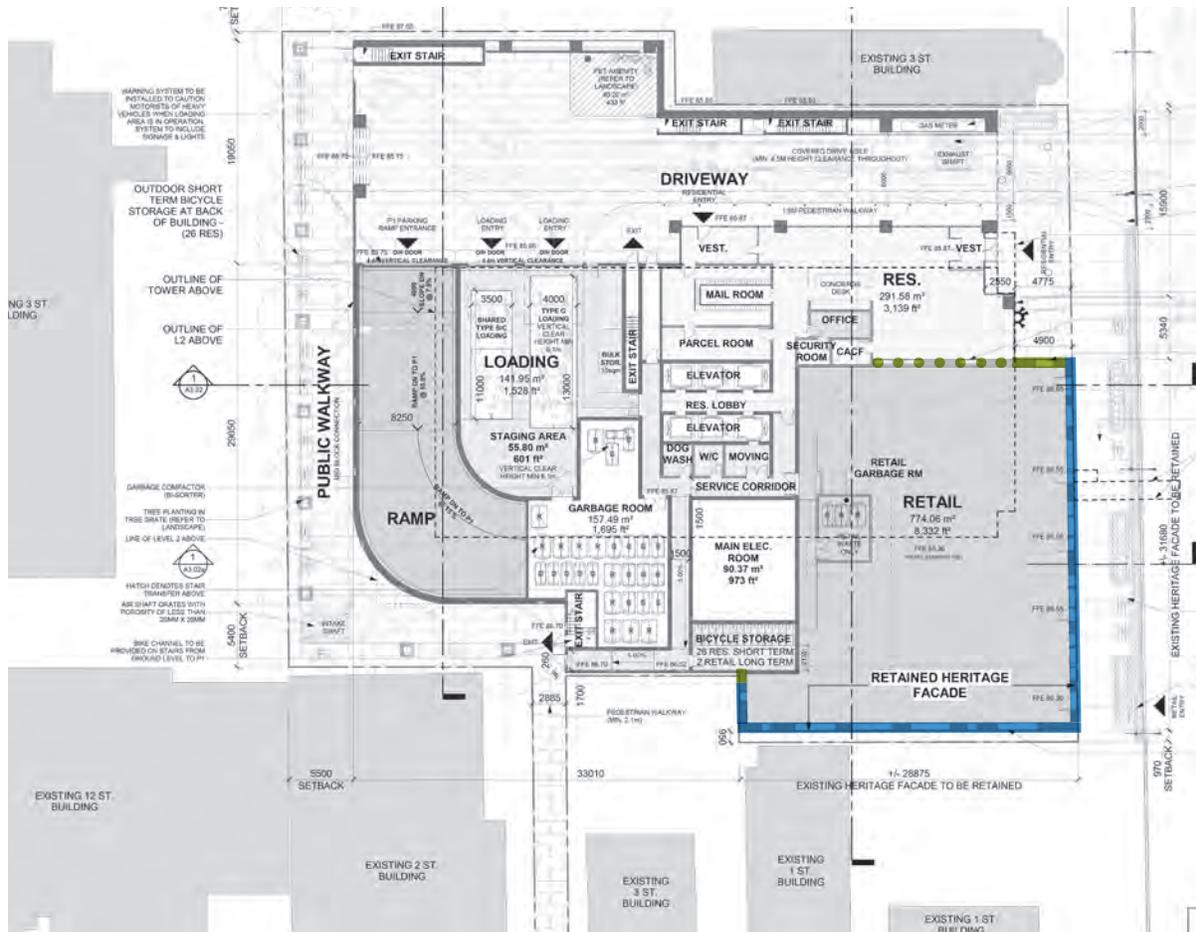


Figure 124. Proposed ground floor and site plan with retained and reconstructed facades highlighted (Wallman Architects, 2024; annotated by ERA).

- Retained in-situ
- Reconstructed at Levels 1 to 4
- Reconstructed at Level 1, internalized

Impact: Removal of the building’s west, partial south and partial north elevations.

Rationale and Mitigation: The building will be partially demolished in order to construct the new mixed-use commercial and residential building. The removal of the building’s west, partial south and partial north elevations will be mitigated by the in-situ retention and conservation of the entire street-facing east façade, the eastern portion of the south façade, and the partial west return. The retained facades will maintain the presence of the building. A partial return on the north elevation will be reconstructed to contribute to the three-dimensional legibility of the building.

Impact: Modifications to select openings and new openings at retained elevations.

Rationale and Mitigation: Modifications to existing openings is required for the purpose of increasing visibility and porosity into the new retail space to suit the realignment of the ground floor level. Visual and physical impacts are mitigated by limiting the number and size of the openings and maintaining the proportions of the openings to the historic openings of the facades. New openings will be differentiated from historic openings to ensure one can distinguish new from old. The impact of these alterations is further mitigated by the provision of historically appropriate windows. The design has been developed to limit the extent of proposed window alterations. The diagrams below note the modified openings. Some of the bays to be modified already exhibit signs of previous alteration. The alterations will respect the rhythm of the bays.



Figure 125. Proposed east elevation showing extent of modified openings (Wallman Architects, 2024; annotated by ERA).

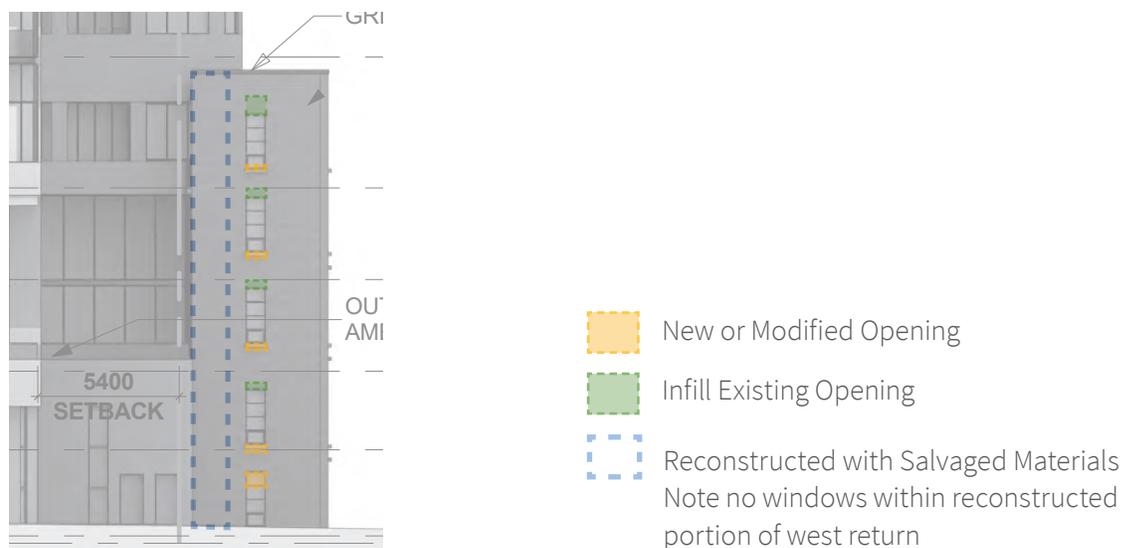


Figure 126. Proposed west elevation (Wallman Architects, 2024; annotated by ERA).

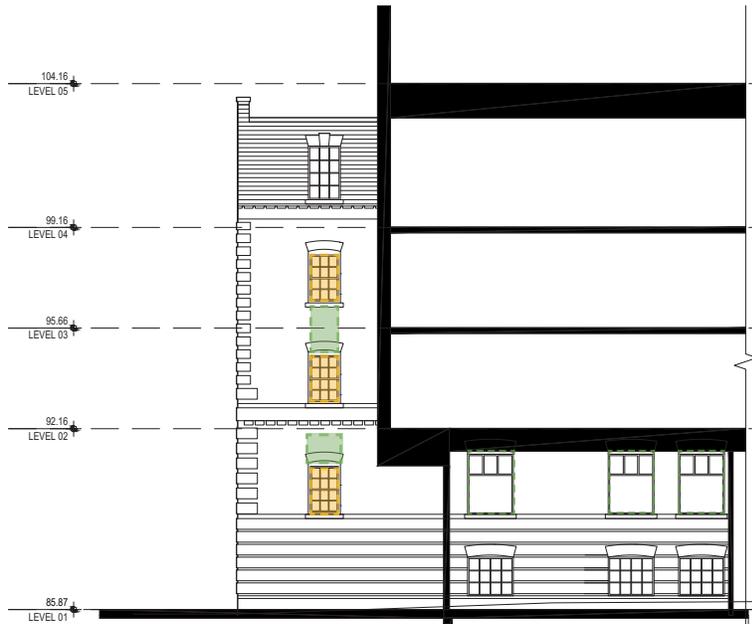


Figure 127. Proposed north elevation and partial section showing extend of modified openings (Wallman Architects, 2024; annotated by ERA).

- New or Modified Opening
- Infill Existing Opening

Impact: Modifications to select openings at reconstructed north elevation.

Rationale and Mitigation: The windows at the eastern portion of the north elevation will be relocated when reconstructed to accommodate the floors levels, enhance daylighting and so users can see out of the windows. The existing window openings align with the landings of the stairwell within. Since the stairwell will be removed to allow for the new floor area within the building, the window openings will need to be shifted to avoid a conflict with the new floor level.

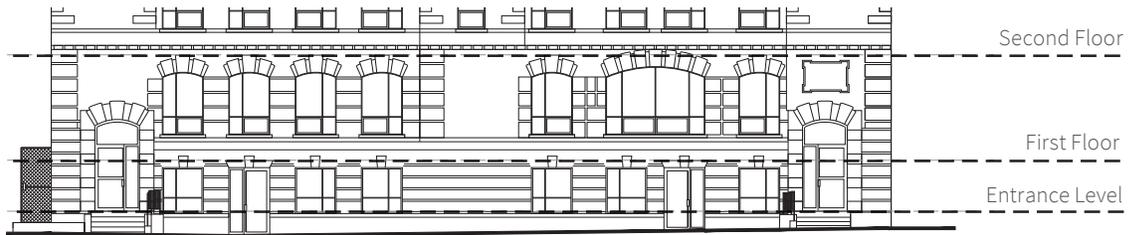


Figure 128. Existing east elevation (Wallman Architects, 2022; annotated by ERA).



Figure 129. Proposed east elevation (Wallman Architects & ERA Architects, 2024; annotated by ERA).

Impact: The existing building interior will be removed and the floor levels will be realigned.

Rationale and Mitigation: The existing floor levels will be removed for excavation and construction. The new floor levels has been designed to minimize conflicts with existing window openings. The realigned floor levels along with the removal of the raised entry stairs will support barrier-free access throughout the building. The two existing narrow windows on the east elevation will receive back-painted glass or similar to obstruct the floor slab beyond.

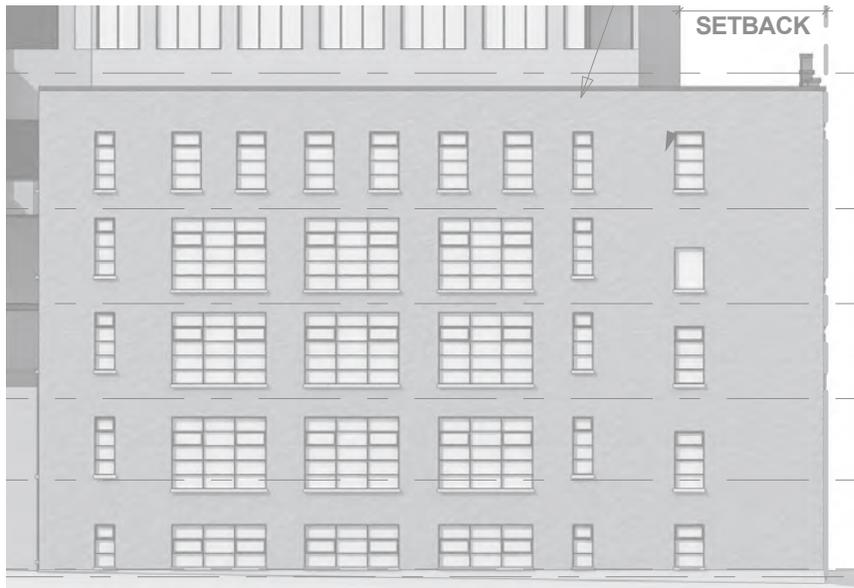


Figure 130. Proposed south elevation (Wallman Architects, 2024; annotated by ERA).

Impact: The roof elements will be removed.

Rationale and Mitigation: The roof elements will be removed in order to construct the new mixed-use commercial and residential building. The removal of the roof elements is mitigated by the retention of a significant portion of the flat roof visible from the public realm and the reinstatement of the stepped parapet along the northern portion of the east elevation.

Adjacent Heritage Properties

There are two adjacent properties that are listed on the heritage register: 374-376 Wellington Street West and 57 Spadina Ave. In the case of 374-376 Wellington Street, the two properties front onto a different street and their adjacency is due largely to the depth of the Site boundary and its proximity to Wellington Street. The Site is located to the rear of 374-376 Wellington Street West and the relationship between the existing building and the proposed development remain unchanged. In the case of 57 Spadina Ave, the former structure which was listed has been demolished. There are no anticipated heritage impacts on the adjacent heritage resources.

16.2 Integrity Analysis

The following section provides an overall assessment of the impact of the proposed development on the integrity of 40-46 Spadina.

The proposed redevelopment maintains the integrity of 40-46 Spadina. The entire east elevation, the eastern portion of the south façade, and the partial west return will be retained in-situ. A partial return on the north elevation will be reconstructed. The impact of removing the west, partial south and partial north elevations will be mitigated. One way that 40-46 Spadina conveys its value is through its heritage attributes. Given that the heritage attributes of the building are concentrated on the eastern portion of the building and this portion will be maintained, along with representative examples of attributes on the south and north elevations, their ability to convey their value will persist. As such, the proposed development generally maintains the elements that characterize the Site.

16.3 Visual Impacts of New Construction

ERA has evaluated the visual impact of the proposed development on the potential heritage value and draft heritage attributes. The proposed development has been designed to respond and provide a compatible relationship to the potential cultural heritage value of the existing property.

The proposed development integrates elements of 40-46 Spadina into the new building podium, which has a tall building component above. The new construction incorporates setbacks at grade, and stepbacks above the retained heritage elements that are intended to provide a subordinate design response and maintain the prominence of the heritage elements when viewed from the public realm. The heritage facades will be legible as a distinct building element. ERA has reviewed materials prepared by Wallman Architects. The proposed stepback at the east and south of 40-46 Spadina Avenue maintains the three dimensional legibility of the retained portions of the existing building as seen from the street. The green roof treatment above the retained facades has been designed to limit visibility from the street. In addition, the partial return at the north elevation will be reconstructed. The new base of the tower will infill and harmonize the existing gap in the Spadina Avenue streetwall between the buildings, particularly the opening between the Site and the semi-detached houseform building to the north. The proposed materials for the podium of the building includes an aluminum window wall system and precast brick veneer panels. The proposed materials are compatible with the materials of the existing building and will be distinguishable.

17 ENGINEERING CONSIDERATIONS

Refer to Appendix H for the retention letter by Read Jones Christoffersen Ltd. dated June 10, 2022.

Refer to Section 16 of this report for mitigation strategies addressing the potential impacts of new construction.

Considered Alternatives

An initial development proposal for the Site incorporated a 3m stepback above the retained east elevation. Subsequent design iterations resulted in a refined massing with an increased stepback distance along the east elevation.

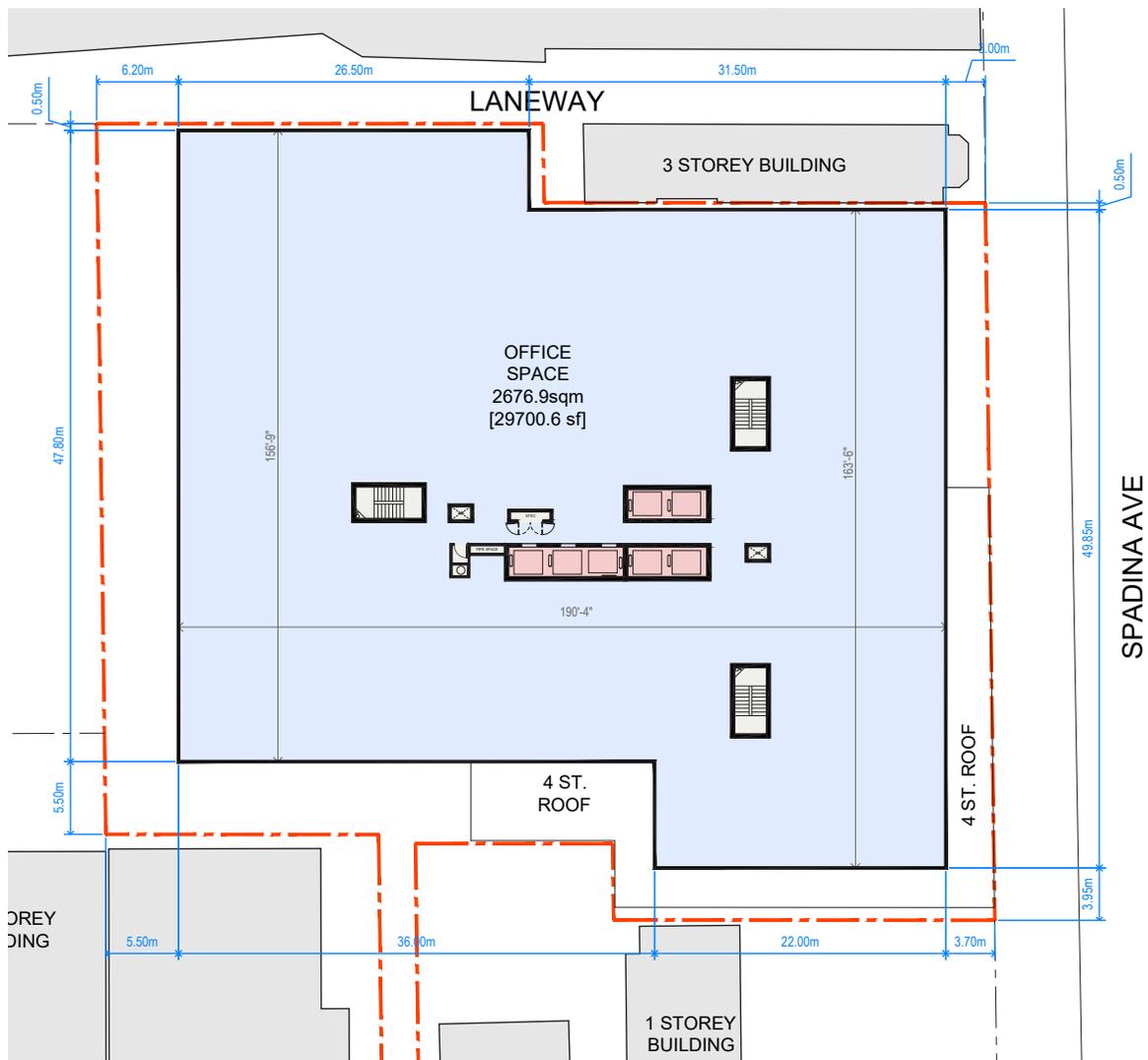


Figure 131. Preliminary proposed fourth floor plan dated March 2022 showing proposed stepbacks of tower from east elevation (Wallman Architects, 2022).

The drawings below illustrates alternatives considered with regard to modifications to existing and new window openings. The current proposal provides an approach that reduces the number and size of window openings on the primary east elevation and distinguishes between new and old openings.

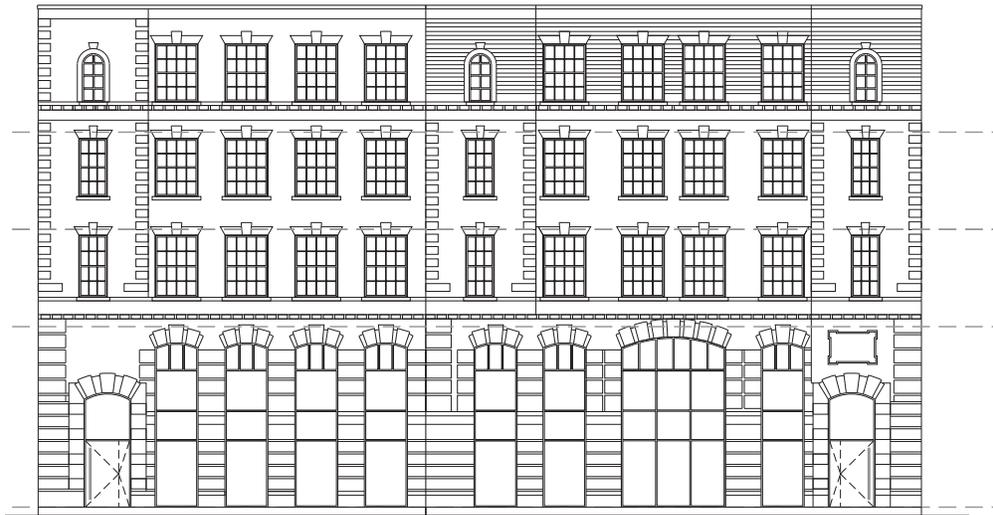


Figure 132. Preliminary proposed east elevation (Wallman Architects, 2022).



Figure 133. Proposed south elevation from previous submission (Wallman Architects, 2022).

The previous application submission provided for alterations to the south elevation. The design has been revised to omit these alterations.

19 CONSERVATION STRATEGY

The conservation strategy for 40-46 Spadina consists of the following measures itemized and summarized from the previous relevant sections, and diagrams annotated by ERA:

- In-situ retention of the east elevation, the eastern portion of the south elevation, and the partial west return with modifications, including:
 - Existing openings – nine openings modified on the east elevation, and 5 openings modified on the partial west return;
 - Reinstatement of the stepped parapet along the northern portion of the east elevation;
 - Removal of the raised entry stairs at the southern and northern portions of the east elevation to align with the lowering of the ground floor level and provide barrier-free access; and
 - Masonry treatment where the foundation has been exposed due to the previous Spadina Road widening.
- Temporary dismantle and reconstruction of a portion of the north elevation with modifications, including:
 - Existing openings – two openings infilled; and
 - New openings – three new openings created to facilitate the new use at grade and increase daylight for the upper levels.
- Realignment of the floor levels to provide barrier-free access throughout the building.
- New historically appropriate windows and compatible doors.
- Salvage sound heritage fabric from the west and north portion of the building for repairs to the retained portion.
- Conservation work to the retained portion of the Site will be implemented in order to address existing conditions and bring the retained facades to a state of good repair.
 - Generalized masonry cleaning to address soiling; and
 - Selective masonry replacement using salvaged material in sound condition and repointing where needed.

New Construction

- The new construction will be setback at the north and stepped back above the roof level to maintain the three-dimensional legibility of the retained facades and their prominence on the street;
- A contemporary design for the new construction that is of its time to help distinguish between old and new.

20 STATEMENT OF PROFESSIONAL OPINION

This HIA considers the impacts of the proposed development in relation to the potential cultural heritage resources that may be impacted. The property at 40-46 Spadina has been evaluated and identified as meeting the criteria under O.Reg 9/06.

The conservation strategy for the proposed development includes the in-situ retention of the entire east facade, the eastern portion of the south facade, and the partial west return with modifications that include changes to the existing openings and new openings. A portion of the north elevation will be temporarily dismantled, salvaged, and subsequently reconstructed with modifications to allow for below grade excavation. The retained and rebuilt facades will maintain the presence of the building and contribute to the three-dimensional legibility of the building. The primary heritage attributes of the Site are found in the retained portion, which will be conserved. Salvaged elements from the north and west portion of the building will be used for the repairs on the retained elements. New construction will be setback from the street facing heritage elements to maintain their prominence on the street. The proposed development has been designed to respond and provide a compatible relationship to the potential cultural heritage value of the existing property.

Based on the findings of this HIA, the proposed development conserves the integrity and identified cultural heritage value, attributes, and character of the Site. The proposed redevelopment responds to the evolution of the Site and its surrounding context, including the intensification under way in the King-Spadina neighbourhood given its central location and planned transit investment. The proposed development provides new retail and residential uses, and a mid-block connection which will act as an amenity to the neighbourhood.

21 APPENDICES

- Appendix A: HIA and CHER Terms of Reference and Required Contents Checklist
- Appendix B: Notice of Intention to Designate for 46 Spadina Ave and King-Spadina Heritage Conservation District Designation By-law 1120-2024
- Appendix C: Listing Statement for 374-376 Wellington Street and 57 Spadina Ave
- Appendix D: Heritage Policy Review
- Appendix E: Resource List
- Appendix F: List of Figures
- Appendix G: Architectural diagrams annotated by ERA
- Appendix H: Facade Retention Letter by RJC, dated June 10, 2022

Refer to drawings by Wallman Architects, dated [October 28, 2024](#)

Appendix A: Heritage Impact Assessment and Cultural Heritage Evaluation
Report Terms of Reference and Required Contents Checklist



Heritage Impact Assessment Terms of Reference and Checklist

City Planning, Heritage Planning, Urban Design

Revised July 7, 2021

A. PURPOSE

The conservation of the City of Toronto's cultural heritage resources is a matter of public, municipal and provincial interest.

A Heritage Impact Assessment ("HIA") is an independent professional and objective study undertaken at the earliest stage of project planning, design, construction and development activity necessary to inform a project's design with the goal of conservation.

The purpose of the HIA is to assist in the understanding of the cultural heritage value of each existing or potential heritage resource on a site, adjacent to a site or within a Heritage Conservation District ("HCD"), and apply relevant heritage conservation policies and standards in the analysis of the impact of development on its cultural heritage value, and develop mitigation measures to protect it. Within the City of Toronto's application process and complete application requirements, the purpose of the HIA is also to inform decisions of City staff and City Council and to guide the creation of a Conservation Plan or any other Council approved condition.

B. POLICY CONTEXT

- The Provincial Policy Statement; Section 2.6 Cultural Heritage and Archaeology
- A Place to Grow: Growth Plan for the Greater Golden Horseshoe; Section 4.2.7 Cultural Heritage Resources
- City of Toronto Official Plan

C. DESCRIPTION

The HIA will demonstrate an understanding of the cultural heritage values and attributes of existing and potential onsite heritage resources, adjacent heritage properties and within or adjacent to Heritage Conservation Districts. It is strongly recommended that a **Cultural Heritage Evaluation Report ("CHER")** be prepared by the applicant at a project's inception to ensure a rigorous inventory and understanding of the site's values and attributes early in the design process. The City of Toronto has developed a Terms of Reference to assist with the purpose and content of a CHER. It is also strongly recommended that the results of the CHER be shared with the City for discussion at the earliest opportunity to avoid unnecessary delays.

Where City Council has previously adopted a Statement of Significance through municipal designation, using criteria set out in Ontario Regulation 9/06, the HIA must be based on the Council approved statement of cultural heritage values and attributes. Properties designated prior to 2005 will be subject to review and by-law amendment as necessary.

The HIA will also demonstrate, in its analysis and conservation strategy, an understanding of all applicable provincial and municipal policies, HCD plans and recognized professional heritage conservation standards in Canada including, but not limited to, the *Standards and Guidelines for Conservation of Historic Places in Canada*. **In keeping with the *Standards and Guidelines*, minimal intervention will be the guiding principle for all work.**

The study will, using both written and graphic formats, provide a description of the proposed development or site alteration, a detailed review of the impact of the proposed work on the cultural heritage values and attributes of the existing, potential and adjacent heritage properties (cultural heritage values and attributes that have already been determined by the City or, when unavailable, identified within a Cultural Heritage Evaluation Report) from a conservation perspective. The HIA will also recommend alternative development options and mitigation measures to ensure the best possible conservation outcomes.

The HIA, which must be prepared by a qualified heritage conservation professional as demonstrated through membership in the Canadian Association of Heritage Professionals, will address "existing and potential heritage properties" which are those properties that are:

- designated under Parts IV and V of the Ontario Heritage Act ("OHA")
- added to the Register by City Council, known as "listed" properties
- identified as having cultural heritage value or interest through a preliminary site assessment or planning study
- identified by the community, City staff or local Councillor

In addition, it is recommended that applicants pre-screen any building 40 years of age or older on the development site as a routine part of pre-application due diligence, especially if demolition will be proposed.

The required conservation strategy will be presented in detail to inform the decisions of City staff and City Council and to guide the creation of a Conservation Plan and/or any other Council approved conditions. Conservation strategies will take into account the existing condition of cultural heritage resource(s) and the constructability of the proposal. It is expected the project team will have undertaken sufficient investigation to confirm the capacity of the heritage resource to withstand the proposed intervention.

Where there is the potential to affect known or potential archaeological resources an Archaeological Assessment will be undertaken as an additional study prepared by a licensed archaeologist.

D. STANDARDS AND PRACTICES

The HIA must be impartial and objective, thorough, complete and sound in its methodology and application of Ontario Heritage Act evaluation criteria, the City of Toronto Official Plan Heritage Policies and the *Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada* and be consistent with recognized professional standards and best practices in the field of heritage conservation in Canada and the CAHP Code of Conduct.

The HIA must be prepared by qualified professional members in good standing with the Canadian Association of Heritage Professionals (CAHP) who possess applied and demonstrated knowledge of

accepted standards of heritage conservation, historical research, identification and evaluation of cultural heritage value or interest, analysis and mitigation.

The HIA must include all required information and be completed to the satisfaction of the City as determined by the Senior Manager, Heritage Planning or it will be considered incomplete for application or other purposes.

The HIA may be subject to a peer review if deemed appropriate by the Senior Manager.

E. WHEN REQUIRED

An HIA is required as a part of a Complete Application for the following application types, if the development site contains one or more properties that are listed and/or designated on the City of Toronto's Heritage Register:

- Official Plan Amendment
- Zoning By-law Amendment
- Plans of Subdivision
- Site Plan Control

Note: Site Plan Control applications that have been subject to a recent and/or concurrent OPA/ZBA application will not require an HIA.

An HIA may be required for the following additional application types:

- Consent and/or Minor Variance applications for any property on the Heritage Register
- Official Plan Amendment, Zoning By-law Amendment, Plans of Subdivision, Site Plan Control and/or Consent and/or Minor Variance applications adjacent to a property on the Heritage Register. Adjacency is defined in the Official plan and may go beyond contiguous properties
- Heritage Permit applications for any property designated under Part IV (individual) or Part V (Heritage Conservation District) of the OHA.

F. CULTURAL HERITAGE EVALUATION REPORT (CHER)

A Cultural Heritage Evaluation **is required** within the HIA for the following properties, where applicable:

- Designated under Part IV, Section 29 of the OHA prior to 2006
- Listed on the City's Heritage Register under Section 27 of the OHA

A CHER is strongly encouraged to be prepared for properties of potential heritage value:

- Not on the City's Heritage Register but identified as having cultural heritage value through professional site assessments or planning studies
- Believed to have cultural heritage value as identified by the community, City staff or local Councillor
- Buildings and/or structures that are 40 years or older

A Cultural Heritage Evaluation within an HIA, or as part of a CHER **is not required** for properties that are:

- Subject to a Notice of Intention to Designate under Section 29 of the OHA
- Designated under Part IV, Section 29 of the OHA after 2006
- Designated under Part V, Section 42 of the OHA

The City's Terms of Reference for a CHER is available as a separate document. It is recommended that applicants contact Heritage Planning to discuss heritage potential on the subject property prior to application submission. **Evaluation of cultural heritage resources prior to project planning is strongly encouraged.**

With regard to Part IV, Section 29 properties, the HIA should append the Notice of Intention to Designate or the designation by-law, where applicable. With regard to Part V, Section 42 Districts, identification of the Heritage Conservation District and its associated Heritage Conservation District Plan (if applicable) should be identified, but is not required to be appended to the HIA.

An HIA that does not use the Council adopted statement of significance as the basis to assess impact will be deemed incomplete.

Evaluations may be subject to Peer Review where deemed appropriate by the Senior Manager, Heritage Planning

G. REQUIRED CONTENTS AND CHECKLIST

To confirm application requirements it is advisable to discuss your project in advance with Heritage Planning staff during preliminary consultation meetings and consult the City of Toronto's Municipal Code.

Where conditional approval has already been granted under the OHA, document requirements should be discussed with heritage planning staff.

The HIA will be submitted in hard copy and PDF format along with any other required application material and will include (at minimum):

1. Required Contents Checklist

- A copy of this HIA Terms of Reference with a completed Required Contents Checklist

2. Statement of Professional Qualifications

A Heritage Professional is a person who has specialized knowledge in the conservation and stewardship of cultural heritage and is supported by formal training and/or work experience. The professional must be a registered member of the Canadian Association of Heritage Professionals and in good standing. The background and qualifications of the professional(s) completing the HIA must be included in the report.

- By checking this field, the Professional conforms to accepted technical and ethical standards and works in accordance with the regulations and guidelines of their specialty heritage fields and

jurisdictions of practice and confirms the information included in the HIA or CHER is accurate and reflects their professional opinion.

3. Executive Summary

- This section includes a summary of the project as a whole; a summary of the property's determined heritage values and attributes, including conclusions related to the evaluation of properties undertaken through the CHER; a summary of the proposed conservation strategy and a summary assessment of the impact of the proposed development or site alteration on the cultural heritage values and attributes of all on-site and adjacent heritage properties, including properties on the site that are not on the heritage register but which have been subject to evaluation either within the HIA or as the subject of a CHER.

The Executive Summary will also outline proposed mitigation measures and will include a clear statement of opinion about the appropriateness of the work as proposed, with specific reference to all applicable policies and guidelines.

4. Property Owner

- Owner name and full contact information, including e-mail address(es)

5. Owner's Representative or Agent Not applicable

- Name and full contact information, including e-mail address(es), for any representative or agent acting on behalf of the owner accompanied by proof of owner consent

6. Location Plan

Location of the development site and the subject heritage property/properties shown on:

- City's property data map
- Aerial photograph

Maps and photographs must depict the site boundary within a 300 metre radius, or as appropriate, in order to demonstrate the existing area context and identify adjacent heritage resources. Maps to be to a metric scale (i.e. 1:100, 1:200, 1:500).

7. Cultural Heritage Evaluation Report (CHER)

Following the City of Toronto's Cultural Heritage Evaluation Report (CHER) Terms of Reference, this section will include the identification and evaluation of existing and potential properties on the development site, as required.

Where a property is subject to a notice of intention to designate under Section 29 of the OHA, designated under Part IV of the OHA after 2006 or designated under Part V of the OHA, the HIA must rely on the heritage values and attributes of the property which have already been determined by City Council.

It is expected the CHER will be prepared in the early stages of the design and development process, prior to determining what changes may be appropriate. It is recommended that the CHER be submitted as a separate document prior to its incorporation into the HIA and prior to the submission of a development application so that the heritage values can be confirmed.

Check all that apply: [A CHER was required and prepared for the Site as it is a property listed on the City's Heritage Register under Section 27 of the OHA.](#)

- Evaluation of a property designated under Part IV, Section 29, of the Ontario Heritage Act prior to 2006 and date evaluation was completed.
- Evaluation of a property listed on the City's Heritage Register under Section 27 of the Ontario Heritage Act and date evaluation was completed.
- Evaluation of a property previously identified as having cultural heritage value through professional site assessments or planning studies and date evaluation was completed.
- Evaluation of a property believed to have cultural heritage value as identified by the community, City staff or local Councillor and date evaluation was completed.
- Evaluation of a property over 40 years old and date evaluation was completed.

8. Description of On-site Heritage Resources

This section will include a description of existing and potential cultural heritage resources within the development site, and shall include:

- Description of each property in its location on the site and any associated buildings, structures and/or landscapes. The description needs to include reference to all structures; buildings; age, location, type of construction, heritage attributes, building elements, features and / or remains; building materials; architectural style, type or expression and finishes; floor plan; natural heritage features; landscaping and archaeological resources as applicable.
- For each listed property, the existing Statement of Significance, Reasons for Listing and/or Reasons for Identification as adopted by City Council describing each property's cultural heritage value. Include the City Council inclusion dates and relevant details. This information can be obtained from the Heritage Planning office or online.
- For each Part IV or Part V designated property on the site, the existing Statement of Significance, Reasons for Designation describing each property's cultural heritage value and heritage attributes and/or the established cultural heritage value or contribution as described in the relevant HCD Plan. Include the associated designation by-laws and City Council inclusion dates and details. This information can be obtained from the Heritage Planning office or online.

9. Historic Photographs

- Historic photographs should be provided where available. If historic photographs cannot be located, it must be confirmed that the noted sources below have been checked and historic photographs were not present.

At minimum, the resources that must be consulted include:

- Toronto Archives
- Toronto Public Library
- Historical society archives

10. Current Photographs/Images

- Current photographs/images taken within 3 months of the application submission date showing the existing condition, context, attributes and other features of existing and potential heritage resources on the property that are unobstructed by landscaping, vegetation, vehicles, etc. The context includes other buildings and existing landscaping (mature trees, fences, walls, driveways) on the subject property. Photographs will include the following:

- Each building elevation
- Each heritage attribute or draft (CHER) heritage attribute affected by the proposed works
- Existing context including other buildings on and adjacent to the site and existing landscaping
- Interior heritage attributes described in the Part IV designation by-law or the CHE, where applicable
- Photographs of the property as seen from the public realm around the property including each public right of way, lane, or shared driveway, park and publicly accessible open space, as appropriate to the site
- Photographs showing the relationship of the site to the adjacent properties

11. Description of Surrounding Neighbourhood Keyed to a Context Map

- Provide a detailed narrative of the surroundings of the site with particular attention to subject street frontages or block faces, subject property and opposite side of the street frontage(s). Be sure to reference architectural styles, profiles and ages of buildings and describe the existing “sense of place” where discernible and key to a context map.

12. Description of Adjacent Heritage Properties (if applicable)

Using the definition of "adjacency" in the City's Official Plan, this section must provide a description of each heritage property/resource adjacent to the development site, including:

- Description of the property in its location adjacent to the site, including any buildings, structures and/or landscapes or landscape features.
- Part IV or V designation dates and details.

Existing Statement of Significance or Reasons for Designation describing the property's cultural heritage value. This information can be obtained from the Heritage Planning office.

Photographs to include:

- Photographs taken within 3 months of the application submission date of each elevation of the resource on the adjacent heritage property.
- Aerial photographs showing the relationship of the adjacent properties to the development site.
- Available historic photographs that show the adjacent buildings in relation to the application site, or confirmation that none were available from the noted sources.

13. Condition Assessment

The condition assessment should not rely solely on a visual inspection. Recommended methods for determining the condition of the resource(s) include a structural engineering analysis, a geotechnical study, non-destructive and destructive testing where underlying conditions might be obscured by architectural elements, signage or other physical barriers.

Destructive testing may be subject to approval. Please consult the heritage planner assigned to your application to confirm testing requirements needing a preliminary review.

Written description and high quality colour photographic documentation of each existing and potential heritage resources on the development site in its current condition and a detailed visual and written description of the physical condition of the resources including, but not limited to:

- The roof (including chimneys, roofing materials, etc.)
- Each building elevation including windows, doors, porches and decorative elements
- Foundations
- Each heritage attribute identified in an existing Statement of Significance or a CHE including landscape features where applicable
- Structural stability of the building
- Other aspects of the site as appropriate

14. Description of Proposed Development or Site Alteration

In this section, the plans, drawings, specifications and a description of the site alteration must include all new development on and alterations and interventions to each designated and/or listed and/or potential heritage property on the development site.

The drawings and specifications should also show any internal heritage attributes described in the designation by-law and show any proposed changes to them.

If no changes are being proposed to a specific building, structure or heritage attribute on the subject property a written confirmation of this and confirmation of its proposed conservation

can be provided instead of including proposed plans, sections and elevations of that specific building, structure or heritage attribute.

- A written itemized and detailed description of all alterations and interventions affecting the cultural heritage value and attributes of each onsite existing and potential heritage property and adjacent heritage property with a clear narrative of what is proposed to be conserved, altered, visually or physically impacted or demolished and/or removed.
- Existing plans, sections and elevations showing the current condition of each property with any buildings, structures and attributes proposed to be demolished or removed identified in RED and/or altered in BLUE.
- Proposed plans, sections and elevations showing any attributes proposed to be demolished, removed or reconstructed in RED and new construction and alterations in BLUE.

15. Demolition

Separate approval under the Ontario Heritage Act is required for any property designated under Part IV or V where the demolition or removal of a building, structure and/or attribute is proposed.

60 days' written notice of intention to demolish a building or structure on a listed property must be submitted to the Chief Planner, consistent with the Toronto Municipal Code, Chapter 103.

- Check if NO demolition or removal is proposed.
- Where the demolition and/or removal of a building, structure and/or heritage attribute is proposed on an existing Part IV heritage property, a written description will explain the reason for the proposed demolition and/or removal and how it conserves the cultural heritage value and attributes of the property as described in the designation by-law or the CHER and how it conserves the integrity of the property.
- Where the demolition and/or removal of a building, structure and/or heritage attribute is proposed on a Part V designated property within a Part V designated district, a written description will explain the reason for the proposed demolition and/or removal and how such demolition and/or removal conserves the cultural heritage values and heritage attributes of the relevant Heritage Conservation District and describe how the proposal is not contrary to the objectives of that HCD Plan and how the proposal does not conflict with that HCD Plan.
- Where the demolition and/or removal of a building or structure on a listed heritage property is proposed, a written description will explain the reason for the proposed demolition and/or removal and how it conserves the cultural heritage value of the property as described in the reasons for listing or the CHER and conserves the integrity of the property.
- Where the demolition and/or removal of a building or structure on a potential heritage property is proposed, a written description will explain the reason for the proposed demolition and/or removal.

16. Analysis of the Impact of Development or Site Alteration

In this section, a clear and objective analysis of the impact of all alterations and interventions, (direct and indirect), that affect the cultural heritage value and attributes as described in the designation by-law or approved CHER of each existing, potential and adjacent heritage property or HCD is required.

- ☒ An itemized and detailed analysis of the impact of and rationale for all alterations and interventions proposed affecting the cultural heritage value and attributes of each existing, potential and adjacent heritage property applying all relevant policies including the City of Toronto Official Plan, the Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe.
- ☒ A description of and rationale for the primary conservation treatment(s) based on the *Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada*.
- ☒ An itemized and detailed analysis of and rationale for all alterations and interventions proposed affecting the cultural heritage value and attributes of each existing, potential and adjacent heritage property using all applicable guidelines in the *Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada*.
- ☒ Using the definition of "integrity" in the City of Toronto Official Plan, provide a description and analysis of the impact of the development/site alteration on the integrity of each existing, potential and adjacent heritage property.
- ☒ An analysis of the visual impact of the design of the new development on, and a description of the efforts to ensure mitigate the impact and ensure its compatibility with, the heritage value, attributes and character of each existing, potential and adjacent heritage property or HCD.

17. Engineering Considerations

In the case of partial *in situ* or façade-only retention, temporary removal or relocation of a building or structure of an onsite existing or potential heritage resource, or when a compromised structure is part of the reason for the proposed works, an engineering study must be undertaken by a Professional Engineer that confirms the feasibility of the proposed strategy in the context of the development/site alteration. An engineering study may also be requested in other circumstances.

A vibration or other site management related study may be requested to assess any potential impacts to adjacent heritage resources.

The study should consider (at minimum) overall site alterations, construction access, buried utilities, right-of-way management and construction/conservation methodologies. Recommendations must be based on a detailed understanding of the current condition of the resource(s) being conserved as described in Section 12.

Limited invasive testing of existing heritage fabric and other forms of ground investigation are strongly recommended at the earliest stages of the project. Purely visual inspection will not be an acceptable basis for decision-making.

- A statement from a professional engineer confirming feasibility of a strategy that involves façade retention, temporary removal or relocation. Conservation strategies with engineering considerations must include this statement or the HIA will be deemed incomplete.

18. Mitigation

Mitigation measures and/or alternative options are important components of the HIA as they describe ways to avoid or reduce negative impacts on the cultural heritage resources. Mitigation might also be achieved through modifications to the design of project as a whole, for example exploring alternative parking arrangement the modification of supporting caisson walls and other shoring and bracing strategies that supports greater retention of built fabric, exterior walls, interior attributes and *in situ* preservation etc.

- A detailed and itemized description of recommended mitigation measures that will best conserve the cultural heritage values and attributes of each existing, potential and adjacent heritage resource. Note: Potential heritage resources are defined in Section F above. Adjacent properties are defined in Section 3.1.5 of the City of Toronto Official Plan.
- If mitigation measures and/or alternative development options are not warranted because the cultural heritage values and attributes are being conserved, describe and provide a rationale for no recommendation.
- Where significant interventions occur, describe and provide a rationale for the alternative development approaches and mitigation measures that were explored but not recommended in this HIA.

19. Conservation Strategy/Summary

- Itemized summary of the conservation strategy detailed in the previous relevant sections.

20. Statement of Professional Opinion

- A conclusive and objective statement of professional opinion about the compliance of the project with all relevant municipal and provincial policies and respect for recognized professional standards and best practices in the field of heritage conservation in Canada.
- If, in the opinion of the heritage consultant, a development proposal does not comply with all applicable policies or respect recognized professional standards and best practices in the field of heritage conservation as reflected in all applicable guiding documents, a full analysis will be provided explaining the reasons for why this conclusion has been drawn.



Cultural Heritage Evaluation Report Terms of Reference and Checklist

City Planning, Heritage Planning, Urban Design

Revised July 26, 2021

A. PURPOSE

The purpose of a Cultural Heritage Evaluation Report (CHER) is to assist the City in determining whether a property, collection of properties, or landscape feature has cultural heritage value. It will be considered when determining whether a recommendation is made to City Council for the inclusion of the property on the City of Toronto's Heritage Register and/or designation under Part IV of the Ontario Heritage Act.

B. POLICY CONTEXT

- The Provincial Policy Statement; Section 2.6 Cultural Heritage and Archaeology
- A Place to Grow: Growth Plan for the Greater Golden Horseshoe; Section 4.2.7 Cultural Heritage Resources
- City of Toronto Official Plan

C. DESCRIPTION

A CHER includes primary and secondary research, visual inspection, and evaluation against prescribed criteria (Ontario Regulation 9/06), and where appropriate, the preparation of a draft Statement of Significance and identification of Heritage Attributes. The CHER is the recommended first step in the development application process, and establishes what heritage values and attributes will be conserved when planning for change. The preparation of a CHER prior to determining what change may be appropriate enables a resource's significance to be determined at the earliest stages of the development application process. It may also be used to identify heritage resources outside of the development application process, in order to recognize valued community assets or qualify a property for the heritage property tax rebate and grant programs.

A CHER can ensure that an understanding of a resource's cultural heritage value is made without regard to pre-determined or desired outcomes. A clear understanding of the resource's heritage value can both ensure its long term conservation, as well as identify opportunities for flexibility and change early in the planning process.

In addition to a standalone document, a CHER may also be submitted as part of a development application, forming part of the Heritage Impact Assessment. Applicants are encouraged to undertake a CHER and submit that to the City of Toronto prior to the submission of a development application to assist with the conservation of buildings and structures as part of the land use planning process.

D. STANDARDS AND PRACTICES

The CHER must be impartial and objective, thorough, complete and sound in its methodology and application of Ontario Heritage Act evaluation criteria, the City of Toronto Official Plan Heritage Policies and the *Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada* and be consistent with recognized professional standards and best practices in the field of heritage conservation in Canada and the CAHP Code of Conduct.

The CHER must be prepared by qualified professional members in good standing with the Canadian Association of Heritage Professionals (CAHP) who possess applied and demonstrated knowledge of accepted standards of heritage conservation, historical research, and the identification and evaluation of cultural heritage value or interest.

The CHER must include all required information and be completed to the satisfaction of the City as determined by the Senior Manager, Heritage Planning or it will be considered incomplete for application or other purposes.

A CHER may be subject to a peer review if determined appropriate by the Senior Manager.

E. WHEN REQUIRED

A CHER **will be required**:

- for development applications that include a property that is listed under Section 27 of the Ontario Heritage Act on the City of Toronto's Heritage Register
- for development applications that include a property that is designated under Section 29 of the Ontario Heritage Act prior to 2006
- Prior to the submission of an application for either the heritage grant program or the heritage property tax rebate program

A CHER **is strongly encouraged**:

- for development applications that include a property that is not on the City's Heritage Register, but that is believed to have cultural heritage value as identified by the community, City staff, professional site assessments, planning studies or local Councillor
- for applications on properties that include a building or structure that is 40 years or older

A CHER **is not required** for properties that are:

- subject to a Notice of Intention to Designate under Section 29 of the OHA
- designated under Part IV, Section 29 of the OHA after 2006
- designated under Part V, Section 42 of the OHA

F. REQUIRED CONTENTS AND CHECKLIST

If the property under review is on a development site, it is advisable that you discuss your project in advance with Heritage Planning staff during preliminary consultation meetings. Evaluation of cultural heritage resources prior to project planning is strongly encouraged.

The CHER will be submitted in hard copy and PDF format along with any other required application material and will include (at minimum):

1. Required Contents Checklist

- A copy of this CHER Terms of Reference with a completed Required Contents Checklist

2. Statement of Professional Qualifications

- A Heritage Professional is a person who has specialized knowledge in the conservation and stewardship of cultural heritage and is supported by formal training and/or work experience. The professional must be a registered Professional member of the Canadian Association of Heritage Professionals and in good standing. The background and qualifications of the professional(s) completing the CHER must be included in the report.

By checking this field, the Professional conforms to accepted technical and ethical standards and works in accordance with the regulations and guidelines of their specialty heritage fields and jurisdictions of practice and confirms the information included in the CHER is accurate and reflects their professional opinion.

3. Executive Summary

- This section includes a summary of the evaluation of the potential cultural heritage resource(s); a summary of recommended heritage values and attributes and a summary of the reasons for or against their identification as warranting inclusion on the Heritage Register, with reference to applicable regulation(s).

4. Property Owner

- Owner name and full contact information, including e-mail address(es)

5. Owner's Representative or Agent [Not applicable](#)

- Name and full contact information, including e-mail address(es), for any representative or agent acting on behalf of the owner accompanied by proof of owner consent.

6. Location Plan

Location of the site and the subject heritage property/properties shown on:

- City's property data map

- Aerial photograph

Maps and photographs must depict the site boundary within a 300 metre radius, or as appropriate, in order to demonstrate the existing area context and identify adjacent heritage resources. Maps to be to a metric scale (i.e. 1:100, 1:200, 1:500).

7. Reasons for the CHER and Background Information

This section will include information pertaining to the reasons why the CHER has been prepared. For properties that were designated under Part IV prior to 2006, or that are listed under Section 27 of the OHA, any pertinent information relating to either the designation or listing will be provided, including reasons for inclusion (where known) and the date of inclusion on the Heritage Register.

Check all that apply: [A CHER was required and prepared for the Site as it is a property listed on the City's Heritage Register under Section 27 of the OHA.](#)

- Evaluation of a property designated under Part IV, Section 29, of the Ontario Heritage Act prior to 2006
- Evaluation of a property listed on the City's Heritage Register under Section 27 of the Ontario Heritage Act
- Evaluation of a property previously identified as having cultural heritage value through professional site assessments or planning studies
- Evaluation of a property believed to have cultural heritage value as identified by the community, City staff or local Councillor
- Evaluation of a property over 40 years old
- Evaluation of a property for the purposes of the heritage grant or heritage property tax rebate program

8. Description of the Property and Visual Inspection

This section will include an overview of the property, including its physical condition and noting any additions or alterations. It will include a description of the property's location and existing conditions as observed through a visual inspection of the property, a the date(s) of the visual inspection. The section must:

- Provide the resource's legal address and land use designation and, if applicable, any Secondary Plan or Site and Area Specific Policy that applies
- Identify any existing heritage recognitions
- Identify and describe all existing buildings and/or structures on the property

- ☒ Identify and describe any other features that may be of interest, including landscape features
- ☒ Identify whether the property is within an area of archaeological potential

9. **Current Photographs/Images**

This section will include photographs, both general and of each building, structure or landscape feature. For larger properties or properties with a number of features, a map or annotated aerial photograph may be required.

- ☒ Current photographs/images taken within 3 months of the CHER submission date showing the existing context and features of existing and potential heritage resources on the property. The context includes other buildings and existing landscaping (mature trees, fences, walls, driveways) on the subject property. Photographs will include the following:
 - Each building elevation
 - Each heritage attribute or draft heritage attribute, including both exterior and interior, where applicable
 - Existing context including other buildings on and adjacent to the site and existing landscaping
 - a photograph of the property as seen from the public realm around the property including each public right of way, lane, or shared driveway, park and publicly accessible open space, as appropriate to the site
 - a photograph showing the relationship of the site to the adjacent properties

10. **Description of Surrounding Neighbourhood Keyed to a Context Map**

- ☒ Provide a description of the surroundings of the site with particular attention to subject street frontages or block faces, subject property and opposite side of the street frontage(s). Be sure to reference architectural styles, profiles and ages of buildings and describe the existing “sense of place” where discernible and key to a context map.

11. **Historic Photographs**

- ☒ Historic photographs should be provided where available. If historic photographs cannot be located, it must be confirmed that the noted sources in Section 12 have been checked and no photographs were present.

12. **Primary and Secondary Research**

This section will document the research that was undertaken for the property, including the primary and secondary sources that were consulted, and will record and present the findings of the research in a logical and chronological order. This section will also identify any archaeological assessment reports that apply to the property, and whether the property has been identified as an area of archaeological potential in the City of Toronto's Archaeological Management Plan.

Primary resources must be consulted in order to identify the property's history of ownership and development. If certain primary resources are determined not to be of relevance or are unavailable, the rationale for the exclusion must be demonstrated. At minimum, the resources that must be consulted include:

[These sources were consulted primarily digitally.](#)

- Toronto Archives
- Assessment Rolls
- Building Permits
- Toronto Building Records
- Goad's Atlas of the City of Toronto Maps
- Toronto City Directories
- Land Registry Office (or online equivalent)

Additional resources that may be consulted include:

[These sources were consulted primarily digitally.](#)

- Ontario Archives
- Toronto Public Library
- Historical society archives
- The Biographical Dictionary of Architects in Canada 1800-1950
- City of Toronto Aerial Photographs
- Other historic maps including Cane, Boulton, Tremaine, Miles & Co., etc.

The section will include written narrative, describing the history of development and activity of the site, including any events, communities, individuals or activities that are historically or continue to be associated with to the property where applicable. A chronological timeline may be included as a summary historical narrative where warranted. All statements of fact regarding ownership, date of construction, occupation, sale, etc. will be footnoted providing the source, including relevant identifiers such as dates including day month, and year as appropriate, page numbers, and location of source.

Research results will be used as the basis for an evaluation of the property's cultural heritage value, following Ontario Regulation 9/06. In the event that City heritage staff find that the research provided within this section provides insufficient information or detail to properly inform the evaluation, additional information and a revised CHER will be requested.

Research sources must be documented using a consistent citation style (MLA, APA, or Chicago). All research sources will also be listed in an appendix attached to the report. If possible, copies of such sources should be provided to the City as part of the CHER submission.

13. Visual Resources (Maps, Drawings, Plans and Images)

This section will include a visual overview of the property over time, including the pertinent maps, images, drawings and plans consulted, to assist with understanding the general history of the site and its development over time. Images should be arranged chronologically and will illustrate the historical development and evolution of the site, including chronological construction and/or alterations to the size, features or primary use of the property and its associated buildings or features.

Images included in this section should be labelled appropriately with a title of the image, a description of what is being shown, and the source for the image including author, publication, date (day, month, year), volume where appropriate, page number, archival references, location or website, etc. All visual resources will also be listed in an appendix attached to this report.

14. Community Consultation

This section will outline what, when and how community input was undertaken as part of the research methodology for the property and describe the results. Based on the resource(s) being evaluated, the City may suggest groups, organizations or individuals for consultation and may participate/lead in the consultation. At a minimum, the relevant Community Preservation Panel must be consulted, and it is recommended that local heritage groups and historical societies are consulted. If consultation at the time of submission has not been undertaken, it is expected to take place at the earliest possible opportunity.

There may be circumstances where community input is fundamental to understanding the value of a property and an HIA or CHER may be considered incomplete until appropriate consultation has taken place.

- Community Preservation Panel [Will be undertaken after submission.](#)
- Local heritage group/historical society
- Other (oral histories, individual meetings, etc.)

15. Evaluation under Ontario Regulation 9/06

This section will describe how the prescribed criteria, Ontario Regulation 9/06 (Ontario Heritage Act), was applied to understand the property's cultural heritage value, if any. It will present a rationale supporting how each criterion was met or not met, and include a summary of the physical/design, historic/associative and/or contextual value of the property, where the prescribed criteria have been met.

16. Statement of Professional Opinion

The conclusion will summarize the research, survey and evaluation undertaken for the property, and where the property is believed to have cultural heritage value, will provide a

recommendation for its inclusion on the Heritage Register. If the evaluation believes that the property has cultural heritage value based on an evaluation against O. Reg. 9/06, a draft Statement of Significance must be prepared and a draft list of Heritage Attributes identified. The list of Heritage Attributes provided in the CHER should be organized in relation to each criterion met.

Appendix B: Notice of Intention to Designate the Property for 46 Spadina Ave
and King-Spadina Heritage Conservation District Designation By-
law 1120-2024

Public Notice

Notice of Intention to Designate the Property – 46 Spadina Avenue

IN THE MATTER OF THE ONTARIO HERITAGE ACT R.S.O. 1990, CHAPTER O.18 AND CITY OF TORONTO, PROVINCE OF ONTARIO 46 SPADINA AVENUE (INCLUDING ENTRANCE ADDRESSES AT 40, 44 AND 50 SPADINA AVENUE)

Decision Body

City Council

Description

TAKE NOTICE that Council for the City of Toronto intends to designate the property, including the lands, buildings and structures thereon known municipally as 46 Spadina Avenue under Part IV, Section 29 of the Ontario Heritage Act, R.S.O. 1990, c.O.18, as amended, as a property of cultural heritage value or interest.

Reasons for Designation

The property at 46 Spadina Avenue (including the addresses at 40, 44, and 50 Spadina Avenue) is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value, and meets Ontario Regulation 9/06, the provincial criteria prescribed for municipal designation under all three categories of design, associative and contextual value.

Description

The property at 46 Spadina Avenue comprises a four-storey factory building that was constructed in 1907 and designed by the Toronto architectural firm of Horwood and Burke. Commissioned by Business Systems Limited, which manufactured business stationery and operated a business training school, the property served as the company's headquarters and factory for over half a century. In the late 20th century, the property was among the properties in the King-Spadina neighbourhood that became associated with the clothing manufacturing industry in Toronto's Fashion District.

Representing the Edwardian Classical style, the property features red brick cladding with brick and stone detailing. The principal (east) elevation is symmetrically organized into 11 bays, with frontispieces in the slightly projecting centre and outer bays. Two entrances, at the north and south ends of the principal elevation, are set in Gibbs surrounds with stone quoins. Fenestration on the principal elevation includes flat-headed openings in the base and upper stories, and round-arched openings in the first (ground) storey. Additional details include window detailing with voussoirs and keystones, brick banding and quoins, brick corbelling above the first (ground) storey, and a stone name plate reading "Systems Building" above the north entrance.

Statement of Cultural Heritage Value

The property at 46 Spadina Avenue has design value as a well-crafted example of an early 20th century factory in the King-Spadina neighbourhood, which was designed with features of Edwardian Classicism, the most popular style for all building types during this era. The Systems Building is particularly distinguished by its elaborate classical detailing that includes the frontispieces with quoins and the twin entrances on the principal (east) elevation.

The Systems Building is valued for its contributions to the development and evolution of the King-Spadina neighbourhood in the early 20th century. During this period, the area changed from an institutional enclave adjoined by residential subdivisions to Toronto's new manufacturing district after the Great Fire of 1904. The property at 46 Spadina Avenue is especially linked to the historical transition of King-Spadina, as Business Systems Limited established its company in one of the former high-end residences that marked the initial development along the street before replacing it with the large-scale warehouse, a building typology that was indicative of the industrial character of the community after 1900.

The historical value of the property at 46 Spadina Avenue is also through its connection with the architectural practice of Burke and Horwood. As the successor to the firm founded by his uncle, Henry Langley, Edmund Burke formed a partnership with John Horwood in 1894, and the pair received immediate recognition as the designers of the Robert Simpson Store as the first Chicago-style building in Toronto. Although Horwood and White designed many residential, institutional, and industrial buildings in the city, they accepted few documented commissions in King-Spadina, including the Systems Building and the neighbouring Samuel, Benjamin and Company Building on the southwest corner of King and Spadina, which is included on the City of Toronto's Heritage Register.

With respect to contextual value, the property at 46 Spadina Avenue supports the historical character of the King-Spadina neighbourhood, where it contributes to an important concentration of former factories and warehouses. These buildings reflect the area's shift from its origins as an institutional and residential district to Toronto's manufacturing centre after the Great Fire of 1904. The Systems Building is historically and visually linked to its setting on Spadina Avenue, south of King Street West, where other large-scale warehouses on Spadina, King, and Wellington streets are among the neighbouring properties that are included on the City's Heritage Register. In particular, it complements the building at the north end of the block, 425 King Street West, with which it shares a material palette and architectural vocabulary.

Heritage Attributes

Design and Physical Value

The following heritage attributes contribute to the cultural heritage value of the property at 46 Spadina Avenue as a representative example of an Edwardian Classical-style industrial headquarters and warehouse:

- The scale, form, and massing of the property as a four-storey warehouse above a raised base with window openings
- The flat roofline, which is extended at the south end by a penthouse and has brick chimneys on the west end and southwest corner
- The material palette of brick cladding with brick and stone detailing, including brick banding and quoins, brick corbelling above the first (ground) storey, masonry at the basement level, and stone quoins in Gibbs surrounds
- The symmetrical organization of the principal (east) elevation into 11 bays, with the frontispieces in the slightly projecting centre and outer bays
- The two entrances at the north and south ends of the principal (east) elevation, which are set in Gibbs surrounds with stone quoins
- The fenestration on the principal (east) elevation, with the flat-headed openings in the base and upper stories, and the round-arched openings in the first (ground) storey, including the oversized opening in the third bay from the north end and the diminutive round-arched opening in the north frontispiece
- On the principal (east) elevation, the window detailing with the voussoirs and keystones, and the quoins on the diminutive openings in the centre and north frontispieces

- The north (side) elevation, which continues the decorative brick quoins, banding and quoins from the principal (east) elevation, and has segmental-arched and flat-headed window openings with brick and stone trim
- The south (side) elevation, with the flat-headed openings
- On the rear (west) wall, the brick quoins and the segmental-arched and flat-headed openings with the brick and stone trim
- The name plate reading "Systems Building" above the north entrance

Historic and Associative Value

The following heritage attributes contribute to the cultural heritage value of the property at 46 Spadina Avenue as associated with the evolution of the King-Spadina neighbourhood, and an example of the work of Burke and Horwood:

- The placement, setback, and orientation of the building on the west side of Spadina Avenue between Wellington Street West and King Street West
- The name plate reading "Systems Building" above the north entrance

Contextual Value

The following heritage attributes contribute to the cultural heritage value of the property at 46 Spadina Avenue as supporting the historical character of the King-Spadina neighbourhood:

- The placement, setback, and orientation of the building on the west side of Spadina Avenue between Wellington Street West and King Street West
- The scale, form, and massing of the property as a four-storey warehouse above a raised base with window openings
- The materials, with the brick cladding and the brick and stone detailing, including the brick banding and quoins, and the brick corbelling above the first (ground) storey

Notice of Objection to the Notice of Intention to Designate

Notice of an objection to the Notice of Intention to Designate the Property may be served to the City Clerk, Attention: Administrator, Secretariat, City Clerk's Office, Toronto City Hall, 2nd Floor West, 100 Queen Street West, Toronto, Ontario, M5H 2N2.; Email: hertpb@toronto.ca (<mailto:hertpb@toronto.ca>) within thirty days of February 14, 2023, which is March 16, 2023. The notice of objection to the Notice of Intention to Designate the Property must set out the reason(s) for the objection and all relevant facts.

Getting Additional Information:

Further information in respect of the Notice of Intention to Designate the Property is available from the City of Toronto at:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.PH1.5>
(<https://secure.toronto.ca/council/agenda-item.do?item=2023.PH1.5>)

For More Information Contact

Toronto Preservation Board
hertpb@toronto.ca (<mailto:hertpb@toronto.ca>)
Phone: 416-392-7033
Toronto Preservation Board
100 Queen Street

Toronto , Ontario

M5H 2N2

Canada

Signed By

John D. Elvidge, City Clerk

Date

February 14, 2023

Additional Information

Background Information

Notice of Intention to Designate the Property – 46 Spadina Avenue - [View](#) 

(<https://secure.toronto.ca/nm/api/individual/fileSpace.do?f=3624>).

References

2023.PH1.5 - 46 Spadina Avenue - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act

<https://secure.toronto.ca/council/agenda-item.do?item=2023.PH1.5> 

(<https://secure.toronto.ca/council/agenda-item.do?item=2023.PH1.5>).

Affected Location(s)

- 46 Spadina Avenue
Toronto, Ontario
M5V 2H8
Canada

Topic

- Heritage > Intention to designate a heritage property

Authority: Ontario Land Tribunal Memorandum of Oral Decision delivered on January 30, 2024, and Order issued on February 28, 2024, and Amending Order issued on August 20, 2024 in Tribunal File OLT-22-002749

CITY OF TORONTO

BY-LAW 1120-2024(OLT)

To amend By-law 1111-2017 as amended by By-law 1241-2017 designating the King-Spadina Heritage Conservation District by adopting the revised King-Spadina Heritage Conservation District Plan.

Whereas By-law 1111-2017 as amended by By-law 1241-2017 designating the King-Spadina Heritage Conservation District and adopting the King-Spadina Heritage Conservation District Plan was enacted by City Council at its meeting of October 2, 3 and 4, 2017, pursuant to Part V of the Ontario Heritage Act; and

Whereas the Council of the City of Toronto has caused to be served upon the owners of the property located in the King-Spadina Heritage Conservation District and listed in Schedule B to By-law 1111-2017 as amended by By-law 1241-2017 and on the Ontario Heritage Trust, and has caused the notice to be posted on the City's website for a period of 30 days in accordance with Municipal Code Chapter 162, Notice, Public, Article II, § 162-4.1. Notice requirements under the Ontario Heritage Act; and

Whereas there was an objection to By-law 1111-2017 as amended by By-law 1241-2017 and an appeal of By-law 1111-2017 as amended by By-law 1241-2017 to the Ontario Municipal Board (and continued under the names of the Local Planning Appeal Tribunal and the Ontario Land Tribunal, respectively); and

Whereas the Ontario Land Tribunal Memorandum of Oral Decision and Order issued February 28, 2024, has allowed the appeal in part, and amended the by-law to adopt a revised King-Spadina Heritage Conservation District Plan as set out in the decision and order; and

Whereas the Ontario Land Tribunal Order issued on August 20, 2024 (the "Amending Order") to make an administrative amendment to update the approved development applications identified in Appendix "F" contained in Attachment C, replacing it with an consolidated Appendix "F" as appended in Attachment "A" to the Amending Order and attached as Schedule A to this By-Law, and to correct a technical or typographical error by deleting the Attachment "B" to the Order and replacing it with a revised Attachment "B", as appended to the Amending Order and attached as Schedule B in this By-Law;

The Ontario Land Tribunal orders:

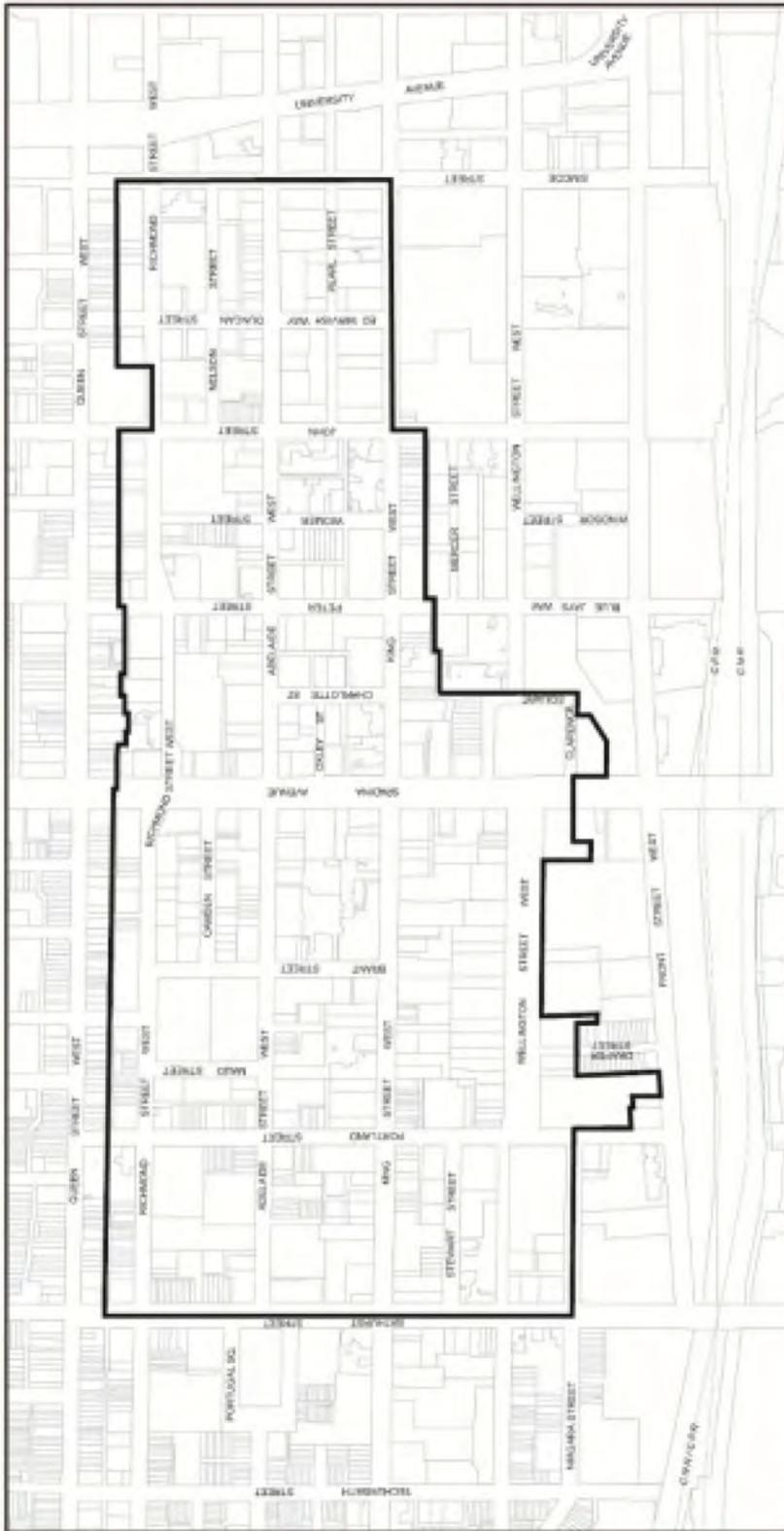
1. By-law 1111-2017 as amended by By-law 1241-2017 is amended by deleting paragraph 2 and replacing it with the following:

"The King-Spadina Heritage Conservation District Plan, revised February 2024 by the Order and August 2024 by the Amending Order is adopted as the district plan for the King-Spadina Heritage Conservation District."

2. A copy of the King-Spadina Heritage Conservation District Plan is available for inspection at the offices of the City of Toronto Planning Division, Heritage Planning, City Hall, 100 Queen Street West, Toronto, Ontario and on the City's website.
3. The City Clerk and the City Solicitor are authorized to cause a copy of the approval of By-law 1111-2017, as amended by By-law 1241-2017 and by the Order dated February 28, 2024 amended by the Ontario Land Tribunal Amending Order dated August 20, 2024, to be registered against title to the properties listed in Schedule B in the proper Land Registry Office and the City Clerk is authorized to cause notice of the approval of By-law 1111-2017, as amended by By-law 1241-2017 and by the Order dated February 28, 2024 and amended by Ontario Land Tribunal Amending Order dated August 20, 2024 to be served upon the Ontario Heritage Trust.
4. The City Clerk is authorized to serve a registered copy of this by-law to the Ontario Heritage Trust.

Ontario Land Tribunal Memorandum of Oral Decision delivered on January 30, 2024, and Order issued on February 28, 2024 and Amending Order issued on August 20, 2024, in Tribunal File OLT-22-002749.

SCHEDULE A



Toronto
Plan Area

King Spadina
Heritage Conservation District



SCHEDULE B**LIST OF PROPERTIES IN THE KING-SPADINA HERITAGE CONSERVATION DISTRICT**

1 Adelaide Place
3 Adelaide Place
5 Adelaide Place
7 Adelaide Place
9 Adelaide Place
11 Adelaide Place
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200 Adelaide Street West
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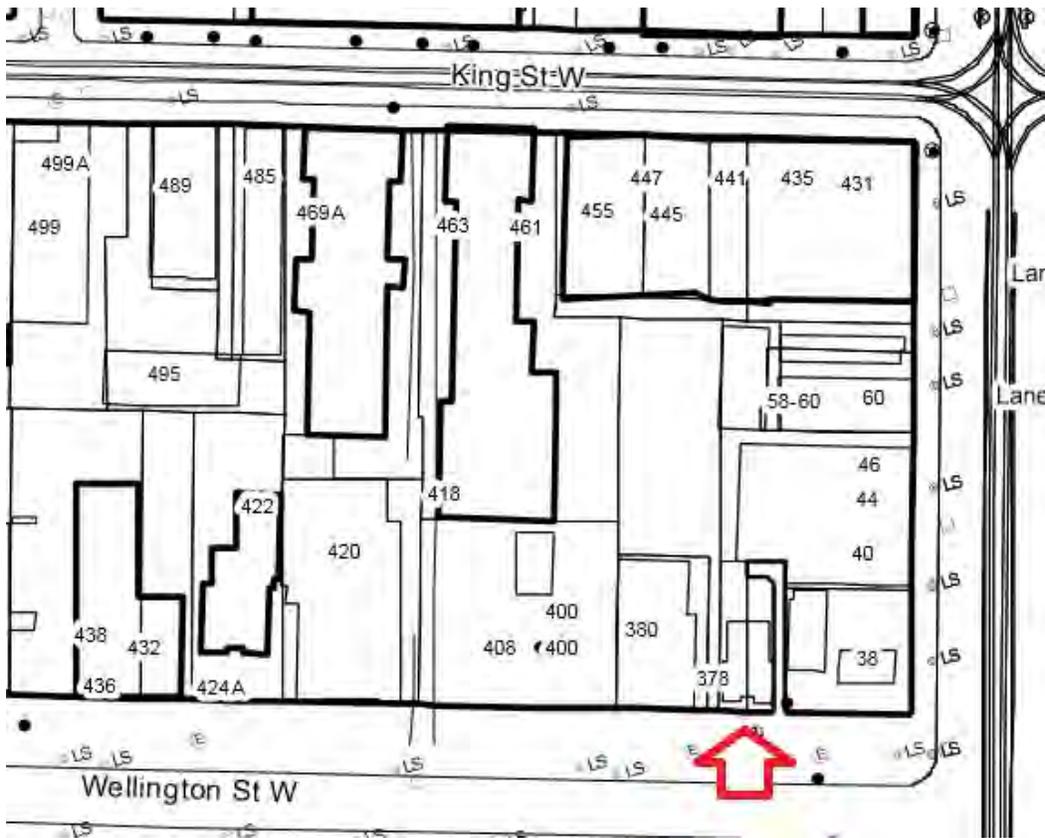
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7 Stewart Street
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Appendix C: Listing Statements for 374-376 Wellington Street West and
57 Spadina Ave

LOCATION MAP AND PHOTOGRAPH: 374-376 WELLINGTON STREET WEST



1988 Photograph (right): Toronto Historical Board

STATEMENT OF SIGNIFICANCE: 374 and 376 WELLINGTON STREET WEST (REASONS FOR INCLUSION)

The properties at 374 and 376 Wellington Street West are worthy of inclusion on the City of Toronto's Heritage Register for their cultural heritage value, and meet Ontario Regulation 9/06, the provincial criteria prescribed for municipal designation, which the City also applies for inclusion on its Heritage Register. This assessment indicates that the properties meet the criteria under design and contextual values, and further research may identify additional values, including associations with communities, individuals and architects.

Description

The properties at 374 and 376 Wellington Street West are located in the proposed King-Spadina Heritage Conservation District (HCD), and are identified as contributing properties in the King-Spadina HCD Plan (2017) for the proposed District.

Located on the east side of the street, south of Adelaide Street West, the properties at 374 and 376 Wellington Street West contain a pair of 2½-storey semi-detached house form buildings dating to 1888 in the King Spadina HCD Plan (2017).

Statement of Significance

The properties at 374 and 376 Wellington Street West have cultural heritage value for their design as residential buildings associated with the first wave of development in the King-Spadina neighbourhood in the 19th century. The semi-detached houses represent a key building typology in King-Spadina, which originated in the 1800s as a residential and institutional enclave where the side streets and many of the main streets were lined with detached, semi-detached and row houses. The subject properties survived the replacement of much of the residential building stock during the second phase of development of the community in the 20th century when King-Spadina became Toronto's industrial centre. The buildings at 374 and 376 Wellington Street West are distinguished by their design as well-crafted Toronto Bay-n-Gable houses with the prototypical bay windows and the gables with the elaborate wood bargeboard.

Contextually, the properties at 374 and 376 Wellington Street West are valued for the role of the residential buildings in defining, supporting and maintaining the historical character of the King-Spadina neighbourhood, reflecting its evolution from a 19th-century residential and institutional enclave and Toronto's manufacturing centre in the 20th century, to its current status as a mixed-use community.

The semi-detached houses at 374 and 376 Wellington Street West are historically, visually and physically linked to their setting in the King-Spadina neighbourhood where, with the neighbouring buildings at 422-424 and 520 Wellington, they are one of only three surviving late-19th century residential properties on the street.

Heritage Attributes

The heritage attributes of the buildings at 374 and 376 Wellington Street West are:

- The setback, placement and orientation of the buildings on the north side of the street between Spadina Avenue and Portland Street
- The scale, form and massing of the rectangular shaped plans above the stone bases with the window openings
- The cross-gable roofs, with the twin gables and the central gabled dormer on the south slopes with the decorative wood bargeboard and brackets
- The materials, with the buff brick cladding and the brick, stone and wood detailing (the brickwork has been painted)
- The principal (south) elevations, which are designed as mirror images with the raised entrances placed side-by-side in flat-headed surrounds with transoms (the original doors have been replaced)
- On the south elevations, the flat-headed window openings with the brick hood moulds and the stone keystones and sills, including those in the bay windows
- The west side elevation of the building at 376 Wellington Street West, which is viewed from the street and has flat-headed window openings

Note: The east side elevation of 374 Wellington adjoins the neighbouring building. No heritage attributes are identified on the rear (north) elevations.

The structure on this property has been demolished. The Heritage Register has not yet been updated to remove this property.

STATEMENT OF SIGNIFICANCE: 57 SPADINA AVENUE (REASONS FOR INCLUSION)

The property at 57 Spadina Avenue (including the entrance addresses at 59-63 Spadina Avenue) is worthy of inclusion on the City of Toronto's Heritage Register for its cultural heritage value, and meets Ontario Regulation 9/06, the provincial criteria prescribed for municipal designation, which the City also applies for inclusion on its Heritage Register. This assessment indicates that the property meets the criteria under design and contextual values, and further research may identify additional values, including associations with communities, individuals and architects.

Description

The property at 57 Spadina Avenue is located in the proposed King-Spadina Heritage Conservation District (HCD), and is identified as a contributing property in the King-Spadina HCD Plan (2017) for the proposed District.

Located on the east side of the street, south of King Street West, the property at 57 Spadina Avenue contains a two-storey commercial building dating to 1909 in the King-Spadina HCD Plan (2017). It was designed as an extension to the Warwick Brothers and Rutter Buildings at 401 King Street West, which is recognized on the City's Heritage Register.

Statement of Significance

The property at 57 Spadina Avenue has cultural heritage value for its design as a detached commercial building associated with the second wave of development in the King-Spadina neighbourhood in the 20th century. The detached commercial building represents a key building typology in King-Spadina, dating to the early to mid-1900s when the area was the city's main industrial district and filled with large-scale warehouses, factories and office buildings, many of which replaced earlier low-rise structures. The building at 57 Spadina Avenue is distinguished by its classical design, particularly the corbelled brickwork, and the chamfered northwest corner.

Contextually, the property at 57 Spadina Avenue is valued for the role of the detached commercial building in defining, supporting and maintaining the historical character of the King-Spadina neighbourhood, reflecting its evolution from a 19th-century residential and institutional enclave and Toronto's manufacturing centre in the 20th century, to its current status as a mixed-use community.

The detached commercial building at 57 Spadina Avenue is historically, visually and physically linked to its setting in the King-Spadina neighbourhood where it is part of a collection of adjoining warehouses on Spadina Avenue and King Street West, including the Warwick Brothers and Rutter Buildings (1905 and 1913) at 401 King Street West, to which it is historically linked.

The structure on this property has been demolished. The Heritage Register has not yet been updated to remove this property.

Heritage Attributes

The heritage attributes of the building at 57 Spadina Avenue are:

- The setback, placement and orientation of the building on the east side of the street, south of King Street West
- The scale, form and massing of the two-storey rectangular-shaped plan with the chamfered northwest corner
- The flat roofline with the corbelled brickwork
- The materials, with the red brick cladding and the brick and stone detailing
- The principal (west) elevation, with the symmetrically placed window openings, comprised of the first-floor flat-headed window openings (which have been altered) that are connected by a brick string course, and the segmental-arched window openings in the second storey with the brick flat arches, stone sills and corbelled brickwork connecting the window heads
- The main entrance, which is placed on the northwest corner (where the openings have been altered)
- The north and south side elevations, which are viewed from Spadina Avenue, and have symmetrically-placed segmental-arched window openings with brick and stone detailing

Note: No heritage attributes are identified on the rear (east) elevation.

Appendix D: Heritage Policy Review

Legislation

[The Ontario Heritage Act \(R.S.O. 1990\)](#)

The Ontario Heritage Act (the “OHA”) is the statutory legal foundation for heritage conservation in Ontario. Part IV, Section 29 of the OHA authorizes municipalities to enact by-laws to designate properties to protect their cultural heritage value.

Ontario Regulation 9/06 was passed under the OHA to identify provincially-mandated Criteria for Determining Cultural Heritage Value or Interest. O. Reg 9/06 sets out 9 criteria under three categories: (1) design and physical value; (2) historical and associative value, and; (3) contextual value.

[The Planning Act \(R.S.O. 1990\)](#)

The Planning Act is Ontario’s provincial legislation that sets out the rules and regulations for planning. Section 3 of the Planning Act gives permission to the Province to issue policy statements on matters relating to municipal planning that are of provincial interest.

Section 2 of the Planning Act provides that:

The Minister, the council of a municipality, a local board, a planning board, and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as:

- (d) The conservation of features of significant architectural, cultural, historical, archaeological, or scientific interest;

Land Use Policy

[The Provincial Policy Statement \(2020\)](#)

The Provincial Policy Statement (“PPS”) contains policies relating to the conservation of heritage resources.

Under Section 1.7 Long-Term Economic Prosperity, Policy 1.7.1 states:

Long-term economic prosperity should be supported by:

- e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes

Under Section 2.6 Cultural Heritage and Archaeology, Policy 2.6.1 states:

Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

Policy 2.6.3 states:

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.

[A Place to Grow: Growth Plan for the Greater Golden Horseshoe \(2019\) as amended in 2020](#)

The Growth Plan for the Greater Golden Horseshoe (“the Growth Plan”) offers a framework for implementing the Government of Ontario’s vision for building stronger, prosperous communities by better managing growth in the region. Section 4.2.7.1 of the Growth Plan addresses cultural heritage and states:

Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.

[City of Toronto Official Plan \(consolidated April 2021\)](#)

Chapter 3, Subsection 3.1.5 of the Official Plan contains policies pertaining to heritage conservation. The following are excerpts from the plan.

Policies:

3.1.5.2: Properties and Heritage Conservation Districts of potential cultural heritage value or interest will be identified and evaluated to determine their cultural heritage value or interest consistent with provincial regulations, where applicable, and will include the consideration of cultural heritage values including design or physical value, historical or associative value and contextual value. The evaluation of cultural heritage value of a Heritage Conservation District may also consider social or community value and natural or scientific value. The contributions of Toronto’s diverse cultures will be considered in determining the cultural heritage value of properties on the Heritage Register.

3.1.5.3: Heritage properties of cultural heritage value or interest properties, including Heritage Conservation Districts and archaeological sites that are publicly known will be protected by being designated under the *Ontario Heritage Act* and/or included on the Heritage Register.

3.1.5.4: 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 as adopted by Council.

3.1.5.5: 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. Where a Heritage Impact Assessment is required in Schedule 3 of the Official Plan, it will describe and assess the potential impacts and mitigation strategies for the proposed alteration, development or public work.

3.1.5.6: 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*.

3.1.5.7: Prior to undertaking an approved *alteration* to a property on the Heritage Register, the property will be recorded and documented by the owner, to the satisfaction of the City.

3.1.5.14: Potential and existing properties of cultural heritage value or interest, including *cultural heritage landscapes* and Heritage Conservation Districts, will be identified and included in area planning studies and plans with recommendations for further study, evaluation and *conservation*.

3.1.5.22: Heritage Impact Assessment will address all applicable heritage conservation policies of the Official Plan and the assessment will demonstrate *conservation* options and mitigation measures consistent with those policies. A Heritage Impact Assessment shall be considered when determining how a heritage property is to be *conserved*.

3.1.5.23: Heritage Impact Assessment will evaluate the impact of a proposed *alteration* to a property on the Heritage Register, and/or to properties *adjacent* to a property on the Heritage Register, to the satisfaction of the City.

3.1.5.26: 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.

3.1.5.27: 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.

3.1.5.32: Impacts of site *alterations*, developments, municipal improvements, and/or public works within or *adjacent* to Heritage Conservation Districts will be assessed to ensure that the *integrity* of the districts' heritage values, attributes, and character are *conserved*. This assessment will be achieved through a Heritage Impact Assessment, consistent with Schedule 3 of the Official Plan, to the satisfaction of the City.

The Downtown Plan (2019; Official Plan Amendment No. 406)

The Downtown Plan is a 25-year vision that sets the direction for the city centre as the cultural, civic, retail and economic heart of Toronto. The vision of the Downtown Plan includes respecting and conserving the built heritage in the area. The following are excerpts from the plan.

Policies:

3.3: New buildings will fit within their existing and planned context, conserve heritage attributes, expand and improve the *public realm*, as a community benefit, create a comfortable microclimate, provide compatibility between differing scales of development and include indoor and outdoor amenities for both residents and workers, as provided for by this Plan.

6.22: Not all sites can accommodate the maximum scale of development anticipated in each of the *Mixed Use Areas* while also supporting the liveability of the development and the neighbourhood while other sites may be able to accommodate more than the anticipated scale. Development will be required to address specific site characteristics including lot width and depth, location on a block, on-site or adjacent heritage buildings, parks or open spaces, shadow impacts, and other sensitive adjacencies, potentially resulting in a lower-scale building.

9.1: Development will be encouraged to:

9.1.2: contribute to liveability by reasonably limiting uncomfortable wind conditions and providing access to sunlight, natural light, openness and sky-view; expanding and improving the *public realm*; maintaining adequate privacy; providing high-quality amenity spaces; and conserving heritage;

9.1.4: demonstrate a high standard of heritage conservation;

9.5: The City may request, as a community benefit, the conveyance of an easement over a development site within 6 metres from the closest public street curb (or another distance if provided for in Policy 9.6 or 9.7) as measured on the day this Plan comes into force.

9.6: Such an easement over a lesser amount of a development site than the 6-metre curb to building face distance may be appropriate where:

9.6.1: a strong, legible, historic character of street-oriented buildings exists;

9.6.2: a property on the Heritage Register exists on-site;

9.6.3: the prevailing pattern consists of buildings with lesser setbacks; or

9.6.4: where otherwise acceptable.

9.10: Development on sites that include or are adjacent to properties on the Heritage Register will include base buildings that are compatible with the streetwall height, articulation, proportion, materiality and alignment thereof.

9.24: Development may be required to incorporate transition in scale to achieve built form compatibility when it is:

9.24.3: adjacent to a property designated under Part IV of the *Ontario Heritage Act* or a Heritage Conservation District; and/or

King-Spadina Secondary Plan (2020)

ERA has reviewed the 2020 version of the King-Spadina Secondary Plan. ERA finds that the proposed development will broadly meet the intent of the Plan, which recognizes that the area's identity comes from its heritage character and that "the retention of the heritage character and the adaptive re-use of heritage properties for office and cultural, and employment uses is an important part of the built form and land use vision for King-Spadina."

King-Spadina Heritage Conservation District - By-law 1120-2024 (2024)

The Site is designated under Part V of the Ontario Heritage Act due to its inclusion in the King-Spadina Heritage Conservation District ("KSHCD"). The KSHCD was originally adopted by City Council on October 4, 2017 through By-law 1111-2017. On November 9, 2017, City Council enacted By-law 1241-2017 to amend By-law 1111-2017 by removing certain properties incorrectly identified in Schedule B as being part of the King-Spadina Heritage Conservation District. The by-law designating the KSHCD and related HCD Plan **were appealed to** the Ontario Land Tribunal ("OLT"), formerly the Local Planning Appeals Tribunal ("LPAT"). **The by-law designating the KSHCD and related HCD Plan was approved by the OLT by Oral Decision on January 30, 2024, and Order issued on February 28, 2024, and Amending Order issued on August 20, 2024. The HCD by-law and its related HCD Plan are in effect (By-law No. 1111-2017 as amended by By-law 1241-2017 and 1120-2024 OLT).**

In the KSHCD Plan, the Site contains a property identified as "contributing" (40-46 Spadina Ave) and a property identified as "non-contributing" (60 Spadina Ave), which **are** subject to policies and guidelines set out in Section 6 and 7 of the HCD Plan.

ERA finds that the proposed development will broadly meet the intent of the HCD Plan's Statement of Objectives which sets out the overall objective of "the protection, conservation and management of [the District's] heritage attributes and contributing properties so that the District's cultural heritage value **will be** protected in the long-term."

Heritage Registers

[Toronto Heritage Register](#)

Under the Ontario Heritage Act, municipalities are required to maintain a register of properties that are of cultural heritage value or interest. The criteria for determining Cultural Heritage Value or Interest are prescribed by regulation under the Ontario Heritage Act. A heritage register shall contain properties designated by the Minister and municipalities, and may also contain properties that are not designated but the municipality believes to be of Cultural Heritage Value or Interest. Non-designated properties that are added to a municipal register are colloquially referred to as listed properties. With respect to listed properties, the register shall contain a description of the property that is sufficient to readily ascertain the property.

Guidelines

[Standards and Guidelines for the Conservation of Historic Places in Canada](#)

The *Standards and Guidelines for the Conservation of Historic Places in Canada* (the “Standards and Guidelines”) is a pan-Canadian document published by Parks Canada as a tool to help users decide how to conserve historic places. The Standards and Guidelines establishes the guiding principles for the conservation of built heritage resources.

[City of Toronto Tall Building Design Guidelines \(2013\)](#)

In 2013, City Council adopted the updated city-wide Tall Building Design Guidelines to establish set of performance measures for the evaluation of all tall building development applications in the city. The following are excerpts from the guidelines.

Guidelines:

1.3 FIT AND TRANSITION IN SCALE

Ensure tall buildings fit within the existing or planned context and provide an appropriate transition in scale down to lower-scaled buildings, parks, and open space.

1.4 SUNLIGHT AND SKY VIEW

Locate and design tall buildings to protect access to sunlight and sky view within the surrounding context of streets, parks, public and private open space, and other shadow sensitive areas.

- d. Additional shadow and sky view protection may be required for a particular street, park, open space, natural area, heritage property, Heritage Conservation District, or other shadow sensitive area on a site-specific basis.

1.6 HERITAGE PROPERTIES AND HERITAGE CONSERVATION DISTRICTS

Locate and design tall buildings to respect and complement the scale, character, form and setting of on-site and adjacent heritage properties and Heritage Conservation Districts (HCDs).

- a. Conserve and integrate heritage properties into tall building developments in a manner that is consistent with accepted principles of good heritage conservation (see Appendix A: Heritage Conservation Principles). Tall building proposals with adjacent or on-site heritage properties or within an HCD are required to provide a Heritage Impact Assessment as part of a complete application.
- b. Conserve the integrity of the cultural heritage values, attributes, character, and three-dimensional form of an on-site heritage building or structure or property within an HCD. Façade retention alone is not an acceptable method of heritage preservation.
- c. When a tall building is adjacent to a lower-scale heritage property:
 - design new base buildings to respect the urban grain, scale, setbacks, proportions, visual relationships, topography, and materials of the historic context;
 - integrate the existing heritage character into the base building through high-quality, contemporary design cues;
 - provide additional tall building setbacks, stepbacks, and other appropriate placement or design measures to respect the heritage setting (see also 1.5 Prominent Sites and Views from the Public Realm); and
 - ensure consistency with applicable HCD Plan requirements.
- d. Tall buildings will not visually impede the setting of properties on the heritage register. The objective for the long-term preservation, integration, and re-use of heritage properties may mean that not all sites with or adjacent to heritage properties are appropriate for tall building development.

3.1.1 BASE BUILDING SCALE AND HEIGHT

Design the base building to fit harmoniously within the existing context of neighbouring building heights at the street and to respect the scale and proportion of adjacent streets, parks, and public or private open space.

- e. For sites including or adjacent to heritage properties, design the scale and height of the base building to respect and reinforce the streetwall height established by the historic context.

3.1.3 FIRST FLOOR HEIGHT

Provide a minimum first floor height of 4.5 metres, measured floor-to-floor from average grade.

- a. Where the base building is adjacent to low-rise residential buildings or to a heritage property, maintain a direct relationship between the first floor height and the height and scale of the neighbouring buildings (see 3.1.1 Base Building Scale and Height and 3.1.4 Façade Articulation and Transparency).

3.2.2 TOWER PLACEMENT

Place towers away from streets, parks, open space, and neighbouring properties to reduce visual and physical impacts of the tower and allow the base building to be the primary defining element for the site and adjacent public realm.

- c. Tower setbacks greater than 3 metres are encouraged and may be required for tall buildings to fit harmoniously within an existing context, including sites that contain or are adjacent to heritage properties.

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- Figure 123. Proposed west elevation (Wallman Architects, 2024).
- Figure 124. Proposed north elevation (Wallman Architects, 2024).
- Figure 125. Rendering of proposed development looking west from Spadina Ave (Wallman Architects, 2024).
- Figure 126. Rendering of proposed development looking southwest from Spadina Ave (Wallman Architects, 2024).
- Figure 127. Proposed ground floor and site plan with retained and reconstructed facades highlighted (Wallman Architects, 2024; annotated by ERA).
- Figure 128. Proposed east elevation showing extent of modified openings (Wallman Architects, 2024; annotated by ERA).
- Figure 129. Proposed west elevation (Wallman Architects, 2024; annotated by ERA).
- Figure 130. Proposed north elevation and partial section showing extend of modified openings (Wallman Architects, 2024; annotated by ERA).
- Figure 131. Existing east elevation (Wallman Architects, 2022; annotated by ERA).
- Figure 132. Proposed east elevation (Wallman Architects & ERA Architects, 2024; annotated by ERA).
- Figure 133. Proposed south elevation (Wallman Architects, 2024; annotated by ERA).
- Figure 134. Preliminary proposed fourth floor plan dated March 2022 showing proposed stepbacks of tower from east elevation (Wallman Architects, 2022).
- Figure 135. Preliminary proposed east elevation (Wallman Architects, 2022).
- Figure 136. Proposed south elevation from previous submission (Wallman Architects, 2022).

Appendix G: Architectural diagrams annotated by ERA

Existing Survey



Existing survey of Site with annotated building footprint (R. Avis Surveying Inc., 2022; annotated by ERA).

-  To be retained in-situ
-  To be altered / reconstructed
-  To be demolished

Existing Elevations



-  To be retained in-situ
-  To be altered / reconstructed
-  To be demolished

Existing Elevations



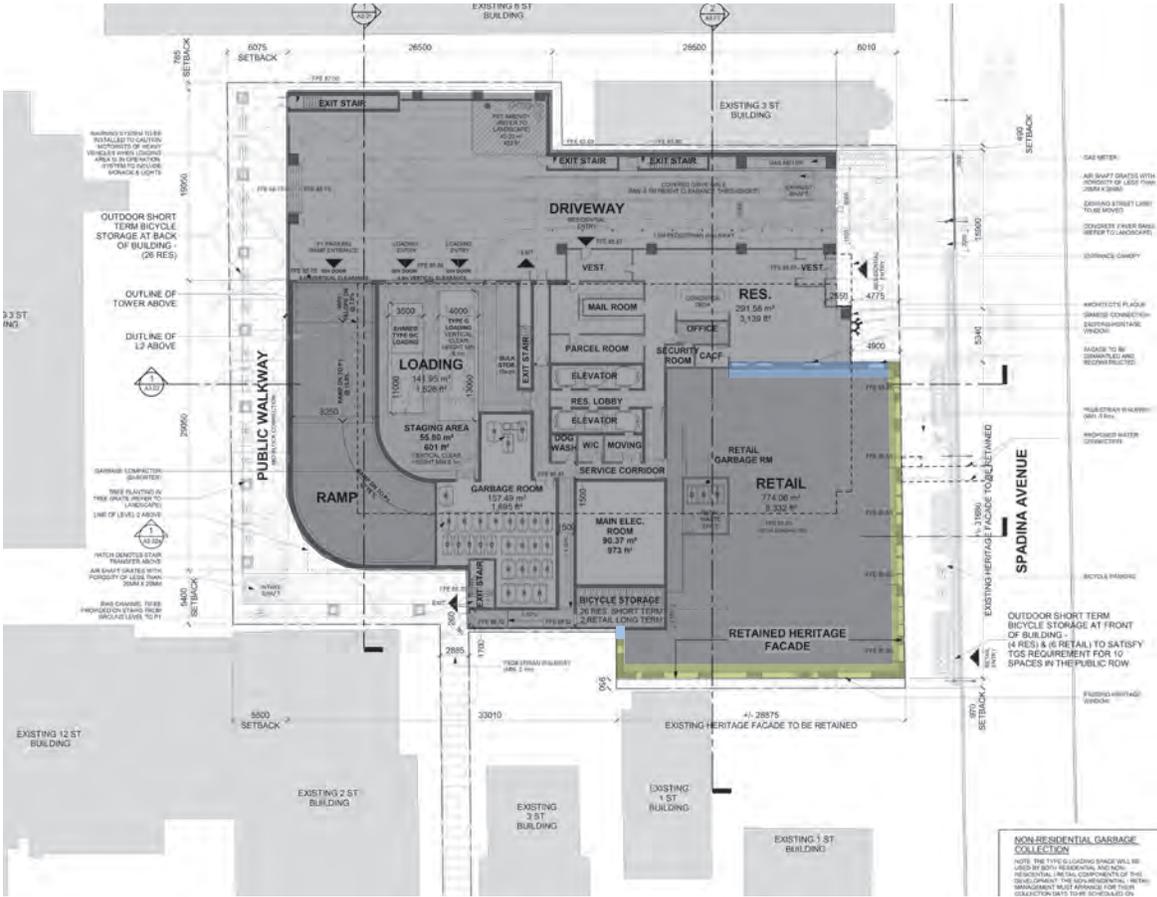
Existing north elevation (Wallman Architects, 2022; ; annotated by ERA).



Existing west elevation (Wallman Architects, 2022; annotated by ERA).

-  To be retained in-situ
-  To be altered / reconstructed
-  To be demolished

Proposed Ground Floor Plan / Site Plan



The ground floor plan (Wallman Architects., 2024; annotated by ERA).

- To be retained in-situ
- To be altered / reconstructed
- To be demolished
- New construction

Proposed Elevations



Proposed east elevation (Wallman Architects & ERA Architects, 2024; annotated by ERA).



Proposed south elevation (Wallman Architects & ERA Architects, 2024; annotated by ERA).

- To be retained in-situ
- To be altered / reconstructed
- To be demolished
- New construction

Proposed Elevations



Proposed north elevation and partial section (Wallman Architects & ERA Architects, 2024; annotated by ERA).



Proposed west elevation (Wallman Architects & ERA Architects, 2024; annotated by ERA).

- To be retained in-situ
- To be altered / reconstructed
- To be demolished
- New construction

Appendix H: Facade Retention Letter by RJC, dated June 10, 2022

June 10, 2022



Engineers

Harry Glicksman
Forty-Six Spadina Ave. Limited c/o Capitol Buildings
366 Adelaide Street West, Suite 605
Toronto, ON M5V 1R9
harry@capbuildings.com

Dear Harry Glicksman,

RE: 40 & 46 Spadina Avenue, Toronto

RJC No. TOR.113005.0001

Heritage Façade Retention – Engineering Feasibility Study

RJC was retained by Forty-Six Spadina Avenue Limited to carry out an engineering feasibility study with respect to structural considerations associated with maintaining the heritage façades as part of the proposed site re-development of 40-60 Spadina Avenue in Toronto.

The existing building is comprised of two four-storey office buildings to the south and north respectively. The northern portion of the building, 46 Spadina, is currently a four-storey office building approximately 18 m tall from grade to roof level and was constructed circa 1908. This building was constructed with heavy timber columns and beams supporting timber floor decking with multi-wythe stair, elevator and perimeter brick walls and brick foundation walls. The southern portion of the site, 40 Spadina is a four-storey office building, and was constructed at a later date, which is constructed from steel columns and beams supporting timber floor decking with multi-wythe brick masonry at the stairwells, elevator shaft and perimeter walls, and concrete foundation walls. 40 Spadina appeared to have been originally constructed as a two-storey building, with the upper two stories added shortly after original the construction.

The extent of the proposed façade retention includes the entire east façade facing Spadina Avenue and the eastern portion of the south façade including the north-south return, which will remain in-situ by a temporary façade retention structure during the demolition and new construction works. The eastern portion of the north façade will be partially dismantled and reconstructed.

To inform our opinion of whether a façade retention structure would be feasible for this site, the following factors were taken into consideration: site-specific heritage considerations, the structural condition of the existing façade, the height of the façade to remain, existing below and above grade utilities, property lines, adjacent structures, construction site access for equipment, foundation design and differential settlement, new construction adjacent and below the existing foundations, and coordination for support of excavation during construction.



RJC reviewed the site and completed a structural condition assessment, which included sounding of the existing masonry at various locations to confirm the overall structural integrity of the existing façades to remain.

Based on our review, in our opinion the existing façades planned to be retained and reconstructed are structurally in good condition. In our opinion, the conservation of the façades by in-situ retention is feasible for this site which includes the entire east façade facing Spadina Avenue and the eastern portion of the south façade including the north-south return. The eastern portion of the north façade is planned to be partially dismantled and reconstructed. Refer also to the included RJC sketch for the concept framing plan for a proposed temporary façade retention system.

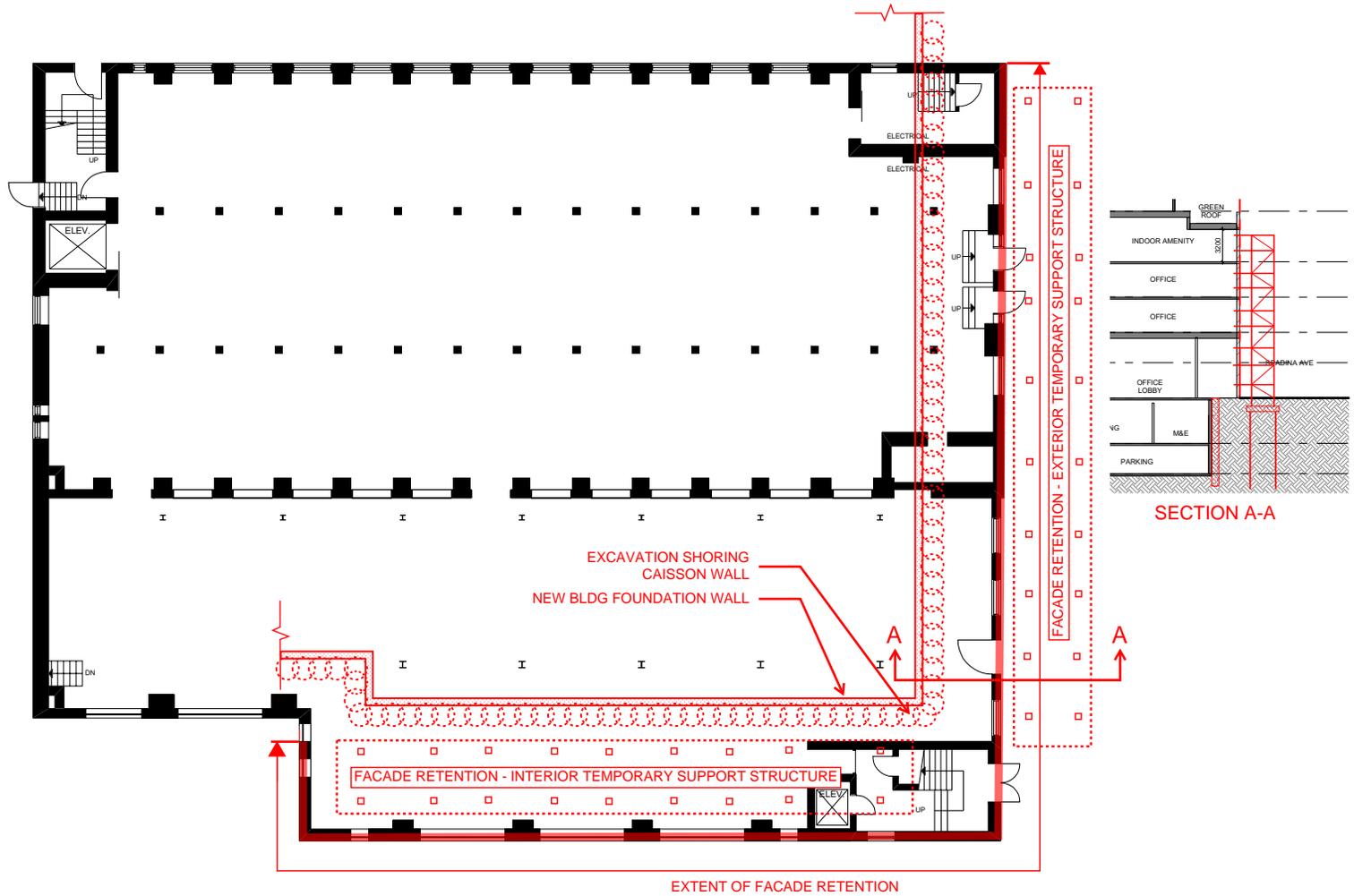
We trust that this information is suitable for your needs at this time; however, if we can be of any further assistance, please do not hesitate to contact us.

Yours truly,

READ JONES CHRISTOFFERSEN LTD.


Craig Wadsworth, P.Eng., CCCA, CAHP
Associate





SK-1: FACADE RETENTION FRAMING CONCEPT PLAN