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City Clerk's Office

Secretariat
City Hall, 2nd Floor, West
100 Queen Street West
Toronto, Ontario M5H 2N2

John D. Elvidge
City Clerk

Tel: 416-394-8101
Fax: 416-392-2980
Email: RegistrarCCO@toronto.ca
Web: www.toronto.ca/council

RECEIVED
2023/08/17
(YYYY/MM/DD)
Ontario Heritage Trust

**IN THE MATTER OF THE ONTARIO HERITAGE ACT
R.S.O. 1990, CHAPTER O.18 AND
CITY OF TORONTO, PROVINCE OF ONTARIO
789-793 DON MILLS ROAD**

NOTICE OF PASSING OF DESIGNATION BY-LAW 743-2023

Ontario Heritage Trust
10 Adelaide Street East
Toronto, ON M5C 1J3
registrar@heritagetrust.on.ca

TAKE NOTICE that Council for the City of Toronto passed Designation By-law 743-2023 on July 19 and 20, 2023, which designates the lands, buildings and structures known municipally as 789-793 Don Mills Road, 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.

This notice is being served to the Owner of the Property, the Ontario Heritage Trust, and any Objectors and Interested Persons.

The City Clerk received an objection to the Notice of Intention to Designate the Property and City Council considered the objection in making its decision at its meeting on July 19 and 20, 2023. Refer to Item CC8.33.

IF YOU WISH TO APPEAL TO THE ONTARIO LAND TRIBUNAL:

Take notice that an appeal of the Designation by-law for the Property by those persons permitted to appeal under section 29 of the Ontario Heritage Act may be made by filing a notice of appeal with the City Clerk, Attention: Registrar Secretariat, City Clerk's Office, Toronto City Hall, 2nd Floor West, 100 Queen Street West, Toronto, Ontario, M5H 2N2; Email: RegistrarCCO@toronto.ca within thirty days of August 17, 2023, which is September 18, 2023.

A Notice of Appeal must:

- (1) set out the reasons for the objection to the designation by-law; and
- (2) set out the reasons in support of the objection to the designation by-law.

If you wish to appeal to the Ontario Land Tribunal (OLT), forms are available from the Ontario Land Tribunal website at <https://olt.gov.on.ca>.

Who Can File An Appeal:

Any persons who object to the designation by-law may refer the matter to the Ontario Land Tribunal.

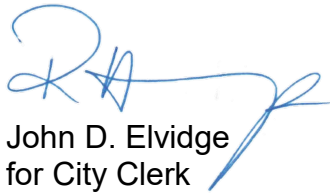
Getting Additional Information:

A copy of the by-law and background information about the application is available for public inspection by contacting Heritage Planning staff at heritageplanning@toronto.ca.

Further information in respect of the Designation By-law is available from the City of Toronto at:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.CC8.33>

Dated at the City of Toronto on August 17, 2023.



John D. Elvidge
for City Clerk

Authority: Item CC8.33, as adopted by City of Toronto Council on July 19 and 20, 2023
City Council voted in favour of this by-law on July 20, 2023
Written approval of this by-law was given by Mayoral Decision 8-2023 dated July 20, 2023

CITY OF TORONTO

BY-LAW 743-2023

To designate the property at 789-793 Don Mills Road (including entrance address at 793 Don Mills Road) as being of cultural heritage value or interest.

Whereas the Ontario Heritage Act authorizes the Council of a municipality to enact By-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage value or interest; and

Whereas authority was granted by Council to designate the property at 789-793 Don Mills Road (including entrance address at 793 Don Mills Road) as being of cultural heritage value or interest; and

Whereas the Council of the City of Toronto has caused to be served upon the owners of the lands and premises known as 789-793 Don Mills Road (including entrance address at 793 Don Mills Road) and upon the Ontario Heritage Trust, Notice of Intention to designate the property, and has caused the Notice of Intention 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 notice of objection was served upon the Clerk of the municipality within the prescribed time under the Ontario Heritage Act and was considered by City Council; and

Whereas the reasons for designation are set out in Schedule A to this By-law;

The Council of the City of Toronto enacts:

- 1.** The property at 789-793 Don Mills Road (including entrance address at 793 Don Mills Road), more particularly described in Schedule B attached to this By-law, is designated as being of cultural heritage value or interest.
- 2.** The City Solicitor is authorized to cause a copy of this By-law to be registered against the property described in Schedule B to this By-law in the proper Land Registry Office.
- 3.** The City Clerk is authorized to cause a copy of this By-law to be served upon the owners of the property 789-793 Don Mills Road (including entrance address at 793 Don Mills Road) at and upon the Ontario Heritage Trust and to cause notice of this By-law 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.

Enacted and passed on July 20, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

SCHEDULE A

STATEMENT OF SIGNIFICANCE REASONS FOR DESIGNATION

789-793 DON MILLS ROAD (INCLUDING ENTRANCE ADDRESS AT 793 DON MILLS ROAD)

Reasons for Designation

The property at 789-793 Don Mills Road (including entrance address at 793 Don Mills Road), 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 the criteria of design/physical, historical/associative and contextual value.

Description

The property is located in the Core Character Area within the Don Mills Crossing Secondary Plan (Official Plan Amendment 404) boundary. It was identified as having cultural heritage value in the inventory included in North York's Modernist Architecture, first published in 1997, with a revised edition in 2009.

The Independent Order of Foresters building, known as Foresters House, at 789-793 Don Mills Road was constructed between 1965 and 1967 as part of a complex known as Olympia Square, developed by Olympia and York and designed by Kaljo Voore, an Estonian Canadian architect, of Bregman and Hamman with Craig, Zeidler & Strong. Foresters House, is a 22-storey office tower which sits on a wide, raised plaza accessed by stairs and a ramp, a parking structure to the east and a landscaped surround which includes a sunken garden on the west side of the two-storey pavilion building (one storey is visible from the street) to the north which originally contained restaurants and shops. Originally clad in self-cleaning, glazed, white ceramic tiles, the building has been re-clad in insulated aluminium panels in 1988. Olympia Square also originally included the 16-storey tower at 797 Don Mills Road, also designed by Bregman and Hamman and completed in 1964-1965. The second tower, now known as Tribeca Lofts, was converted to condominiums in 1994 which involved the alterations of the building to include balconies.

Foresters House was constructed for the Independent Order of Foresters (IOF), a "family fraternal benefit society" which began in the 19th century to provide insurance to working class families. One of its first leaders, was Dr. Oronhyatekha (Burning Cloud, 1841-1907), a member of the Six Nations, educated at the University of Toronto and Oxford who provided exceptional leadership in his support and care for women, minorities and children. In 1879, he introduced a motion to include women as members in the IOF. Now an international organization, throughout its history the IOF has provided charitable assistance to individuals and nations in need during times of economic depression, war and natural disasters as well as supporting children through charities such as the Children's Miracle Network. Today, it is an international financial services provider offering opportunities for investment as well as insurance and continues philanthropic work.

Located on the east side of Don Mills Road just south of Eglinton Avenue East, the property is in the Flemingdon Park Industrial Estate, developed in tandem with the residential section of Flemingdon Park, south of Eglinton, in 1958. Laid out by Macklin Hancock, the Flemingdon Park plan repeated many of the core principles and elements of the Don Mills plan to the north. These included extensive open space with landscaped setbacks from the street and buildings designed in a modern architectural style. It was Hancock's intention that whereas low-rise buildings would line Wynford Drive, mid-rise and high-rise office towers would be located on Eglinton Avenue East and at the intersection of Eglinton with Don Mills Road. Foresters House at 789-793 Don Mills Road is an example of this Flemingdon Park typology.

Statement of Cultural Heritage Value

The International Order of Foresters building, now known as Foresters House, has cultural heritage value for its design which represents a skyscraper typology constructed in the Late Modern style. The style is evident in the heavily-articulated façade with its deep, vertical piers, and chamfered, horizontal panels under the customary ribbon windows. With its tall, double-height first storey, repetitive intervening floors and tall parapet wall at the top, it represents the skyscraper typology with its tripartite composition of base, column and top. Its surrounding with and access from a large, raised plaza, with a double-storey, fully-glazed ground floor and the sunken, out-door garden with a sloping lawn, paved area, trees and plantings on the west side of the two-storey pavilion building (one storey is visible from the street) are characteristic setting and landscape features of Late Modernism. The integration of landscape and landscaped setbacks are characteristic of Don Mills and Flemingdon Park planning principles.

Constructed in 1965-1967, the property has historic value as the international headquarters for the Independent Order of Foresters (IOF), a historic fraternal organization which was established in Canada in the 1870s to provide insurance to working class families and was from 1881, guided by the leadership of the visionary and egalitarian Dr. Oronhyatekha, a member of the Six Nations. The IOF is an international insurance and investment organization which, throughout its history, has been a leader in philanthropy assisting during wars, depressions and natural disasters.

The property has value as it is associated with the development of Flemingdon Park from 1958 onwards by Toronto Industrial Leaseholds and Webb and Knapp Canada with the layout undertaken by Macklin Hancock who was also the lead planner of Don Mills. It is also valued for its association with the subsequent owners of Flemingdon Park, the Reichmann brothers, of Olympia & York, who developed this property as Olympia Square, creating a highly visible landmark for Flemingdon Park and Don Mills and who would become one of Canada's most significant international development companies who championed the cause of high quality, innovative design. The design of Don Mills with Flemingdon Park is significant to the local community and is an example of post-war suburban planning.

The property has value as it reflects the ideas of the architects, Bregman and Hamman and Craig, Zeidler and Strong. Bregman and Hamman, now known as B+H Architects, which was established in 1953 by Sidney Bregman and George Frederick Hamann, is now one of the 50 largest architectural firms in the world. The firm has been awarded numerous times including the Governor General's Medal and an Award of Merit, and the RAIC Innovation in Architecture Award and two Ontario Association of Architects Awards. The lead architect, Kaljo Voore, was

part of a significant diasporic community of Estonian architects who immigrated to Canada during and after the Second World War. He was the leading design architect at Bregman and Hamann and master planned and designed several high profile projects in Ontario including the Skylon Tower and Exhibition Hall (1964) overlooking Niagara Falls, Voore also master planned the Scarborough Town Centre, the Scarborough Centenary Hospital (1967), and Don Mill's Olympia Square at 797 Don Mills Road and 789-793 Don Mills Road.

Craig, Zeidler and Strong was founded in 1961 by James Craig, Eberhard Zeidler and William A. Strong and is well-known for their work at Ontario Place and the McMaster Health Sciences Centre, the Hospital for Sick Children and for the Eaton Centre, also done in partnership with B+H Architects. In 1975, the firm became known as the Zeidler Partnership and was responsible for Canada Place at Vancouver's Expo 86. Eberhard Zeidler received the Order of Canada in 1984 and the firm has received numerous awards including the Ontario Association of Architects Awards, Canadian Architect Awards, City of Toronto Architecture and Urban Design Awards, Heritage Toronto Awards, the American Institute of Architects, and the RAIC – National Trust Prix du XXe Siècle Award for Ontario Place. It is now an international practice with offices in Berlin and Beijing.

The Foresters tower property has contextual value as it contributes to and defines the 1960s, Late Modern, mid-rise character of Flemingdon Park at the intersection of Don Mills Road and Eglinton Avenue East as designed by Macklin Hancock. In its typology, location, scale, massing and period details it is historically as well as visually and functionally linked to its surroundings. As it is seen from various viewpoints along Eglinton Avenue and Don Mills Road, it is a landmark marking the heart of the Flemingdon Park Community and Don Mills.

Heritage Attributes

Design and Physical Value

The following heritage attributes contribute to the cultural heritage value of the property at 789-793 Don Mills Road as representative of the Late Modern office headquarters and skyscraper typology:

- The scale, form and massing of the 22-storey, flat-roofed building set on a raised plaza, with an adjacent sunken low-rise (two-storey) pavilion building to the north
- The design of all four elevations as a composition of prominent vertical elements with the piers set forward from the elevation and minor horizontal elements with the recessed chamfered horizontal panels beneath the windows, terminating in the prominent solid band at the top of the building
- The ribbon windows which are continuous at the corners
- The double height curtain wall glazing at the ground floor

Interior heritage attributes that contribute to the value of the property at 789-793 Don Mills Road as representative of the Late Modern office headquarters and skyscraper typology include:

- The entrance lobby, accessed through two sets of doors on the east and west elevations and aligned directly across from each other on the same east-west axis
- The elevator core with the book-matched marble wall panels creating a special pattern with hidden doors, stainless steel elevator doors and surrounds, and the granite flooring

Historical or Associative Value

The following heritage attributes contribute to the cultural heritage value of the property at 789-793 Don Mills Road as the international headquarters for the Independent Order of Foresters and as an example of post-war suburban planning:

- The set-back, placement and orientation of the building on the east side of Don Mills Road just south of Eglinton Avenue East

Contextual Value

The following heritage attributes contribute to the cultural heritage value of the property at 789-793 Don Mills Road as contributing and defining the 1960s, Late Modern, mid-rise character of Flemingdon Park, at the intersection of Don Mills Road and Eglinton Avenue East, and as being historically, visually and functionally linked to its surroundings:

- The set-back, placement and orientation of the building on the east side of Don Mills Road just south of Eglinton Avenue East
- The scale, form and massing of the 22-storey, flat-roofed building set on a raised plaza, with an adjacent two-storey pavilion building to the north
- The landscaped setting including:
 - planters on the plaza
 - the sunken garden on the west side of the complex adjacent to Don Mills Road with its paved outdoor area, sloping grass lawn, tree and plantings and relationship to the interiors of the two-storey building to the east
- At street level the landscaped border between the sidewalk and the plaza which includes grass and trees on the west and south sides of the property

Note: The parking structure to the east of the office tower is not considered to be a heritage attribute.

SCHEDULE B
LEGAL DESCRIPTION

PIN 10370-0005 (LT)
PART OF BLOCK A1, REGISTERED PLAN M834
DESIGNATED AS PARTS 2, 4 & 5, PLAN 66R-2506
PARTS 1 TO 6, 9, PLAN 66R-2817
City of Toronto and Province of Ontario
Land Titles Division of the Toronto Registry Office (No. 66)