



STAFF REPORT ACTION REQUIRED

29 St. Andrews Gardens – Demolition of a Structure within the North Rosedale Heritage Conservation District and Approval of a Replacement Structure

Date:	March 12, 2007
To:	Toronto Preservation Board and Toronto and East York Community Council
From:	Director, Policy and Research, City Planning Division
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	

SUMMARY

This report recommends that City Council approve an application to demolish the existing residence located at 29 St. Andrews Gardens and approve the design of the replacement residence as shown on the submitted plans.

The subject property is located in the North Rosedale Heritage Conservation District and as such, any demolition application requires the approval of City Council under Section 42(1) of the *Ontario Heritage Act*. The owner submitted a complete application on February 27, 2007 and in accordance with Section 42(4) of the *Ontario Heritage Act*, Council must make a decision on the application to demolish the existing building by May 28, 2007 (90 days from the issuance of a notice of receipt of the submission of a complete application.)

Staff has no objection to the approval of the demolition of the existing residence subject to the building permit plans for the replacement residence being substantially in accordance with the plans approved by City Council with minor modifications to the overall design.

RECOMMENDATIONS

The City Planning Division recommends that

1. in accordance with Section 42(1) of the *Ontario Heritage Act*, the request to demolish the “unrated” structure located at 29 St. Andrews Gardens be approved;
2. the plans for the replacement building as shown on the drawings submitted by Robert J. McCrea Architect dated February 26, 2007, on file with the Manager of Heritage Preservation Services, be approved; and
3. final design plans that are substantially in accordance with the plans approved by City Council and address staff’s concerns be submitted for the review and approval of the Manager of Heritage Preservation Services prior to the issuance of a demolition permit for the existing building and/or a building permit for the replacement building; and
4. the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

There are no financial implications resulting from the adoption of this report.

ISSUE BACKGROUND

The subject property is located at 29 St. Andrews Gardens (Attachment No. 1) and is within the North Rosedale Heritage Conservation District (NRHCD) which was approved by Council on September 30, 2004 and upheld by the Ontario Municipal Board. In designating the NRHCD, Council adopted an evaluation of all buildings within the district and endorsed guidelines for managing change. The heritage evaluation classified buildings in the district as “A”, “B”, “C”, or “unrated.” The guidelines state that the demolition of “unrated” buildings is generally permissible if the replacement building, as shown in the building permit application, contributes to the heritage character of the District and is acceptable under the NRHCD guidelines and the zoning by-law.

The existing structure (Attachment No. 2) is classified as “unrated” in the NRHCD study. “Unrated” buildings are defined as buildings not included in category “A”, “B”, or “C”, which are not of national, provincial, citywide or contextual heritage significance, do not contribute to the heritage character of the HCD or are too recent to be accurately evaluated.

Section 42(1) of the *Ontario Heritage Act* requires that no owner of a property situated in a heritage conservation district that has been designated by a municipality shall erect, demolish or remove any building or structure on the property or permit the erection,

demolition or removal of such a building or structure unless the owner obtains a permit from the municipality. Under Article IV of Section 103-22 of the Municipal Code, Council permission is required for any person wishing to demolish a building within a heritage conservation district.

On February 27, 2007, the owner submitted a complete application for demolition under the *Ontario Heritage Act*. Section 42(4) the *Ontario Heritage Act* states that Council must make a decision on the application to demolish within 90 days of the issuance of a notice of receipt of the submission of a complete application. Council must make a decision on the application by May 28, 2007.

COMMENTS

The owner is proposing to demolish the existing 2.5 storey residence and construct a new 2.5 storey residence on the subject property. The existing driveway will extend to a new rear yard garage and parking area. The replacement residence is generally consistent with the NRHCD guidelines as they relate to new construction within the district.

Since the existing structure is “unrated” within the NRHCD guidelines, no heritage evaluation is required to be submitted for the existing structure.

Staff is satisfied with the overall concept of the replacement residence, however, the following concerns should be addressed prior to the issuance of a building permit:

- Front yard setback shall be studied further to be consistent with the setback of the two adjacent residences; and
- The location, size, and configuration of the windows on the front (south) elevation shall be studied further to ensure that the proportions and placement are consistent with proper architectural theory; and
- All exterior materials shall be detailed on the building permit drawings and only natural materials may be used; and
- The paved walkway on the site plan shall be better delineated from the driveway to ensure that it isn’t used as a parking pad; and
- The rooflines shall be consistent with the adjacent residences; and
- A landscape plan shall be submitted for staff review.

Based on the consistency of the replacement residence with the North Rosedale Heritage Conservation District guidelines, staff has no objection to the issuance of a demolition approval subject to the conditions contained in this report.

CONTACT

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SIGNATURE

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Director, Policy and Research

ATTACHMENTS

Attachment No. 1 – Location Map
Attachment No. 2 – Photographs
Attachment No. 3 – Proposed Replacement Structure