

## **45 Castle Frank Road, Demolition of a Structure Within the South Rosedale Heritage Conservation District and Approval of Replacement Structure**

<b>Date:</b>	September 3, 2008
<b>To:</b>	Toronto Preservation Board Toronto and East York Community Council
<b>From:</b>	Director, Policy and Research, City Planning Division
<b>Wards:</b>	Toronto Centre – Rosedale - Ward 27
<b>Reference Number:</b>	

### **SUMMARY**

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This report recommends that City Council approve the demolition of an “unrated” house in the South Rosedale Heritage Conservation District (SRHCD) and approve the design of the replacement structures in accordance with Section 42 (1) of the Ontario Heritage Act, with a condition that the owner obtain approval from the Manager, Heritage Preservation Services for the final building permit plans.

The existing structure does not contribute to the heritage character of the SRHCD and the replacement structure is substantially in accordance with the SRHCD Plan Guidelines.

This consent under the Ontario Heritage Act is in addition to Demolition Permits required under the Building Code Act and the Planning Act and the approval of variances to the existing zoning by-law.

### **RECOMMENDATIONS**

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#### **The City Planning Division recommends that:**

1. City Council approve the request to demolish 45 Castle Frank Road, an “unrated” structure in the South Rosedale Heritage Conservation District, in accordance with Section 42 (1) of the Ontario Heritage Act

2. City Council approve the plans for the replacement building as shown in the plans submitted by the applicant, Saeed Kauser, prepared by Lorne Rose Architect, including; Existing Site Plan, A1 Proposed Site Plan, A2 Landscape Plan, A3 Site Statistics, A4 Basement Floor Plan & Ground Floor Plan, A5 Second Floor Plan & Third Floor Plan, A6 Garage Floor Plan & Elevations, A7 Front Elevation, A8 Rear Elevation, A9 North Elevation, A10 South Elevation, all dated, August 22, 2008, date stamped received by Heritage Preservation Services August 25, 2008, on file with the Manager, Heritage Preservation Services, and that the replacement structure be constructed substantially in accordance with the submitted plans, subject to the owner;
  - a. Prior to the issuance of any building permit for the replacement structure located at 45 Castle Frank Road, including a permit for the demolition, excavation, and/or shoring of the subject property, providing building permit drawings satisfactory to the Manager, Heritage Preservation Services.

### **Financial Impact**

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

### **DECISION HISTORY**

The applicant's architect initially met with Heritage Preservation Services on April 9, 2008 to discuss preliminary plans regarding demolition and replacement of an "unrated" structure at 45 Castle Frank Road in the SRHCD. Subsequent meetings were held in June and July to refine the plans for the replacement structure. A complete application for demolition was received by HPS on August 22, 2008. Preliminary zoning examination indicates the applicant will require variances for gross floor area (approx. 1175 square feet over limit of approx 3225 square feet), wider driveway at the rear to accommodate the two car garage, and side lot setback. The applicant has not yet applied for a building permit.

### **ISSUE BACKGROUND**

The subject property is located at 45 Castle Frank Road (Attachment No. 1) and is within the SRHCD which was approved by City Council on February 7, 2003 and upheld by the Ontario Municipal Board December 17, 2003. In designating the SRHCD, 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 existing structure (Attachment No. 2) is classified as "unrated" in the SRHCD Plan. Buildings considered "unrated" are not considered to contribute to the heritage character of the district or are too recent to be accurately evaluated for their heritage value. The properties on either side at 43 and 49 Castle Frank Road are graded as Category B buildings in the district (Attachment No. 3). Category B buildings are noteworthy for their overall quality and have city-wide significance. The SRHCD Plan Guidelines permit

the demolition of “unrated” buildings provided that the replacement structure conforms to the guidelines and the zoning by-law.

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 to demolish a building within a heritage conservation district. This consent under the Ontario Heritage Act is in addition to Demolition Permits required under the Building Code Act and the Planning Act and the approval of variances to the existing zoning by-law.

## **COMMENTS**

The owner is proposing to demolish the existing two storey duplex (Attachment No. 2) and construct a new three storey residence. The existing residence was constructed in 1955 and the SRHCD Plan did not rate the structure as contributing to the character of the Heritage Conservation District.

The proposed replacement structure will be a three storey approximately 408.7 square meter residence. The height will be 10 meters to the midpoint of the roof which is allowed in the current zoning. The height to the peak of the roof will be slightly higher than those of the houses on either side (approximately .431 meters higher than the peak of the roof at 49 Castle Frank and .558 meters higher than 43 Castle Frank). The new garage will be constructed on the footprint of the existing garage at the rear, and the single lane driveway will remain the same at the front of the house (Attachment No. 8). The style of the house is Second Empire Revival and the cladding will be dark red clay brick with buff coloured Indiana limestone trim. The roof material will be dark grey slate (Attachment No. 4).

Section 5.5.3 of the SRHCD Plan sets out the guidelines for new buildings. New buildings should (1) contribute to the heritage character of the district, (2) be compatible in terms of scale, height, setback and entry level, and (3) exhibit a roof profile and eave lines of a height compatible with that of its neighbours. It is staff’s opinion that the proposed replacement building complies with the guidelines for new buildings contained within section 5.5.3 of the SRHCD Plan (Attachment No.s 4, 5, 6);

- The design, revival style and selected materials are consistent with the heritage character of the SRHCD
- The projecting centre bay and pediment provide relief and depth to the front façade, in keeping with other houses on the street
- The scale (overall size, size of openings, window to wall ratio) is similar to the houses on either side. Note: the south elevation includes a blind window at the front to improve the view from the street
- The height to the peak of the roof will be slightly higher than those on either side however the ridgeline visually recedes from the front edge of the house and the roof height complies with the zoning for the area (Attachment No. 4)

- The setback is in line with the main wall plane of the house on the south side (No. 49), and is set back from the sunroom extension on the house to the north (No. 43) (Attachment No. 7)
- The entry level is in line with the houses on either side
- The roof profile has combined gable and gambrel roof sections (Attachment No.s 5, 6) with a gable roof pediment and dormers on the front and is similar to rooflines to the south (Attachment No. 2)

## **CONTACT**

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## **SIGNATURE**

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Barbara Leonhardt  
Director, Policy and Research  
City Planning Division

## **ATTACHMENTS**

Attachment No.1 - Location Plan  
Attachment No. 2 – Existing Structure and Streetscape  
Attachment No. 3 – Neighbouring Houses  
Attachment No. 4 – Proposed, Front Facade  
Attachment No. 5 – North & South Elevations  
Attachment No. 6 – West Elevation & Ground Floor  
Attachment No. 7 – Proposed Site Plan  
Attachment No. 8 – Garage Plans