Alteration to a Designated Heritage Property within the East Annex Heritage Conservation District – 50 Boswell Avenue

Date: March 28, 2014

To: Toronto Preservation Board
    Toronto East York Community Council

From: Director, Urban Design, City Planning Division

Wards: Ward 20 - Trinity Spadina

Reference Number: P:\2014\Cluster B\PLN\TEYCC\TE14036

SUMMARY

This report recommends that City Council refuse the proposed alteration to the designated heritage property at 50 Boswell Avenue in the East Annex Heritage Conservation District (EAHCD). The alteration proposes modifications to the designated heritage property that are incompatible with the EAHCD Guidelines.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council refuse the alterations to the designated heritage property at 50 Boswell Avenue as proposed in the plans as provided by E.R.A. Architects Inc., dated May 22, 2012.

2. If the owner appeals City Council's decision to refuse the application for alteration under Section 42 of the Ontario Heritage Act, City Council authorize the City Solicitor and the necessary City staff to attend at the Ontario Municipal Board hearing in opposition to the appeal.
FINANCIAL IMPACT
There are no financial implications resulting from the adoption of this report.

DECISION HISTORY
The property at 50 Boswell Avenue is part of the East Annex Heritage Conservation District which was designated by City Council under By-law 520-94 on July 26, 1994.

BACKGROUND
50 Boswell Avenue is located on the north side of Boswell towards the western end of the street that intersects with Bedford Road (Attachment No. 1).

The East Annex Heritage Conservation District and the guidelines associated with it were created to address the following objectives:

1. to identify and evaluate the historical and architectural qualities of the east annex;
2. to propose methods by which the Toronto Historical Board and the City of Toronto can effectively protect those qualities;
3. to develop design guidelines which clearly define appropriate change, whether it is for altering existing buildings or for new construction;
4. to recommend efficient implementation and management and procedures.

The owner of the property first approached Heritage Preservation Services in 2005 and discussions took place with the architects and the owner as to the nature of the proposed changes and how those changes conflicted with the EAHCD and protection of the Heritage Conservation District under Part V of the Ontario Heritage Act. At that time the front façade had been modified very little from the November 1991 photographic series that documented the District as part of the study (Attachment Nos. 7-9).

The proposed enlarging of the window openings, removal of all existing windows and contemporary treatment of new windows was identified as work that Heritage Preservation Services could not support, and not in keeping with the district guidelines.

The replacement of the ganged multi-pane casement windows within the dormer were the only notable difference that had taken place during the fourteen years elapsed since the November 1991 documentation photographs (Attachment No.7).

Proposal
The proposed alterations that are the subject of this report address the specific alterations to the size of openings, the form and size of architectural features and proposed installation of contemporary steel windows (Attachment No.10).
The windows that were evident in the photos of the house in 2005 included decorative leaded-glass casement windows on the second floor and storm windows and multi-pane sash windows that have since been replaced. There is no record of a building permit or heritage permit related to this work.

The subject proposal proposes the following modifications to the Boswell Avenue façade:

1. Reconstruction of the existing hip roof dormer with a higher shed roof.
2. The new larger steel windows of the dormer dividing the enlarged opening into three windows instead of the original four.
3. The second floor windows (non-original) would be replaced with what is described as "heritage steel".
4. The window openings of the second floor bay would be increased in height.
5. The bay window construction is completely re-clad with no specified material.
6. The existing porch is removed and the sloped porch roof is replaced with a flat contemporary covering suspended by tension elements bracketed to the brick façade at either end.
7. The two ground floor punched windows are lowered to floor height to accommodate two of three new steel French doors.
8. The existing front door opening is relocated slightly west and the front door is replaced with a steel French door to create a consistent rhythm of three doors addressing the main Boswell Avenue façade.
9. A new cantilevered metal stair with tubular railings at either end projects from the front façade.
10. The wooden porch is removed and replaced with a metal cantilevered step.

Policy Framework

Planning Act and Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council’s planning decisions are required to be consistent with the PPS.

The Planning Act and the associated Provincial Policy Statement guide development in the Province and they include provincial interests regarding heritage resources as described in the Provincial Policy Statement issued under the authority of Section 3 of the Planning Act. The Planning Act requires that all decisions affecting land use planning matters "shall be consistent with" the Provincial Policy Statement. The Provincial Policy Statement provides direction on matters of provincial interest related to land use planning and development, and promotes the provincial policy-led planning system.

Provincial Policy Statement 2.6.1 directs that "Significant built heritage resources and significant cultural heritage landscapes shall be conserved." Properties included on the City's Inventory of Heritage Properties are considered to be significant in this context.
In the PPS 2014, "conserved" is defined as "the identification, protection, use and/or management of built heritage resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act."

**Official Plan**

Policy 3.1.5.2 of the Official Plan states that "Heritage resources on properties listed on the City's Inventory of Heritage Properties will be conserved." The policy also states that "Development adjacent to properties on the City's Inventory will respect the scale, character and form of the heritage buildings and landscapes."

**The Standards and Guidelines for the Conservation of Historic Places in Canada**

In 2008 Toronto City Council adopted the Standards and Guidelines for the Conservation of Historic Places in Canada as the official document guiding planning, stewardship and conservation approach for all listed and designated heritage resources within the City of Toronto.

**East Annex Heritage Conservation District Guidelines**

The property is evaluated in the East Annex Heritage Conservation District as a property that is not in the original character. The proposed alteration has been assessed in relation to the following sections of the guidelines.

To achieve "sensitive and contextual design for new work" the following direction is given:

B. Guidelines for Additions and Alterations:

- It is the intent of these guidelines to encourage the preservation of existing heritage buildings, and, when necessary, to aid sensitive and contextual design for new work.
- Generally do not make alterations or additions to the street façade of the building, except where such alterations are intended to restore the original appearance of the building.
- Use the neighbouring buildings and the existing building on the site as a guide, employing similar scale, proportion and level of detail. Use clay brick as the predominant exterior material on publicly visible facades. Paint exterior woodwork.

The guidelines clearly identify "neighbouring buildings" in Section 0.3 General Guidelines for the District:

- Neighbouring buildings referred to in these guidelines are defined as buildings in the heritage categories of “A” “B” or “C”. Buildings not in the original character are identified with an "X" on the study maps.

3.4.3 The Buildings on Boswell

The historic character of the street is more eroded on Boswell than on any of the other residential streets in the study area.
The small scale of some of the buildings on Boswell is what gives character to this street. The original details of the buildings are simple, yet based on a sense of proportion and ratio of window size to building face which should not be altered.

New buildings or additions should recognize the small scale of neighbouring buildings and not over-power them in height, scale or other design features.

COMMENTS
The heritage permit request submitted by E.R.A. Architects Inc. characterizes the nature of the alterations in the following manner:

"The scale, character and materiality of the existing front façade will not be altered with this proposal."

Planning staff do not concur with this assessment. The proposed changes are not compatible with the district guidelines, especially the guidelines related to Alterations that direct applicants to use neighbouring buildings as a guide.

The following reference in the heritage permit refers to the relationship of the proposed design to the neighbouring buildings:

"The building on the west is contemporary and has an “X” evaluation. The proposed alterations are sympathetic with the scale proportion and detail of the existing house and house to the east."

The document infers that the contemporary nature of 52 Boswell Avenue to the west can have an influence on the design at 50 Boswell Avenue. This should not be the case. The influence of neighbouring buildings is to be drawn from examples where the original character of the District has been retained and not from contemporary infill or non-character defining alterations to X properties.

The property to the east, 46-48 Boswell Avenue (Attachment No. 3) is evaluated as a "C/L" meaning it retains much of the original character and is a vital reminder of the community's past. It is also identified and listed as an individually significant property on the City of Toronto Inventory of Heritage Properties and, as an adjacent neighbouring property, should be used to guide alteration so the subject property.

The proposed alterations are not sympathetic to either the existing house or the house to the east in that they modify the solid to void ratio of the façade; introduce steel windows (dividing the openings horizontally into three) and move the character of the house into a more contemporary expression that is not characteristic of either house.
CONCLUSION
The proposed alterations do not comply with the East Annex Heritage Conservation District Guidelines and therefore does not satisfy conservation requirements contained within existing heritage policies.

The modifications to the entry, use of spaces within the house, porch and stair detail and window replacement must be expressed externally in a manner that respects original features and district character through compatible forms, materials and minimal intervention.

CONTACT
Mary L. MacDonald, Acting Manager
Heritage Preservation Services
Tel: 416-338-1079
Fax: 416-392-1973
E-mail: mmacdon7@toronto.ca

SIGNATURE

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Harold Madi
Director, Urban Design
City Planning Division

ATTACHMENTS:
Attachment No. 1 – Location Map
Attachment No. 2 – Existing Condition Photographs
Attachment No. 3 – Existing Condition Photographs
Attachment No. 4 – Existing Condition and Proposal Rendering
Attachment No. 5 – Existing and Proposed Elevations
Attachment No. 6 – Existing and Proposed Ground Plans
Attachment No. 7 – Archival Photo (1991)
Attachment No. 8 – Archival Photo (2005)
Attachment No. 9 – Archival Photo (2005)
Attachment No. 10 – Existing vs. Proposed Design Comparison
This location map is for information purposes only; the exact boundaries of the property are not shown.
ATTACHMENT NO. 2

EXISTING CONDITION PHOTOGRAPHS: 50 BOSWELL AVENUE
EXISTING CONTEXT PHOTOGRAPHS: 50 BOSWELL AVENUE

52 Boswell Avenue (neighbouring property to the west)

46-48 Boswell Avenue (neighbouring property to the east)
ATTACHMENT NO. 4

EXISTING CONDITION AND PROPOSAL RENDERING: 50 BOSWELL AVENUE

Existing Property

Proposal Rendering (8/4/2012)
ATTACHMENT NO. 5

EXISTING AND PROPOSED ELEVATIONS: 50 BOSWELL AVENUE

Existing South and East Elevations

Proposed South and East Elevations
EXISTING AND PROPOSED GROUND PLANS: 50 BOSWELL AVENUE

Existing Ground Floor Plan

Proposed Ground Floor Plan

Alterations to a Heritage Property within the East Annex HCD - 50 Boswell Avenue
ARCHIVAL PHOTO (1991): 50 BOSWELL AVENUE

Property as documented in November 1991
ARCHIVAL PHOTO (2005): 50 BOSWELL AVENUE

Condition of Property in 2005
ARCHIVAL PHOTO (2005): 50 BOSWELL AVENUE
ATTACHMENT NO. 10

EXISTING VS. PROPOSED DESIGN COMPARISON 50 BOSWELL AVENUE

Existing Design

Proposed Design

(Design Analysis Prepared by HPS staff)