



**STAFF REPORT
ACTION REQUIRED**

Demolition of a Designated Heritage Property within the Blythwood Road Heritage Conservation District and Construction of a Replacement Structure – 79 Blythwood Road

Date:	September 12, 2016
To:	Toronto Preservation Board North York Community Council
From:	Chief Planner and Executive Director, City Planning Division
Wards:	Ward 25 – Don Valley West
Reference Number:	P:\2016\Cluster B\PLN\NYCC\NY16094

SUMMARY

This report recommends that City Council approve under Section 42 of the Ontario Heritage Act the demolition of the non-contributing heritage property at 79 Blythwood Road and the construction of a replacement structure. The property at 79 Blythwood Road is located within the Blythwood Road Heritage Conservation District.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council approve the demolition of the unrated building on the designated heritage property at 79 Blythwood Road, in accordance with Section 42 of the Ontario Heritage Act, subject to the following conditions:
 - a. City Council approve the replacement structure for 79 Blythwood Road as shown in the plans and elevations submitted by the applicant and prepared by GPF Design Services Inc., dated July 26, 2016, date-stamped received by Heritage Preservation Services on September 12, 2016 and on file with the Senior Manager, Heritage Preservation Services, and that the replacement structure be constructed substantially in accordance with the submitted plans;

- b. That prior to the issuance of any heritage permit for the property at 79 Blythwood Road including a demolition permit, but excluding permits for interior work, repairs and maintenance and usual minor works for the existing heritage building as are acceptable to the Senior Manager, Heritage Preservation Services, the applicant provide the following to the satisfaction of the Senior Manager, Heritage Preservation Services:
 - i. photo documentation of the existing structure at 79 Blythwood Road; and
 - ii. final building permit drawings for the replacement structure, and
 - iii. a landscape plan, including a description of material and finishes, consistent with the plans and elevations submitted by the applicant and prepared by GPF Design Services Inc., dated July 26, 2016 and date-stamped received by Heritage Preservation Services on September 12, 2016.

Financial Impact

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

DECISION HISTORY

City Council designated the Blythwood Road Heritage Conservation District with the passing and enactment on December 4, 2003 of City By-law No. 12-2004.

<http://www.toronto.ca/legdocs/bylaws/2004/law0012.pdf>

ISSUE BACKGROUND

Development Proposal

The property at 79 Blythwood Road is located within the Blythwood Road Heritage Conservation District (BRHCD) and is subject to the design guidelines of the BRHCD Plan. More specifically, the property is located on the south side of Blythwood Road, between Blythwood Gardens and Blythwood Crescent. (Attachment No.1 and Attachment No. 2)

Heritage Preservation Services staff received an application to demolish the existing two-storey detached dwelling on the property, in conjunction with an application to construct a replacement structure consisting of a new two-storey detached dwelling with an integral garage. A decision from City Council is required when it involves the demolition of a structure in the District.

The properties within the District were evaluated when the BRHCD Study was undertaken. This evaluation led to the categorization of the buildings into groups, defined by the degree of contribution the buildings make to the heritage character of the District. The existing dwelling at 79 Blythwood Road is an "unrated" building which means that it has been recognized as a building that is not contributing to the heritage character or is

too recent to be accurately evaluated for its heritage value. The research leading to the BRHCD Plan found that the existing house was built in the early seventies. There are no apparent signs of substantial alteration after the construction of the house was completed. Therefore, Heritage Preservation Services staff is satisfied that the existing dwelling at 79 Blythwood Road was categorized as an "unrated" building specifically because the building does not contribute to the heritage character of the District.

The applications received for 79 Blythwood Road concerning the demolition of the existing two-storey detached dwelling and the construction of a replacement structure were submitted concurrently with applications to demolish the existing two-storey detached dwelling at 67 Blythwood Road and construct a replacement structure. The design for both the existing and the proposed houses at 67 and 79 Blythwood Road are the same. Without being contiguous, these two properties are located within the same segment abutting the south side of Blythwood. Therefore the applications for both properties were reviewed by staff simultaneously.

Policy Framework

Provincial Policy Statement and Planning Act

The Provincial Policy Statement 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 associated Provincial Policy Statement guide development in the Province and include the provincial interest 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 reads "Significant built heritage resources and significant cultural heritage landscapes shall be conserved".

Ontario Heritage Act

Section 42(1) of the Ontario Heritage Act states that:

"No owner of property situated in a heritage conservation district that has been designated by a municipality under this Part shall do any of the following, unless the owner obtains a permit from the municipality to do so:

1. Alter, or permit the alteration of, any part of the property, other than the interior of any structure or building on the property.

2. Erect, demolish or remove any building or structure on the property or permit the erection, demolition or removal of such a building or structure."

Section 42(2.1) of the Ontario Heritage Act states that:

"The owner of property situated in a designated heritage conservation district may apply to the municipality for a permit to alter any part of the property other than the interior of a building or structure on the property or to erect, demolish or remove a building or structure on the property."

Official Plan

The revised heritage policies in the City of Toronto Official Plan provide the policy framework for heritage conservation in the City. The following Official Plan policy applies to the demolition of a non-contributing heritage building and the construction of a new building on a property located within a Heritage Conservation District:

- 3.1.5.33: "Heritage Conservation Districts should be managed and conserved by approving only those alterations, additions, new development, demolitions, removals and public works in accordance with respective Heritage Conservation District plans."

Blythwood Road Heritage Conservation District

The property known as 79 Blythwood Road is located on the south side of Blythwood Road, between Blythwood Gardens and Blythwood Crescent. Under the BRHCD Plan, the heritage buildings are categorized as "A", "B" and "C". In contrast, unrated buildings are defined as buildings not included in category "A", "B" and "C". Therefore, the property at 79 Blythwood Road contains a two-storey detached dwelling that is not considered a heritage building under the BRHCD Plan.

The BRHCD Plan provides a framework for the conservation of the heritage resources and character of the District including design guidelines that are established for managing property alterations and development, with a view to the preservation of the existing architectural character and streetscape character as defined in the Heritage Character Statement and the Landscape Heritage Character Statement that form part of the BRHCD Plan.

The following design guideline applies to the demolition of unrated buildings within the BRHCD:

"Demolition of an unrated building will generally be permissible if the replacement building, as shown in the building permit application, is acceptable under these guidelines and the zoning by-law."

The following design guidelines apply to the construction of new buildings within the BRHCD:

"New buildings . . . should contribute to and not detract from the variety and heritage character of the district.

New buildings . . . should be designed to be compatible with the heritage buildings, in terms of scale, massing height, setback, and entry level.

The roof profile and the location of the eaves lines or the roof parapet should be designed so that the apparent height of the building is compatible with that of its neighbours and is not visually overwhelming to neighbouring buildings."

The following streetscape and landscape guidelines also apply to the proposed demolition and replacement structure:

"Maintain the open space character of Blythwood by maintaining spacious setbacks and frontage gardens. Maintain garden frontages, and limit/prohibit parking area frontages on all streets.

Promote a parking strategy for the district that protects streetscape character. Limit integral and below grade parking garage development that alters the streetscape character."

COMMENTS

Heritage Preservation Services staff has reviewed the application to demolish the non-contributing heritage property at 79 Blythwood Road and construct a new two-storey detached dwelling with an integral garage against the design guidelines of the BRHCD Plan. This applications was also considered in the context of the Planning Act, the heritage policies of the Provincial Policy Statement (PPS), the Ontario Heritage Act and the heritage policies of the City of Toronto Official Plan.

Demolition of a non-contributing property

The demolition of the residential building at 79 Blythwood Road is acceptable under the BRHCD Plan because the building does not contribute to the heritage character of the conservation district. However, the approval to demolish the "unrated" building at 79 Blythwood Road is contingent upon the design of the replacement building.

Replacement building

HPS staff raised concern about the first proposal that was received under the application to construct a replacement building at 79 Blythwood Road because it required variances from the City-wide Zoning By-law No. 569-2013 and from the Zoning By-law No. 438-86 to: permit a building height beyond the permitted maximum; permit a building length beyond the permitted maximum; permit a Gross Floor Area/Floor Space Index beyond the permitted maximums; and permit minimum side yard setbacks for a portion of the

proposed building that is under the permitted maximum. A number of changes have been made to the proposal that has resulted in the elimination of all the variances that were requested. The applicant has confirmed that the revised proposal does not require any variances. The elimination of the variances is consistent with the District design guideline for the demolition of unrated buildings because the proposed replacement building is acceptable under the applicable zoning by-laws.

Heritage character and compatibility

The architectural pockets that stand out for their consistency and contribution to the heritage character of the BRHCD are not found within this segment of Blythwood Road. The property at 79 Blythwood Road is one in a row of infill houses built in the seventies that are not contributing to the heritage character of the District. (Attachment No. 3)

The height of the proposed building is higher than the height of the neighbouring non-contributing buildings. However, it is lower than the height of the heritage buildings on the corner lots flanked by Blythwood Gardens and Blythwood Crescent. The height of the existing house at 79 Blythwood Road is noticeably lower than the average height of the two-storey heritage buildings within the BRHCD. The height of the proposed replacement building is considered appropriate because it is more compatible with the heritage buildings of the contributing properties at 51 and 95 Blythwood Road. Staff worked with the applicant to revise the initial proposal by reducing the height of the proposed building to below the maximum permitted by the applicable zoning by-laws. (Attachment No. 4)

The compatibility of the proposed setback of the replacement building with the neighbouring buildings, the heritage buildings and the District's heritage character has also been carefully considered. The setback of the front exterior wall of the replacement building is proposed at the average between the setbacks of the adjacent existing buildings on both sides of the subject lot. The proposed setback of the front exterior wall of the replacement building is greater than the setback of the heritage buildings on the corner lots. Although the front porch will protrude into the front yard setback, staff finds that the alignment of the proposed replacement building to be consistent with the heritage character of the District. (Attachment No. 5)

The Blythwood Road Heritage Character Statement has identified brick, wood, stucco and stone accents as the predominant materials found on the heritage buildings. These materials have been chosen for the design of the replacement building. The form, entry level, roof shape as well as the wall to window ratio and proportion relate to the variety and heritage character of the District yet the proposed design and its overall appearance will be distinguishable from the heritage buildings of the District. (Attachment No. 6)

Streetscape character and landscape

The BRHCD Plan gives support to a parking strategy for the District that protects the streetscape character. The applicable zoning by-laws require that one parking space be provided for each dwelling, and no parking space be located on a front yard or a side yard abutting a street. The BRHCD Plan permits integral garages provided that they don't alter the streetscape character. The Landscape Heritage Character Statement acknowledges that the restriction of street parking on Blythwood Road maintains clear open views of the buildings and picturesque gardens, and the spacious lawns that frame the street anchor the character of Blythwood Road.

The design of the replacement building proposes the garage setback to be continuous with the front elevation of the house. Setting the garage in line with the rest of the front elevation will provide a clear open view of the building and its front yard while being compatible with the alignment of the neighbouring and heritage buildings on this segment of Blythwood Road. The Blythwood Road Heritage Character Statement states that: "The recent developments have tended to be less characteristic of the street in terms of architectural expression as well as by the inclusion of garages and driveways at the front of the lot, to the detriment of the established character of the streetscape". The existing dwelling at 79 Blythwood Road is illustrative of this condition.

Staff has worked with the applicant to revise the initial proposal by reducing the width of the garage door, the width of the driveway leading to the garage door and the depth of the front porch. The Landscape Heritage Character Statement recognizes the contribution that the green landscape setting, the garden frontages and the front yard setback make to the District's character. This proposal maintains the front yard setback of the existing house while increasing the percentage of front yard soft landscaping. These changes are desirable and in accordance with the design guidelines of the BRHCD Plan, providing a more spacious front lawn.

Conclusion

The demolition of an unrated building within the Blythwood Road Heritage Conservation District is generally permissible if the replacement structure is acceptable under the design guidelines of the Blythwood Road Heritage Conservation District Plan. The proposed replacement building is more sympathetic to the heritage character of the

District than the existing house. Staff finds that the proposed building respects the general intent of the City of Toronto's Official Plan heritage policies and the Blythwood Road Heritage Conservation District Plan.

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SIGNATURE

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ATTACHMENTS

Attachment 1 – Location Map: 79 Blythwood Road
Attachment 2 – BRHCD Map: 79 Blythwood Road
Attachment 3 – Photographs: 79 Blythwood Road
Attachment 4 – Height Analysis: 79 Blythwood Road
Attachment 5 – Setback Analysis: 79 Blythwood Road
Attachment 6 – Rendering: 79 Blythwood Road
Attachment 7 – Drawings: 79 Blythwood Road