

Demolition of Three Heritage Properties in the South Rosedale Heritage Conservation District - 5, 7, and 9 Dale Avenue

Date: January 30, 2018

To: Toronto Preservation Board

Toronto and East York Community Council

From: Acting Chief Planner and Executive Director, City Planning Division

Wards: Ward 27 – Toronto Centre-Rosedale

SUMMARY

This report recommends that City Council refuse the demolition of three single family houses at 5, 7, and 9 Dale Avenue and the construction of one replacement building. The applicant has applied for an Official Plan Amendment and Zoning By-law Amendment to allow for the construction of a 4-storey residential building with 26 units.

RECOMMENDATIONS

The Acting Chief Planner and Executive Director, City Planning Division, recommends that:

1. City Council refuse the issuance of a demolition permit for the heritage properties at 5, 7, and 9 Dale Avenue in the South Rosedale Heritage Conservation District in accordance with Section 42 of the Ontario Heritage Act.
2. If the owner appeals City Council's decision to refuse the issuance of a demolition permit under Section 42 of the Ontario Heritage Act for the heritage properties at 5, 7, and 9 Dale Avenue, City Council authorize the City Solicitor and the necessary City staff to attend 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

On February 4, 5 and 6, 2003 Toronto City Council adopted the South Rosedale Heritage Conservation District under Part V, Section 42 of the Ontario Heritage Act, enacted by Council on February 7, 2003 under By-law 115-2003.

<http://www.toronto.ca/legdocs/bylaws/2003/law0115.pdf>

ISSUE BACKGROUND

Development Proposal

The Official Plan Amendment and Rezoning application is for the construction of a 4-storey residential building with 26 residential units on a development site in the South Rosedale Heritage Conservation District. The development site is located on the south side of Dale Avenue on three assembled and contiguous properties at 5, 7, and 9 Dale Avenue, each with an existing single family home. The three houses will be demolished and replaced with a new building that will have 7,923 square metres (85,286 square feet) of residential gross floor area. A Heritage Impact Assessment (HIA) prepared by Phil Goldsmith Architect, dated August 23, 2017 and revised January 24, 2018 was submitted as part of the application to the City.

On November 10, 2017 the owner of the subject properties appealed the Official Plan Amendment and Rezoning application to the Ontario Municipal Board.

Description of the Properties

According to the Heritage Impact Assessment, the original houses at 5 and 9 Dale Avenue were demolished in the 1940s with 7 Dale Avenue constructed in 1944-45 and with the construction of new houses at 5 Dale Avenue (1953) and 9 Dale Avenue (1954) approximately a decade later. Overall, 5, 7, and 9 Dale Avenue represent three mid-20th century single-storey bungalow style houses located in the South Rosedale Heritage Conservation District within the Rosedale Ravine.

5 Dale Avenue includes a brick bungalow constructed in 1953 for Ralph Carrette Day, a former mayor of Toronto. This house incorporated design elements typical of mid-century bungalows including a prominent garage facing Dale Avenue.

7 Dale Avenue includes a custom designed bungalow constructed in 1944-45 that incorporates contemporary architectural design details. The 3300 square foot L-shaped house was designed by award winning Toronto architect Gordon Sinclair Adamson for Clare F. Woods, President of Crystal Glass and Plastics. The house, representative of the International style of architecture, features many modern design elements including an asymmetrical front façade incorporating a unique orientation, open floor plan, low-pitch roof with deep overhanging eaves and multiple large windows including numerous floor to ceiling windows. There is a gazebo structure in the rear yard of similar architectural design.

9 Dale Avenue includes a modest mid-century brick bungalow constructed in 1954. The bungalow is set well back from Dale Avenue, with a detached garage located closer to the street.

Contextually, along Dale Avenue and the surrounding area, houses are 2, 2-1/2 or 3 stories in height, with architectural features typical of the late Victorian and Edwardian periods including, but not limited to, steeply pitched roofs with dormers and gables, brick walls with punched windows, bay windows and porches. Material selection of these houses includes brick and stone with decorative wood trim.

Apartment style buildings are also located within the HCD. According to the South Rosedale HCD Study, most apartment style buildings were constructed in District between 1951-1970 and there are a few close to the subject properties including 40 Glen Road at the west end of Dale Avenue, 1A Dale Avenue, and a large complex just west of the development site at 21 Dale Avenue along the south side of the street.

Policy Framework

Provincial Planning Act and Policy Statement

The Planning Act and the associated Provincial Policy Statement guide development in the Province. The Act states that municipalities must have regard for matters of provincial interest. Cultural heritage is identified in Section 2 (d) of the Act.

The Provincial Policy Statement (PPS) issued under the authority of Section 3 of the Planning Act 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.

These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. Policy 4.7 indicates that the Official Plan is the most important vehicle for implementation of the PPS.

Policy 2.6.1 of the PPS directs that "Significant built heritage resources and significant cultural heritage landscapes shall be conserved." Properties included on the City's Heritage Register are considered to be significant in this context. "Conserved" is defined in the PPS 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

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe region. Policy 4.2.7(1) of the Growth Plan states that cultural heritage resources, which includes built heritage resources, "will be conserved in order to foster a sense of place and benefit communities."

Official Plan

The heritage policies in the City of Toronto's Official Plan provide the policy framework for heritage conservation in the City. The following Official Plan policies apply to the proposed demolition:

- Policy 3.1.5.4: "Properties on the Heritage Register will be conserved and maintained consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada, as revised from time to time and adopted by Council."
- Policy 3.1.5.5: "Proposed development on or adjacent to, a property on the Heritage Register will ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained".
- Policy 3.1.5.26: "New construction on, or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate visual and physical impact on it."
- Policy 3.1.5.32: "The impact of new development within or adjacent to HCDs will be "...assessed to ensure that the integrity of the district's heritage values, attributes, and character are conserved."
- Policy 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."

Standards and Guidelines for the Conservation of Historic Places in Canada

The Standards and Guidelines for the Conservation of Historic Places in Canada (Standards and Guidelines) is the official document guiding planning, stewardship and the conservation approach for all listed and designated heritage resources within the City of Toronto. The General Standards (1-9) and the Standards for Rehabilitation (10-12) apply to this project.

<http://www.historicplaces.ca/media/18072/81468-parks-s+g-eng-web2.pdf>

South Rosedale Heritage Conservation District Study (2002)

Section 5.3 of the Study states that the guidelines were established with a view to the "preservation of the existing architectural character of the district and its park like setting and streetscape as defined in the Heritage Character and Streetscape Character Statements." The intent of these guidelines is to "ensure ... development in the District... enhances and sustains the unique character of South Rosedale, as defined in the Heritage Character Statement in this study."

At the time the District Study was undertaken, four categories were established and all buildings were categorized as either "A", "B" "C" and "unrated". Of more than 1000 buildings in the area, the number of rated buildings was 724, or approximately 67% of

all building in the area and of that number 33%, or 357 buildings, were evaluated as category "C".

The subject properties were evaluated as containing buildings rated as Category "C", which is defined in the District Study as "Buildings of contextual significance, which contribute to the heritage character of South Rosedale...". As the development proposal includes demolition of rated properties and a new replacement building, the following sections of the District Study apply:

- **Section 5.3.3 Guidelines for New Buildings**

A. New buildings (and alterations and additions to unrated buildings) should contribute to and not detract from the variety and heritage character of the district.

B. New buildings (and alterations and additions to unrated buildings) should be designed to be compatible with the heritage buildings, in terms of scale, massing height, setback, and entry level.

C. 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.

- **Section 5.3.4 Guidelines for Demolition**

B. Demolition of buildings in the "C" category is "generally considered appropriate only if the proposed replacement building...is equally able or more able to contribute to the heritage character of the district and is acceptable under these guidelines and the zoning by-law. "

COMMENTS

Staff have reviewed the HIA prepared by Phil Goldsmith Architect and carefully considered the Official Plan Amendment and Rezoning proposal with regard to the Provincial heritage policy context, the City of Toronto Official Plan heritage policies and the policies of the South Rosedale Heritage Conservation District. The following sections discuss the proposed demolition, proposed new building, and comments on the proposal received by staff from the heritage conservation district advisory committee of the South Rosedale Ratepayers Association.

Proposed Demolition

In consideration of Section 5.3.4B identified earlier in this report, demolition of buildings in this category may be "appropriate" if the proposed replacement building complies with the HCD guidelines as well as the zoning by-law.

As per the South Rosedale Heritage Conservation District Study (SRHCDS), all three properties at 5, 7, and 9 Dale Avenue were evaluated as category "C" which, by definition, contribute to the heritage character of the SRHCD. Early on in the application process, Heritage Preservation Services staff reviewed the Heritage Impact Assessment and raised concerns with the applicant about the proposed demolition of these three contributing buildings.

In the HIA, the applicants' heritage consultant reviews the District Plan and references that houses along Dale are typical of Edwardian to Victorian era. As such, the existing bungalows at 5, 7, and 9 Dale represent house forms that are rare in South Rosedale.

Contextually, the bungalow style houses are single storey buildings with low roof profiles that sit within the landscapes of their respective properties. Each property gently slopes down from Dale Avenue along the north to the Bayview Valley ravine along the south with dense vegetation that includes a variety and large number of mature trees.

Collectively, all three properties have front yards with a variety of landscaping including mature trees that screen view of the single storey buildings, as the landscaping is the predominant view from the street.

The relevant Zoning By-laws are 438-86 and 569-2013. Under Zoning By-law 438-86, the R1 zoning category allows detached houses. Also, under Zoning By-law 569-2013, the site is zoned RD with a height limit of 10 meters and a maximum density of 0.6 times the area of the lot. The RD zoning category allows for detached houses.

In this case, three existing houses on individual properties located at 5, 7, and 9 Dale Avenue, that contribute to the heritage character of South Rosedale will not be retained and integrated into the new proposal, but will be demolished and replaced by a 4-storey building that will occupy the assembled properties. The demolition of the existing bungalows will result in a loss of three contributing buildings in the District.

Given that Section 5.3.4B is not satisfied, the proposed new building cannot be supported as it does not meet the zoning by-law and does not meet the guidelines for new buildings as described below.

Proposed New Building

The applicant consulted with City staff, the heritage district advisory committee of the South Rosedale Resident's Ratepayers Association (SRRA) and area residents. Through the consultation process the application was revised several times. The resulting condominium design is a proposal for a new 4-storey residential building of approximately 85,000 square feet, designed in a modern architectural style. The new building is designed by the Toronto based firm of Hariri Pontarini Architects (Attachment No. 3).

The proposed 4-storey building is similar in height to existing apartment buildings in South Rosedale and the roof and eave line is similar to that of existing houses along Dale Avenue and in the District. The fourth floor is set back above the third floor of the building and the elevation design incorporates architectural features of houses along Dale Avenue including, chimneys, bay windows, and a roof pitch that provides visual interest along the length of the building. The building is divided into two sections, with the west section located closer to Dale Avenue with smaller front yards and with the east section set back from the street with a vehicular drop off and predominately hard-landscaped forecourt. Parking and garbage will be located in a below-grade garage with egress from the east end of the building. The proposed cladding materials are stone, brick, and slate and are similar to that of heritage buildings in the HCD.

In our review of the proposal staff considered the landscape setting, scale, massing, and height of the existing "C" rated houses on the development site along with the other contributing properties on Dale Avenue.

The experience of the subject properties as viewed from Dale Avenue is that of three detached single storey houses in their landscape setting. The proposal for a single building with a footprint that extends across the assembled properties and with a height of 4-storeys (approximately 85,000 square feet) will have a significant visual impact on the landscape setting when viewed from the street and will negatively affect the HCD's park like setting.

While efforts have been made to break down the appearance of the primary elevation, the scale and massing of the proposed building is not sufficiently mitigated by landscaping as the amount of front yard soft landscaping proposed is proportionally less than what exists on the subject properties and other contributing properties on Dale Avenue.

At the same time, a relatively narrow side yard is proposed between the subject property and that of 3 Dale Avenue to the west. As such, there is insufficient space to allow for sufficient density and variety of landscaping to mitigate views of the west section of the proposed 4-storey building from Dale Avenue.

While it is true that there is a neighbouring apartment style building at 21 Dale Avenue to the east, the building is significantly set back from the street with a deep and well treed front yard area. The result is that unlike the proposed development, 21 Dale Avenue has little impact visual impact on Dale Avenue.

The proposed new building does not satisfy Section 5.3.3B of HCD as it is not compatible with the scale, massing, height and setback of the contributing buildings on Dale Avenue and as a result it has a negative impact on the park like setting of the South Rosedale. At the same time, the proposal does not satisfy Section 5.3.4B of the plan as the new building is not equally able or more able to contribute to the heritage character of the district and because it does not meet the zoning by-law as describe earlier in this report.

Heritage Conservation District Advisory Committee of the SRRA

A heritage district advisory committee was formed as per Section 5.2.6 of the District Study shortly after Council approval of the South Rosedale Heritage Conservation District. As part of Heritage Preservation Services review process for this application, staff requested comments from the committee. A response to the proposal was received from the committee in November, 2017 recommending that the proposed development not be approved. The Committee's reasons included, but were not limited to, the demolition of three low-rise bungalows each in a garden setting as viewed from the street, the height of the proposed condominium building of 13.9m exceeding that of adjacent buildings on Dale Avenue, the appearance of the building from the street as having a significantly larger scale and massing than a nearby multi-unit building at 1A Dale Avenue and single family residences along the street that are adjacent to the

development property. The proposal was also compared with the co-op building at 21 Dale Avenue that is well set back from the street with large amounts of greenery in front, having minimal street presence.

In addition, based on their own research of the subject properties and review of the HIA submitted by the applicant, the committee recommended to City staff that 7 Dale Avenue be individually recognized under Part IV, Section 29 of the Ontario Heritage Act, as the house was designed by well-known architect of his time, Gordon Sinclair Adamson.

Nomination

On January 19, 2018 a nomination was formally submitted to Heritage Preservation Services by the community requesting that 7 Dale Avenue be considered under Part IV of the Ontario Heritage Act. This nomination was accompanied by a report prepared by Letourneau Heritage Consulting Inc.

Of note, is that the HIA submitted with the application identified that 7 Dale Avenue was designed by award winning Toronto architect Gordon Sinclair Adamson and is representative of the International Style of Architecture.

HPS has conducted a preliminary review of the 7 Dale nomination and supporting research materials and have determined that the property has potential to meet the criteria for holding cultural heritage value under Part IV of the Act. Staff are currently reviewing the nomination in greater detail and will conduct additional research as needed as well as undertake an evaluation of the property under Regulation 9/06 the evaluation criteria used for determining significance. The results of this evaluation will be the subject of a future report.

CONCLUSION

The proposal to demolish the contributing "C" rated properties at 5, 7, and 9 Dale Avenue and to replace them with a new 4-storey building is not consistent with the South Rosedale Heritage Conservation District Study. As the proposal does not meet

the HCD Study, by extension it does not conform to the City's Official Plan heritage policies and the Growth Plan; and it is not consistent with the PPS. Heritage Preservation Services staff recommend refusal of the proposed demolition.

CONTACT

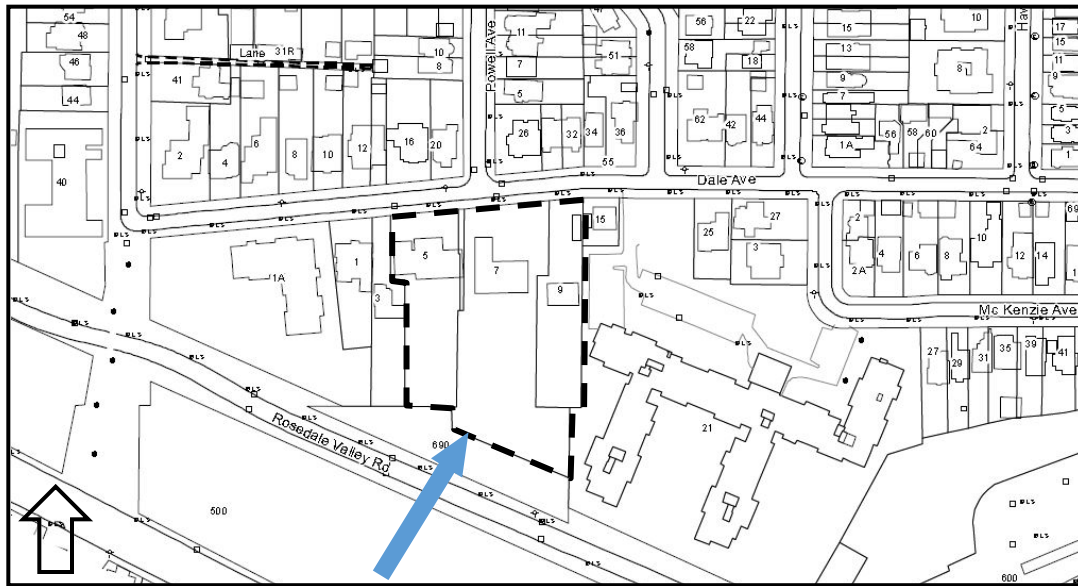
Paul Maka
Acting Program Manager
Heritage Preservation Services
Tel: 416-338-1077; Fax: 416-392-1973
E-mail: Paul.Maka@toronto.ca

SIGNATURE

Gregg Lintern MCIP, RPP
Acting Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

Attachment No. 1 – Location Plan 5, 7 and 9 Dale Avenue
Attachment No. 2 – Photographs 5, 7 and 9 Dale Avenue
Attachment No. 3 – Proposal 5, 7 and 9 Dale Avenue



The arrow marks the location of the properties at 5, 7, and 9 Dale Avenue
The location map is for information purposes only. The exact boundaries of the property are not shown.



5 Dale Avenue- north view of house from Dale Avenue



7 Dale Avenue- north view of L-shape house with landscaped forecourt

PHOTOGRAPHS- 5, 7, and 9 Dale Avenue



7 Dale Avenue- view of partial south elevation



7 Dale Avenue- teahouse structure in rear yard

PHOTOGRAPHS- 5, 7, and 9 Dale Avenue



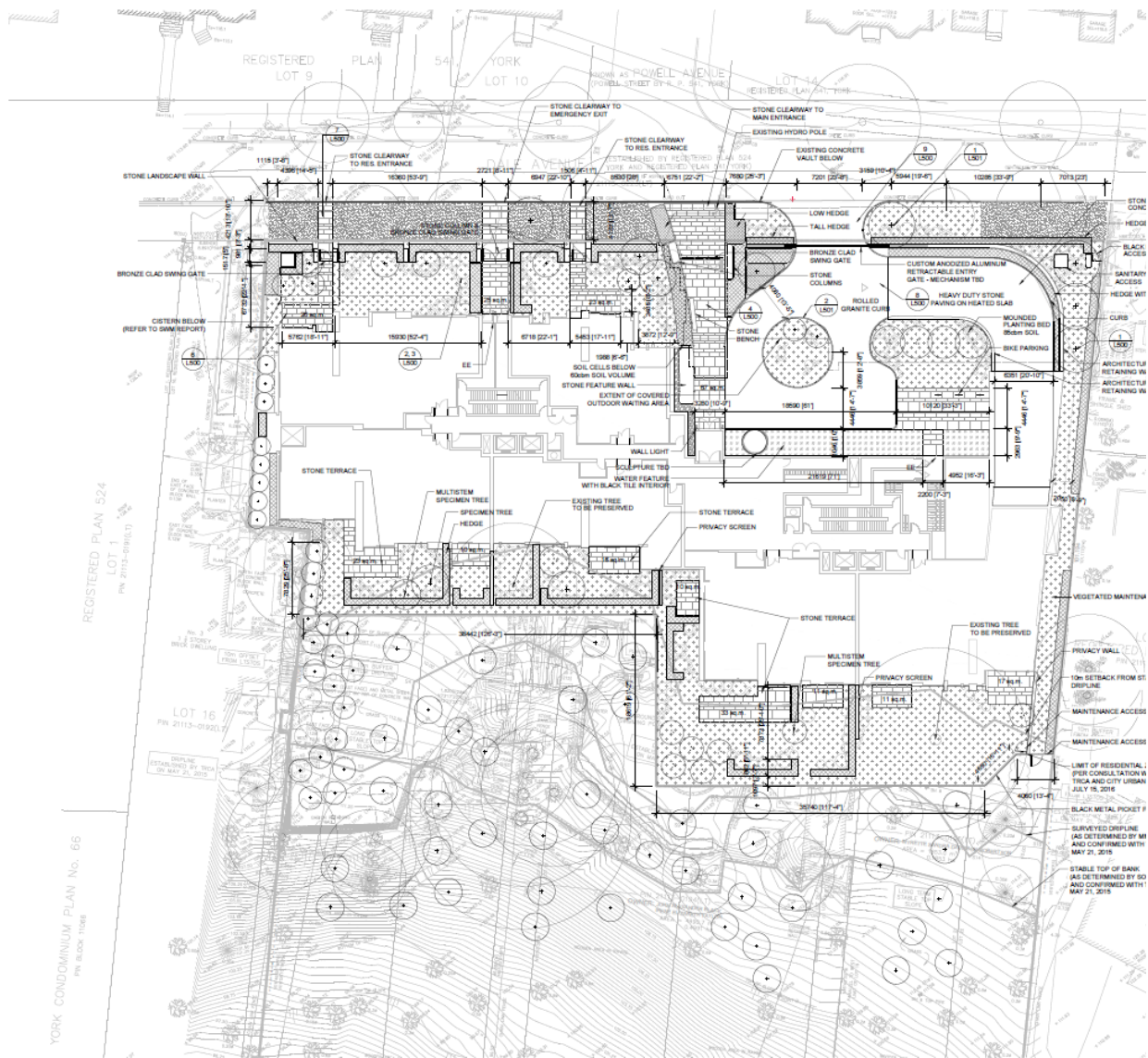
9 Dale Avenue- north view of property garage structure to left with house beyond

Drawings were prepared by Harari Pontarini Architects



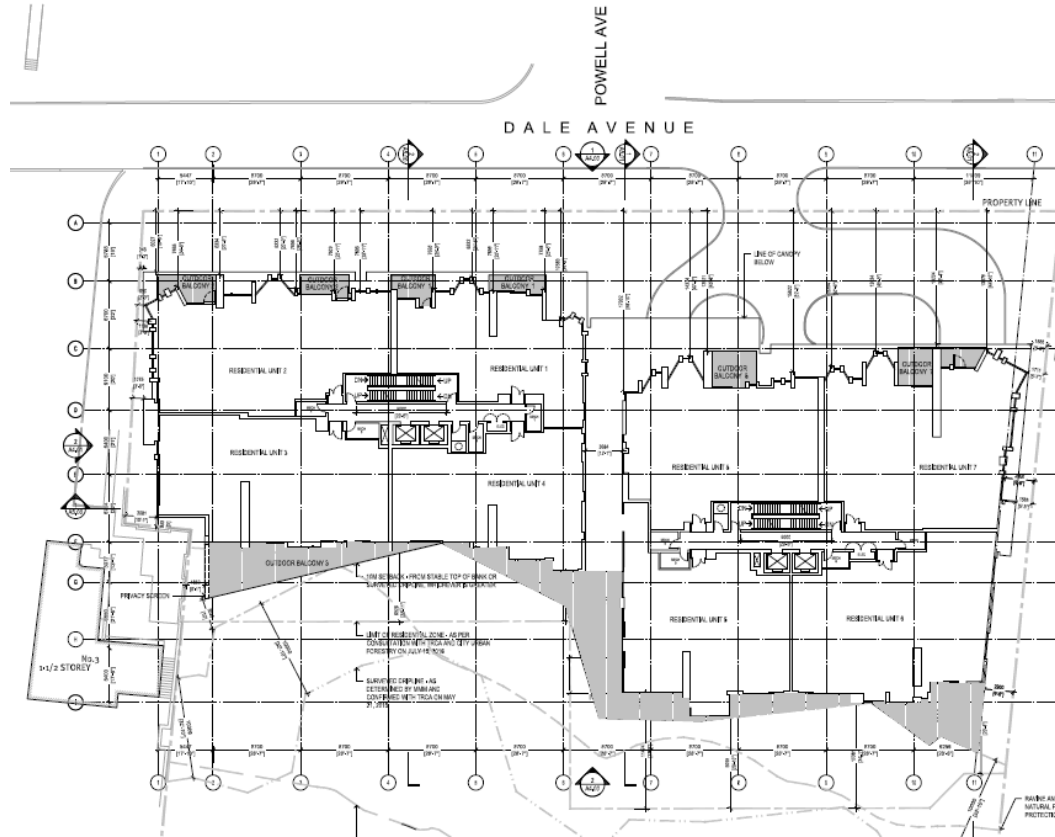
Context Plan

DRAWINGS- 5, 7, and 9 Dale Avenue

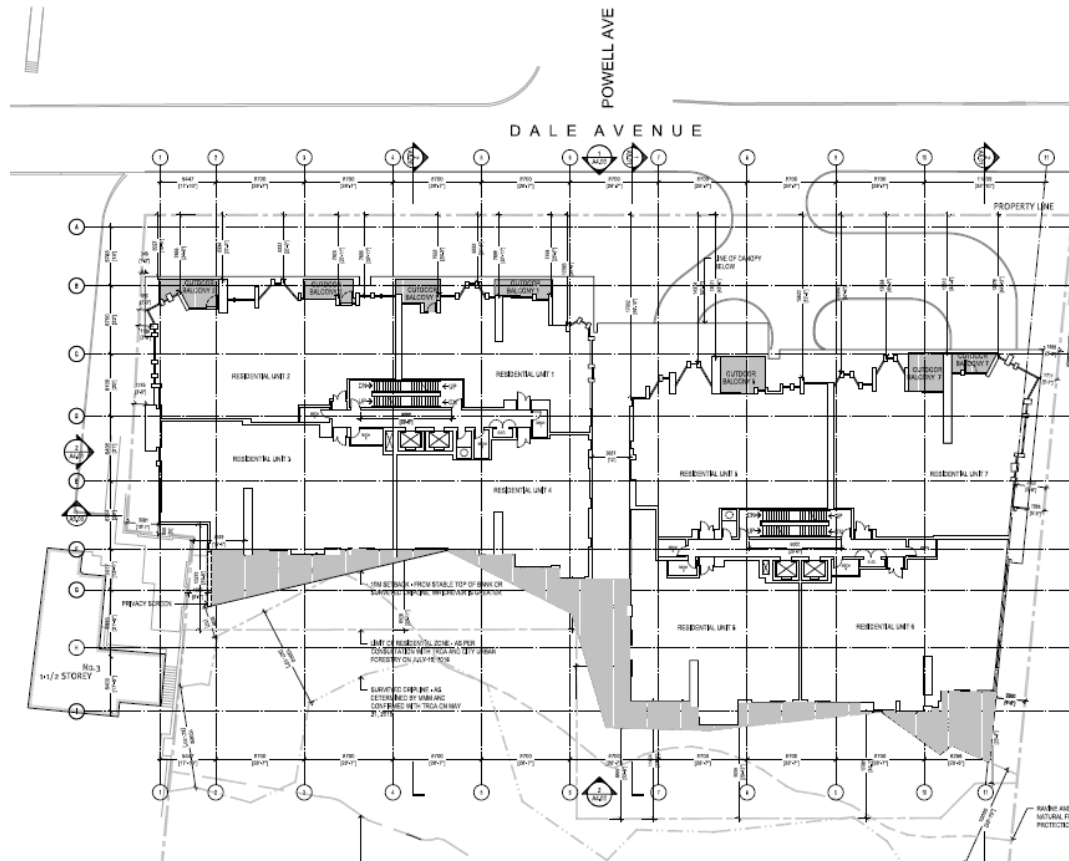


Ground Floor Plan (includes the Landscape Concept Plan)

DRAWINGS- 5, 7, and 9 Dale Avenue

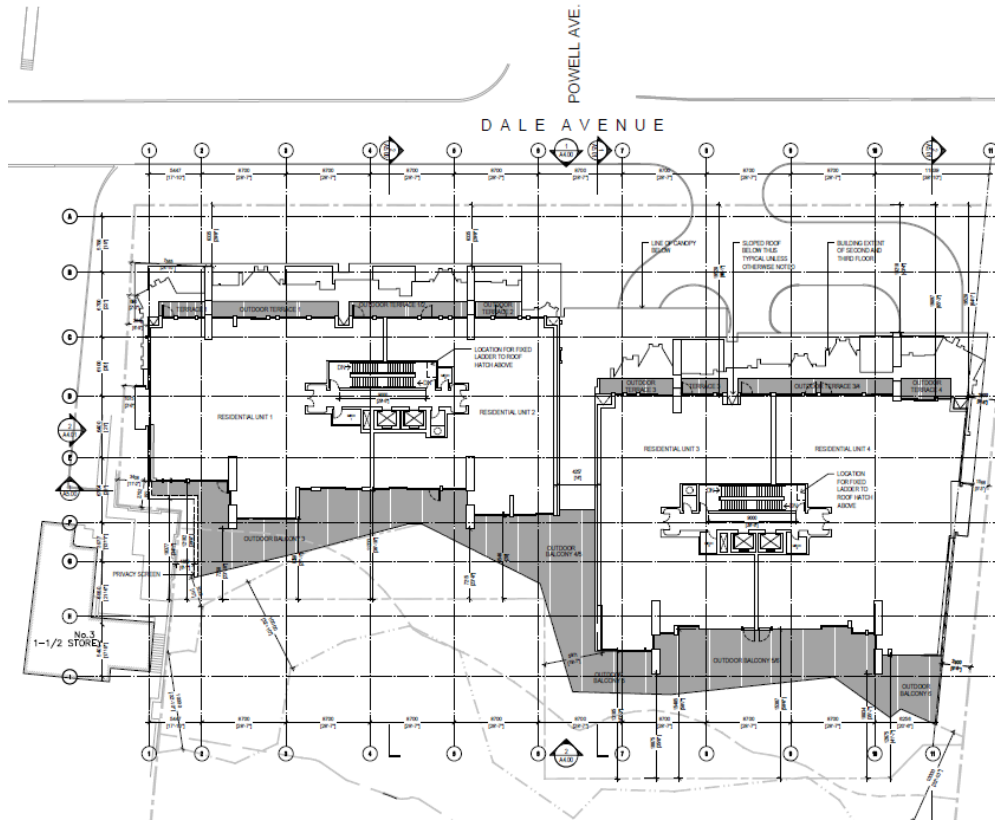


Second Floor Plan

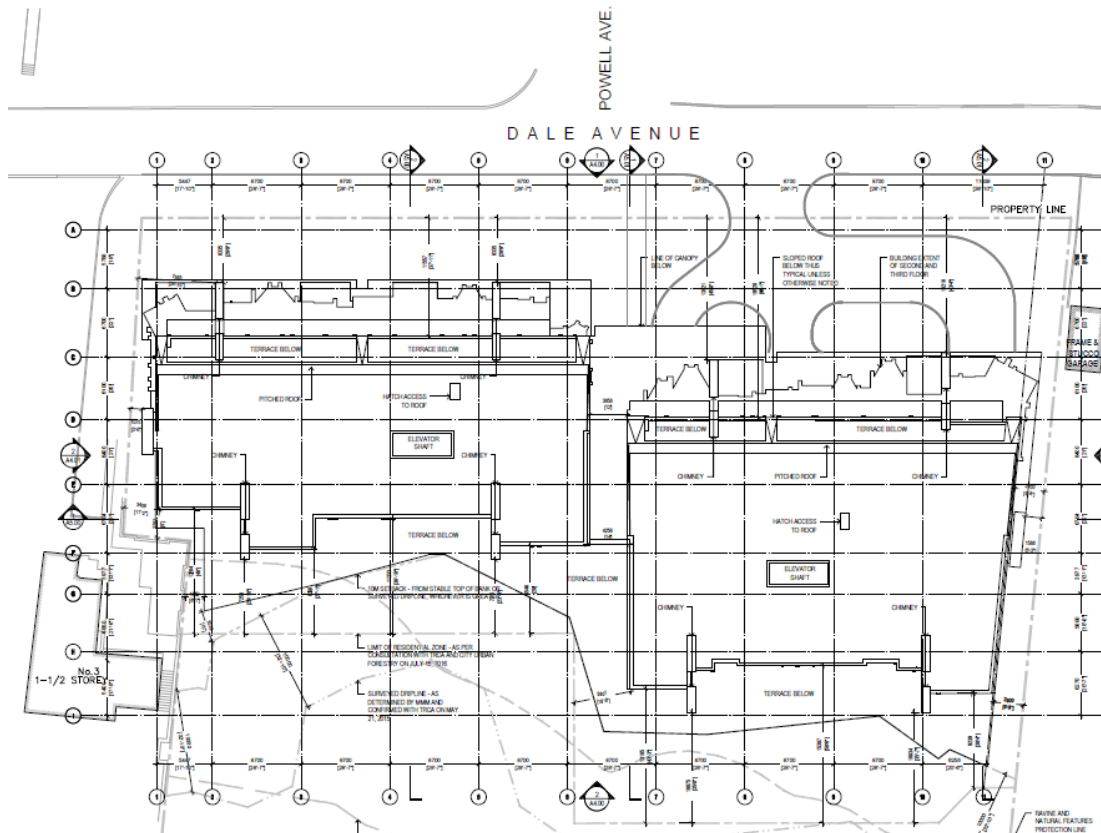


Third Floor Plan

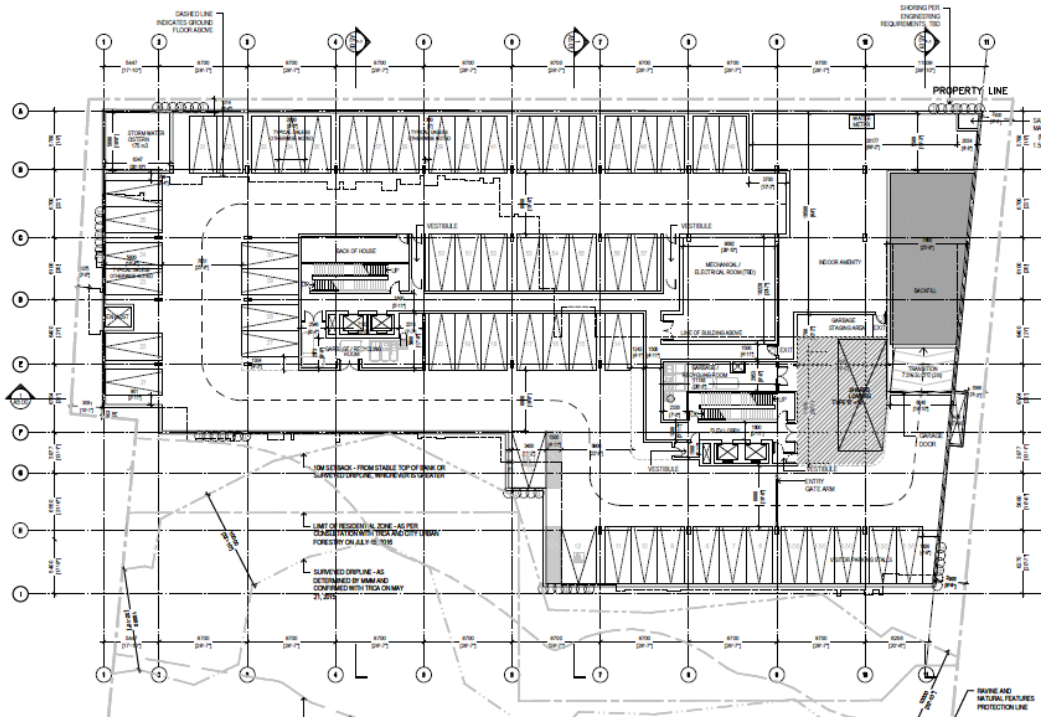
DRAWINGS- 5, 7, and 9 Dale Avenue



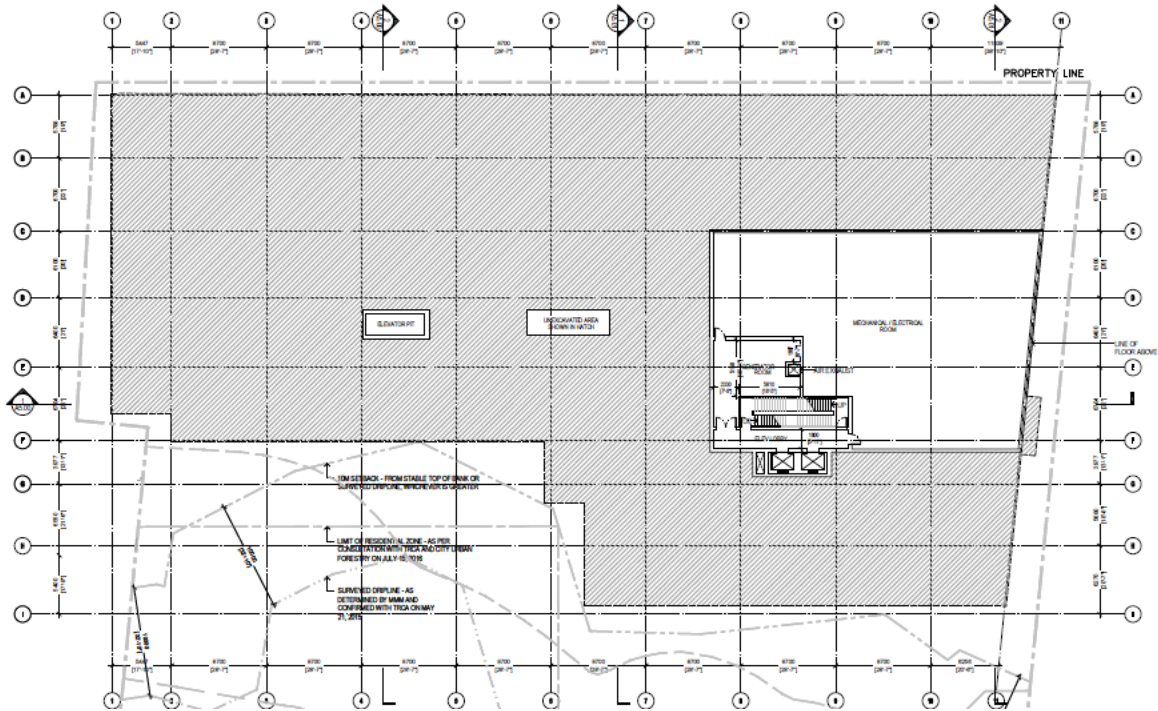
Fourth Floor Plan



Roof Plan

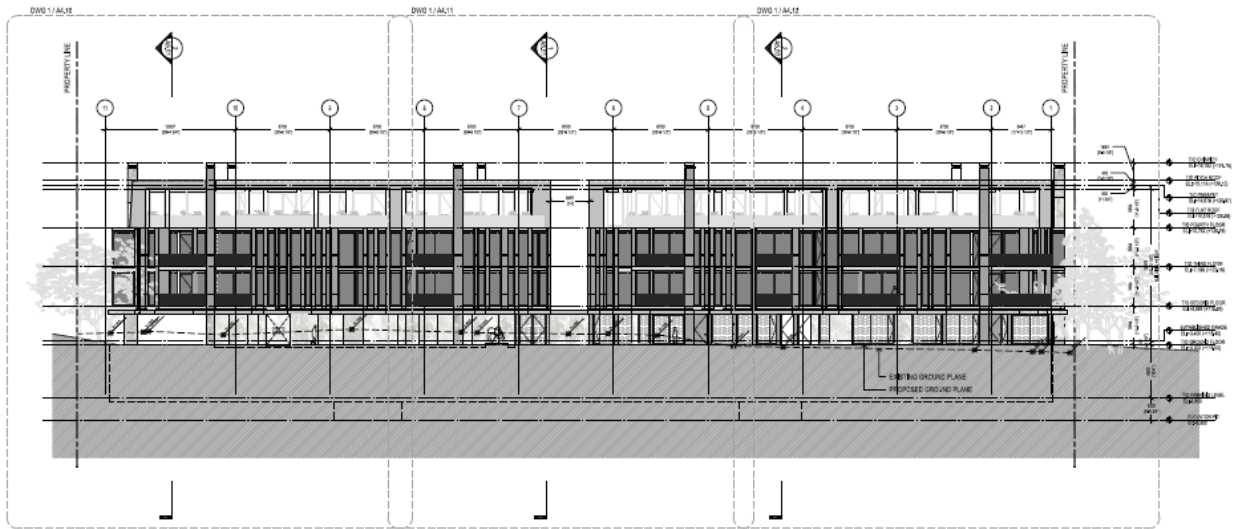


Parking Plan 1

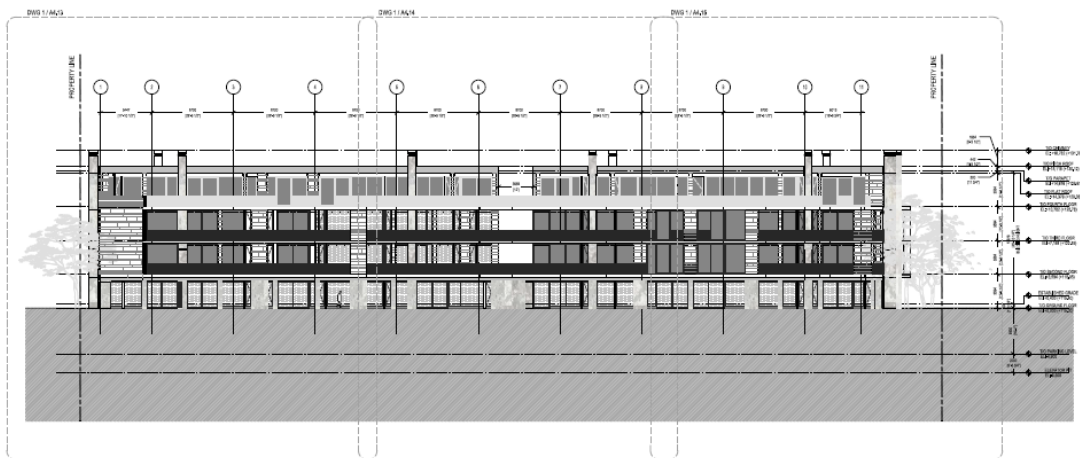


Parking Plan 2

DRAWINGS- 5, 7, and 9 Dale Avenue



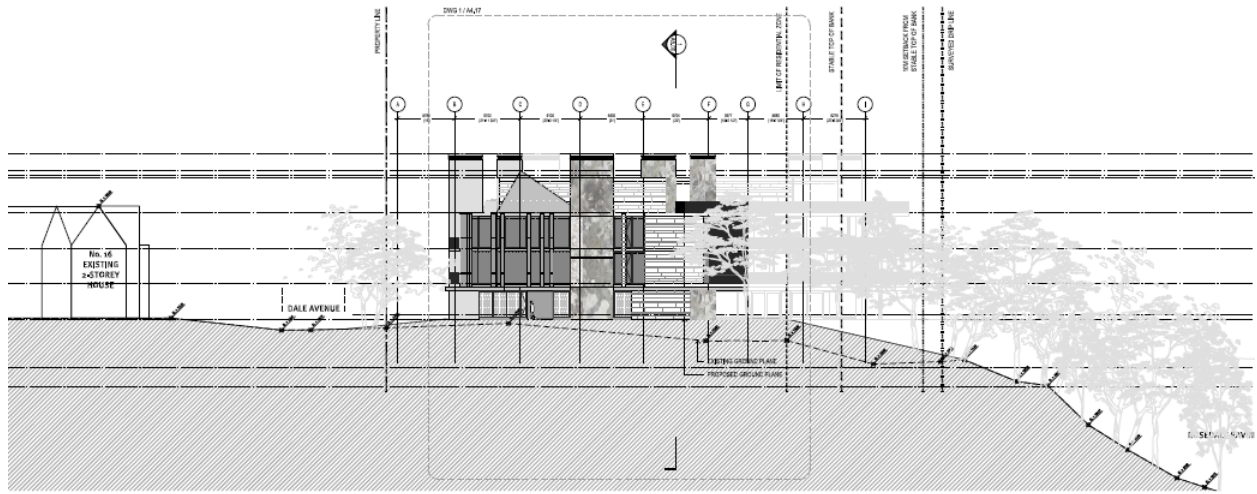
North Elevation



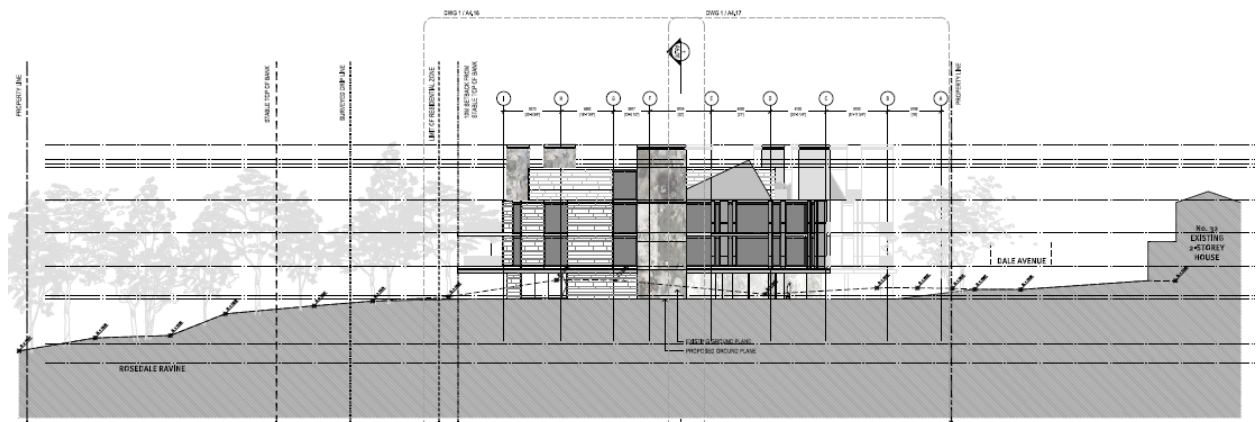
2 SOUTH ELEVATION
1:200

South Elevation

DRAWINGS- 5, 7, and 9 Dale Avenue



West Elevation



East Elevation

DRAWINGS- 5, 7, and 9 Dale Avenue

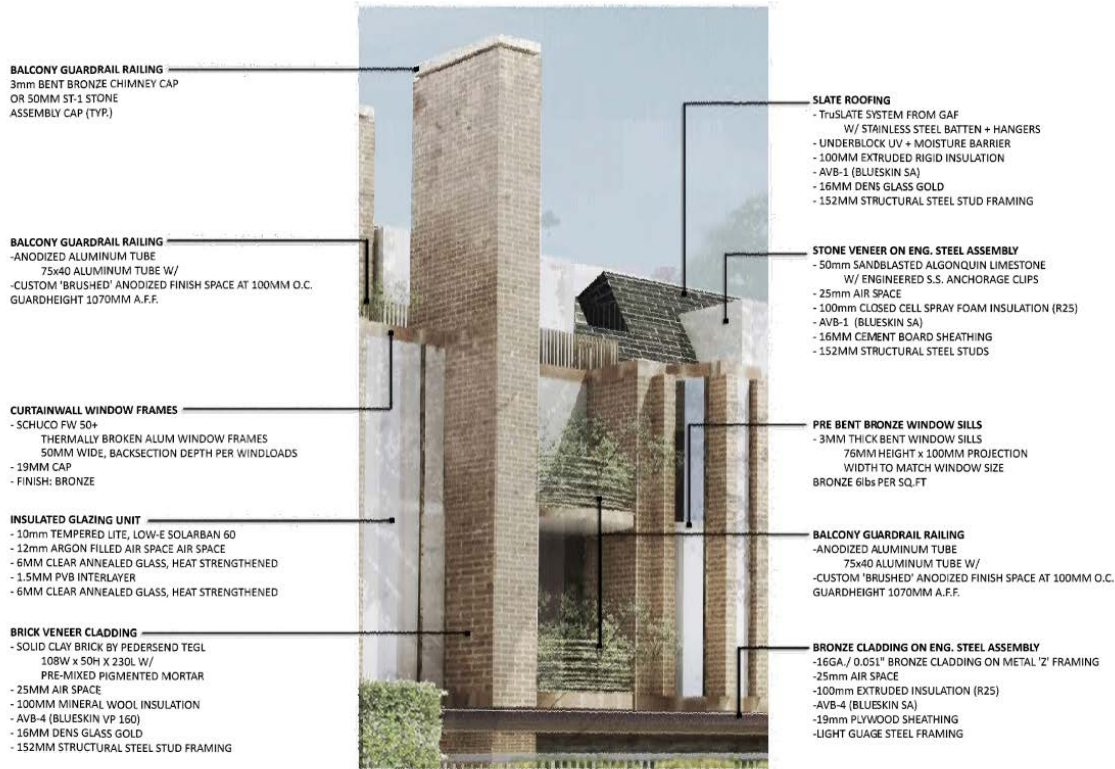


Perspective view looking southwest (Dale Avenue)



Perspective view looking northwest (rear)

DRAWINGS- 5, 7, and 9 Dale Avenue



Design Detail- Primary Elevation



Perspective view of proposal from Dale looking southwest