

Demolition of a Designated Heritage Property - 421 Roncesvalles Avenue

Date: March 8, 2018

To: Toronto Preservation Board
Toronto and East York Community Council

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

Wards: Ward 14 – Parkdale - High Park

SUMMARY

This report recommends that City Council refuse an application to demolish a heritage structure on the property at 421 Roncesvalles Avenue, which is designated by By-law No. 716-2017, enacted by City Council on August 23, 2017. The property at 421 Roncesvalles Avenue is designated under all three categories of cultural heritage value: design, associative and contextual.

Under the Act, if City Council fails to make a decision on the application within 90 days of issuing a Notice of Receipt of the application, the application is deemed to be permitted under Section 34 of the Ontario Heritage Act. Based on issuance of the Notice of Receipt, the applicant must be notified of Council's decision by May 11, 2018.

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 property at 421 Roncesvalles Avenue, in accordance with Section 34 of the Ontario Heritage Act.
2. If the owner appeals City Council's decision to refuse the issuance of a demolition permit under Section 34 of the Ontario Heritage Act for the heritage property at 421 Roncesvalles 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 January 31, 2017, City Council stated its intention to designate the property at 421 Roncesvalles Avenue under Part IV of the Ontario Heritage Act. The intention to designate was not subsequently appealed to the Conservation Review Board.

The property was designated by By-law No. 716-2017, enacted by City Council on August 23, 2017. The property at 421 Roncesvalles Avenue is designated under all three categories of cultural heritage value: design, associative and contextual.

<http://www.toronto.ca/legdocs/mmis/2017/pb/bgrd/backgroundfile-100515.pdf>

An application to amend the Zoning By-law for 421 Roncesvalles Avenue to permit the project on the property was submitted to the City on December 16, 2016.

On January 31 and February 1, 2018, City Council refused an application to alter the structure designated under Part IV of the Ontario Heritage Act for 421 Roncesvalles Avenue, in accordance with Section 33 of the Ontario Heritage Act, for the construction of a 26.1 metre tall (30 metres including mechanical penthouse) seven storey commercial and office building which would incorporate the two storey designated heritage property.

<https://www.toronto.ca/legdocs/mmis/2018/te/bgrd/backgroundfile-109928.pdf>

On January 31 and February 1, 2018 City Council directed that City staff attend the Ontario Municipal Board in opposition to the related Rezoning Application for 421 Roncesvalles Avenue made under the Planning Act.

<https://www.toronto.ca/legdocs/mmis/2018/te/bgrd/backgroundfile-110115.pdf>

ISSUE BACKGROUND

Development Proposal

A complete application for demolition has been received by the City under the Ontario Heritage Act to demolish a heritage structure on the property at 421 Roncesvalles Avenue. The applicant has subsequently been served with a Notice of Receipt in accordance with Section 34(4) of the Act. Council is required to issue a decision within 90 days of this date, which in this case is May 11, 2018.

Previous Proposal to Alter the Designated Property

On December 16, 2016 the property owner submitted an application to rezone the existing zoning by-law to allow for the construction of a seven storey office building on the site. This proposal involved the retention of the existing designated building including its interiors as part of the development. An addition was proposed to be constructed over the existing designated building, for a total height of seven storeys or 26.1 metres (30.1 metres including the mechanical penthouse).

Staff recommend refusal of the proposal in part because the massing of the new addition atop the designated heritage building, with insufficient step backs along the two primary elevations, would irrevocably alter its character-defining scale, form, massing and flat roof. The new addition was not visually compatible with the heritage property and clearly subsumes and subordinates the designated heritage property as seen from the public realm. Council refused the proposal to alter the heritage property, and directed that City staff attend the Ontario Municipal Board in opposition to the related Rezoning Application.

Statement of Cultural Heritage Value

The property at 421 Roncesvalles Avenue has design value as a well-crafted example of an early-20th century bank building with Edwardian Classical detailing inspired by Beaux-Arts principles that is part of a collection of surviving branch banks by Toronto architect, John M. Lyle. The custom design is distinguished by the classical detailing, including the main (west) entrance, as well as the extended cornice inscribed “The Dominion Bank” on the west and north elevations facing Roncesvalles and Howard Park avenues.

The association of the Dominion Bank Branch with the famed Toronto architect, John M. Lyle reflects the historical value of the property. The training that Lyle received at the École des Beaux Arts in France and in New York City influenced his subsequent portfolio in Toronto, including the Royal Alexandra Theatre (his first project in the city) and Union Station (in collaboration with other architects). Lyle was noted in particular for his work for major Canadian banks, where his firm designed nearly two dozen branches in Toronto for the Dominion Bank, including the subject building at 421 Roncesvalles Avenue.

Contextually, the property at 421 Roncesvalles Avenue supports and maintains the character of the street, which extends from Queen to Dundas streets and developed in the pre-World War I era as a major thoroughfare that marked the boundary between the formerly independent Town of Parkdale (east) and the established residential neighbourhood adjoining High Park (west). Highlighted with local landmarks, including the Revue Theatre (1912) and the Church of St. Vincent de Paul (1915-25) that are recognized on the City of Toronto’s Heritage Register, Roncesvalles Avenue is characterized by the blocks of residential properties along the west side of the street, opposite the mainly commercial buildings on the east side. The Dominion Bank Branch contributes to the character of the Roncesvalles Avenue with its corner location, positioned near the north end of the street, adjoining an important intersection and anchoring a block of commercial buildings that share its vintage, setback and scale.

The Dominion Bank Branch at 421 Roncesvalles Avenue is also visually and historically linked to its setting where it anchors the southeast corner of Howard Park Avenue, an important local street that provides a direct connection from Dundas Street West to High Park.

Heritage Attributes

The heritage attributes of the Dominion Bank Branch at 421 Roncesvalles Avenue are:

- The setback, placement and orientation of the building on the southeast corner of Roncesvalles Avenue and Howard Park Avenue
- The scale, form and massing of the building that rises two stories above the stone base
- The materials, with the red brick cladding and the brick and stone detailing
- The flat roofline, with the stone coping
- On the west elevation on Roncesvalles Avenue, the symmetrical organization with the central entrance, which is placed in the incised stone surround with the bracketed entablature and the sculpted frieze
- On the west and north elevations, the stone cornice dividing the first and second stories, the flat-headed window openings with the large single openings in the first floor, the small paired openings in the second floor, and the brick flat arches with the stone corner blocks
- The secondary entrance on the north elevation on Howard Park Avenue, with the flat-headed surround and the brick and stone detailing
- The classical detailing, with the stone quoins and, extending across the west and north elevations, the large stone cornice inscribed "The Dominion Bank"

Policy Framework

Ontario Heritage Act

Section 34 (1) of the Ontario Heritage Act (OHA) states that no owner of a property designated under Section 29 shall demolish or remove a building or structure on the property or permit the demolition or removal of a building or structure on the property unless the owner applies to the council of the municipality in which the property is situated and receives consent in writing to the demolition or removal. After receiving a complete application for demolition, City Council is required to issue a Notice of Receipt to the applicant. Within 90 days of issuing the notice of receipt, City Council must issue a decision, or else council will be deemed to have consented to the application.

Section 34.1 (1) indicates that if Council refuses the permit applied for, or gives the permit with terms and conditions attached, the owner of the property may appeal the decision to the Ontario Municipal Board (OMB).

Growth Plan, Provincial Policy Statement and the Planning Act

The Growth Plan, Planning Act and associated Provincial Policy Statement guide development in the Province. Under the Planning Act, section 2 (d) the "conservation of features of significant architectural, cultural, historical, archaeological or scientific interest" is a matter of Provincial interest. The Provincial Policy Statement is issued under 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, 2014 (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.

Policy 2.6.1 of the PPS reads "Significant built heritage resources and significant cultural heritage landscapes shall be conserved."

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 which states that cultural heritage resources will be conserved in order to foster a sense of place and benefit communities. All decisions by Council affecting land use planning matters are required by the Planning Act, to conform, or not conflict, as the case may be, with the Growth Plan.

Official Plan

Section 3.1.5 of the Official Plan contains a series of heritage conservation policies that apply to the subject property. These include:

Policy 3.1.5.4 directs that 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 as adopted by Council.

Policy 3.1.5.5 directs that proposed alterations, development, and/or public works 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 3.1.5.6 states that the adaptive re-use of properties on the Heritage Register is encouraged consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada.

Policy 3.1.5.26 states that 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.

Standards and Guidelines for the Conservation of Historic Places in Canada

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

<http://www.toronto.ca/legdocs/mmis/2008/cc/decisions/2008-03-03-cc17-dd.pdf>

The Standards & Guidelines include a set of 9 fundamental standards for the Preservation of heritage properties. The standards establish a philosophical framework and a set of general principles to guide conservation work. All nine of standards apply to the proposed demolition of 421 Roncesvalles Avenue. These include:

- Conserve the heritage value of an historic place. Do not remove, replace or substantially alter its intact or repairable character-defining elements. Do not move a part of an historic place if its current location is a character-defining element.
- Conserve heritage value by adopting an approach calling for minimal intervention.
- Find a use for an historic place that requires minimal or no change to its character-defining elements.
- Evaluate the existing condition of character defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.

COMMENTS

Proposal to Demolish

The applicant's demolition application to Heritage Preservation Services under the Ontario Heritage Act indicates removal of the entire heritage property at 421 Roncesvalles Avenue. The application sets out the reason for the demolition request as, "to construct a new development on the subject site."

The plans submitted with the December 16, 2016 rezoning application proposed the alteration of the designated property. The applicant has not submitted subsequent drawings related to the rezoning application, now before the Ontario Municipal Board, that show the manner in which the project would be modified relative to the current proposal to demolish the designated property.

The Condition Assessment, required as a component of the demolition application, was submitted with the application and issued by ERA Architects Inc. on January 31, 2018. This assessment reviewed the condition of all exterior elevations, extending from grade to roof. Generally, the findings of the assessment found the building to be in condition that supposed the structure as functioning as intended.

The City reviewed the application and Notice of Receipt was served on the applicant. In accordance with the provisions of the Ontario Heritage Act s.34(4), Council is required to issue a decision within 90 days of this date, which in this case is May 11, 2018.

CONCLUSION

The demolition of the heritage property will remove all vestiges of the site's cultural heritage value or integrity. Demolition is contrary to the intent of the PPS, the Official Plan, and the Standards and Guidelines for the Conservation of Historic Places in Canada. As the property is a significant built heritage resource it should be conserved.

Staff recommend that Council refuse the proposed demolition application for the reasons outlined in this report.

CONTACT

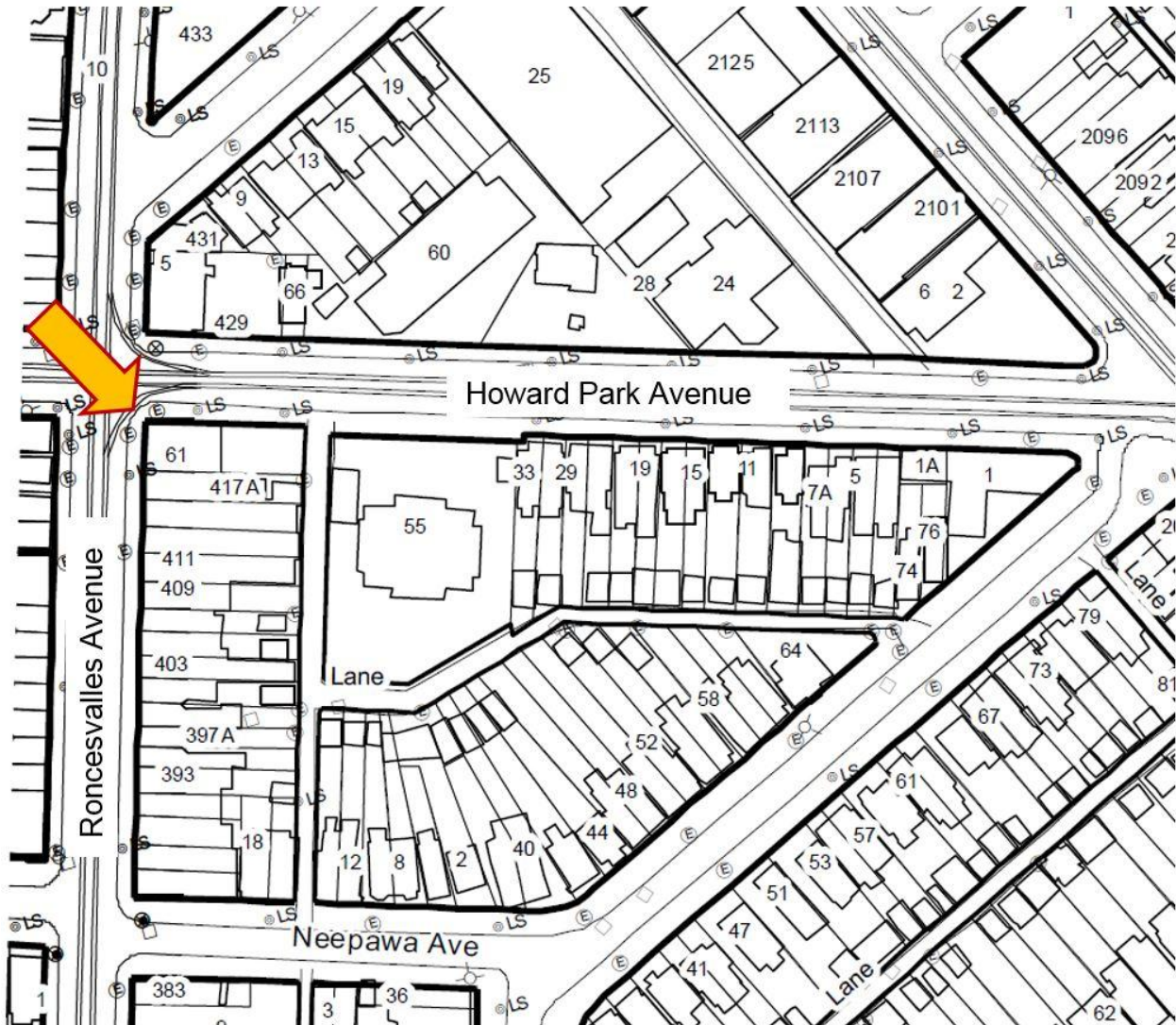
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SIGNATURE

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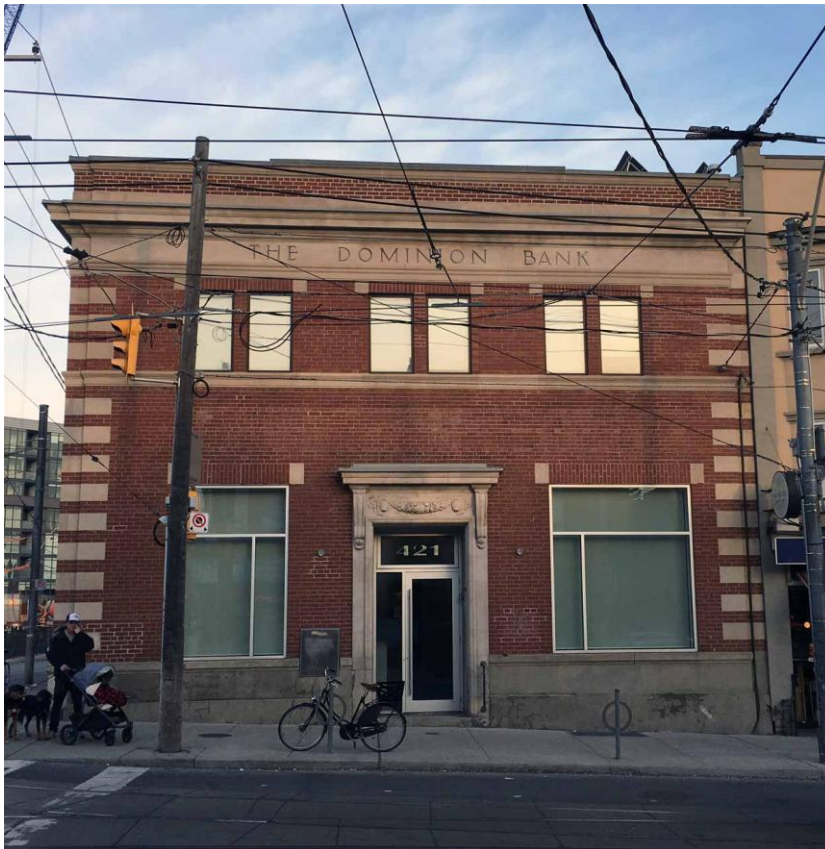
ATTACHMENTS

Attachment 1 - Location Map
Attachment 2 - Photographs: west and south elevations



This location map is for information purposes only; the exact boundaries of the property are not shown.

The arrow marks the location of the site at 421 Roncesvalles Avenue (including the address at 61 Howard Park Avenue).



Current photographs of the property at 421 Roncesvalles Avenue showing its context on the southeast corner of Howard Park Avenue (above) and the principal (west) elevation of the Dominion Bank Branch (below)