

Alterations to a Structure within the South Rosedale Heritage Conservation District - 31 Maple Avenue

Date: September 19, 2022

To: City Council

From: Chief Planner and Executive Director, City Planning

Wards: Ward 11 - University-Rosedale

SUMMARY

This report recommends that City Council approve alterations to a "C" rated building within the South Rosedale Heritage Conservation District (SRHCD). The alterations include the demolition of a single storey conservatory and its replacement with a three storey side addition and a new front porch roof. This property is designated under Part V of the Ontario Heritage Act and the building on the subject property at 31 Maple Avenue has a "C" rating within the SRHCD Plan. Category "C" rated buildings are noted as having contextual value and contributing to the heritage character of South Rosedale.

Heritage Planning considers that the proposed alterations meet the general intent of the SRHCD Plan's guidelines and would not detract from nearby rated heritage buildings in the immediate context. The South Rosedale Residents' Association however does not support the application, objecting to the demolition of the existing single storey conservatory and to the proposed three storey side addition.

The addition was the subject of a minor variance application that was approved by the Toronto Local Appeal Board (TLAB) in 2021. Despite the granting of the minor variance, the alterations to the property require Council approval in accordance with Section 42 of the Ontario Heritage Act.

RECOMMENDATIONS

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

1. City Council approve the alterations to the heritage building at 31 Maple Avenue, in accordance with Section 42 of the Ontario Heritage Act subject to the following:

- a. The final plans and drawings submitted for both building and heritage permits shall be substantially in accordance with approved plans and elevations

submitted by the applicant and prepared by Goudar Architects, dated July 25, 2022 on file with, and to the satisfaction of the Senior Manager, Heritage Planning.

b. That prior to the issuance of any heritage permit for the property at 31 Maple Avenue, but excluding permits for interior work, repairs and maintenance and usual and minor works for the existing "C" rated building as are acceptable to the Senior Manager, Heritage Planning, the applicant provide the following to the satisfaction of the Senior Manager, Heritage Planning:

1. Final building permit drawings for the proposed alterations consistent with the plans and elevations submitted by the applicant and prepared by Goudar Architects, dated July 25, 2022.

FINANCIAL IMPACT

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

DECISION HISTORY

In 2012 a minor variance and a consent application to sever a rear portion of the property at 31 Maple Avenue to use the existing coach house on a separate, undersized lot was refused permission.

In 2015 permission was granted via staff delegated authority under Section 42 of the Ontario Heritage Act for alterations to the property at 31 Maple Avenue. These changes included removal of side windows from a ground floor conservatory and alterations in connection with the construction of a rear addition and side deck. These alterations included the removal of a rear stair and rear porch, part of the rear back wall and the removal of a rear chimney. The construction of a concrete wall around a new rear deck was also approved.

In 2015 permission was granted via staff delegated authority under Section 42 of the Ontario Heritage Act for a pool fence enclosure at the rear of the house at 31 Maple Avenue which included a masonry fence along the part of lot line with 29 Maple Avenue.

In 2020 the Toronto Local Appeal Board (TLAB) approved a minor variance application related to the construction of a three storey side addition at 31 Maple Avenue. This approval included conditions requiring the owner to apply for and obtain permission under Section 42 of the Ontario Heritage Act for the proposals and for the addition to be substantially in accordance with plans submitted by Goudar Architects.

BACKGROUND

Heritage Policy Framework

Provincial Policy Statement and Planning Act

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. Section 2(d) specifically refers to "the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest."

The Provincial Policy Statement, 2020 (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. Key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. The Planning Act requires that City Council's decisions affecting land use planning matters "be consistent with" the Provincial Policy Statement.

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 under the Ontario Heritage Act."

Policy 2.6.3 of the PPS directs that "planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved."

Growth Plan

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe region. The policies of the Growth Plan (2020) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform to the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform to the Growth Plan.

Policy 4.2.7.1 of the Growth Plan states that "Cultural Heritage Resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas."

City of Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan. The Plan provides the policy framework for heritage conservation in the City. Relevant policies include:

3.1.5.3. Heritage properties of cultural heritage value or interest, including Heritage Conservation Districts and archaeological sites that are publicly known will be protected by being designated under the Ontario Heritage Act and/or included on the Heritage Register.

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.

3.1.5.5. 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, prior to work commencing on the property and to the satisfaction of the City.

3.1.5.7. Prior to undertaking an approved alteration to a property on the Heritage Register, the property will be recorded and documented by the owner, to the satisfaction of the City.

3.1.5.22. Heritage Impact Assessment will address all applicable heritage conservation policies of the Official Plan and the assessment will demonstrate conservation options and mitigation measures consistent with those policies. A Heritage Impact Assessment shall be considered when determining how a heritage property is to be conserved.

3.1.5.23. Heritage Impact Assessment will evaluate the impact of a proposed alteration to a property on the Heritage Register, and/or to properties adjacent to a property on the Heritage Register, to the satisfaction of the City.

3.1.5.25. In addition to a Heritage Impact Assessment, the City may request a Heritage Property Conservation Plan to address in detail the conservation treatments for the subject heritage property. The City may also request a Heritage Interpretation Plan to promote a heritage property or area, to the public.

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.

3.1.5.32. Impacts of site alterations, developments, municipal improvements, and/or public works within or adjacent to Heritage Conservation Districts will be assessed to ensure that the integrity of the districts' heritage values, attributes, and character are conserved. This assessment will be achieved through a Heritage Impact Assessment, consistent with Schedule 3 of the Official Plan, to the satisfaction of the City.

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.

Parks Canada Standards and Guidelines for Conservation of Historic Places in Canada

The Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada (Standards and Guidelines) is the official document guiding planning, stewardship and 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/en/pages/standards-normes.aspx>

South Rosedale Heritage Conservation District (SRHCD) Study

On February 4, 5 and 6, 2003 Toronto City Council adopted the SRHCD under Part V, Section 42 of the Ontario Heritage Act, and on February 7, 2003 By-Law 115-2003 was enacted which brought the HCD into force and effect. The SRHCD Plan includes a rating for the heritage buildings within South Rosedale. Category "A" buildings are of national or provincial significance, category "B" buildings are of potential city wide significance and category "C" buildings are of contextual value as they contribute to the heritage character of the district. The subject property at 31 Maple Avenue is a category "C" building.

The SRHCD Study notes that the intent of the guidelines is to ensure that alterations and new development "enhances and sustains the unique character of South Rosedale as defined in the Heritage Character Statement..." of the study. The South Rosedale Heritage Character Statements note the importance of the district's curvilinear street pattern with picturesque gardens that give varied views of the buildings. It emphasizes both the variety and quality of architectural styles that are present and the importance of the "park like quality" of the landscape created by the varied canopy of trees and shrubs. Section 5.3.2 includes the guidelines for alterations and additions to heritage buildings within the HCD plan area. This states:

"A. Alterations and additions to heritage buildings should maintain or enhance rather than detract from the existing architectural style and character of the building and those surrounding it. To this end:

- Reasonable effort should be taken to repair rather than replace significant architectural elements.
- The building should be examined carefully, together with buildings of similar architectural style, to determine what changes have already occurred before commencing an alteration or addition. If architectural elements have been removed from the building, it may be attractive and feasible, although not necessary, to re-introduce these missing elements as part of a proposed alteration. Porches, original doors and window sashes are examples of these elements.
- Using heritage buildings in the district and the building concerned as a guide, alterations and additions should be consistent with their size, scale, proportion and level of detail.
- No alteration or addition should visually overwhelm the building in question or neighbouring buildings.

- Alterations and additions should, to the extent reasonable, maximize the use of materials that predominate in the building concerned or in buildings of similar architectural style in the area.
- Existing wall to window ratio and proportion should, in general, not be materially altered.
- Windows, doors and details should relate in scale and proportion to those of the existing building.
- The height of an addition generally should not exceed the height of the ridge of an existing sloping roof or the height of the existing roof or parapet.

B. The principles and guidelines in paragraph A need not apply to alterations and additions that do not have a significant visual impact when viewed from the street. "

Area Context

The subject property at 31 Maple Avenue is situated on the south side of Maple Avenue between Glen Road and Powell Avenue and opposite the intersection of Maple Avenue and Glen Road. It contains a large two and a half storey red brick house with a prominent front gable and a rear coach house. The house was constructed in 1900 to a design by the architect C. J. Gibson. It is noted as a "C" rated building within the SRNCD Plan meaning it is "of contextual significance" as it contributes to the "heritage character of South Rosedale". It is situated between two "B" rated buildings at 29 and 33 Maple Avenue.

Proposed Development

The proposal seeks permission under Section 42 of the Ontario Heritage Act to demolish an existing single storey conservatory that is attached to the rear of the Category C building. In its place a three storey side addition is proposed. This addition is located at the side of the existing house and is set back approximately 9m from the front of the house and over 20m from the front of the property, in the location of the existing conservatory. The addition has been designed in matching brick at ground and second floor levels with the third floor set back by a further 3m and clad in wood siding. The street facing windows relate to the size and scale of the windows on the front of the existing building. Heritage Planning have worked with the applicant to reduce the visual prominence of the addition by reducing the height of the roof and reducing the amount of glazing facing the street at the third floor level.

In addition, the applicant proposes to restore a porch roof to a verandah at the front of the building and to introduce mouldings to the windows on the front of the house. Retrospective approval is also being sought for a fence and gate posts as well as window and door alterations that have already taken place.

COMMENTS

The subject property at 31 Maple Avenue is not an individually designated building with a list of heritage attributes. It is a category "C" building that has contextual value within South Rosedale and is therefore not subject to strict exterior guidelines beyond impacts

to the surrounding context. As such, Heritage Planning staff do not object to the removal of the existing conservatory as staff are of the opinion that the HCD Plan does not restrict the intervention. Whether the conservatory is original or not is unclear, although photographic evidence shows it has been in existence since at least 1913. The low level conservatory is set back a considerable distance from the street and its removal is not considered to have a "significant visual impact" when viewed from the street" or to detract from the unique character of South Rosedale, which are the primary policy considerations for the application.

The South Rosedale Residents Association objects in principle to the proposed three storey addition and does not support the removal of the conservatory. Communication from the SRRA states that the demolition and new construction would "drastically alter" 31 Maple Avenue; would detract from its architectural style and that of the neighbouring "B" rated buildings; would infill an "airy and open" view at the intersection of Glen and Maple Avenues; and would set a precedent for other three storey additions as well as the removal of existing gables and roof features.

The applicant has submitted a Heritage Impact Assessment that states the proposed addition is set back considerably from the street with the top floor being set back even further so that its overall mass will not overwhelm the main house or the adjacent house at 29 Maple Avenue. The heritage consultant is of the opinion that the addition is in line with the guidelines in the SRHCD Plan in that the proportions and details of the proposed addition have been designed to relate to the front of the house and that the "fenestration, woodwork, and masonry elements" use materials "that predominate at similar secondary building elements in the area."

Staff have worked with the applicant to reduce the visual impact of the proposed side addition in the following ways:

- The addition is set back a considerable distance from the street and the visual prominence within the streetscape of the heritage houses at 29 and 31 Maple Avenue are conserved;
- The originally proposed ornate "lantern" design for the third floor has been simplified;
- The originally proposed hipped roof of the new addition was removed from the design as it did not reflect the style of the existing house;
- The overall height of the addition has been reduced and the number of windows on the front elevation of the top floor addition has been limited to two.

Although the proposed addition is still large and visible from the street, the changes listed above will make the addition appear as a non-original recessed wing.

The SRHCD guidelines do not prohibit three storey side additions, but they do require additions and alterations to be "consistent" with the "size, scale, proportion and level of detail" of the heritage building in question. With regard to this primary guidance, the proposed addition is lower than the height of the ridge of the roof of the existing house as required and has been designed with windows, details and materials that relate to those of the existing house. This, together with its simplified design and setback position (approximately 9m back from the front of the house and over 20m from the front of the property) would mean that it would not visually overwhelm the existing building or its

neighbouring properties or detract from the existing architectural style and character of the existing heritage building as directed. The architectural style or character of the adjacent buildings will also not be affected by the proposal.

The proposed addition would infill part of the space between 29 and 31 Maple Avenue and would be visible from views along Glen Road, however the space between houses in South Rosedale is not noted in the SRHCD Plan as a heritage attribute of the district and the SRHCD plan does not include any protected sky views. The reinstatement of a roof over the front verandah is a welcome addition that would also reduce the visual impact of the proposed three storey side addition from the public realm.

The removal of a Flemish gable noted by the South Rosedale Residents Association is a feature towards the rear of the house at 31 Maple Avenue that is not readily visible from the street. As such its removal would not detract from the unique character of South Rosedale and is allowed within the District guidelines.

Changes to the windows have taken place to the house at 31 Maple Avenue in 2009 and 2015 without permission under Section 42 of the Ontario Heritage Act. These changes included new windows on the front façade and changes to windows, doors and a balcony in the side bay. The SRHCD Plan encourages the repair and retention of original features, such as original windows should be retained where possible. Heritage Planning does not have evidence regarding the appearance of the windows in question prior to the enactment of the Heritage Conservation District in 2003 nor is there any information to show whether the pre-2011 windows were original or not. The SRHCD Plan says that changes to heritage buildings that are visible from the public realm should "maintain or enhance rather than detract from the existing architectural style and character of the building and those surrounding it."

In the opinion of staff, the new front windows and third floor side bay window have not significantly changed the appearance of the house and are therefore considered to comply with this guideline. As such staff recommend that these changes be retrospectively approved. The proposed introduction of mouldings to the windows on the front of the house is considered an improvement. Images from Google suggest that in 2007 a small balcony existed in the side bay that was accessed through a door. This balcony does not appear to be original but sometime between 2007 and 2009 the doorway was converted into a window. In 2015 the balcony had been removed and by 2018 a new door had been reinstated and a "Juliet balcony" introduced. In addition, the ground floor door below the balcony was changed after 2012. These changes are visible from the public realm but are in a side bay and are not considered to detract from the "existing architectural style and character" of the house at 31 Maple Avenue or of those surrounding it. As such it is therefore recommended that these changes be retrospectively approved.

In 2015 a new driveway was installed with new gates and pillars were installed without getting prior approval under the Ontario Heritage Act. These changes are not considered to detract from the "existing architectural style and character" of the house at 31 Maple Avenue or of those surrounding it. As such it is therefore recommended that these changes be retrospectively approved.

CONCLUSION

Heritage Planning have reviewed the proposed three storey side addition against the policies in the City's Official Plan and the guidelines within the SRHCD Plan. The proposed addition, as stated above, is large but does not detract from the existing architectural style or character of the subject property and the relatively intact streetscape along Maple Avenue of mainly grand Edwardian houses set back with large front gardens containing landscaping that contribute towards the park-like setting of South Rosedale would remain.

Heritage Planning staff do not object to the proposed demolition of an existing conservatory at the property at 31 Maple Avenue as it is not considered to have a significant visual impact when viewed from the street. The form and design of the proposed three storey addition does not conflict with the guidelines within the SRHCD Plan. It is set back approximately 9m from the front of the category "C" house and has a simple form that would not overwhelm the existing house or the adjacent properties.

CONTACT

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SIGNATURE

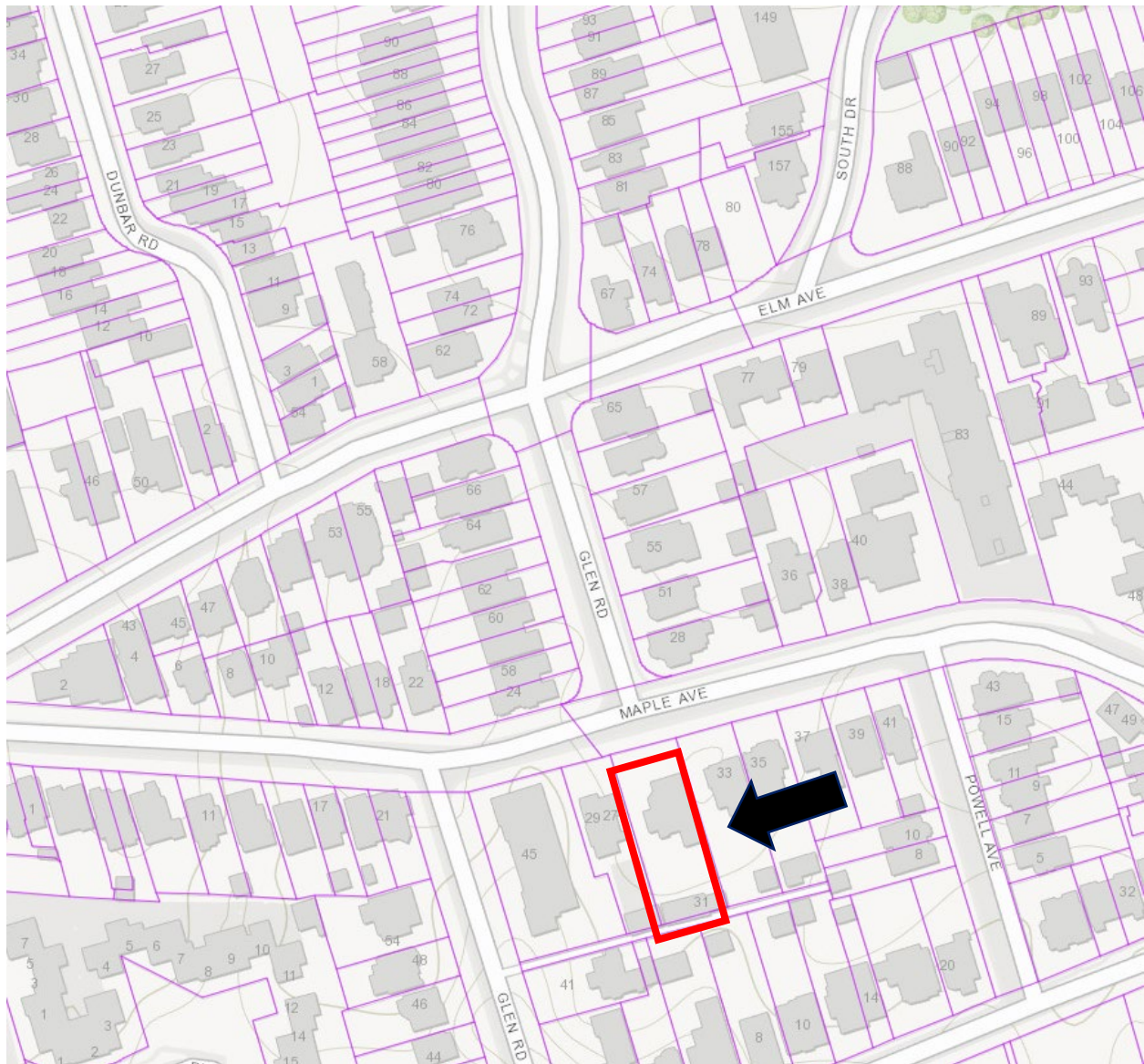
Gregg Lintern, MCIP, RPP
Chief Planner and Executive Director
City Planning

ATTACHMENTS

Attachment 1: Location Map
Attachment 2: Photographs of Existing Property
Attachment 3: Drawings of Proposal

Location Map:
31 Maple Avenue

ATTACHMENT 1



Location of the property at 31 Maple Avenue is indicated by the arrow. Note: This location map is for information purposes only; the exact boundaries of the property is not shown. North is located at the top of the map. (City of Toronto mapping.)

Photographs of Existing Property

ATTACHMENT 2



Photographs of 31 Maple Avenue (from Heritage Impact Assessment by Allan Killin Architect, March 17, 2022)



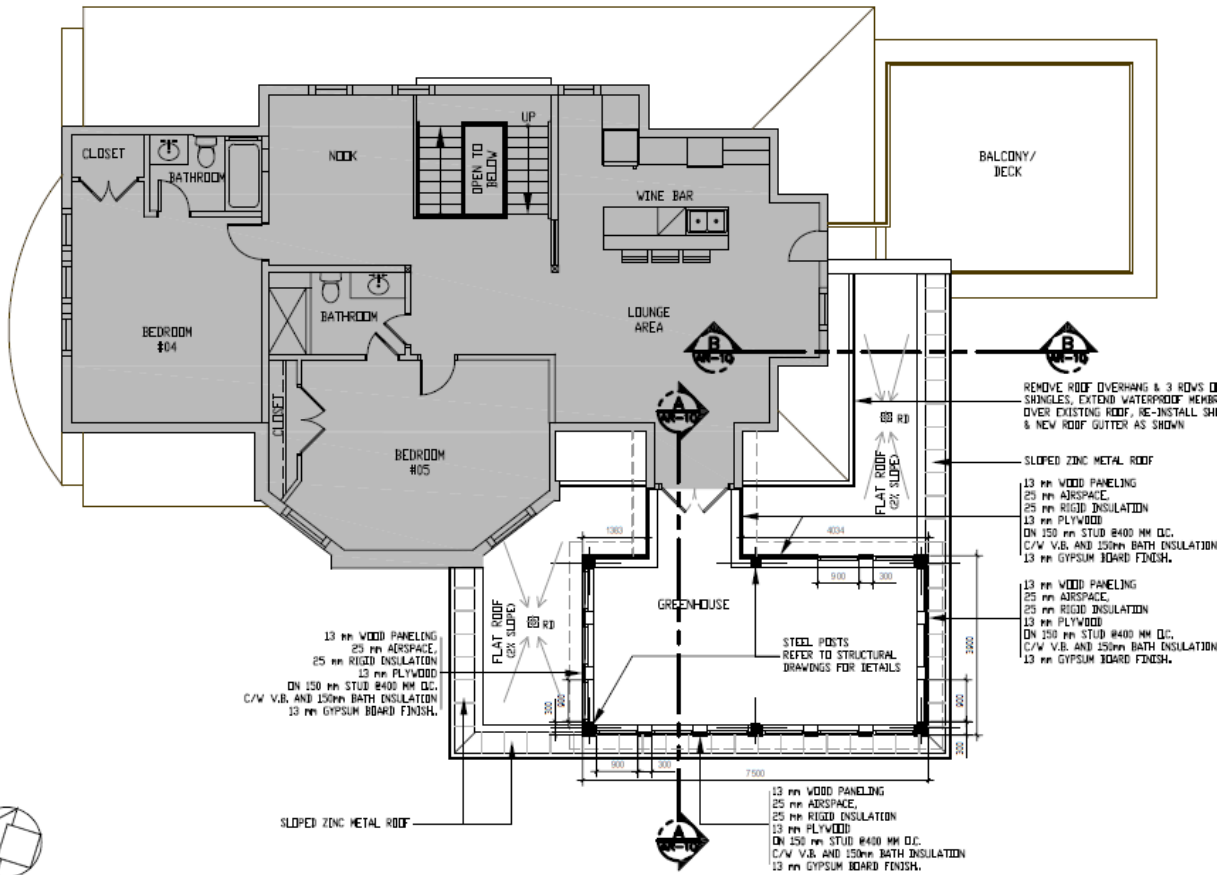
View of 33, 31 and 29 and 33 Maple Avenue from Glen Road with 31 Maple Avenue marked by an arrow (Google)



View of 29 and 31 Maple Avenue with existing conservatory marked by an arrow (Google)







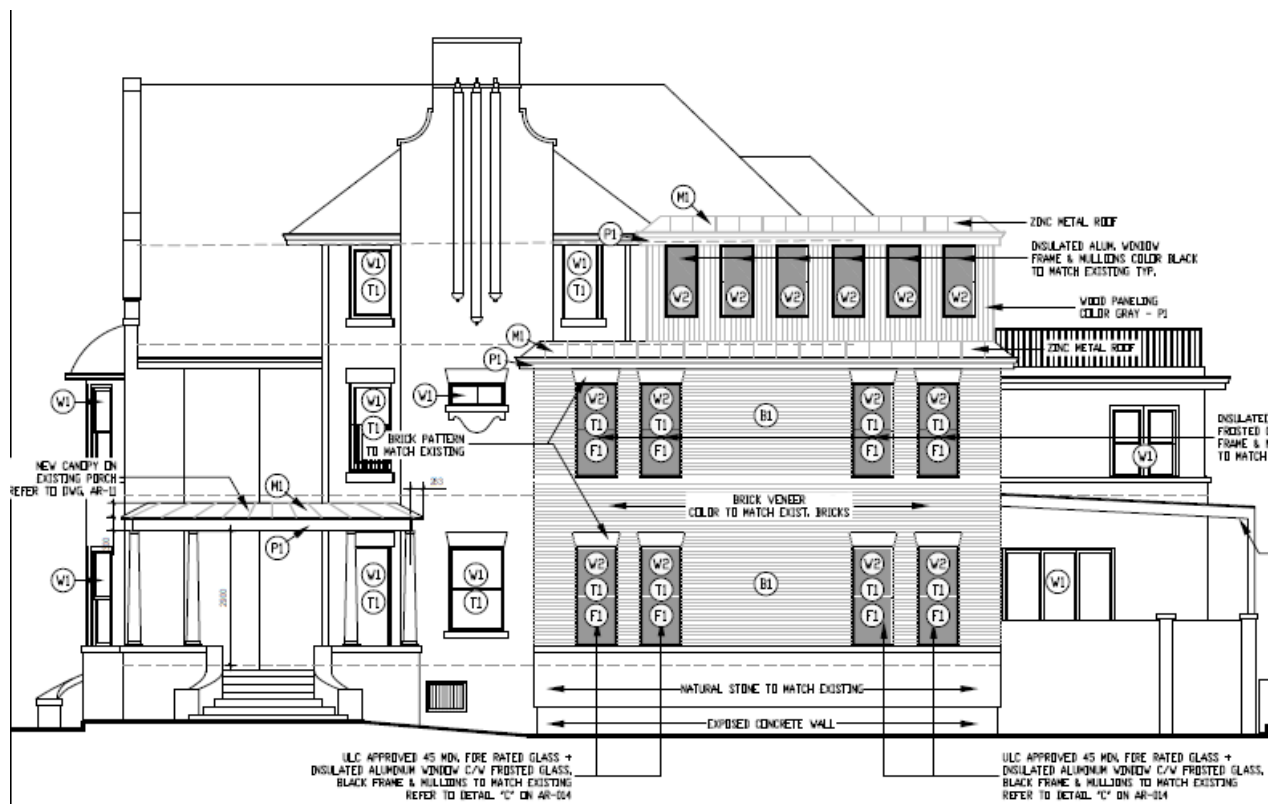
Proposed Third Floor Plan



Front Elevation



Elevation as approved by the Toronto Local Appeal Board in 2020



Side Elevation



Side Elevation as approved by the Toronto Local Appeal Board in 2020