

## **171 Lowther Avenue - Alterations to a Heritage Property and Authority to Enter into a Heritage Easement Agreement**

**Date:** March 7, 2024

**To:** Toronto Preservation Board

Toronto and East York Community Council

**From:** Acting Senior Manager, Heritage Planning, Urban Design, City Planning

**Wards:** 11 – University-Rosedale

### **SUMMARY**

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This report recommends that City Council approve the proposed alterations to the designated property at 171 Lowther Avenue in connection with the proposed redevelopment of the site and grant authority to enter into a Heritage Easement Agreement for the property.

The subject property at 171 Lowther Avenue is within the West Annex neighbourhood, located mid-block on the south side of Lowther Avenue, between Walmer Road and Dalton Street. Constructed between 1901 and 1902, it is a representative example of an early twentieth century residential structure blending elements of the Queen Anne Revival and Edwardian Classicism styles. The property was designated under Part IV of the Ontario Heritage Act through By-law 102-2024 enacted February 7, 2024.

In conjunction with an Official Plan and Zoning Amendment Application (23 223597 STE 11 OZ), the redevelopment proposes an 11-storey residential building containing 64 units at 171-175 Lowther Avenue. The new construction connects to the southwest corner of the heritage building, which would be integrated into the new development for residential and amenity uses. The upper floors of the building are stepped back approximately 10.7 metres from the face of the heritage building and is free of projections. The heritage building's principal façade and front half of the east and west elevations which contain the property's heritage attributes, will be retained in-situ, with the latter half of east and west elevations and roof to be reconstructed.

This report recommends that City Council approve the proposed alterations for the heritage property at 171 Lowther Avenue. Staff are satisfied that the impacts have been appropriately mitigated through the overall proposed conservation strategy and that the cultural heritage values, attributes, and character of the designated heritage property at 171 Lowther Avenue will be conserved.

## RECOMMENDATIONS

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The Acting Senior Manager, Heritage Planning, Urban Design, City Planning recommends that:

1. City Council approve the alterations to the heritage property at 171 Lowther Avenue in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of an 11-storey residential building, with such alterations substantially in accordance with plans and drawings dated October 26, 2023, prepared by Gabriel Fain Architects Inc. and on file with the Senior Manager, Heritage Planning; and the Heritage Impact Assessment for 171 Lowther Avenue dated October 30, 2023 prepared by Goldsmith Borgal & Company Ltd. Architects, and on file with the Senior Manager, Heritage Planning, all subject to and in accordance with a Conservation Plan satisfactory to the Senior Manager, Heritage Planning and subject to conditions as set out below:

a. That the related site specific Official Plan Amendment and Zoning By-law Amendment giving rise to the proposed alterations have been enacted by the City Council and have come into full force and effect in a form and with content acceptable to the City Council, as determined by the Chief Planner and Executive Director, City Planning, in consultation with the Senior Manager, Heritage Planning.

b. That the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the property at 171 Lowther Avenue in accordance with the plans and drawings dated October 26, 2023, prepared by Gabriel Fain Architects Inc., and on file with the Senior Manager, Heritage Planning, the Heritage Impact Assessment for 171 Lowther Avenue dated October 30, 2023 prepared by Goldsmith Borgal & Company Ltd. Architects, and in accordance with the Conservation Plan required in Recommendation 1.b.2 below to the satisfaction of the Senior Manager, Heritage Planning including registration of such agreement to the satisfaction of the City Solicitor;

2. Provide a detailed Conservation Plan prepared by a qualified heritage consultant that is substantially in accordance with the conservation strategy set out in the Heritage Impact Assessment for 171 Lowther Avenue dated October 30, 2023 prepared by Goldsmith Borgal & Company Ltd. Architects, to the satisfaction of the Senior Manager, Heritage Planning.

c. That prior to final Site Plan approval for the proposed Official Plan Amendment and Zoning By-law Amendment by City Council, for the property located at 171 Lowther Avenue the owner shall:

1. Provide final Site Plan drawings including drawings related to the approved Conservation Plan required in Recommendation 1.b.2 to the satisfaction of the Senior Manager, Heritage Planning.
2. Have obtained final approval for the necessary Zoning By-law Amendment required for the subject property, such Amendment to have come into full force and effect.
3. Provide an Interpretation Plan for the subject property, to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning.
4. Provide a Heritage Lighting Plan that describes how the heritage property will be sensitively illuminated to enhance its heritage character to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager Heritage Planning.
5. Provide a detailed Landscape Plan for the subject property, satisfactory to the Senior Manager, Heritage Planning.

d. That prior to the issuance of any permit for all or any part of the property at 171 Lowther Avenue, including a heritage permit or a building permit, but excluding permits for repairs and maintenance and usual and minor works for the existing heritage building as are acceptable to the Senior Manager, Heritage Planning, the owner shall:

1. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 1.b.2 above including a description of materials and finishes, to be prepared by the project architect and a qualified heritage consultant to the satisfaction of the Senior Manager, Heritage Planning.
2. Provide a Letter of Credit, including provision for upwards indexing in a form and amount and from a bank satisfactory to the Senior Manager, Heritage Planning to secure all work included in the approved Conservation Plan and Interpretation Plan.

e. That prior to the release of the Letter of Credit required in Recommendation 1.d.2 above, the owner shall:

1. Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work, required heritage lighting work, and the required interpretive work has been completed in accordance with the Conservation Plan and Interpretation Plan and that an appropriate standard of conservation has

been maintained, all to the satisfaction of the Senior Manager, Heritage Planning.

2. Provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Planning.

2. City Council authorize the entering into of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of 171 Lowther Avenue in a form and content satisfactory to the City Solicitor and the Chief Planner and Executive Director, City Planning.

3. City Council authorize the City Solicitor to introduce the necessary Bill in Council authorizing the entering into of a Heritage Easement Agreement for the property at 171 Lowther Avenue.

## **FINANCIAL IMPACT**

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City Planning confirms there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact Section.

## **DECISION HISTORY**

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On July 19, 2023, City Council adopted the staff report TE6.32 that included the property at 171 Lowther Avenue on the City's Heritage Register.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.TE6.32>

On December 13, 2023, City Council considered an objection to the inclusion of the property at 171 Lowther Avenue on the City's Heritage Register.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.PH8.19>

On December 13, 2023, City Council stated its Intention to Designate the property at 171 Lowther Avenue under Part IV, Section 29 of the Ontario Heritage Act.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.CC13.27>

On February 7, 2024, City Council enacted Designation By-law 102-2024 for the property at 171 Lowther Avenue.

<https://www.toronto.ca/legdocs/bylaws/2024/law0102.pdf>

## **BACKGROUND**

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### **Area Context**

The subject property at 171 Lowther Avenue is located mid-block on the south side of Lowther Avenue, between Walmer Road and Dalton Street. It is within the West Annex neighbourhood, which is a residential area comprised of a collection of late nineteenth and early twentieth century single detached residential structures interspersed with mid-century low to high-rise apartment buildings. The area to the west and north of 171 Lowther is defined by single detached residences on small lots constructed between 1900 and 1910, while to the east, along Walmer Road, these larger residences are interspersed amongst low- to high-rise apartments buildings constructed between 1950 and 1970. The Walmer Road Baptist Church at 38 Walmer Road, a property also designated under Part IV of the Ontario Heritage Act, is located across the street from the subject property.

### **Heritage Property**

The property at 171 Lowther Avenue is a representative example of an early twentieth century residential structure blending elements of the Queen Anne Revival and Edwardian Classicism styles. This is evident in the pairing of decorative elements including curved Dutch gables, oriel and oeil-de-boeuf windows with simple massing and restrained brickwork, eschewing the exuberance of the late Victorian-Era in favour of understated elegance.

The property is important in maintaining and supporting the historic character of the West Annex neighbourhood which is defined by a mix of late nineteenth and early twentieth century residential structures and mid-century low- to high-rise apartment buildings. Constructed between 1901 and 1902 as a single detached residential structure as part of the first phase of the development of the West Annex, the property is historically linked to its surroundings. Converted to apartments in 1943, the property continues to maintain its appearance as a single detached residential structure.

The full Statement of Significance and list of heritage attributes can be found in Attachment 3.

### **Development Proposal**

In conjunction with an Official Plan and Zoning Amendment Application (23 223597 STE 11 OZ), the redevelopment proposes an 11-storey residential building containing 64 units at 171-175 Lowther Avenue. The existing residential structures at 173 and 175 Lowther Avenue will be demolished for the new construction. The designated heritage property at 171 Lowther Avenue is proposed to be substantially conserved and integrated into the redevelopment with a residential unit on the ground floor and amenity uses on the second floor.

The new building connects to the southwest corner of the heritage building. The principal façade of 171 Lowther Avenue and front half of the east and west elevations

will be retained in-situ, with the latter half of the east and west elevations and the roof to be dismantled and reconstructed. The three-storey base building connects to the heritage building with a glazed transition at grade. The upper floors of the building are stepped back approximately 10.7 metres from the face of the heritage building and is free of projections.

## **Heritage Planning 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) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part.

The Growth Plan (2020) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH 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.

## **City of Toronto Official Plan**

The Plan provides the policy framework for heritage conservation in the City. Relevant policies include the following:

3.1.6.4 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 as adopted by Council.

3.1.6.5 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. Where a Heritage Impact Assessment is required in Schedule 3 of the Official Plan, it will describe and assess the potential impacts and mitigation strategies for the proposed alteration, development or public work.

3.1.6.26 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.

3.1.6.27 Where it is supported by the cultural heritage values and attributes of a property on the Heritage Register, the conservation of whole or substantial portions of buildings, structures and landscapes on those properties is desirable and encouraged. The retention of facades alone is discouraged.

3.1.6.28 The owner of a designated heritage property will be encouraged to enter into a Heritage Easement Agreement where the City considers additional protection beyond designation desirable due to the location, proposed alteration, and/or the nature of that property.

## **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.

<http://www.historicplaces.ca/en/pages/standards-normes.aspx>

## **COMMENTS**

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### **Conservation Strategy**

Heritage Planning staff have reviewed the Heritage Impact Assessment submitted with the proposal prepared by GBCA Architects, dated October 30, 2023, and are supportive of the proposed conservation strategy for the building at 171 Lowther Avenue.

The development site comprises 171-175 Lowther Avenue. The properties at 173 and 175 Lowther Avenue, which are not included on the City's Heritage Register, are proposed to be demolished. The designated heritage property at 171 Lowther Avenue is proposed to be substantially conserved and integrated into the new development.

The principal façade of 171 Lowther Avenue and approximately 5.3m of the west and 6.5m of the east elevations, will be retained in-situ. The latter half of the east and west elevations and the roof are to be dismantled and reconstructed to accommodate for excavation and underground construction. The portion of the building to be retained in-situ contains the property's heritage attributes, including all attributes located on the principal elevation; the oriel window with leaded coloured glass, chimney and third storey fenestration on the east elevation; and the first storey oeil-de-boeuf window and northerly chimney on the west elevation. The cross-gable roof will be reconstructed based on its original design, with the removal of the later dormer additions.

The heritage building will comprise a residential unit on the ground floor and amenity uses on the second floor. The interior floorplates within 171 Lowther Avenue will be demolished for excavation. The ground floor and second floor floorplates will be reinstated. The exterior of the building will be subject to rehabilitation strategies that are to be secured in a future Conservation Plan, however anticipated actions include: cleaning and repairing of masonry; cleaning of existing windows; repairing of stained-glass windows; repairing, refinishing and repainting wood door; providing new metal gutters and downspouts and metal flashings; and repairing existing decorative metal cappings.

The proposed new building connects to the southwest corner of the heritage building with a generous stepback of approximately 10.7m to the face of the heritage building, that is free of projections. This will conserve the heritage building's scale, form and massing, and allow it to be perceived as a whole building within the new development. The design of the building is distinctly contemporary and draws reference from nearby modernist Annex apartment buildings designed by Uno Prii.

The new three-storey base building connects to the heritage building with a minimal glazed transition at grade. The base building has been designed to be compatible with the height, scale, and materiality of the adjacent heritage building and incorporates a playful interpretation of various historic architectural styles found within the Annex neighbourhood.

## **Conservation Plan**

Should Council approve the proposed conservation strategy, prior to the issuance of the first permit for the development, the owner should be required to submit a Conservation Plan for the work described in the Heritage Impact Assessment prepared by a qualified heritage professional to the satisfaction of the Senior Manager, Heritage Planning. The Conservation Plan should detail all of the recommended interventions and conservation work including any recommended restoration work, a detailed plan describing how the heritage building will be protected during construction, a schedule of short and long-term maintenance requirements and estimated costs for all conservation work.



## **Interpretation Plan**

Should Council approve the proposed conservation strategy, prior to final Site Plan approval, the applicant will be required to submit an Interpretation Plan to the satisfaction of the Senior Manager, Heritage Planning.

## **Heritage Lighting Plan**

The Heritage Lighting Plan should provide details of how the heritage features of the building at 171 Lowther Avenue will be lit so that its unique heritage character is highlighted.

## **Landscape Plan**

Staff is recommending that the applicant be required to provide a final Landscape Plan.

## **Heritage Easement Agreement**

Staff is recommending that the owner enter into a Heritage Easement Agreement to secure the long-term protection of 171 Lowther Avenue included in the development site.

## **CONCLUSION**

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Staff are supportive of the proposal to alter the property at 171 Lowther Avenue to allow for the construction of an 11-storey residential building. Staff support the proposed conservation strategy and are of the opinion that the proposal has been designed to conserve the cultural heritage values, attributes and character of the heritage property. As such, staff is satisfied the proposal meets the intent of the Planning Act, the Provincial Policy Statement, the Growth Plan (2020), and the City of Toronto's Official Plan heritage policies in conjunction with the Standards and Guidelines for the Conservation of Historic Places in Canada.

## **CONTACT**

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Urban Design, City Planning  
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## **SIGNATURE**

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Anne Fisher MCIP, RPP, MRTPI, CAHP  
Acting Senior Manager, Heritage Planning  
Urban Design, City Planning

## **ATTACHMENTS**

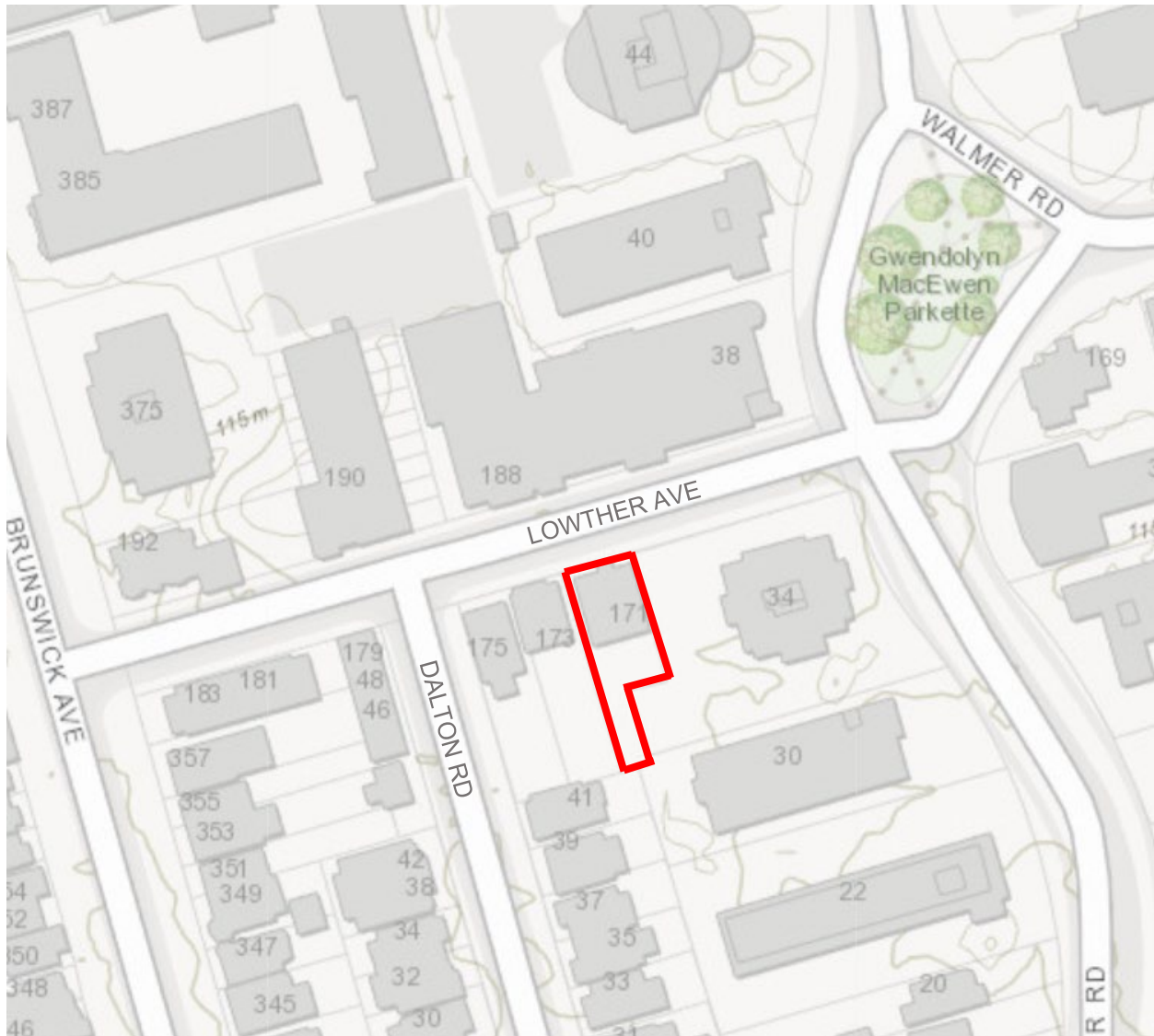
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Attachment 1 - Location Map  
Attachment 2 - Photographs  
Attachment 3 - Statement of Significance  
Attachment 4 - Plans and Drawings  
Attachment 5 – Renderings

## LOCATION MAP

## ATTACHMENT 1

### 171 Lowther Avenue



Map showing the subject property's location outlined in red at 171 Lowther Avenue. This location map is for information purposes only; the exact boundaries of the property are not shown (City of Toronto Mapping).

**171 Lowther Avenue**



Principal (north) elevation of 171 Lowther Avenue (Heritage Planning, 2023).





East elevation of 171 Lowther Avenue (Heritage Planning, 2023).



West elevation of 171 Lowther Avenue (Heritage Planning, 2023).





Rear (south) elevation of 171 Lowther Avenue (Heritage Planning, 2023).

**171 Lowther Avenue**

The property at 171 Lowther Avenue is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value, and meets Ontario Regulation 9/06, the provincial criteria prescribed for municipal designation, under the categories of design/physical and contextual value.

**Description**

Located mid-block on the south side of Lowther Avenue between Walmer Road and Dalton Road, the property at 171 Lowther Avenue was constructed between 1901 and 1902 for Emilia Dixon on the site of a former ancillary building that formed part of the property at 14 Walmer Road. Rising three-storeys over a raised basement, the red brick structure features a design combining elements of the Queen Anne Revival and Edwardian Classicism styles including simple square massing and restrained brick work combined with decorative Dutch gables on the principal (north) elevation, an oriel window on the east elevation, and oeil-de-boeuf window on the west elevation. As part of its conversion to apartments in 1943, dormers were added on the north, south, and west elevations. The property was listed on the City's Heritage Register on July 19, 2023.

**Statement of Cultural Heritage Value****Design or Physical Value**

The property at 171 Lowther Avenue is a representative example of an early twentieth century residential structure blending elements of the Queen Anne Revival and Edwardian Classicism styles. This is evident in the pairing of decorative elements including curved Dutch gables, oriel and oeil-de-boeuf windows with simple massing and restrained brickwork, eschewing the exuberance of the late Victorian-Era in favour of understated elegance.

**Contextual Value**

The property at 171 Lowther Avenue is important in maintaining and supporting the historic character of the West Annex neighbourhood which is defined by a mix of late nineteenth and early twentieth century residential structures and mid-century low- to high-rise apartment buildings. Constructed between 1901 and 1902 as a single detached residential structure as part of the first phase of the development of the West Annex, the property is historically linked to its surroundings. Converted to apartments in 1943, the property continues to maintain its appearance as a single detached residential structure.

**Heritage Attributes**

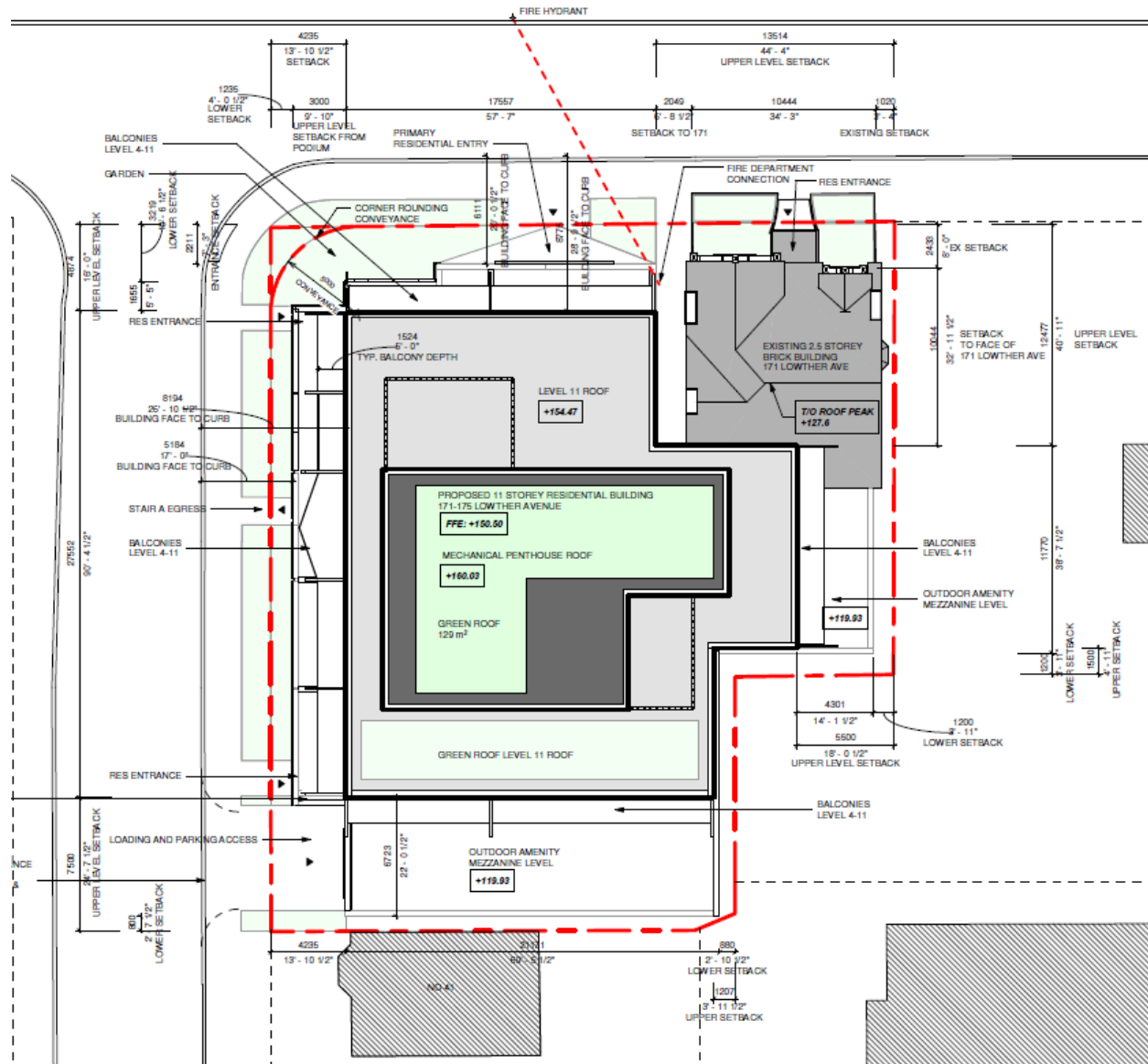
The following heritage attributes contribute to the cultural heritage value of the property: as a representative example of an early twentieth century residential structure blending



elements of the Queen Anne Revival and Edwardian Classicism styles; in maintaining and supporting the historic character of the West Annex neighbourhood; and being historically linked to its surroundings:

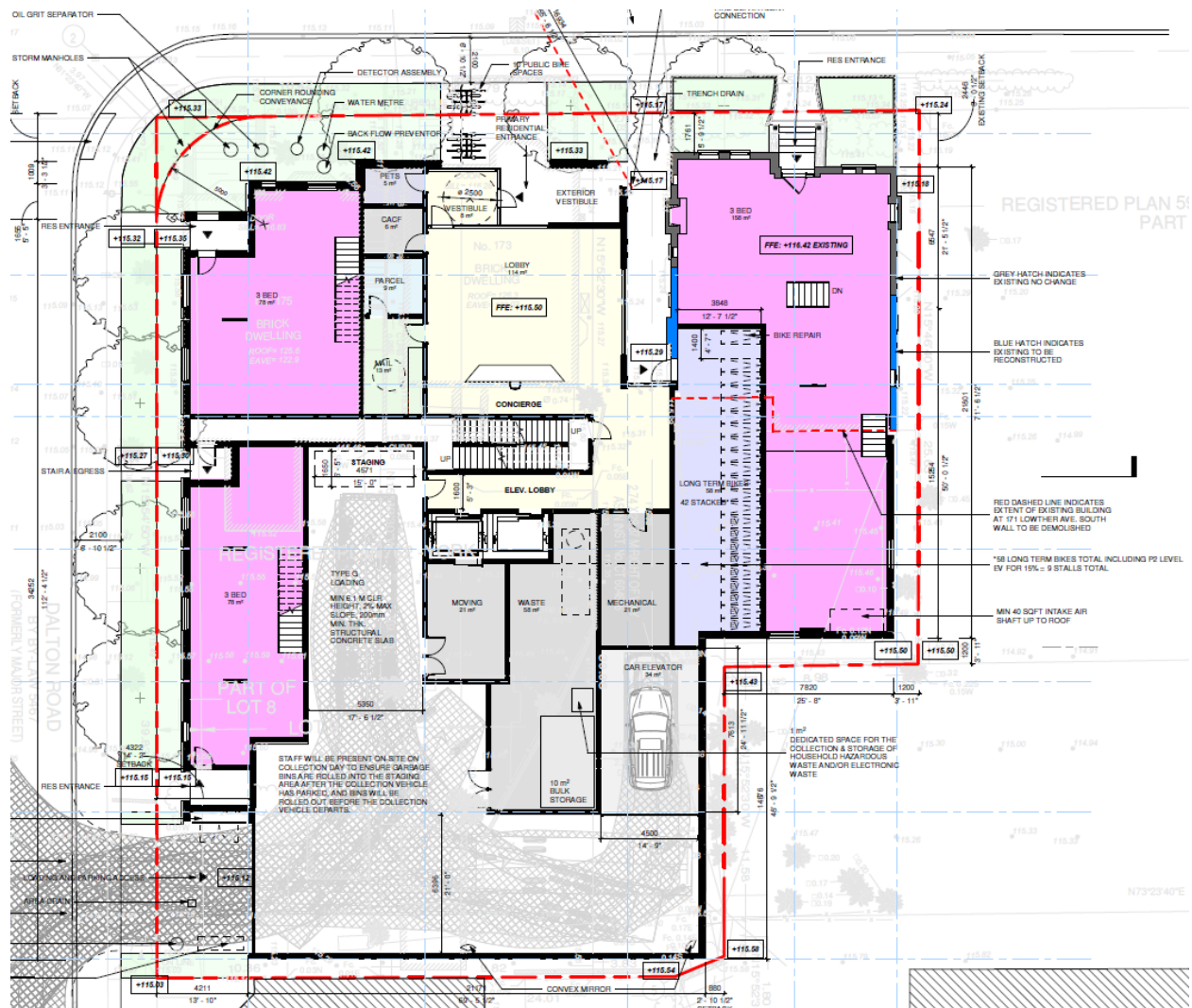
- The square, three-storey scale, form, and massing with cross gable roof with bracketed eaves
- Dutch gables on the principal (north) elevation with decorative finials
- The property's material palette of red brick, with rough hewn stone sills
- The fenestration on the principal (north) elevation including paired windows at the first and second storeys, and paired rounded arch windows at the third storey
- The central raised front entrance with beveled glass three-quarter lite wood door and sidelight beneath a full width transom
- The central front entrance porch and stone steps with rough-hewn stone sidewalls
- The oriel window with leaded coloured glass, chimney, and third storey fenestration on the east elevation
- The first storey oeil-de-boeuf window and northerly chimney on the west elevation

**171 Lowther Avenue**



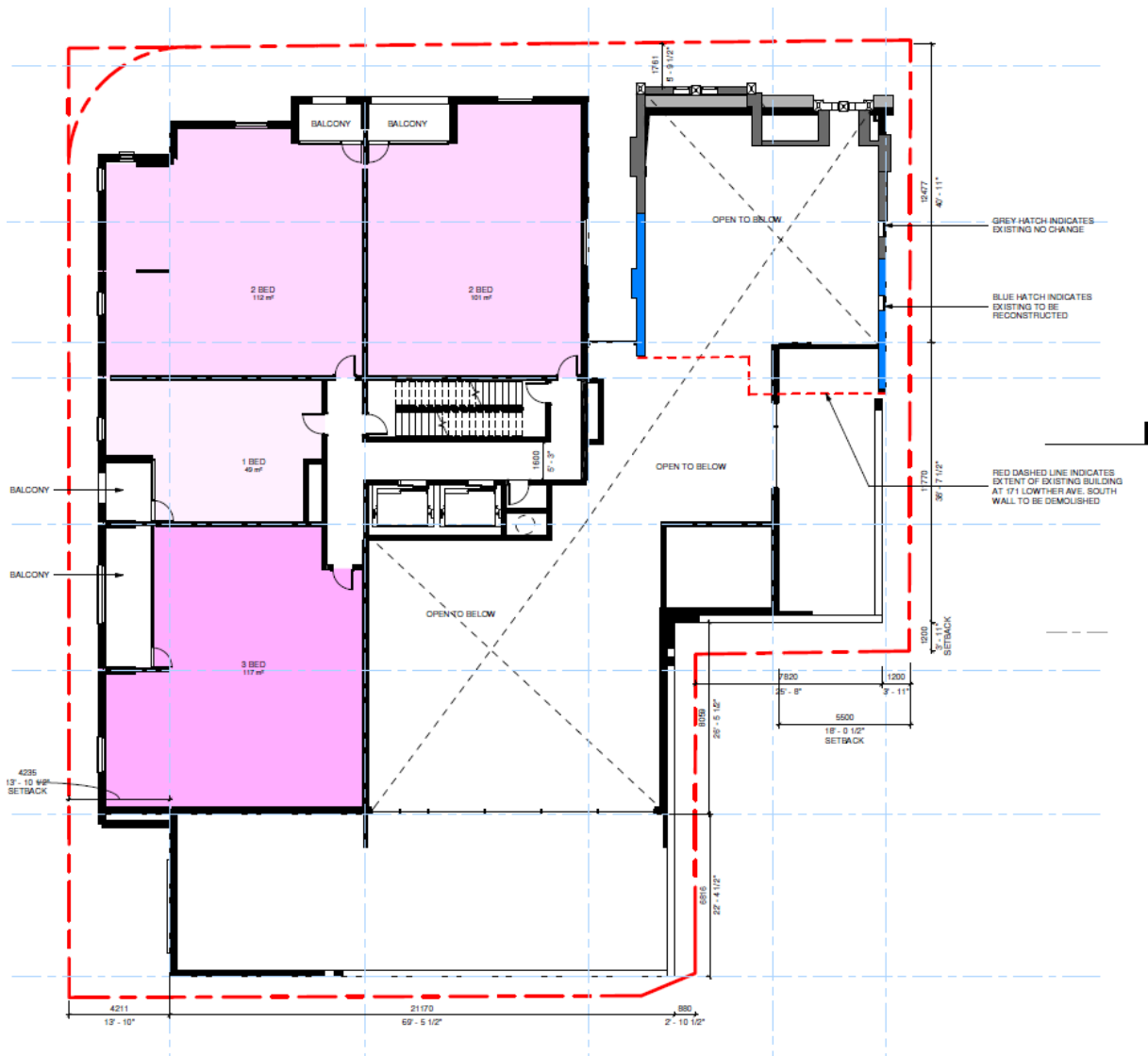
Site Plan (Gabriel Fain Architects Inc.)





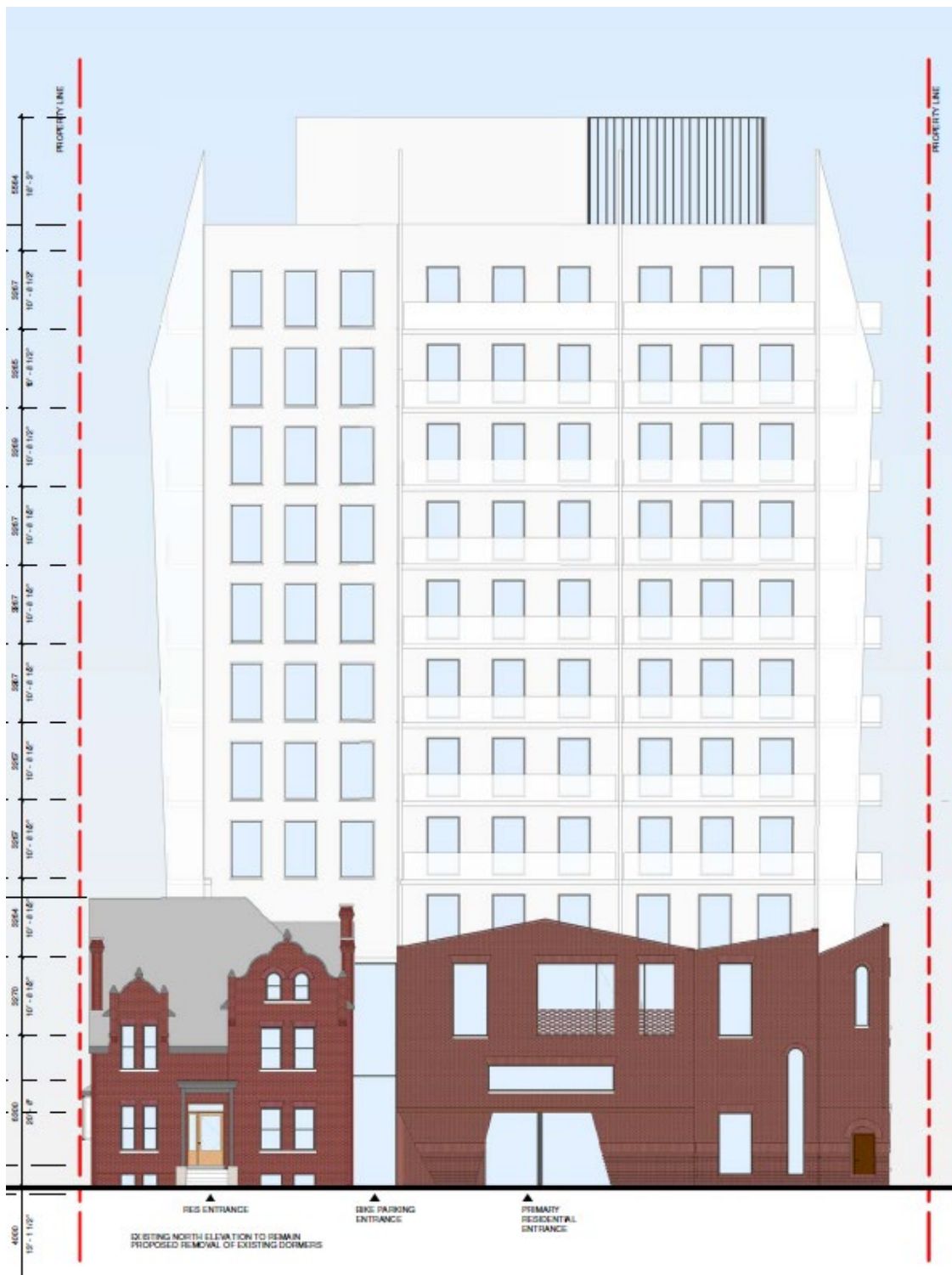
Ground Floor Plan (Gabriel Fain Architects Inc.)





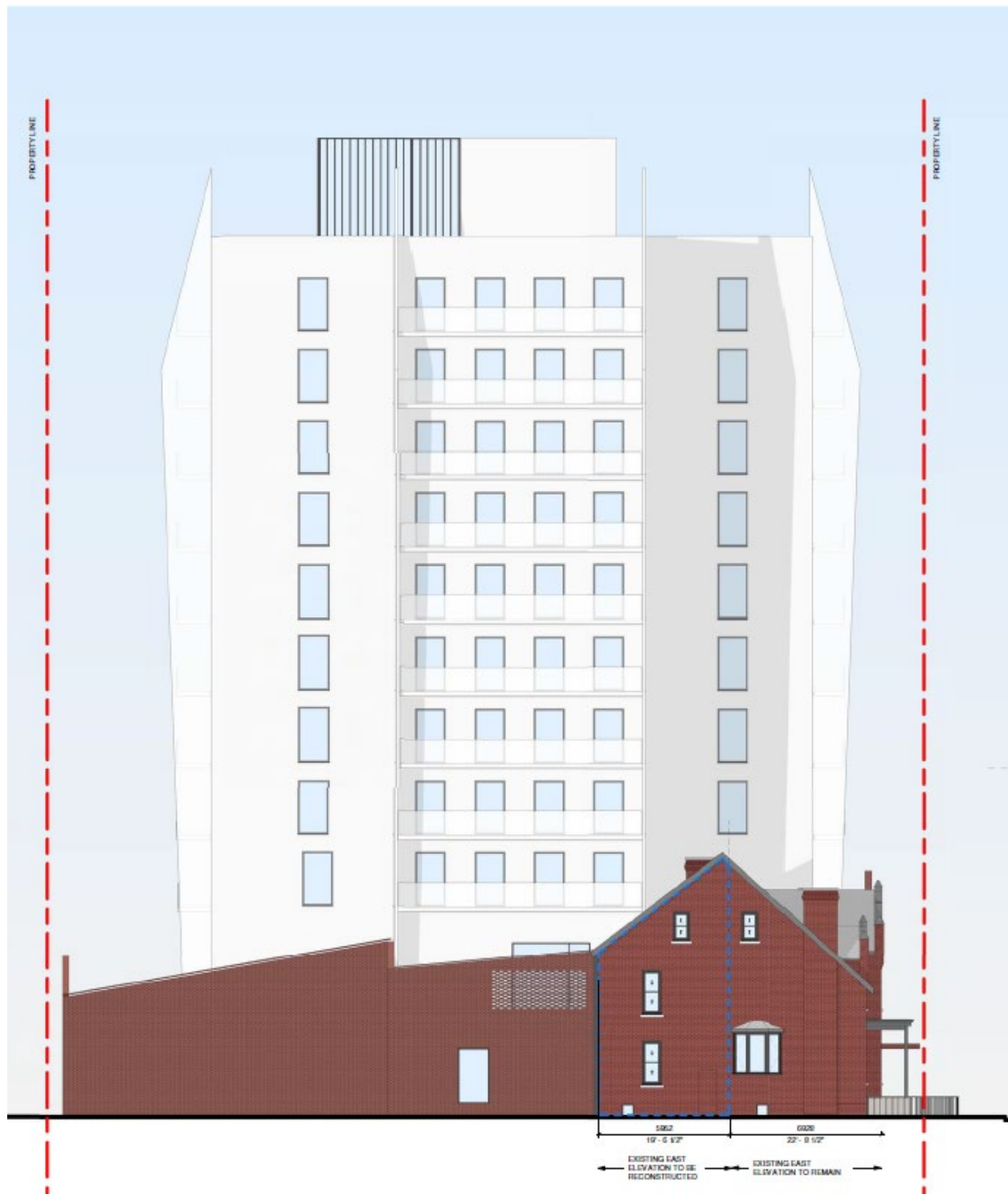
Level 2 Floor Plan (Gabriel Fain Architects Inc.)



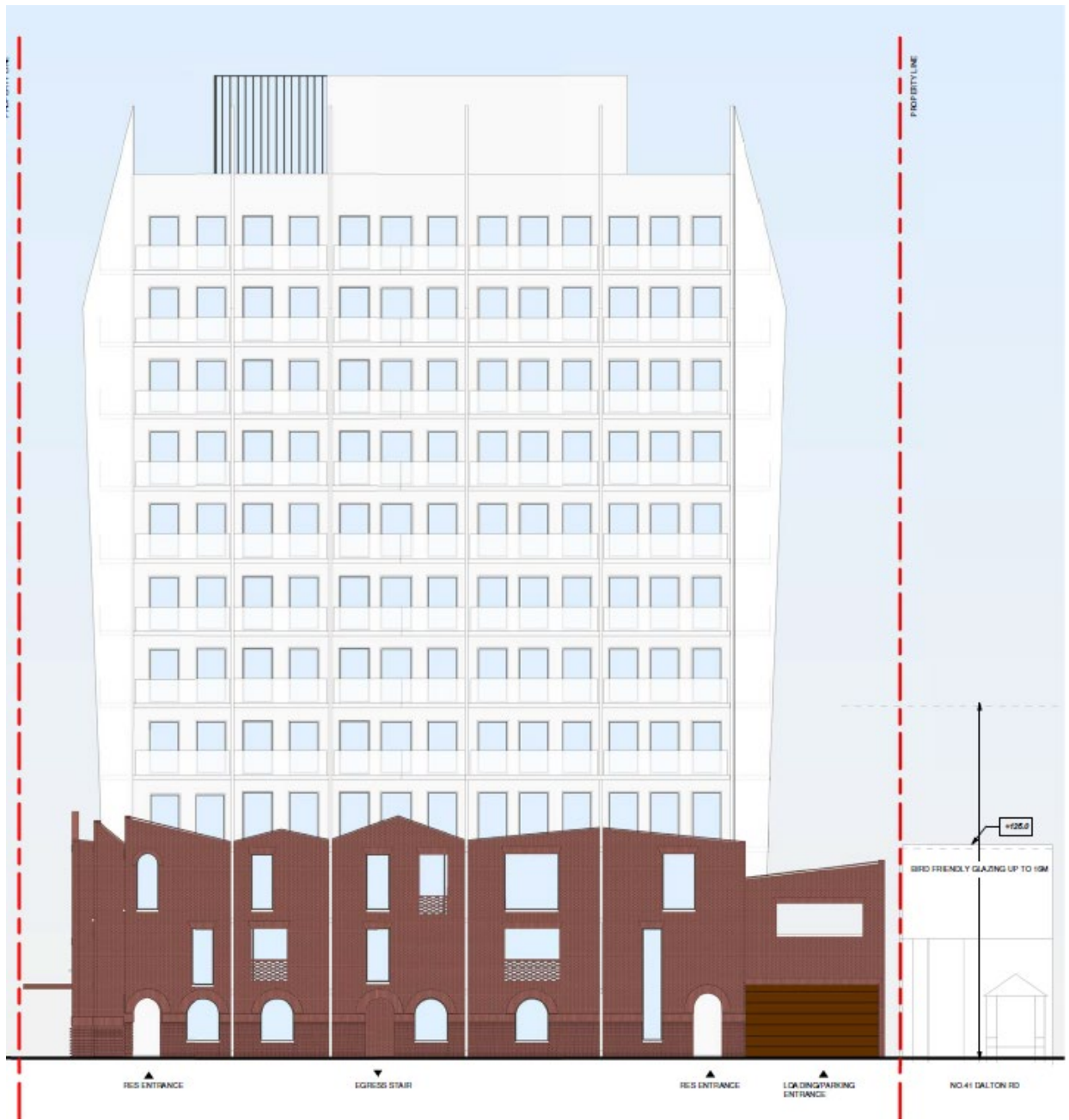


North Elevation (Gabriel Fain Architects Inc.)

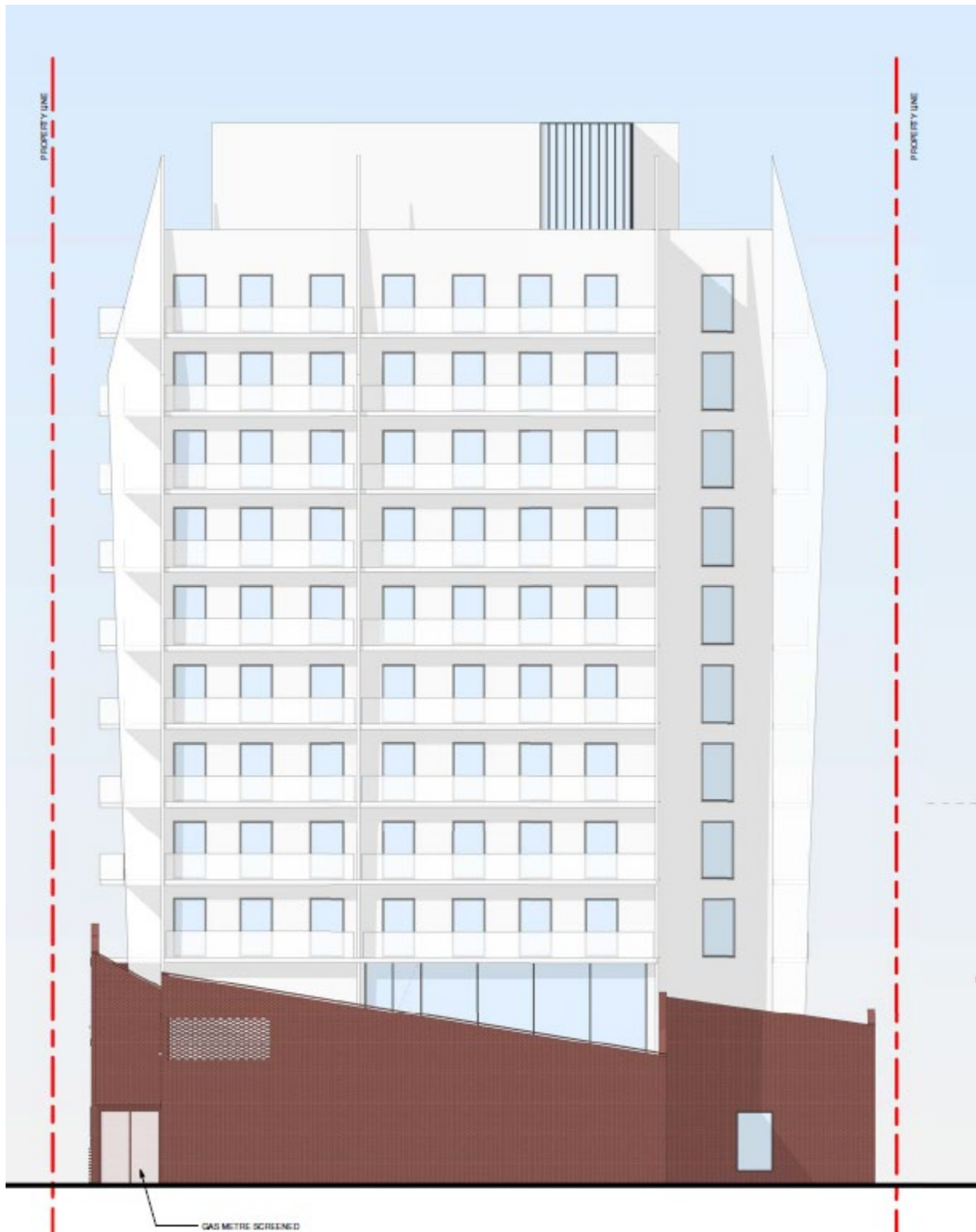




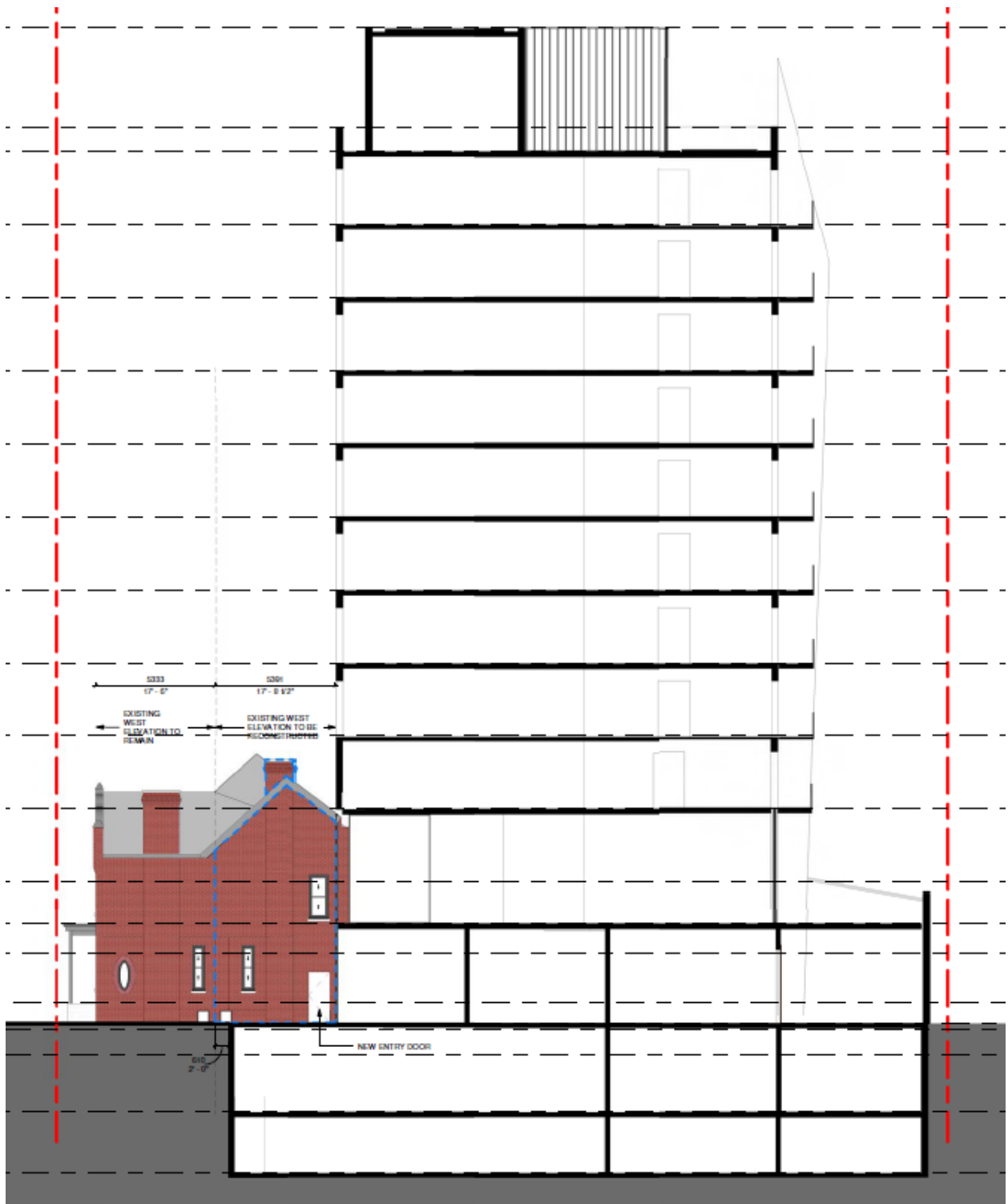
East Elevation (Gabriel Fain Architects Inc.)



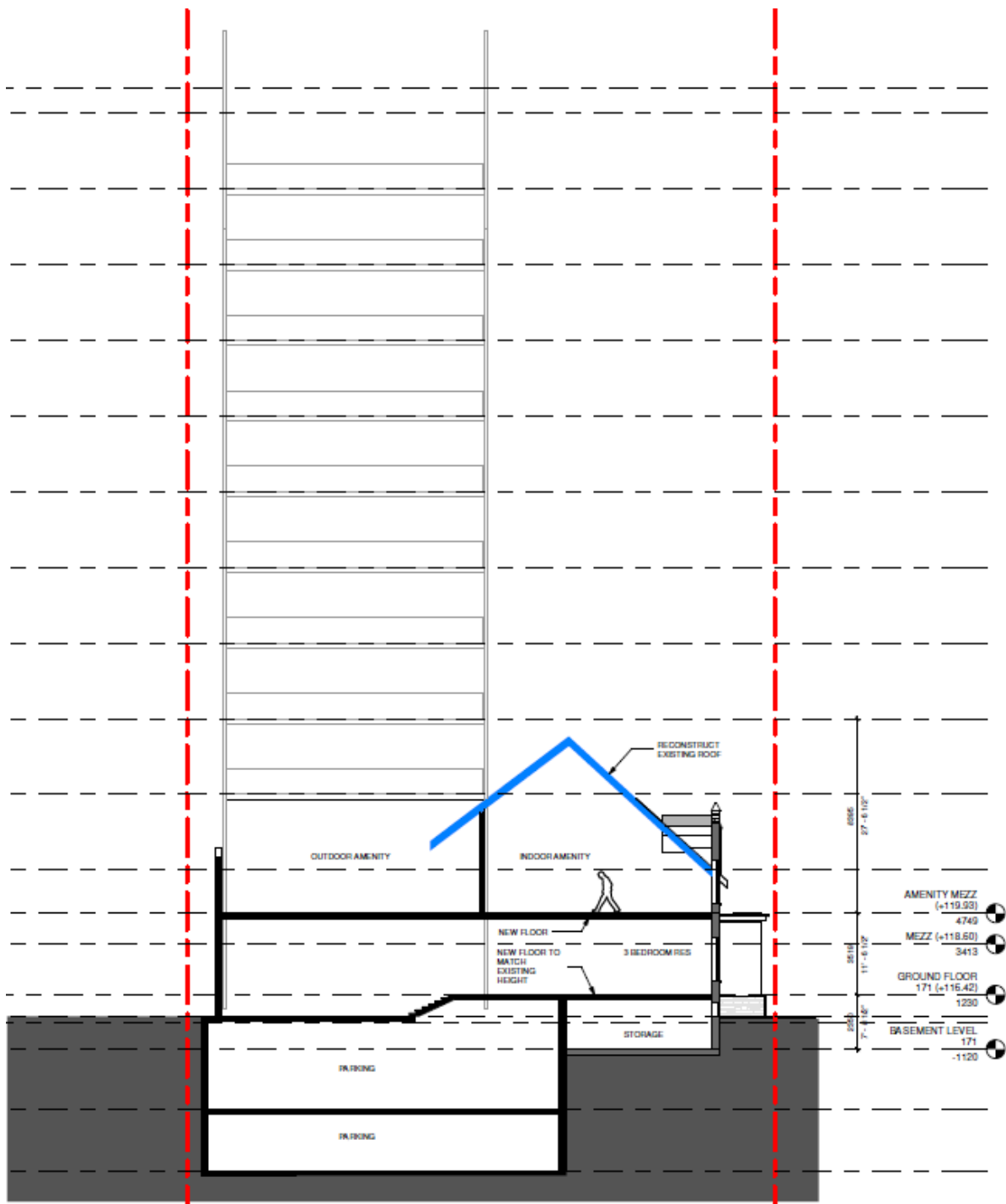
West Elevation (Gabriel Fain Architects Inc.)



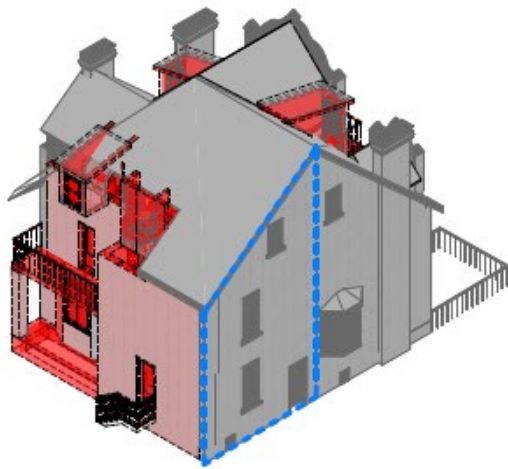
South Elevation (Gabriel Fain Architects Inc.)



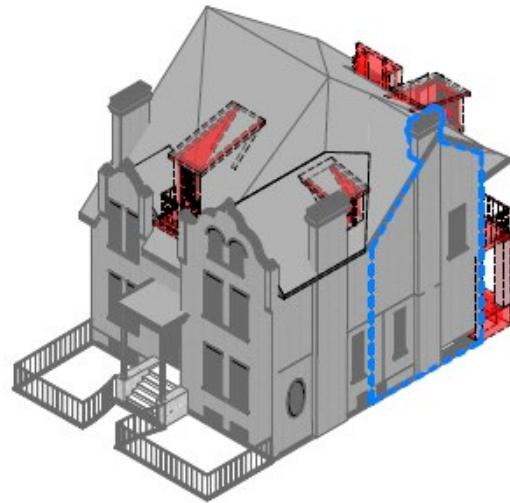
West Elevation Section showing west elevation of 171 Lowther Ave (Gabriel Fain Architects Inc.)



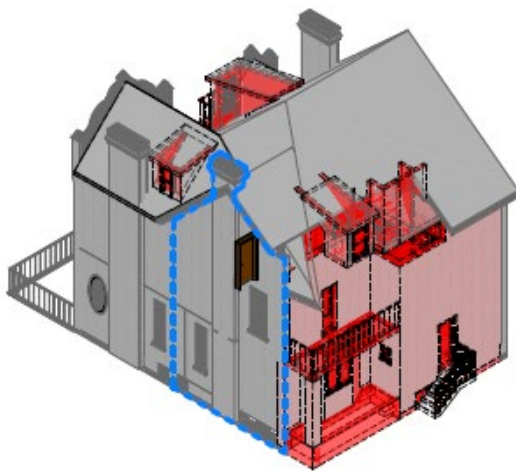
East Section (Gabriel Fain Architects Inc.)



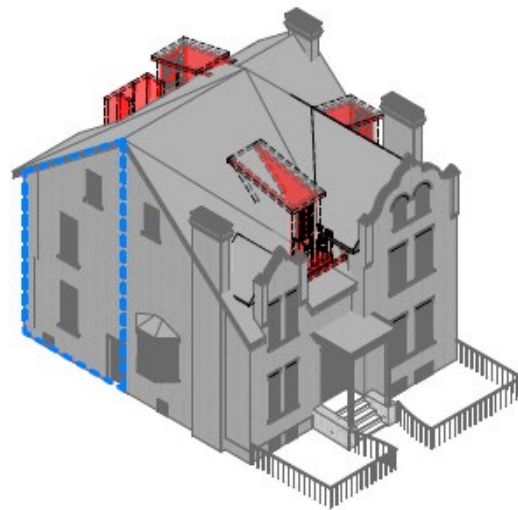
DEMO & RECONSTRUCTION SCOPE SOUTH ELEVATION



DEMO & RECONSTRUCTION SCOPE NORTH AND WEST ELEVATION



DEMO & RECONSTRUCTION SCOPE SOUTH ELEVATION



DEMO & RECONSTRUCTION SCOPE NORTH AND EAST ELEVATION

Scope of Demolition and Reconstruction at 171 Lowther Avenue (Gabriel Fain Architects Inc.)



## RENDERINGS

## ATTACHMENT 5

### 171 Lowther Avenue



Axonometric View looking south west (Gabriel Fain Architects Inc.)



Axonometric View looking north west (Gabriel Fain Architects Inc.)





Axonometric View looking south east (Gabriel Fain Architects Inc.)