

# Part 3

# Implementation





## 6. Administration of the District

### 6.1. The City of Toronto as the District Steward

The City of Toronto Planning Division is responsible for the day-to-day implementation of the Queen Street West Heritage Conservation District.

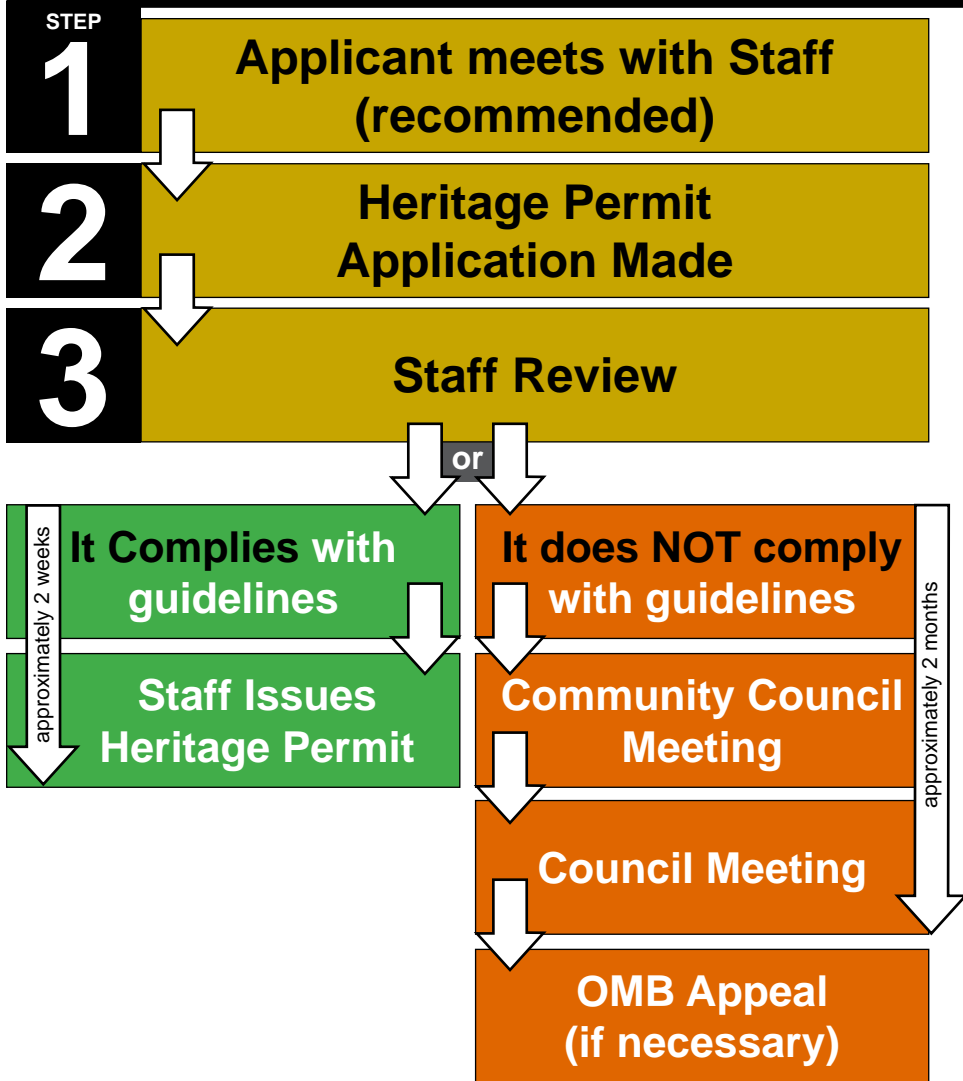
Property owners wishing to demolish or remove buildings or structures on their property, or make alterations to the exterior portions of the property visible from the street (including a side street but not a lane), must apply to the City of Toronto for a heritage permit. Property owners must also apply for a heritage permit before they can erect any new building or structure on the property.

All applications are reviewed by Heritage Preservation Service staff to determine whether or not they comply with the Guidelines. In all cases, property owners are encouraged to have a preliminary consultation with City Staff to discuss options and determine the ideal extent and approach to realize their project, while still conforming to the Guidelines.

However, property owners do not need a heritage permit for minor exterior alterations or for any interior alterations (see section 6.4) – except possibly for property designated or listed under Part IV (individual designation) of the Ontario Heritage Act.

Any requirement for a Heritage Permits is in addition to other necessary permits, such as Building Permits, planning approvals (variance, severance, zone change etc.)

# Heritage Permit Application Process



## By-law 1005-2001

Provides an exemption for maintenance & repair using same materials & alterations not visible from the street including interiors.

Delegates permit approval to City staff for work consistent with district guidelines.

No separate application is required:

- building permit application is also heritage permit application; and
- building permit is the heritage permit.

Council retains approval for demolitions and work not conforming to guidelines.

## 6.2. The Heritage Permit Process

There are three steps to the heritage permit application process:

### 1. Applicant meets with Staff

At this stage, the applicant can meet with Heritage Preservation Services staff in the Planning Division to discuss the nature of the proposed new building or façade alteration. This meeting is recommended because staff will be able to indicate whether the application is in conformity with the guidelines in the Heritage Conservation District Plan. If the alterations to the building are not in conformity with the Plan, staff will be able to indicate where changes to the proposed application should be made.

### 2. Building or Heritage Permit or other Planning Approval Application Made

Usually, instead of requiring a separate Heritage Permit application, Heritage Preservation Services staff will review the application for a Building Permit or other planning approval that is required for any construction project. Therefore, for most projects, no extra paperwork or fees are involved. Only in the case where work is proposed that does not require a Building Permit or other city approval (for example window replacement) would the applicant be required to submit an application for a Heritage Permit (available from Heritage Preservation Services).

An application for a permit for work in a conservation district must contain the following information:

- Address of the property;
- Name and address of the property owner;
- A description of the proposed work, including all of the following:
  - A site plan/sketch showing the location of the proposed work;
  - Drawings of the proposed work showing materials, dimensions and extent of the work to be undertaken;
  - Any written specifications or documentation for the proposed work;
  - Photographs showing the existing building condition where the work is to take place;
  - Any research or documentation in support of the proposal

- including archival photographs of the property, pictures or plans of similarly-styled buildings in the community; and,
- A signed statement by the owner authorizing the application.

### 3. Staff Review

City staff reviews the application. If the application complies with the Heritage Conservation District Plan guidelines, Heritage Preservation Service staff will notify the relevant Division that the Building Permit or approval applied for can be issued. However, the Ward Councillor can require that any application be subject to the process outlined below for proposals which do not meet the Guidelines.

If staff determine that the application does not comply with the Heritage Conservation District Plan guidelines, staff will consult with the applicant in an attempt to find a way to accomplish the applicant's objectives while still respecting the Guidelines. If no agreement is possible, the application will be forwarded to the Toronto Preservation Board and Community Council where a recommendation on the application will be made and forwarded to City Council. City Council may issue or refuse the permit. If the permit is refused, the applicant may appeal Council's decision to the Ontario Municipal Board, where a final decision will be made.



### 6.3. The Heritage Permit Process – Demolitions

Demolition in Heritage Conservation Districts under the Ontario Heritage Act means total demolition of a building on a property. Anything less is considered an alteration. All applications for a heritage permit for demolition are referred directly to the Toronto Preservation Board and Community Council with a staff recommendation and follow the procedure above.

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### 6.4. When a heritage permit is not required

In accordance with the City of Toronto By-law No. 1005-2001 no heritage permit is needed for the work described below:

- (1) Painting of wood, stucco or metal finishes.
- (2) Repair of existing features, including roofs, wall cladding, dormers, cresting, cupolas, cornices, brackets, columns, balustrades, porches and steps, entrances, windows, foundations, and decorative wood, metal, stone or terra cotta, provided that the same type of materials are used.
- (3) Installation of eavestroughs.
- (4) Weatherproofing, including installation of removable storm windows and doors, caulking, and weatherstripping.
- (5) Installation of exterior lights.
- (6) An alteration that is not visible from a street."

The Queen Street West HCD also considers "minor alternations" not requiring a heritage permit to include:

- temporary signage and window displays located on the first floor, which are directly related to the commercial functions of the ground level space (not including third party signage).

Although a heritage permit is not required in any of the above instances, property owners, residents and tenants are encouraged to conform with the spirit and intent of the Heritage Character Statement and Guidelines.

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### 6.5. Incentives for Conservation

In addition to the HCD, the City of Toronto has a grant program available to the property owner in a Heritage Conservation District. Property owners are able to apply for a matching grant up to \$25,000 for heritage restoration work. All property owners in HCDs are notified annually of the program conditions and application deadlines.



View along John Street facing south.

# 7. Areas of Influence

## 7.1. Planning Considerations

### The Club District

The Club District is an important ancillary district to the Study Area, in as much as its uses are directly linked to Queen Street West. Certain associated outcomes of the late night entertainment operations – such as garbage, vandalism and noise – need to be dealt with while supporting the overall mixed use nature of the area.

### Relationships to Residential Areas

Queen Street West is bordered on the north and south by residential areas. The area to the north between Spadina Avenue and Bathurst Street is primarily a low rise stable residential neighbourhood. Between Spadina Avenue and University Avenue, the area is a mix of low and medium rise residential with some institutional uses. The residential area south of Queen Street West is in transition, with condominium developments being constructed along Richmond Street West.

The heritage character of the street is supported by a strong residential base on the street and in adjacent neighbourhoods. Future uses on Queen Street West and in these neighbourhoods must respect this relationship.

### Parking

Existing on-street parking should be maintained to continue to provide easy access to destinations, to continue to separate pedestrians from traffic flow, and to calm traffic.

Additional opportunities to incorporate municipal parking should be explored, especially as large redevelopment sites in the area are considered. However, the guidelines regarding parking must be observed.

### The Streetscape

The overall quality of the study area's streetscape is not in keeping with an area of the city that is of historical significance. Consideration must be given to lighting standards, improving the material quality of sidewalks, rationalizing poles and the design of street furniture such as bike racks, benches and newspaper boxes.

### Maintenance

Given that the street functions 24 hours a day, there are extraordinary maintenance demands (e.g. garbage collection, street cleaning). Consideration should be given to significantly increasing the maintenance standards for the street to ensure a high quality public realm at all hours, both during weekdays and weekends.

### A Business Improvement Area

BIAs are effective tools to ensure the overall coordination of area related initiatives (from banner to large policy issues). It is likely that Queen Street West would benefit from the creation of a BIA that has a clearly articulated mandate, including the promotion of the Queen Street West Heritage Conservation District.

### The Portland Site

Consideration should be given to creating a widened sidewalk fronting Portland to accommodate active uses at grade level, such as patios and street vendors. Maintaining rear lane access for services and non-public uses is a priority for the development of this site.

### John Street

Historically John Street was a defining north-south crossing at this portion of Queen Street West in that it served as the access point to The Grange (one of the original estates north of Lot

Street). Today, John Street is a focal point for a variety of cultural and entertainment venues including: the Art Gallery of Ontario, the Ontario College of Art and Design, MuchMusic, Festival Hall, the soon to be Toronto International Film Festival Centre, Metro Hall, the Canadian Broadcasting Corporation (CBC), and others. It is also a short and well contained street, visually bracketed by The Grange Park at the north end and The Rogers Centre (formerly Skydome) at the south end. As such John Street has a distinct cultural presence in Toronto that is closely linked to Queen Street West.

Additional planning studies should take into account the considerable importance of John Street as a visual axis and a dynamic cultural corridor that links with Queen Street West through what is, and should be, a vital public realm.



View along John Street facing north towards The Grange.

# 8. Implementation Recommendations

## 8.1. Additional Studies

During the analysis and consultation process several considerations beyond the scope of the Heritage Conservation District Study were raised. These are not required for the adoption of the HCD Plan, but are recommended as part of subsequent avenues of study the City may choose to pursue.

### West of Bathurst and East of University

During the study stakeholders identified the areas extending east and west of the study area along Queen Street West as including significant heritage buildings and a unique character, which could warrant being part of a HCD. While the Inventory does not extend past the study area, the Plan recognizes that consideration should be given to studying Queen Street both east of University and west of Bathurst, for their potential as Heritage Conservation Districts.

### Large Format Retail

The diverse street-level retail, which results from relatively narrow storefronts, allows the continuous interaction of pedestrians and

is one of the defining characteristics of Queen Street West. In accordance with the City of Toronto BY-LAW No. 1005-2001, the HCD Plan creates guidelines for new and renovated buildings as they are visible from a street.

Existing policy regulates retail floor plates above 1,800 m<sup>2</sup>. An inventory and a study of building floor plates within the HCD should be undertaken to generate guidelines related to the interior of buildings, such as further restricting floor plate size.

### Streetscape Design

Generate a streetscape design (including street furniture, paving and landscape) that recognizes the unique heritage character of Queen Street West.

### A Tree Strategy

Generate a tree maintenance and planting strategy that enhances the health of existing trees and identifies locations and mechanisms to increase the tree canopy along Queen Street

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## 8.2. Additional Recommendations

### Changes to the Zoning By-law

The Zoning By-law will have to be amended to reflect that:

- The primary use at grade level should be commercial (see MCR Zoning, Permitted Uses).
- No portion of the lot visible from Queen Street West shall be used, at or above the natural level of the ground, for the purpose of parking or storing a motor vehicle (see MCR Zoning, Part IV Parking).

- Setbacks and stepbacks are not permitted under 13 meters of building height (see MCR Zoning, Part II Setbacks).
- New buildings are required to be 2 storeys or more (see MCR Zoning, Part VIII Fronting of Buildings).
- New buildings are required to be built to the full extent of the lot along the street frontage, which exceeds the current 60% minimum required (see MCR Zoning, Part XI Exceptions to Permitted Uses 2.(ii)).

