

Consolidated Clause in Etobicoke York Community Council Report 7, which was considered by City Council on September 25, 26 and 27, 2006.

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**Designation of a part of the former Town of Weston as a  
Heritage Conservation District under Part V of the  
*Ontario Heritage Act* (Ward 11 - York South-Weston)**

*City Council on September 25, 26 and 27, 2006, adopted this Clause without amendment.*

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The Etobicoke York Community Council recommends that City Council approve the recommendation in the communication (September 1, 2006) from the Toronto Preservation Board, that the staff recommendations in the Recommendations Section of the report (August 14, 2006) from the Director, Policy and Research, City Planning Division, be adopted.

The Etobicoke York Community Council held a statutory public meeting on September 13, 2006, and notice was given in accordance with the *Ontario Heritage Act*.

**The Etobicoke York Community Council submits the report (August 14, 2006) from the Director, Policy & Research, City Planning Division:**

Purpose:

To recommend that City Council designate a part of the former Town of Weston west of the CN/CP railway as the Weston Heritage Conservation District - Part 1 under Part V of the *Ontario Heritage Act*.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report. The cost of publishing the notice of the passage of a designating by-law in the daily newspaper and registering the by-law on title is included in the 2006 Policy and Research budget.

Recommendations:

It is recommended that:

- (1) In accordance with Section 41 of the *Ontario Heritage Act*, Council designate by By-law the area shown on Attachment No. 1 as the Weston Heritage Conservation District - Phase 1; and

- (2) Council adopt by By-law the Weston Heritage Conservation District Plan, dated July, 2006, as the District Plan for the Weston Heritage Conservation District – Phase 1, to act as a guide for property owners, City staff, advisory committees and Council when making decisions regarding matters set out under Section 42 of the *Ontario Heritage Act*; and
- (3) If there are any objections to the By-law under Section 41 of the *Ontario Heritage Act*, the City Solicitor be directed to appear before the Ontario Municipal Board to defend the By-law; and
- (4) Until such time as the By-law designating the area as the Weston Heritage Conservation District – Phase 1 comes into force or is repealed, all properties within the area, unless designated under Part IV of the *Ontario Heritage Act*, be listed in the City’s Inventory of Heritage Properties; and
- (5) The appropriate City officials be authorized to take whatever action is necessary to give effect thereto, including the introduction of Bills in Council.

Background:

As a result of redevelopment activity residents of the former Town of Weston area were becoming concerned about the potential for deterioration in the heritage character of their community. Discussion of this issue led the Weston Historical Society, in 2003, to contact City staff to learn more about Heritage Conservation Districts and how such Districts could assist in the preservation and enhancement of heritage streetscapes. After meeting with staff the concept was of sufficient interest to prompt the Historical Society to organize a public meeting on October 9, 2003 at which staff made presentations about the benefits and implications of a Heritage Conservation District. The concept was well received by the residents in attendance.

Section 41 (1) of the *Ontario Heritage Act* enables a municipal council to designate Heritage Conservation Districts (HCDs) where the municipal Official Plan contains provisions relating to establishing such districts. The Official Plan of the City of Toronto contains such provisions. Specifically, Section 3.1.5, Policy No. 1 (b) states:

“significant heritage resources will be conserved by designating areas with a concentration of heritage resources as Heritage Conservation Districts and adopting conservation and design Guidelines to maintain and improve their character.”

At its June 2004 meeting, City Council enacted By-law 549-2004. This By-law authorized parts of the former Town of Weston to be studied regarding their potential for a Heritage Conservation District. Due to the size of the study area, the Weston Historical Society, in consultation with staff, decided to carry out the study in three phases. The first phase, which is the subject of this report, is composed of sections of the former Town of Weston that are west of the CN/CP railway (Attachment 1). The second phase will be roughly the area enclosed by the tracks, Church Street and Elm Street. The third phase will be the parts of the former Town with significant heritage resources between Elm Street and Jane Street.

To facilitate the process, the Weston Historical Society set up an ad-hoc committee to work with City staff on the HCD study, engage consultants and involve the community. This group is known as the Weston Heritage Conservation District Board (the Board) and is composed of interested Weston residents.

The Board engaged a heritage consultant to assist them with the study. The cost of this consultant has been paid from resident contributions and voluntary contributions facilitated by the local councillor's office.

The Board has held a series of public, community meetings over the study period (Nov. 27, 2003, March 6, March 18 and October 23 and 28, 2004 and May 6, 2006) at which progress and findings were reported and at which the property owners and residents have given their support to the project. Non-resident property owners were advised by mail of these meetings. A final neighbourhood meeting was held June 27, 2006 to present the draft version of the study and District Plan prepared by the heritage consultant and the many local volunteers who assisted in the project.

City staff have been in attendance at all of the community meetings held on this project and are of the opinion that the Historical Society and Board have been successful in ensuring local involvement in this initiative and that the study and its conclusions have been well received by the residents and property owners. The draft District Plan has been posted on the City's website. All property owners have been notified of the Toronto Preservation Board and Community Council meetings at which the proposed designation will be considered.

#### Comments:

##### Study Overview

The *Ontario Heritage Act* identifies the required elements of a study being conducted for a potential HCD. Such studies should:

- (a) examine the character, appearance and heritage attributes of the area to determine if the area should be preserved;
- (b) make recommendations regarding the boundaries of the area;
- (c) make recommendations as to the objectives of the designation and how these objectives may be achieved; and
- (d) consider whether any changes are required to the Official Plan or zoning by-law.

In addition, the resulting District Plan must contain:

- (a) a statement explaining the cultural heritage value or interest of the heritage conservation district;
- (b) a description of the heritage attributes of the heritage conservation district and properties in the district;
- (c) policy statements, guidelines and procedures for achieving the stated objectives and managing change in the heritage conservation district; and

- (d) a description of the alterations or classes of alterations that are minor in nature and that the owner of property may carry out on any part of the property without obtaining a permit.

The Weston study included a process of public consultation, historical research and professional analysis. Neighbourhood volunteers researched historical data for each property within the study boundary. Estimated or established dates of construction, builders, ownership since construction and other information, when available, were determined. An Inventory with photographs of each property was compiled.

Using this material and further research and analysis conducted by the group's professional consultant, a District Plan (Attachment 2) was developed which fulfills all the requirements of the *Ontario Heritage Act* including Guidelines for demolitions, alterations to existing buildings and for new construction. An implementation strategy, based on a consistent Toronto model for HCDs, is also recommended. The District Plan is available on the City's web site at:

[www.toronto.ca/heritage-preservation/heritage\\_districts.htm](http://www.toronto.ca/heritage-preservation/heritage_districts.htm)

#### Proposed Boundaries

The boundary of Phase 1 is intended to encompass the older residential areas of Weston north of Lawrence Avenue, comprised mainly of single-detached homes built prior to 1939 (many were actually constructed prior to 1914). Most of these structures have been maintained and improved with historical integrity, resulting in attractive streetscapes. In addition to these residential dwellings, phase one includes two apartment buildings, a church, a senior citizens' home, the former Fire Hall, a barber shop, a retail establishment, two municipal parks and valleylands. This area is considered a cohesive collection of buildings, open spaces and roads that effectively illustrates the early development of Weston.

The proposed district is divided into two separate areas (Attachment No. 1). The northern section contains properties along Cross Street, Church Street, George Street and Fern Avenue. The southern section includes properties on Weston Road, King Street Crescent and Little Avenue, including parts of City Parks in the area. The Study concluded that some parts of the area identified in the original study area by-law do not meet the criteria for inclusion in the HCD because of an insufficient concentration of significant heritage resources. These sections are not being recommended for designation.

There are 117 properties in the proposed District, only one of which is currently listed on the Inventory of Heritage Properties and individually designated under Part IV of the *Ontario Heritage Act* (18 Fern Avenue).

#### Cultural Heritage Value and Heritage Attributes

Development of Weston began on the west side of the Humber River with the establishment of saw mills and grist mills at the drop in the river. The first subdivision plan for Weston was registered by Woodbury Card on July 15, 1846. It designated what is now Weston Road as "Albion or Weston Plank Road". The only east-west street was Church Street.

In 1883, John Little's plan created Central Avenue, which was later changed to Little Avenue. An examination of Fire Insurance Plans since the early 1900's provides a fascinating account of the evolution of the Weston community, as larger lots were gradually sub-divided into smaller ones and industrial areas north of Lawrence Avenue were converted to residential neighbourhoods.

By 1910 the population of Weston was 1500. Streets that existed in the Phase One study area included Main Street (Weston Road), Little Avenue, Lemaire (Fern) Avenue, George Street and Cross Street. By 1923, all the streets in Phase One had been constructed. A more recent fire insurance map, dated 1955, still identified Weston Road as Main Street North.

Since 1955 major changes have occurred in Weston, particularly along Weston Road where several high-rise apartments were built in the 1960s and 70s along with strip plazas at strategic intersections. The unfortunate demolition of the original Town Hall in the 1960s, a particularly striking architectural landmark, could have been the spark that inspired the heritage conservation movement in Weston.

Buildings constructed after 1960 are considered non-heritage or non-contributing to the District for the purposes of this Heritage Conservation District Plan. Those constructed prior to that are considered heritage or contributing.

Weston has successfully retained its small-town identity. With a few exceptions, homes built in the late 1800s and early 1900s have been preserved and residential neighbourhoods remained intact. The Humber River, which stimulated the early development of the community by providing water power, has recently been designated as a Heritage River. The unique river stone walls, built of stones gathered from the river, give the community a special identity. River stone walls are found on Fern Avenue, Weston Road, King Street Crescent, Little Avenue and Lawrence Avenue. The same stone has been used to build the cenotaph structure in Memorial Park and walls and others structures in Lions Park.

Residents of Weston are reminded of their special identity by the community's varied architecture, mature trees, river stone walls and the Humber River.

### Objectives and Implementation

The Guidelines that form part of the study are intended to provide guidance and assistance to all those proposing and reviewing alterations, new construction and demolition in the Weston HCD – Phase 1. The Guidelines aim to ensure that development in the district maintains or enhances the unique character of this portion of Weston, as defined in the Heritage Character Statement. The Guidelines state that buildings that contribute to the unique heritage character of the district should not be demolished.

In accordance with Article IV of Chapter 103, Heritage, of the Municipal Code, proposals that comply with the Guidelines set out in the District Plan may be approved by staff, while proposals that do not comply or that involve demolition, will require City Council approval. Applicants are encouraged to consult with staff prior to making an application.

## Official Plan and Zoning By-law

As noted above, the City's Official Plan is supportive of designation of Heritage Conservation Districts in areas that warrant protection for their heritage character and where a proper study has been carried out. In addition, the general zoning by-law for the area has recently been revised as a result of a planning study to assist in the maintenance of the character of the area. For this reason no additional changes to the zoning by-law or Official Plan are being recommended.

## Next Steps

In accordance with Section 41 of the *Ontario Heritage Act*, an HCD designation comes into force at the end of the 30 day appeal period following Council's passage of the By-law, if there are no objections. Should there be an appeal the matter is referred to the Ontario Municipal Board (OMB) for a hearing. Should the OMB approve all or part of the by-law the by-law comes into force when the OMB issues its decision, provided the OMB approves the by-law.

Staff is recommending that, to protect the heritage resources of the District in the event of an appeal, Council add all properties in the proposed HCD to the City's Inventory of Heritage Properties until the appeal is decided. This will enable staff and Council to monitor change in the HCD during the period when it may be under appeal.

## Conclusions:

Weston is a community with a significant heritage character, and the first area recommended for designation as an HCD outside the boundaries of the former City of Toronto. In accordance with the Official Plan, at the request of the local community and with the support of the Ward Councillor, City Council passed a by-law authorizing a study of parts of the former Town of Weston to determine whether or not the neighbourhood could be designated as a Heritage Conservation District. The community engaged a consultant to conduct the study, and a number of public meetings were held before and during the study period where residents indicated their support for the process. The study supports the designation of the area as a Heritage Conservation District.

The District Plan resulting from the study defines the boundaries and heritage character of the area and provides Guidelines for demolitions, alterations and new development designed to reinforce and enhance the heritage nature of the District. Staff recommend designation of the District under Part V of the *Ontario Heritage Act*, including enactment by By-law of the Weston Heritage Conservation District Plan.

## Contact:

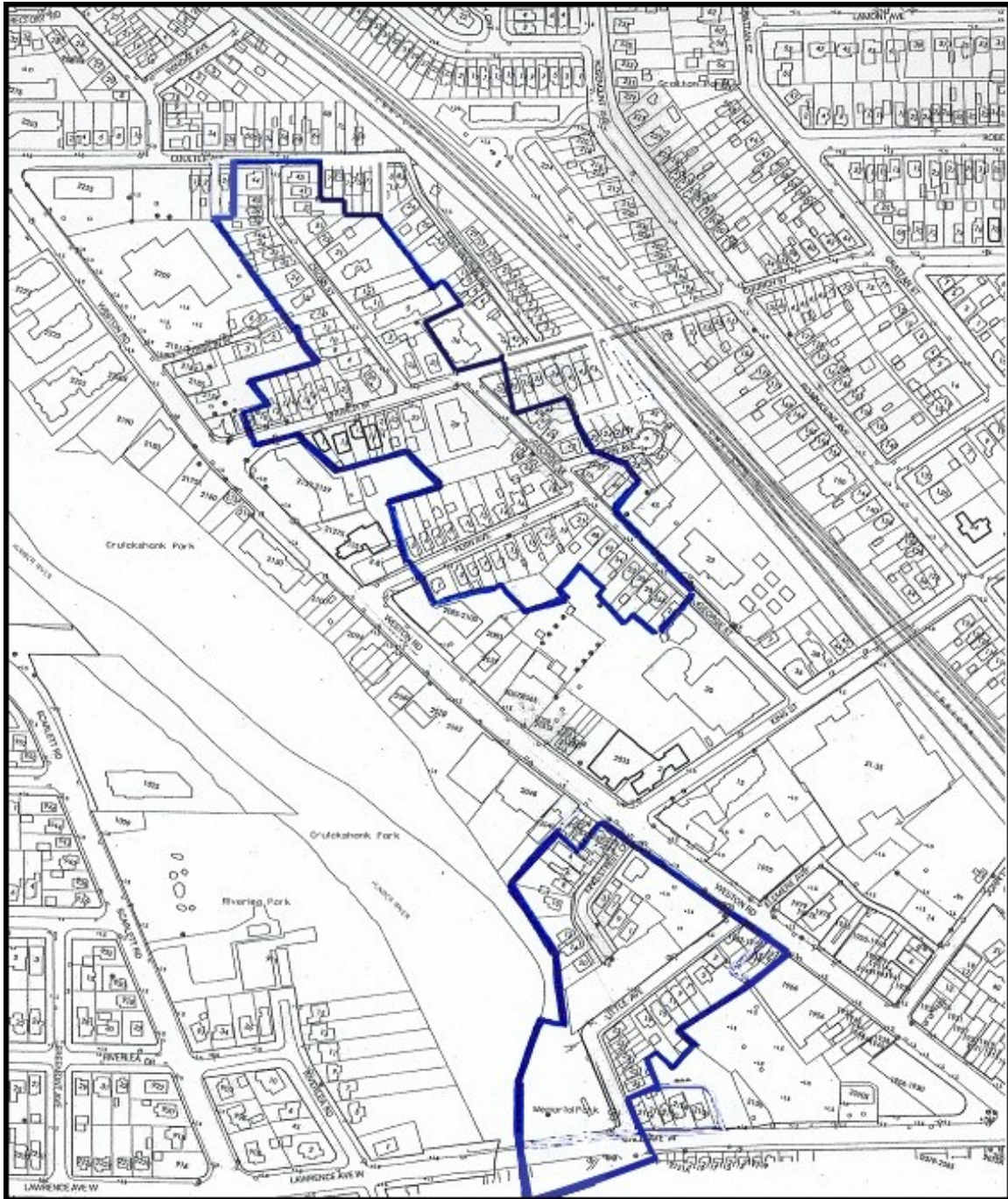
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(Attachment 1, referred to in this report, was forwarded to all Members of the Etobicoke York Community Council with the agenda for its meeting on September 13, 2006, and a copy is on file in the City Clerk's Office, Etobicoke Civic Centre.)

The Etobicoke York Community Council also considered a communication (September 1, 2006) from the Toronto Preservation Board recommending that the Etobicoke York Community Council recommend that City Council adopt the staff recommendations of the report (August 14, 2006) from the Director, Policy and Research, City Planning Division.

### ATTACHMENT 1

### WESTERN HERITAGE CONSERVATION DISTRICT BOUNDARY – PHASE 1





The Etobicoke York Community Council also considered a communication (August 28, 2006) from Dr. Maureen Lennon.

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Cherri Hurst, Weston Heritage Conservation District Advisory Committee, addressed the Etobicoke York Community Council.