



**STAFF REPORT
ACTION REQUIRED**

**Designation of the Harbord Village Heritage
Conservation District Phase 2 under Part V of the
Ontario Heritage Act**

Date:	October 6, 2009
To:	Toronto Preservation Board Toronto and East York Community Council
From:	Director, Policy and Research, City Planning Division
Wards:	Ward 20 – Trinity Spadina
Reference Number:	

SUMMARY

The purpose of this report is to recommend the designation of the Harbord Village Heritage Conservation District (HCD) Phase 2, and to adopt the associated HCD Plan by by-law under Part V of the Ontario Heritage Act (OHA). The district analysis and plan were led by the Harbord Village Residents Association and completed by Catherine Nasmith Architect.

Heritage Preservation Services Staff have reviewed the proposed designation and the district plan and believe they merit designation and adoption under the OHA.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council designate by by-law the area shown on Attachment No. 1 as the Harbord Village Heritage Conservation District Phase 2, in accordance with Section 41 of the Ontario Heritage Act;
2. City Council adopt by by-law the Harbord Village Heritage Conservation District Phase 2 Plan, dated August 2009, as the district plan for the Harbord Village Heritage Conservation District Phase 2;

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;
4. Until such time as the by-law designating the area as the Harbord Village Heritage Conservation District Phase 2 comes into force or is repealed, all properties within the area, unless designated under Part IV of the Ontario Heritage Act, be listed in the City's Inventory of Heritage Properties.

Implementation Points

In accordance with Section 41 of the Ontario Heritage Act, a Heritage Conservation District (HCD) designation comes into force at the end of the 30 day appeal period following City Council's passage of the by-law, if there are no objections. In the case of an appeal the matter will be 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.

Financial Impact

There are no financial implications resulting from the adoption of this report. The public Notices of Intention to Designate will be advertised on the City's web site in accordance with the City of Toronto Act provisions. This proposed Heritage Conservation District will add approximately 230 properties to the Inventory. It is also noted that adding properties to the Inventory by means of Heritage Conservation District designations dramatically increases the workload of Heritage Preservation Services, requiring staff to review all building permits, Committee of Adjustment, rezoning and Official Plan amendment applications within legislated timeframes. Over time, this will create pressure to increase staff resources.

DECISION HISTORY

City Council, at its meeting of February 14, 2006 adopted a heritage conservation district study area under Part V of the Ontario Heritage Act for Harbord Village Heritage Conservation District Phase 2:

http://www.toronto.ca/heritage-preservation/pdf/hcd_harbord2_study_bylaw.pdf

ISSUE BACKGROUND

A heritage conservation district is comprised of a collection of buildings, streets and landscapes that together give an area a special character that distinguishes it from other areas in a municipality. The designation of a district is accompanied by the adoption of a district plan by by-law, as required by the Ontario Heritage Act. The plan includes an analysis of the district, policies and guidelines for the management of the district's cultural heritage values and physical character.

City Council, at its meeting of February 16, 2005, adopted Toronto and East York Community Council Report 2, Clause 7, thereby designating the Harbord Village Heritage Conservation District Phase 1 under Part V of the Ontario Heritage Act:

<http://www.toronto.ca/legdocs/bylaws/2005/law0137.pdf>

In November 2005, Heritage Preservation Services staff attended a public meeting hosted by the Harbord Village Residents Association at which staff presented on the requirements, benefits and implications of heritage conservation district designation. The Residents Association requested that Heritage Preservation Services prepare a report to Council authorising and creating boundaries for a study area under section 40. (1) of the Ontario Heritage Act. Council subsequently authorised the study area in February 2006.

The Harbord Village Residents Association retained Catherine Nasmith Architect to lead the study and creation of a district plan. The background research for the study was conducted by a committee of the Harbord Village Residents Association in consultation with the heritage architect with advice from City staff.

On March 24, 2009, at the conclusion of the study, City staff held a statutory public meeting with area residents to discuss a draft of the plan. The residents that attended the meeting were generally supportive of the district and wished to proceed with the designation. In association with the public consultation process, staff undertook an internal review of the draft that resulted in some minor changes to the draft plan aimed at strengthening the guidelines and cultural heritage value statement. These changes have been incorporated by the consultant.

COMMENTS

Study Overview

The Harbord Village Heritage Conservation District Phase 2 study included a process of public consultation, historical research, and analysis. Neighbourhood volunteers, through the Harbord Village Heritage Conservation District Phase 2 Committee, researched historical data and compiled property datasheets for each property within the study boundary. The volunteers established dates of construction, builders, ownership since construction and other information, whenever available.

A district plan was developed using this material and further research and analysis conducted by the heritage architect. The plan includes a cultural heritage value statement, policies for demolition control and management of the district and guidelines for alteration and new construction. The district study and plan is attached to this report as the Harbord Village Heritage Conservation District Phase 2 Plan (Attachment No. 2).

Legislative Framework

Part V of the Ontario Heritage Act, Subsection 41. (1) enables the council of a municipality to designate the entire municipality or any defined area or areas of the municipality as a Heritage Conservation District (HCD).

The Harbord Village Heritage Conservation Phase 2 District designation will enable Council to manage and guide future change in the district. This will be achieved through the adoption of the district plan which contains clear policies and guidelines for the conservation and protection of the area's special character.

Official Plan

Section 3.1.5, Policy No. 2 of the Official Plan states that, “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.”

The designation of the Harbord Village Heritage Conservation District Phase 2 Study and Plan is in line with the above stated objective of the Official Plan. The study of the area has shown that it contains a concentration of significant heritage resources with area specific conservation and design guidelines contained in the district plan.

Provincial Policy Statement

The Provincial Policy Statement, 2005 (PPS) is the current policy statement on municipal land use and planning matters of provincial interest. The PPS promotes the wise use and management of cultural heritage resources. Section 2.6.1 requires that significant heritage resources ‘shall’ be conserved.

In order to conform to the PPS, district plans should be prescriptive with respect to the language used in their policies and guidelines. The PPS states that heritage resources ‘shall’ be conserved, as opposed to ‘should’ be conserved. Staff have required that prescriptive language be used in the Harbord Village Heritage Conservation District Phase 2 Plan to ensure that the contributing heritage resources located within the district are recognised as significant and shall be conserved.

Section 2.6.3 provides protection for properties and sites located immediately contiguous to a heritage resource. The guidelines in the district plan identify significant cultural heritage resources located adjacent to the district and state that adjacent development should have regard for the guidelines to ensure compatible development adjacent to the District.

Proposed Boundary

The Harbord Village Heritage Conservation District Phase 2 consists of properties on Robert Street between College Street and Bloor Street with a number of adjoining properties on the west side of Spadina Crescent and Avenue, and on Sussex Avenue and Russell Street from Spadina Avenue and Crescent to Robert Street (see Attachment No.1).

Over the course of the study it was determined to exclude the Lord Lansdowne Public School (c.1960/61) due to its different heritage character and use, despite its inclusion in the original study area boundary.

Cultural Heritage Value & Integrity

A cultural heritage value statement has been created for the district as required by the Ontario Heritage Act. The statement clearly illustrates that the district possesses sufficient cultural heritage value to merit designation.

The Harbord Village Heritage Conservation District Phase 2 possesses sufficient integrity to communicate the cultural heritage values expressed in the plan. The district retains its early built form integrity, its cohesive and intact scale and massing and the aesthetic value expressed in its streetscape and private landscapes.

Built Form and Current Conditions

The development of this neighbourhood repeats a common pattern seen across Toronto in Victorian and Edwardian times: small-scale development, often by local builders or contractors, using similar materials, forms, and details, but offering slight variations on a theme. This pattern created the architectural diversity-within-harmony so characteristic of authentic Victorian and Edwardian neighbourhoods. It is a pattern found in other Toronto Heritage Conservation Districts, such as Cabbagetown and Riverdale.

This phase of the Harbord Village Heritage Conservation District is comprised of housing for working and upper middle class families. Robert Street contains houses of varying widths and heights which are generally more modest constructions with brick facing and details. Sussex Avenue houses contain more expensive detailing aimed at middle class families. The grander Spadina Crescent houses are of larger, solid brick construction. Russell Street falls in between with solid brick semi-detached “Bay-n-Gable” dwellings.

Remarkably, few houses have been altered beyond the possibility of restoration. Some of the houses are fine examples of their genre – such as the groupings of Second Empire row-houses on Robert Street, previously listed on the City of Toronto Inventory of Heritage Properties.

District Guidelines

The Guidelines that form part of the Harbord Village Heritage Conservation District Phase 2 study are intended to provide assistance to all those proposing and reviewing alterations, new construction and demolition in the district. The Guidelines aim to ensure that development in the district maintains or complements the unique character of the district as defined in the Heritage Character Statement.

The Guidelines state that buildings that contribute to the unique heritage character of the district shall 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.

The plan provides an overview of the heritage permit process and provides advice to property owners regarding the specific works to their property which would require a heritage permit.

CONCLUSION

Harbord Village is a community with significant heritage character. The study of the Harbord Village Heritage Conservation District Phase 2 concludes that the district warrants designation as a Heritage Conservation District. The district plan defines the boundaries and heritage character of the area and provides guidelines for demolitions, alterations and new development designed to conserve and complement the heritage nature of the district. In accordance with the Official Plan (OP), at the request of the local community, staff recommend designation of the district under Part V of the Ontario Heritage Act, including adoption by by-law of the Harbord Village Heritage Conservation District Phase 2 Plan.

CONTACT

Mary L. MacDonald
Acting Manager, Heritage Preservation Services
Tel: 416-338-1079
Fax: 416-392-1973
E-mail: mmacdon7@toronto.ca

SIGNATURE

Barbara Leonhardt
Director, Policy and Research
City Planning Division

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ATTACHMENTS

Attachment No. 1 – Harbord Village Heritage Conservation District Phase 2 – Boundary
Attachment No. 2 - Harbord Village Heritage Conservation District Phase 2 Plan

ATTACHMENT NO. 1

Harbord Village Heritage Conservation District Phase 2 – Boundary

