



REPORT FOR ACTION

Prioritization of Outstanding Heritage Conservation District Studies and Interim Protective Measures

Date: November 30, 2017

To: Planning and Growth Management
Toronto Preservation Board

From: Acting Chief Planner and Executive Director, City Planning Division

Wards: All Wards

SUMMARY

This report makes recommendations for the prioritization for the thirteen outstanding Heritage Conservation District studies, with reference to authorization dates, and will recommend interim protective measures that will be undertaken while authorized areas await study. This report is in response to a request from the Planning and Growth Management Committee (April 5, 2017) concerning the Division's Update on Heritage Studies.

This report was developed in accordance with the Council-adopted *Heritage Conservation Districts in Toronto: Procedures, Policies and Terms of Reference (2012)*.

RECOMMENDATIONS

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

1. City Council adopt the proposed City Planning strategy for scheduling of outstanding Heritage Conservation District Studies set out in the report dated November 30, 2017, from the Acting Chief Planner and Executive Director, City Planning.
2. City Council direct that Heritage Conservation District studies be initiated for Beaconsfield, Belmont-Hillsboro, Harbord Village Phase 3, Lawrence Park West, St. Lawrence Phase 2: Esplanade, Sunshine Valley, The Junction Phase 1, West Annex Phase 2 and Weston Area Phase 2 study areas as shown in Attachment 1 to the report (November 30, 2017) from the Acting Chief Planner and Executive Director, City Planning.
3. City Council direct that four Cultural Heritage Resource Assessment Studies be initiated for the Agincourt, Leaside, Liberty Village and Summerhill study areas shown in Attachment 2 to the report (November 30, 2017) from the Acting Chief Planner and Executive Director, City Planning.

4. City Council request the Acting Chief Planner and Executive Director, City Planning to forecast and report yearly on the initiation and delivery of Heritage Conservation District Studies and associated Cultural Heritage Resource Assessment Studies in the City Planning Study Work Program to the Planning and Growth Management Committee.

FINANCIAL IMPACT

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

DECISION HISTORY

At its May 2004 meeting, City Council authorized Weston (Phase II) for study as a potential Heritage Conservation District.

<http://www.toronto.ca/legdocs/2004/agendas/council/cc040518/tw4rpt/cl005.pdf>

At its June 2005 meeting, City Council authorized Liberty Village for study as a potential Heritage Conservation District.

http://www1.toronto.ca/city_of_toronto/city_planning/urban_design/files/pdf/hcd_liberty_study_bylaw.pdf

Also at its June 2005 meeting, City Council authorized the Annex Area for study as a potential Heritage Conservation District as part of a proposed settlement.

<http://www.toronto.ca/legdocs/2005/agendas/committees/te/te050705/it012.pdf>

At its September 2005 meeting, City Council authorized Agincourt for study as a potential Heritage Conservation District.

http://www1.toronto.ca/city_of_toronto/city_planning/urban_design/files/pdf/hcd_agincourt_study_bylaw.pdf

At its April 2007 meeting, City Council authorized Summerhill for study as a potential Heritage Conservation District.

<http://www.toronto.ca/legdocs/mmis/2007/cc/decisions/2007-04-23-cc07-dd.pdf>

At its March 2012 meeting, City Council adopted the document titled, "Heritage Conservation Districts in Toronto: Procedures, Policies and Terms of Reference", and directed staff to develop a prioritization system to determine which potential Heritage Conservation Districts should be undertaken first.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.PG11.5>

At its October 2012 meeting, City Council adopted a prioritization system for Heritage Conservation District studies.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.PG17.12>

At its May 2014 meeting, Etobicoke York Community Council nominated the Baby Point Area, portion of Bloor Street West Area west of Keele Street, and the portion of the Junction Area west of Keele Street for consideration as Heritage Conservation Districts.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.EY33.39>

At its May 2014 meeting, Toronto and East York Community Council nominated the Junction (east of Keele Street) for consideration as a Heritage Conservation District.
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE32.87>

Also at its May 2014 meeting, Toronto and East York Community Council nominated Harbord Village Phase 3 for consideration as a Heritage Conservation District.
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE32.81>

At its May 2014 meeting, North York Community Council nominated Leaside for consideration as a Heritage Conservation District.
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.NY32.28>

At its March 2015 meeting, City Council adopted the amended Council-approved prioritization system and criteria as shown in Attachments 1A-6A to the report February 3, 2015 from the Chief Planner and Executive Director, City Planning, and authorized a number of areas for study.
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG2.8>

At its November 2015 meeting, Toronto and East York Community Council nominated Beaconsfield Avenue for consideration as a Heritage Conservation District.
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE12.107>

At its December 2015 meeting, City Council authorized St. Lawrence (Phase II) Esplanade for study as a potential Heritage Conservation District.
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE12.11>

At its July 2016 meeting, City Council authorized Belmont-Hillsboro for study as a potential Heritage Conservation District.
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE17.33>

At its October 2016 meeting, Toronto and East York Community Council amended the nominated area boundary for the potential Beaconsfield Avenue Heritage Conservation District.
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE19.78>

At its October 2016 meeting, City Council authorized Lawrence Park West for study as a potential Heritage Conservation District.
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.NY16.49>

At its July 2017 meeting, City Council authorized Sunshine Valley for study as a potential Heritage Conservation District.
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE25.26>

At its April 2017 meeting, Planning and Growth Management Committee directed staff to report back with recommendations for the prioritization of outstanding Heritage Conservation District Studies authorized by City Council, but not yet prioritized.
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG19.2>

COMMENTS

At its meeting on October 12, 2017 Planning and Growth Management Committee received for information the City Planning Division's annual update on the Study Work Program. This report included the 2017 – 2018 work program forecast for Heritage Conservation District (HCD) Studies and Plans. The volume of study work undertaken by the Division reflects the dynamic and broad range of evolving issues facing Toronto. The current work program is ambitious in terms of the number of items included.

City staff are currently preparing 9 HCDs and reviewing 2 existing HCDs for areas authorized and prioritized by City Council based on a prioritization system adopted in 2015 to determine which potential heritage conservation district studies should be undertaken first.

At this time, staff do not anticipate adding new HCDs to the 2018 work program until existing in-progress studies are complete. City Staff continue to review nominations for individual property designations under the Ontario Heritage Act while authorized areas await study.

Legislative Framework

Ontario Heritage Act

The Ontario Heritage Act (OHA) is the key piece of legislation for the conservation of heritage resources in Ontario. It regulates, among other things, how municipal councils can identify and protect heritage resources, including archaeological resources, within municipal boundaries. This is largely achieved through designation of individual properties under Part IV, or designation of a Heritage Conservation District (HCD) under Part V. It can also be achieved through the registration of a Heritage Easement Agreement on title of a property.

Part V of the OHA empowers municipalities to designate any defined area as an HCD. Central to Part V designation is the adoption of an HCD plan, which enables municipal councils to conserve the district's heritage character through the application of policies and guidelines intended to achieve the stated objectives. Designation under Part IV can ensure the conservation of contributing properties and the district's heritage attributes, and requires approval from the municipal council to alter, demolish or remove a building or structure on the property.

Prior to designating an HCD, City Council must undertake an HCD study to determine if the area merits designation. Section 40 (2) of the OHA identifies the scope and required components of an HCD study. These include: an analysis of the character and appearance of the district; recommendations for the district's boundaries; the objectives of the HCD plan; and recommended changes to the Official Plan and municipal by-laws, including zoning by-laws. This report summarizes the preliminary recommendations of the HCD study undertaken in accordance with the OHA.

Provincial Policy Statement and Planning Act

The Planning Act and associated Provincial Policy Statement guides development in the Province. The Provincial Policy Statement states that the wise use and management of cultural heritage and archeological resources is a key provincial interest. Provincial Policy Statement 2.6.1 reads "Significant built heritage resources and significant cultural heritage landscapes shall be conserved."

The Planning Act requires that all decisions affecting land use planning matters "shall be consistent with" the Provincial Policy Statement. Under Part 1 Section 2 (d) of the Planning Act, those responsible for carrying out activities under the Act shall have regard to "the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest."

Official Plan

The City of Toronto's Official Plan contains policies that seek to protect and manage cultural heritage resources, including significant buildings, properties, districts, landscapes and archaeological sites. The Official Plan recognizes the contribution of these resources to sustainable development and place-making, and provides policies to guide their conservation and wise use.

Properties on the City's Heritage Register are subject to all heritage policies in the Official Plan (which require conservation) and therefore must have demonstrated significance. The identification of heritage values and attributes for Register properties guides development review and implements the Planning Act and Provincial Policy Statement, all of which rely on demonstrated significance as a means to evaluate conservation strategies and impacts.

Section 3.1.5, "Heritage Conservation," provides, amongst other matters, direction on the identification, study and evaluation of cultural heritage resources, including HCDs in Toronto. Policy 3.1.5.3 states that HCDs will be protected by being designated under the OHA. The Official Plan also provides direction on how HCD studies and plans will be conducted, and notes the protocols and provisions that will be included (3.1.5.30-1).

City of Toronto's HCD Program

The City has been designating HCDs since 1985. As the City evolves and expands, HCDs are well-positioned to ensure that growth and change are managed in a way that respects and takes advantage of the places and features that have come to define Toronto's sense of place. As such, the duration of the HCD studies varies according to their size and complexity. The identification, evaluation and designation of HCDs is a City Planning priority because they are a tool valued for their ability to provide contextual, place-based policies and guidelines to conserve and enhance significant historic neighbourhoods and areas.

On March 5, 6 and 7, 2012, City Council adopted the document titled "Heritage Conservation Districts in Toronto: Procedures, Policies and Terms of Reference" ("HCDs in Toronto"). "HCDs in Toronto" sets out a fair and transparent process for studying Heritage Conservation Districts which results in district plans and designations that have consistent conservation expectations rooted in the unique heritage

significance and character of each district. "HCDs in Toronto" was developed in response to significant changes to the Ontario Heritage Act (OHA) and the Provincial Policy Statement in 2005, as well as the City Council adopted Standards and Guidelines for the Conservation of Historic Places in Canada. It incorporates comments received during consultations with the public, heritage professionals and city staff.

Heritage Conservation Districts are considered in the context of the overall City Planning mandate and work program, including consideration for local districts planning priorities and initiatives.

Since 2012, HCD procedures and mechanisms have been in place to provide for public input, deputation and decisions as set by the OHA and City Council. Comparable to other planning studies undertaken by the City, the HCD study process is a detailed policy review undertaken by planning staff in Heritage Preservation Services and consultant heritage planning professionals.

"HCDs in Toronto" was prepared and adopted prior to City Council allocating a capital budget for the HCD Program in 2013. As a result, the document reflects the fact that community organizations had to raise the necessary funds or coordinate with their local Councillor's office to secure funding for HCD studies and to engage their own consultants to undertake the work alongside their nomination. This has resulted in confusion and uncertainty in regards to the HCD nomination and funding.

Study areas for potential HCDs can be nominated by community groups, elected officials or city staff and the first post-nomination phase of work is to determine whether the study area has significant cultural heritage value and would benefit from a heritage planning framework that better ensures long-term conservation goals including providing policies and guidelines that manage change. During this review, City staff engage the nominator, local Councillors and community.

At its March 2015 meeting, City Council adopted the amended Council-approved prioritization system and criteria of HCD studies.

"HCDs in Toronto" sets out a two part process for HCD studies. HCD studies involve a combination of research, field review and analysis and include extensive and meaningful consultation with the community prior to Council considering the designation. At the conclusion of Phase 1, a recommendation is made by staff to the Toronto Preservation Board for the creation of an HCD Plan including a proposed boundary, and/or may recommend other planning tools. This may include the designation of individual properties, creation of urban design guidelines, secondary plans or zoning by-law amendments.

Should a HCD Study recommend a HCD Plan, the report includes the proposed HCD Plan boundary for all or part of the study area, a draft Statement of Objectives and a draft Statement of Cultural Heritage Value. Phase 2 commences with the overall objective of developing a HCD Plan, including creating policies and guidelines to conserve, maintain, and enhance the cultural heritage value of the district which is comprised of its identified historic, design, contextual, social and community values.

Upon completion of Phase 2, a HCD Plan and Part V by-law is presented to the Toronto Preservation Board, Community Council and City Council for adoption.

Recent HCDs

Since 2015 City Council has designated five HCDs and adopted district-specific HCD Plans for each area. City staff, with the City Solicitor, are now participating in the appeal of these designations at the Ontario Municipal Board. The HCDs could result in the designation of approximately 1500 properties under Part V of the OHA. For the following areas:

- Garden District
- Historic Yonge Street
- King-Spadina*
- St. Lawrence Neighbourhood
- West Annex (Phase 1) Madison Avenue

** The appeal period for the King-Spadina HCD was open at the time of writing this report.*

HCD Studies and Plans (2017-2018)

The City Planning Division's Work Program provides timelines for reporting out on these projects, with the majority expected to be complete or substantially complete in 2018.

- Baby Point
- Bloor West Village
- Cabbagetown Southwest
- Casa Loma
- Distillery District
- Fort York [review of existing HCD]
- Kensington Market
- Parkdale Main Street
- Queen Street East - Riverside
- Wychwood Park [review of existing HCD]
- West Queen West

City staff continue to find opportunities to improve the consistency of approach and clarifying of the HCD process with the preparation of HCD Studies and Plans in a variety of ways, including the procurement of consultants, integration with the preparation of related planning studies and enhanced community engagement to identify social and community values.

The community engagement process has evolved to include two Community Consultation meetings and two to three Community Advisory Group (CAG) meetings. City Planning, with input from local Councillors, created a Terms of Reference for the CAG as part of the HCD Study process in order to benefit from local expertise, to offer

knowledge, views and ideas for consideration and to provide the study team with an opportunity to vet information and ideas before bringing it to the broader community.

Staff in City Planning and other City Divisions are also considered stakeholders and are consulted accordingly. As a result, Heritage Preservation Services has fostered new strategic partnerships with these internal stakeholders such as co-hosting community consultations, roundtables on heritage and urban culture, promoting options for property tax assessment and providing related heritage research for the *King-Spadina Cultural Spaces Retention Study*.

In January 2017, City Planning staff introduced the HCD Program to the Toronto Planning Review Panel to seek their input on enhancing public engagement for identifying and creating HCDs and to seek their insight and feedback on identifying social and community values across Toronto.

In the coming year, City staff will look at opportunities to develop user-friendly communication tools to demystify the HCD study process and engage the public.

Strategic Scheduling of Outstanding HCD Studies

There are the thirteen HCD studies that have yet to be prioritized and, as such, are not included in the City Planning Work Program. Staff reviewed the outstanding HCD studies as shown in *Table 1: Outstanding Heritage Conservation District Studies*. In general, the areas that have been authorized by City Council following the adoption of "HCDs in Toronto" are considered to be ready to initiate an HCD study. The outstanding HCD studies that were authorized prior to the creation of "HCDs in Toronto" would benefit from an intermediate study to clarify an understanding of their existing heritage potential and to confirm or revise the initial proposed boundary. These areas are considered good candidates for a Cultural Heritage Resource Assessment (CHRA). A CHRA identifies properties with potential heritage value and will advance recommendations with respect to each area's district designation.

A CHRA reviews and describes the historic context and periods of development within the study area, outlines the results of community consultation, and identifies and evaluates potential cultural heritage resources, including built and natural heritage, historic streetscapes, cultural heritage landscapes, heritage conservation districts, and archaeological resources. A CHRA could also recommend interim protective measures such as listing properties on the City's Heritage Register.

Study initiation will be reported out through the City Planning Division's Work Program. The scheduling of outstanding HCDs and CHRAs will be based upon the date when the area was nominated or authorized as indicated in Table 1, together with the consideration of broad City Planning objectives and Divisional priorities, district based initiatives, and the Division's capacity to initiate particular study areas based upon their size and complexity.

Table 1: Outstanding Heritage Conservation District Studies		
HCD Study Area	Year of Authorization	Recommendation
Weston Area Phase 2	2004	HCD Study
Agincourt	2005	CHRA
Liberty Village	2005	CHRA
Summerhill	2007	CHRA
St. Lawrence Phase 2	2015	HCD Study
Belmont-Hillsboro	2016	HCD Study
Lawrence Park West	2016	HCD Study
Sunshine Valley	2017	HCD Study
The Junction Phase 1	Pending authorization	HCD Study
Beaconsfield	Pending authorization	HCD Study
Harbord Village Phase 3	Pending authorization	HCD Study
Leaside	Pending authorization	CHRA
West Annex Phase 2	Pending authorization	HCD Study

Interim Protective Measures

At its meeting on April 5, 2017 Planning and Growth Management Committee requested that Staff suggest available interim protective measures that may be necessary for areas that have been authorized but not yet prioritized for HCD study. Under the OHA there are two options for affording interim protection to properties of heritage potential:

- Properties that demonstrate cultural heritage value (i.e. all properties listed on the City's Heritage Register) are significant for the purpose of Section 2.6 of the Provincial Policy Statement (PPS 2014). The City's Heritage Register would provide those properties that are at risk of demolition an interim protection (60 days). During this time staff could further evaluate those individual properties for Part IV designation.

- For those areas within which an HCD Study is in progress, City Council may under Section 40.1 (1) designate the area by by-law as a Heritage Conservation District study area for a period of up to one year, which can prohibit or set limitations with respect to alterations, new construction, demolition or removal of buildings or structures within the study area. This by-law may not be renewed for a period of three years following its expiry so timing considerations will be reviewed on a case by case basis.

Future HCDs

There are five areas that have been nominated by community groups and these nominations are in various states of readiness and are under City staff review including Ben Lamond Avenue, Lakeview Avenue and adjoining streets, Midland Park, Moore Park, and The Beach (Queen Street from Kingston Road to Nursewood Road).

Completed nominations will be brought forward to Council for consideration and authorization on a case by case basis. Until that time, these nominations are excluded from the prioritization process.

Community Council and community groups may continue to nominate potential HCDs, and City Council may continue to authorize HCD study areas, however, since the document "HCDs in Toronto" does not provide a clear process for staff-nominated HCD study areas, which would allow for a more efficient process to support coordination of HCD studies alongside other planning studies, staff will report to a future meeting of the Planning and Growth Management Committee with recommended revisions. Revisions will also incorporate process improvements and best practices, including updates to the nomination process.

CONCLUSION

At this time, City staff do not anticipate adding new HCDs to the 2018 work program until existing in-progress studies are complete. The initiation of Heritage Conservation District Studies and Cultural Heritage Resource Assessments will be reported out through the City Planning Division's Work Program as part of the Divisional priorities, district based initiatives, and the Division's capacity to initiate particular study areas based upon their size and complexity.

City staff will continue to review nominations for individual properties and areas while authorized areas await study. City Planning may recommend multiple listings on the City's Heritage Register and/or a Heritage Conservation District study area by-law to provide interim protection for cultural heritage resources in areas authorized for study by City Council. These measures will be considered on a case by case basis.

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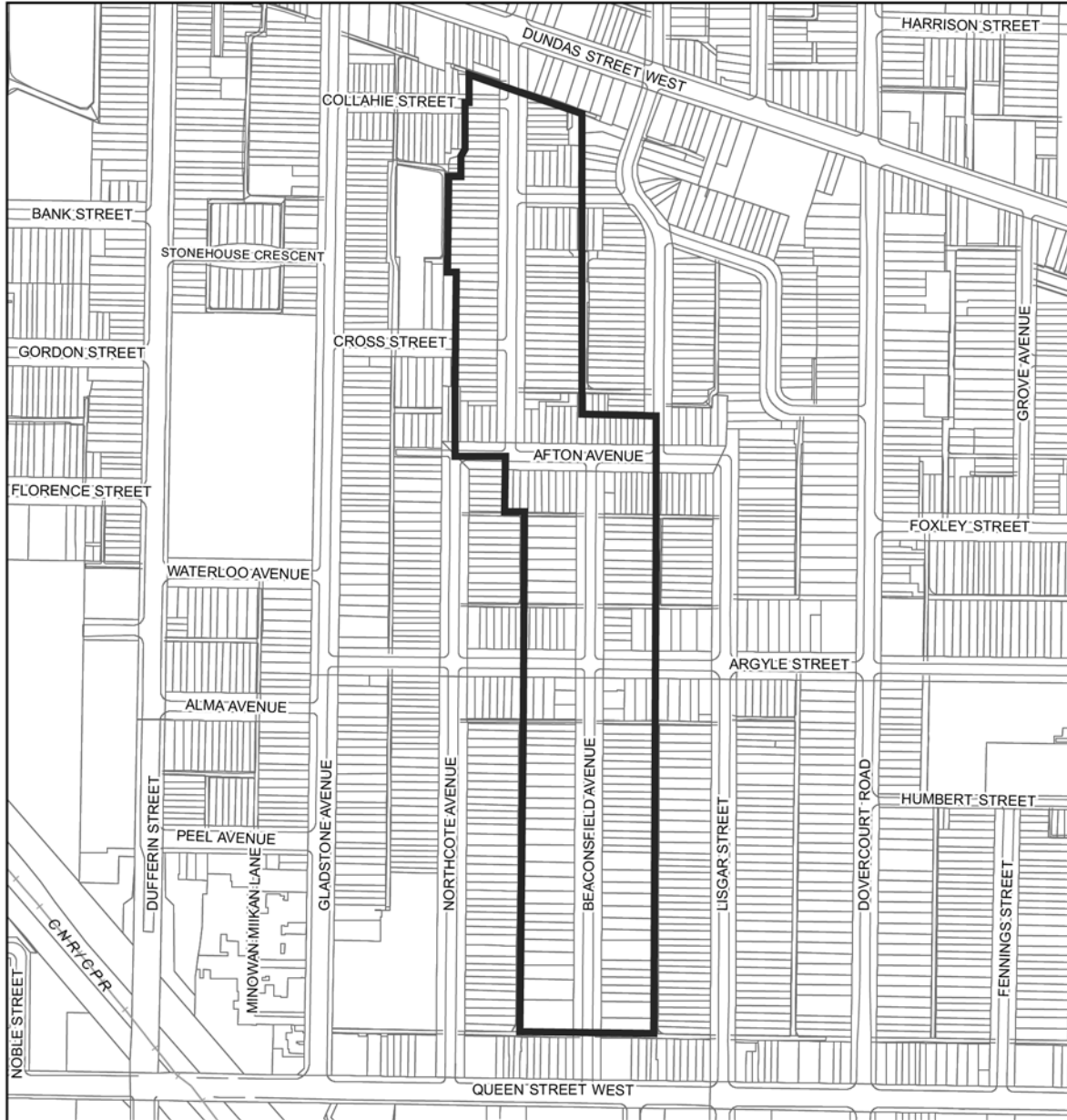
SIGNATURE

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

ATTACHMENTS

Attachment 1- HCD Studies for Initiation
Attachment 2- Cultural Heritage Resource Assessment Areas

Map 1 - Beaconsfield



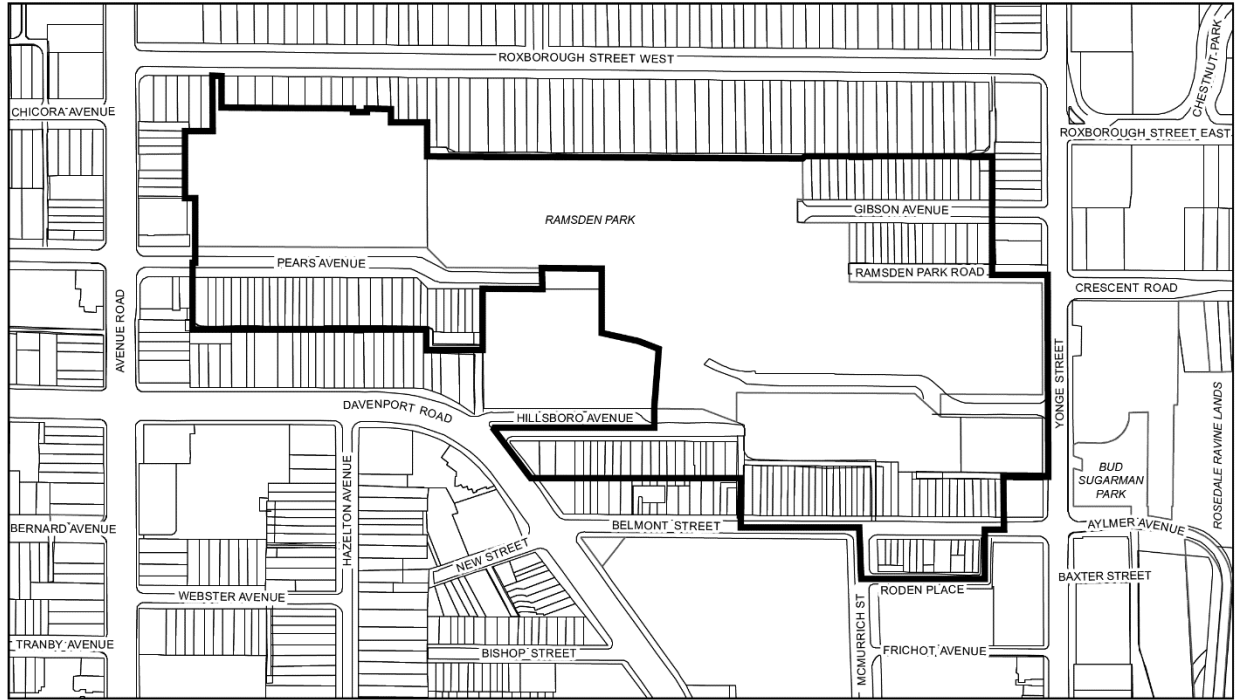
 **Toronto**
Study Area

Beaconsfield
Heritage Conservation District



Not to Scale
10/23/2017

Map 2 - Belmont-Hillsboro



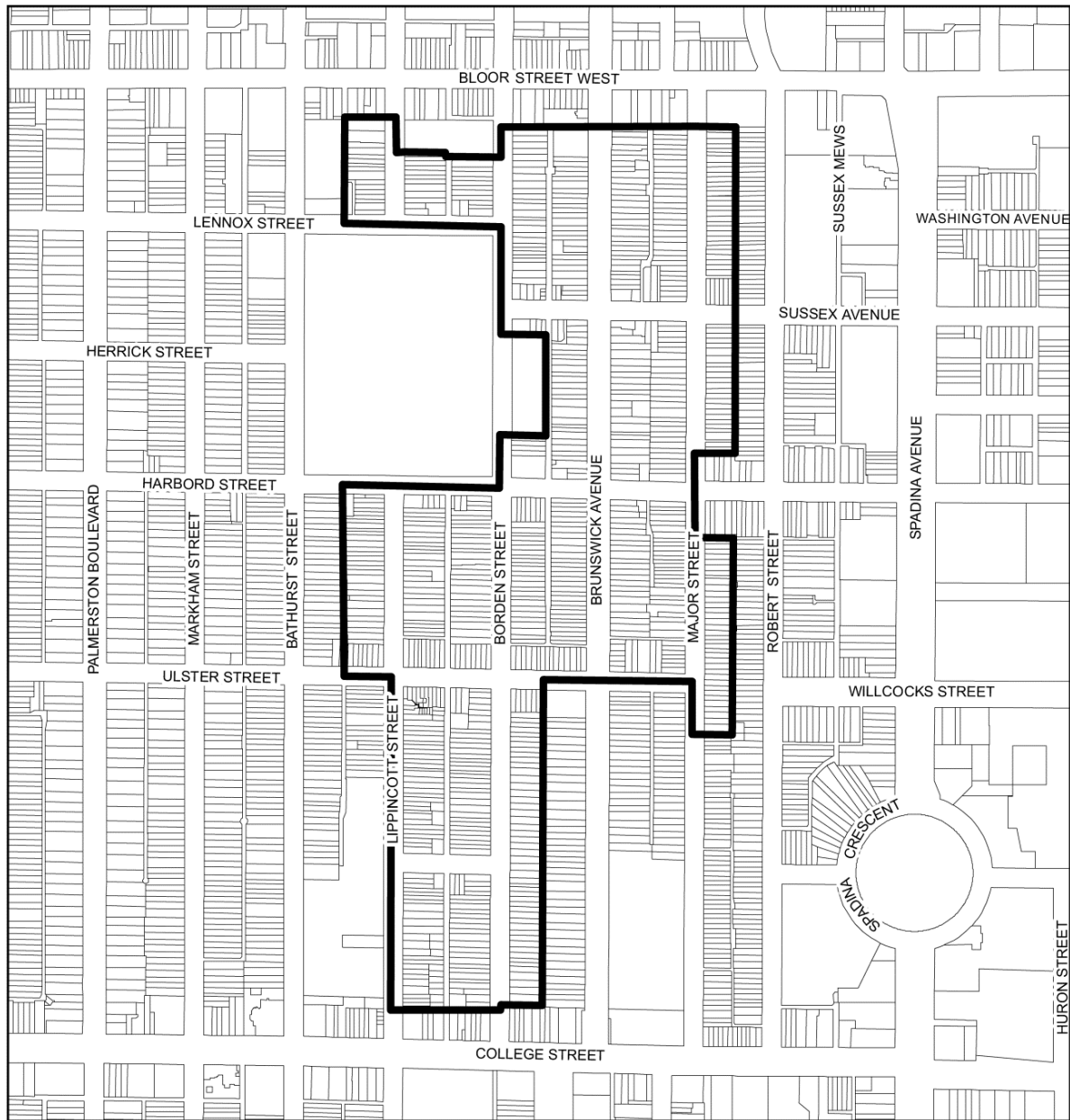
 **TORONTO**
Study Area

Belmont-Hillsboro
Heritage Conservation District



Not to Scale
10/20/2017

Map 3 - Harbord Village Phase 3



Study Area

Harbord Village - Phase III
Heritage Conservation District



Not to Scale
1/23/2015

Map 4 - Lawrence Park West



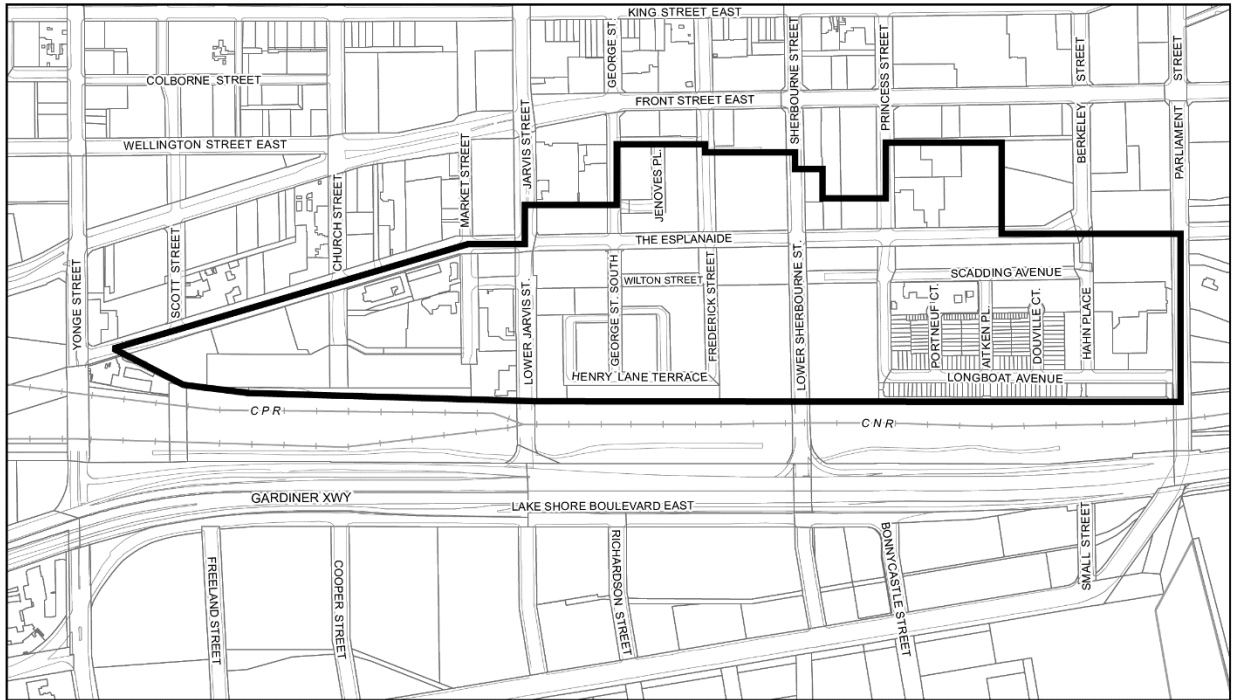
 **TORONTO**
Study Area

Lawrence Park West
Heritage Conservation District



Not to Scale
2/29/2016

Map 5 - St. Lawrence Phase 2: Esplanade



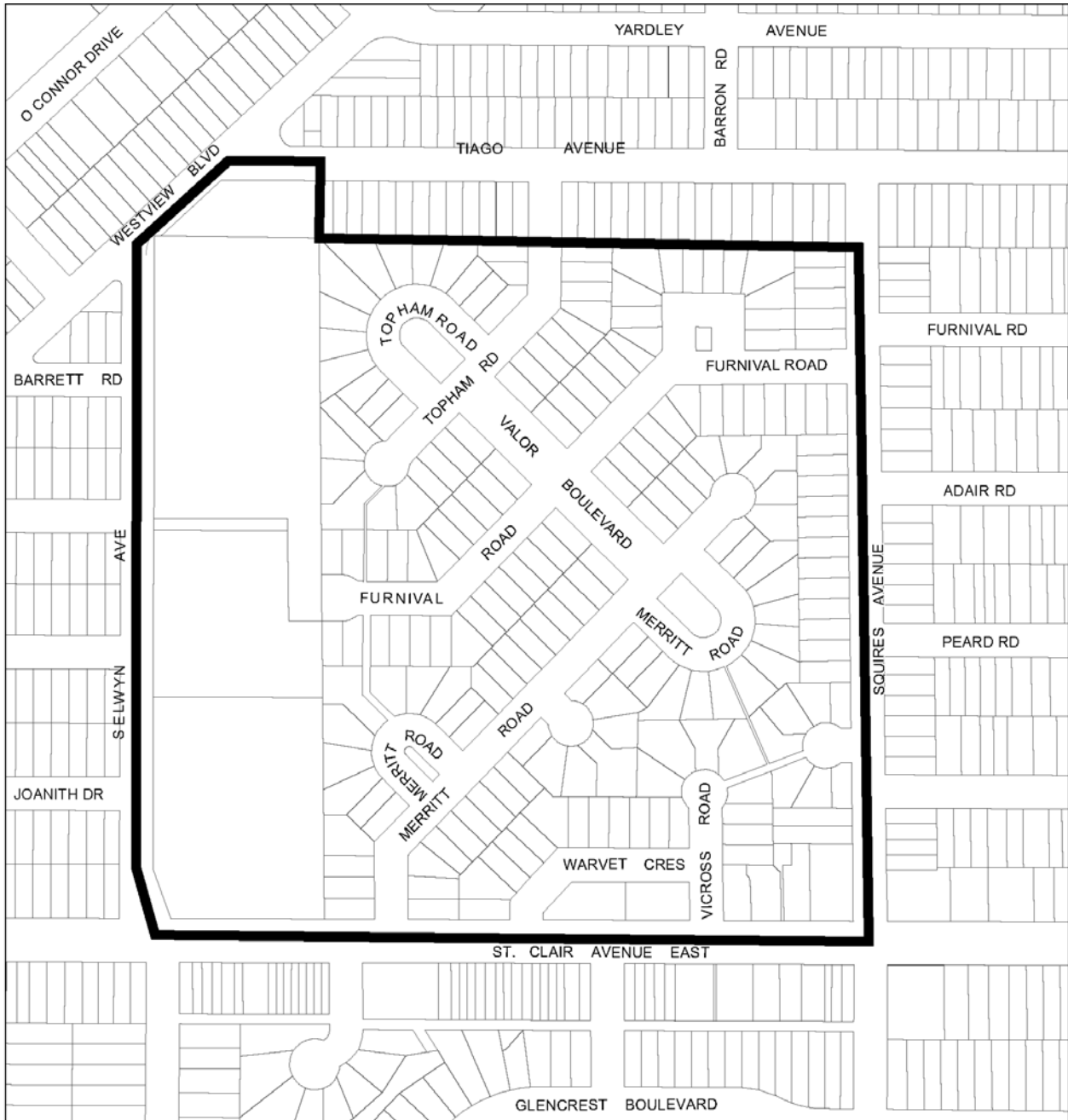
 **TORONTO**
Study Area

**St. Lawrence Phase 2: Esplanade
Heritage Conservation District**



Not to Scale
10/23/2017

Map 6 - Sunshine Valley



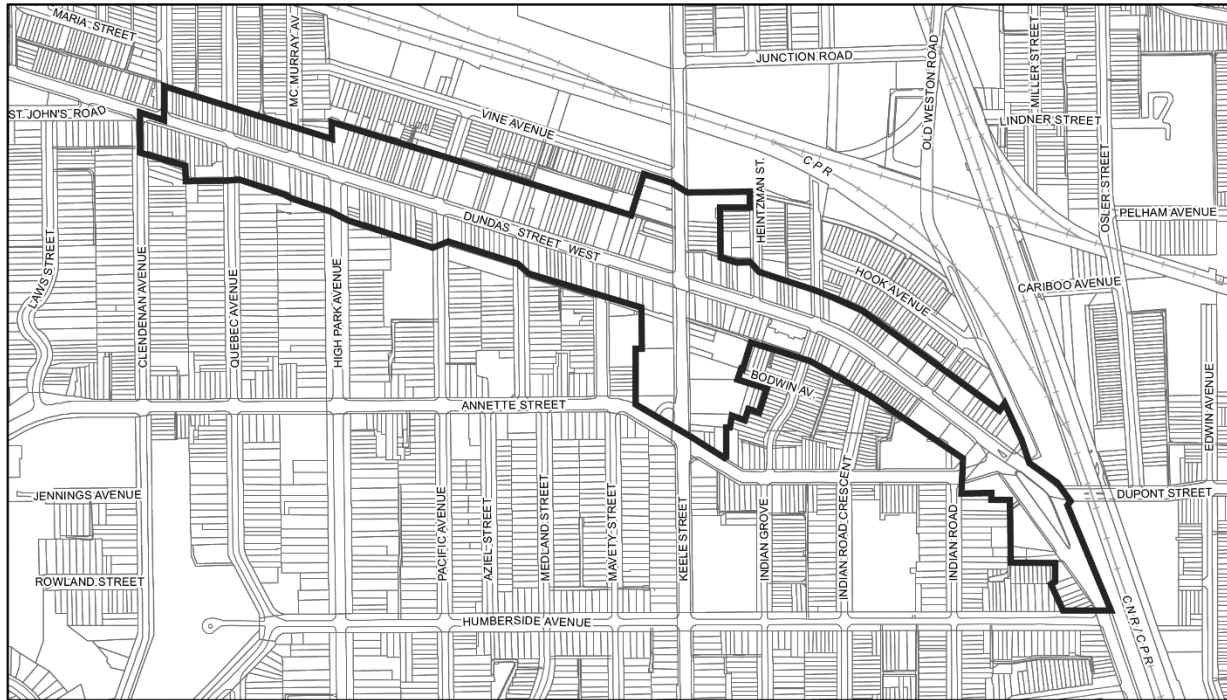
TORONTO City Planning
Study Area

Sunshine Valley
 Heritage Conservation District



Not to Scale
 02/22/17

Map 7 - The Junction Phase 1



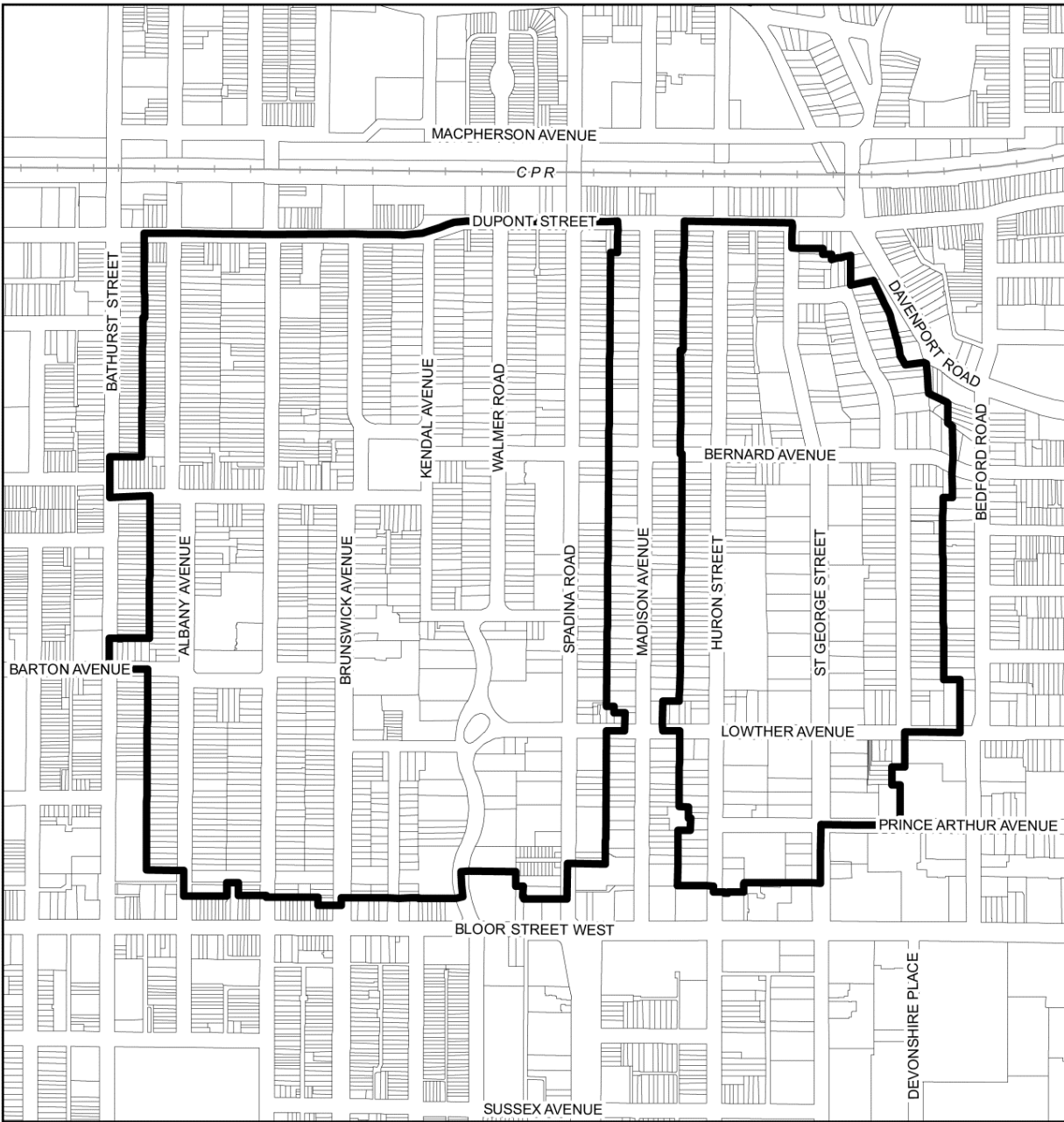
 **Toronto**
Heritage Properties

**The Junction Phase 1
Heritage Conservation District**



Not to Scale
10/23/2017

Map 8 - West Annex Phase 2



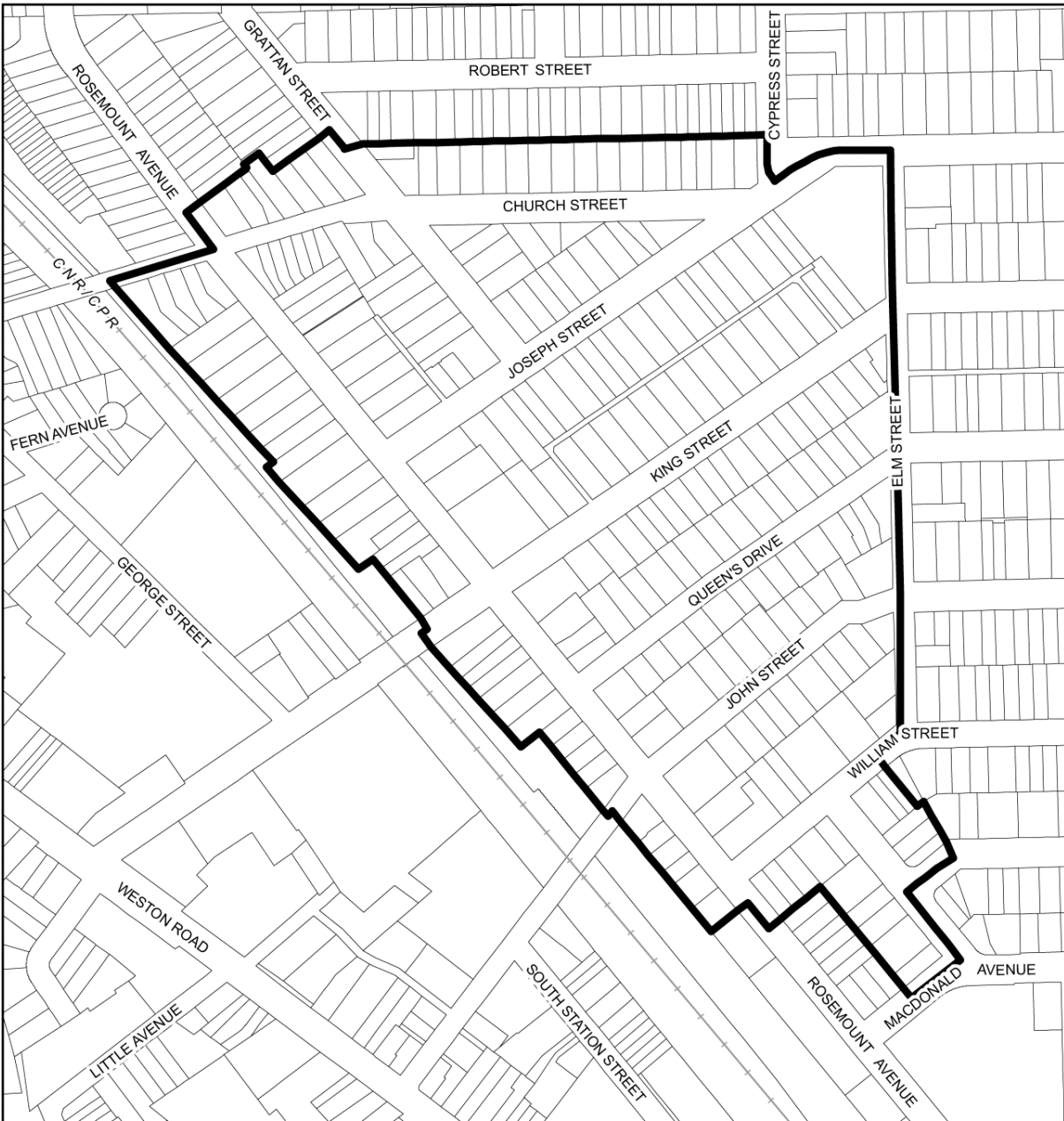
Study Area

West Annex
Heritage Conservation District



Not to Scale
1/23/2015

Map 9 - Weston Area Phase 2



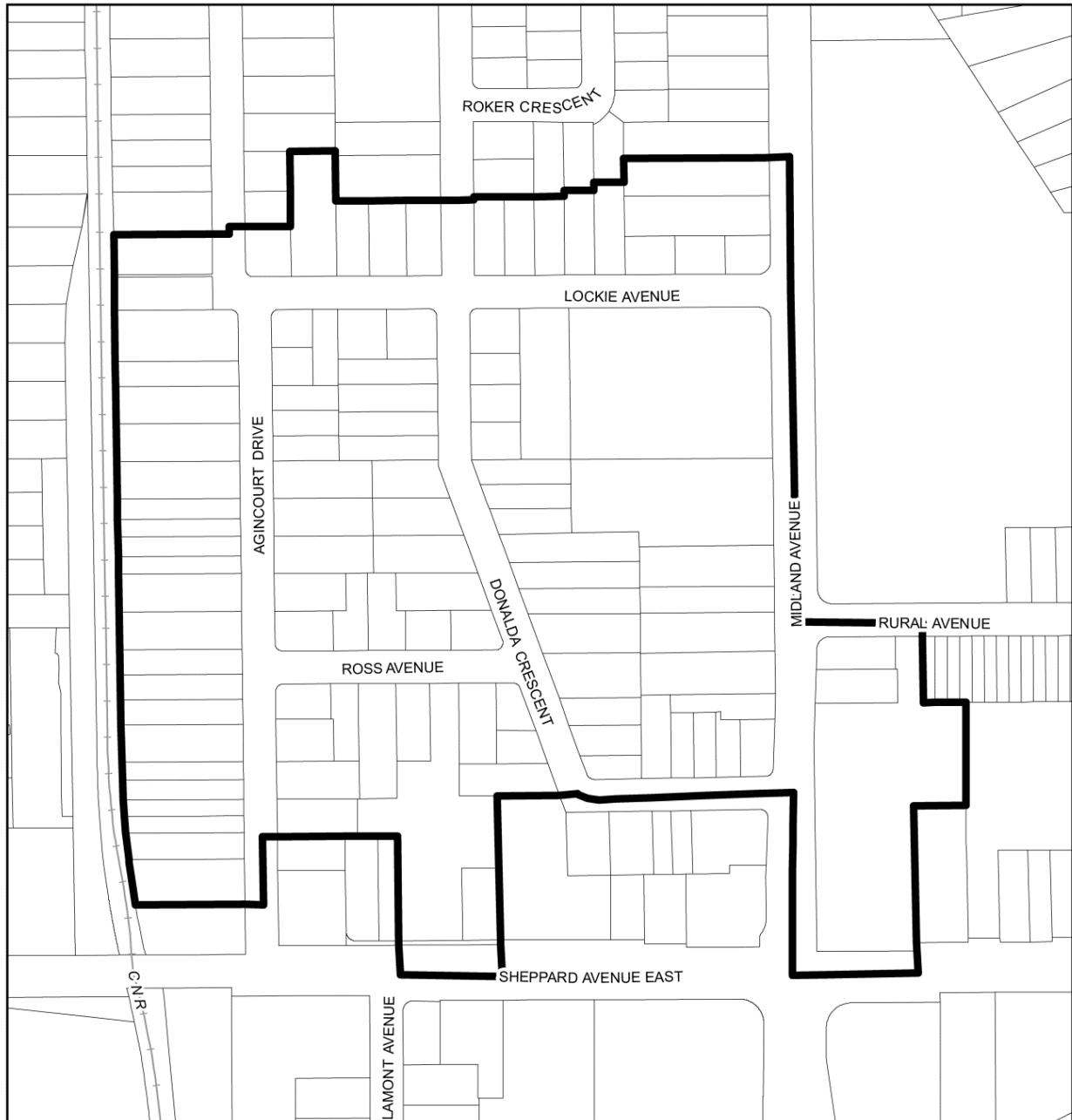
Study Area

Weston-Phase 2
Heritage Conservation District



Not to Scale
1/23/2015

Map 1 - Study Boundary: Agincourt



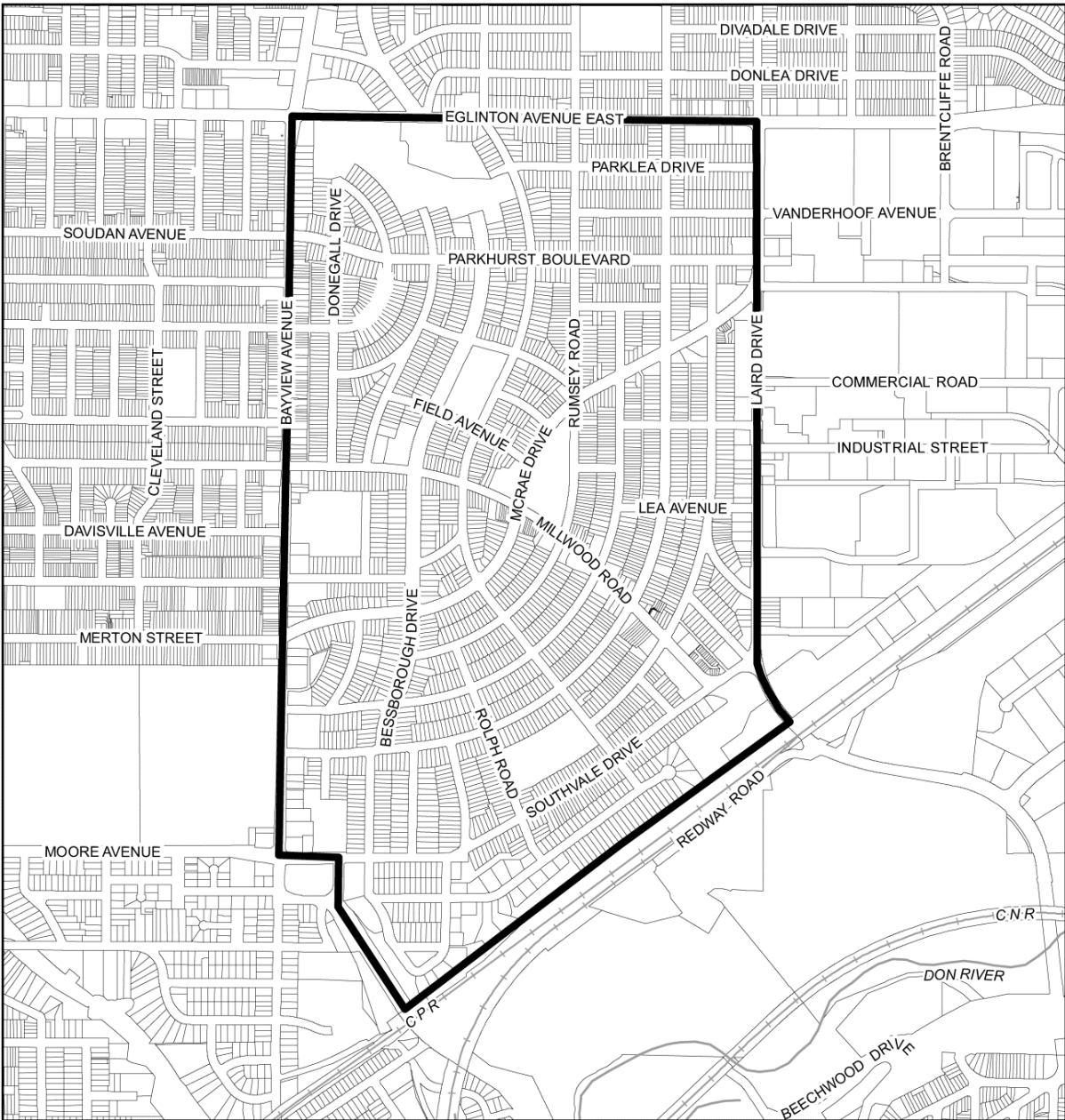
Study Area

Agincourt
Heritage Conservation District



Not to Scale
1/23/2015

Map 2 - Study Boundary: Leaside



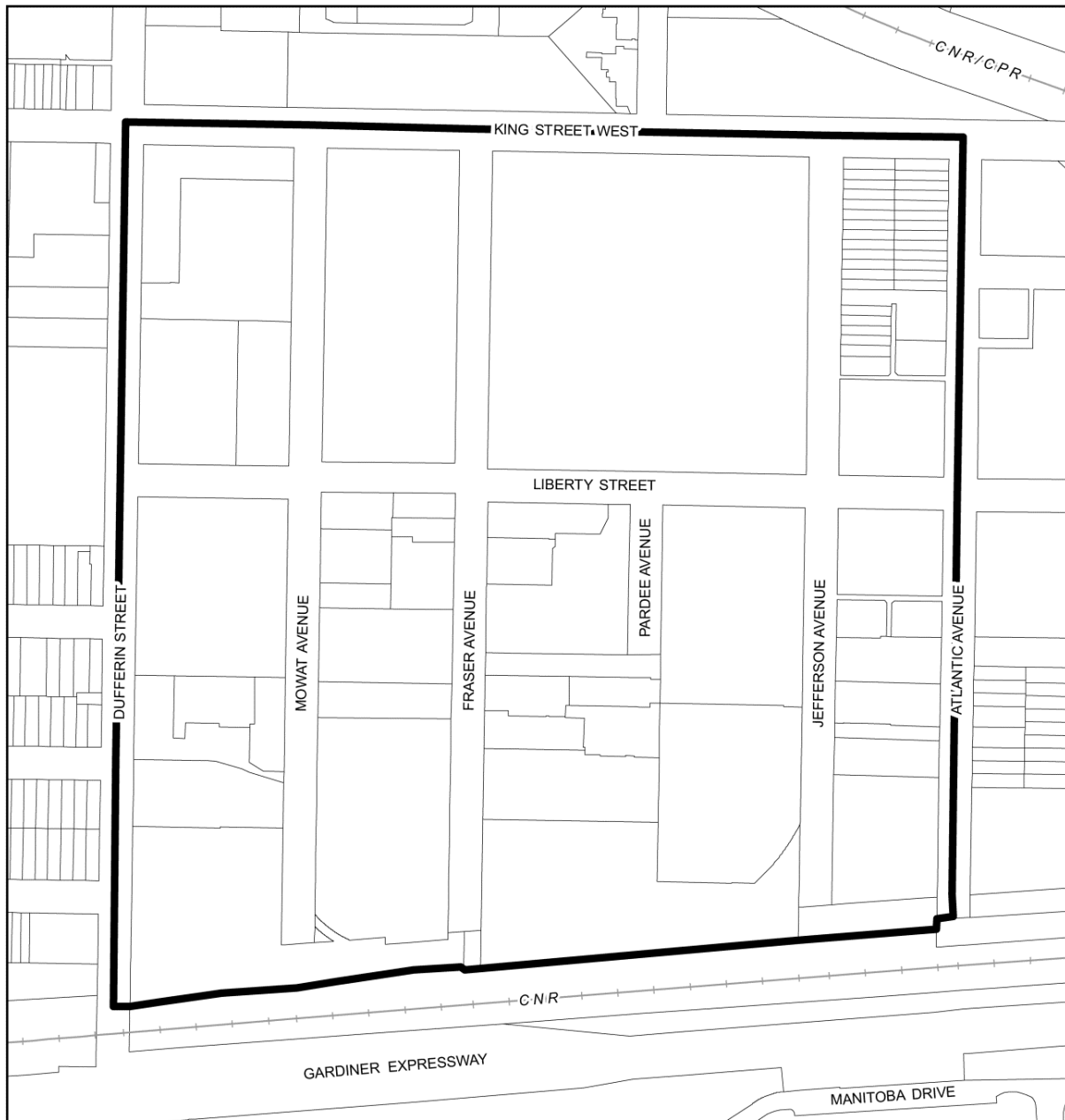
Study Area

Leaside
Heritage Conservation District



Not to Scale
1/23/2015

Map 3 - Study Boundary: Liberty Village



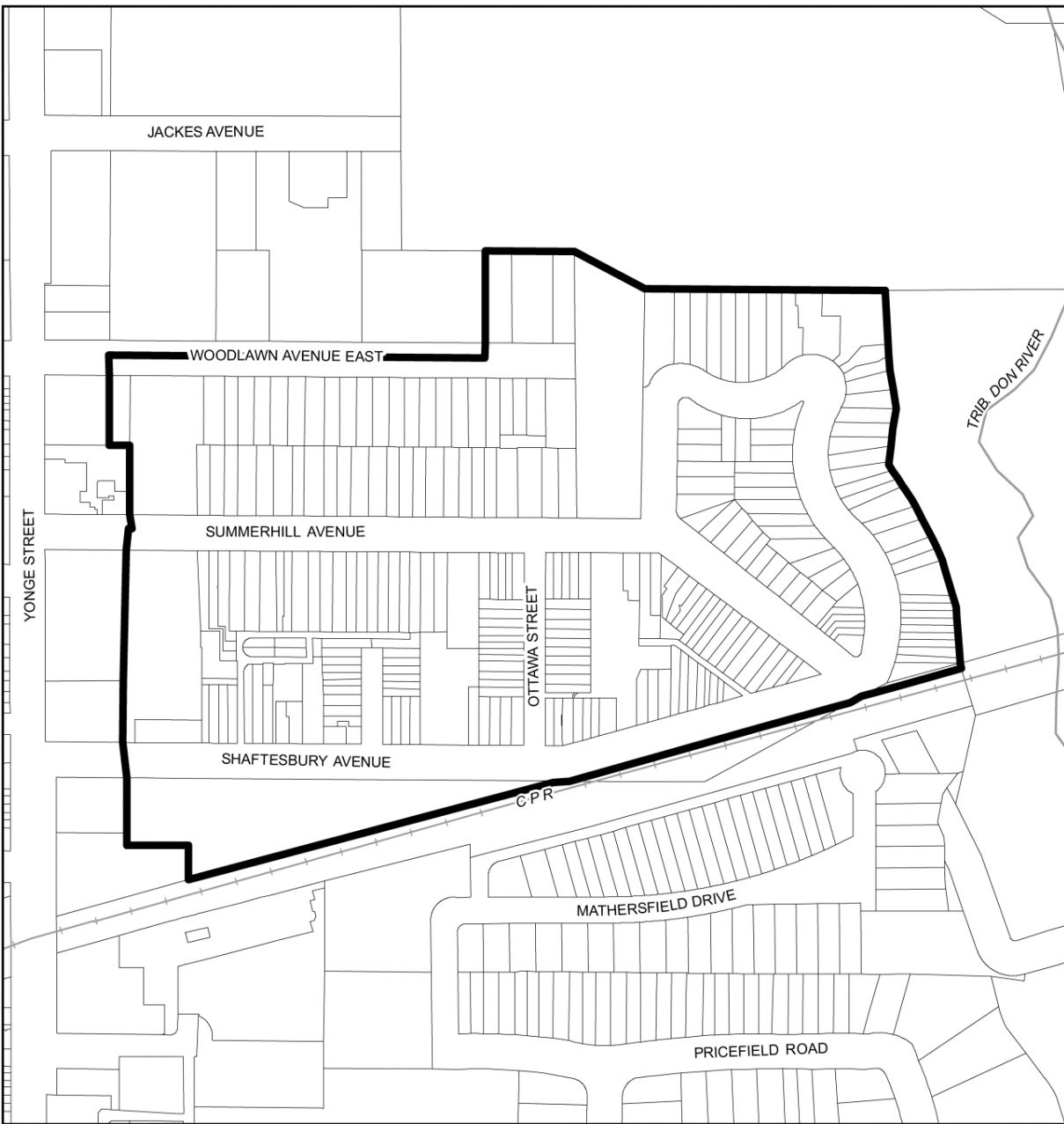
Study Area

Liberty Village Heritage Conservation District



Not to Scale
1/23/2015

Map 4 - Study Boundary: Summerhill



Study Area

Summerhill
Heritage Conservation District



Not to Scale
1/23/2015