

TORONTO STAFF REPORT

April 28, 2006

To: Toronto Preservation Board
Toronto and East York Community Council

From: Director, Policy & Research, City Planning Division

Subject: Union Station Heritage Conservation District - Designation under Part V of the
Ontario Heritage Act
Toronto Centre Rosedale - Ward 28

Purpose:

To recommend that City Council designate the area around Union Station as a Heritage Conservation District under Part V of the Ontario Heritage Act.

Financial Implications and Impact Statement:

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

Recommendations:

- (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 Union Station Heritage Conservation District;
- (2) Council adopt by By-law the Union Station Heritage Conservation District Plan, dated April, 2006, as the District Plan for the Union Station Heritage Conservation District, to act as a guide for property owners, City staff, advisory committees and Council when making decisions regarding matters set out under Sections 42 and 43 of the *Ontario Heritage Act*;
- (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such time as the By-law designating the area as the Union Station Heritage Conservation District comes into force or is repealed, all properties within the area, unless designated under Part IV of the *Ontario Heritage Act*, be listed in the City's Inventory of Heritage Properties;

- (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:

Official Plan Provisions

Section 41 (1) of the *Ontario Heritage Act* enables a municipal council to designate HCDs where the municipal official plan contains provisions relating to establishing such districts. The Official Plan of the former City of Toronto contains such provisions. Specifically, Section 5.5, states:

It is the policy of Council to designate Heritage Conservation Districts within the City on the basis of appropriate studies and to take all necessary steps to encourage preservation and conservation of the heritage buildings, structures and sites, including all areas in the public domain, within such districts.

In designating a Heritage Conservation District, Council shall first define such area as a Heritage Conservation District Study Area, and direct that a study of the proposed district be undertaken. Once completed, the study will form the basis of the Heritage Conservation District Plan. Council may proceed to designate all or part of the area by by-law as a Heritage Conservation District and shall use its powers of review and regulation to implement the objectives of the Heritage Conservation District Plan.

In addition, the new Official Plan for the City of Toronto, which has been adopted by Council but is not yet in force, specifies in Section 3.1.5, Heritage Resources, Policy 1 (b) 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.”

Union Station Precinct Urban Design Study

At its February 1, 2 & 3, 2004 meeting, City Council adopted the December 15, 2004 report to Planning and Transportation Committee entitled “Union Station Precinct Urban Design Study Budget Submission, 61-71 Front Street West”. This report authorized the Heritage Conservation District and Urban Design Study for Union Station as recommended in the Master Plan for Union Station (adopted by City Council on November 30, December 1 and 2, 2004).

Union Station is a major transportation hub within the downtown and the subject of a major redevelopment proposal. To effectively manage growth and accommodate the dramatic increase in transportation demands is critical to understand the urban context of this section of Toronto’s downtown core.

As a component of the Urban Design Study ERA Architects has worked as part of the team to define the boundaries of the Union Station Heritage Conservation District (HCD), assemble research material and develop District guidelines.

A series of public forums were held on October 25, December 13, 2005 and February 21, 2006 as opportunities for the public to review and comment on the study as it proceeded.

The purpose of the HCD Study was to provide the historical background and guidance for the Urban Design Study. The Urban Design Study documents and evaluates transportation issues, pedestrian circulation and the urban form context. The subsequent recommendations serve to coordinate and enhance both the functional and aesthetic qualities of the District.

Comments:

HCD Study Overview

The Ontario Heritage Act requires that the study:

- 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 to the background research documenting the growth and development of the area a Built Heritage Inventory has been compiled that provides specific information relating to each property within the study area and its heritage character.

Proposed Boundaries

There are 27 properties in the proposed District, within which there are 18 listings on the Inventory of Heritage Properties. The listings include 14 Designation By-laws and 14 Heritage Easement Agreements.

The HCD study is comprised of three main sections:

1. archival research on the development of the area
2. inventory of the existing heritage resources
3. heritage design guidelines

Heritage Character

The heritage character of the Union Station District is an assembly of buildings, streets and open spaces whose collective history and interdependence represent an important asset to the downtown core of Toronto. The overlapping development and planning of Toronto's railway lands, waterfront and central business district; historic and monumental architecture; as well as physical patterns of interrelated function, describe key heritage attributes that define Union Station and its surroundings as of significant cultural heritage value.

Objectives and Implementation

The designation of the Union Station HCD and the adoption of the Union Station HCD District Plan by by-law will enable the City and property owners to better protect and maintain the heritage resources in the District. Once designated, and in accordance with Article IV of Chapter 103, Heritage, of the Municipal Code, proposals that comply with the Design Guidelines set out in the District Plan may be approved by staff, while proposals that do not comply or involve demolition 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 and where a proper study has been carried out. The study has not identified any elements of the Zoning By-law that would negatively affect the ability of the City to protect the heritage nature of the District. Therefore, no recommendations are made regarding amendments needed to advance the objectives of the District Plan.

Next Steps

In accordance with Section 42 of the *Ontario Heritage Act*, the designation comes into force at the end of the appeal period following Council's passage of the by-law if there are no objections within the appeal period. 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 following the OMB decision.

Staff is recommending that, to deal with a possible OMB hearing, Council deem all properties in the proposed HCD, except those designated under Part IV of the Ontario Heritage Act, to be listed in the City's Inventory of Heritage Properties. This will enable staff and Council to monitor change in the HCD during the period when it may be under appeal.

Conclusions:

The proposed Union Station Heritage Conservation District is an important cultural and heritage district in the core of Toronto's downtown.

The District Plan resulting from the study defines the 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 Union Station Conservation District Plan.

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List of Attachments:

Attachment No. 1: Map of Union Station Heritage Conservation District
Attachment No. 2: Union Station Heritage Conservation District Study