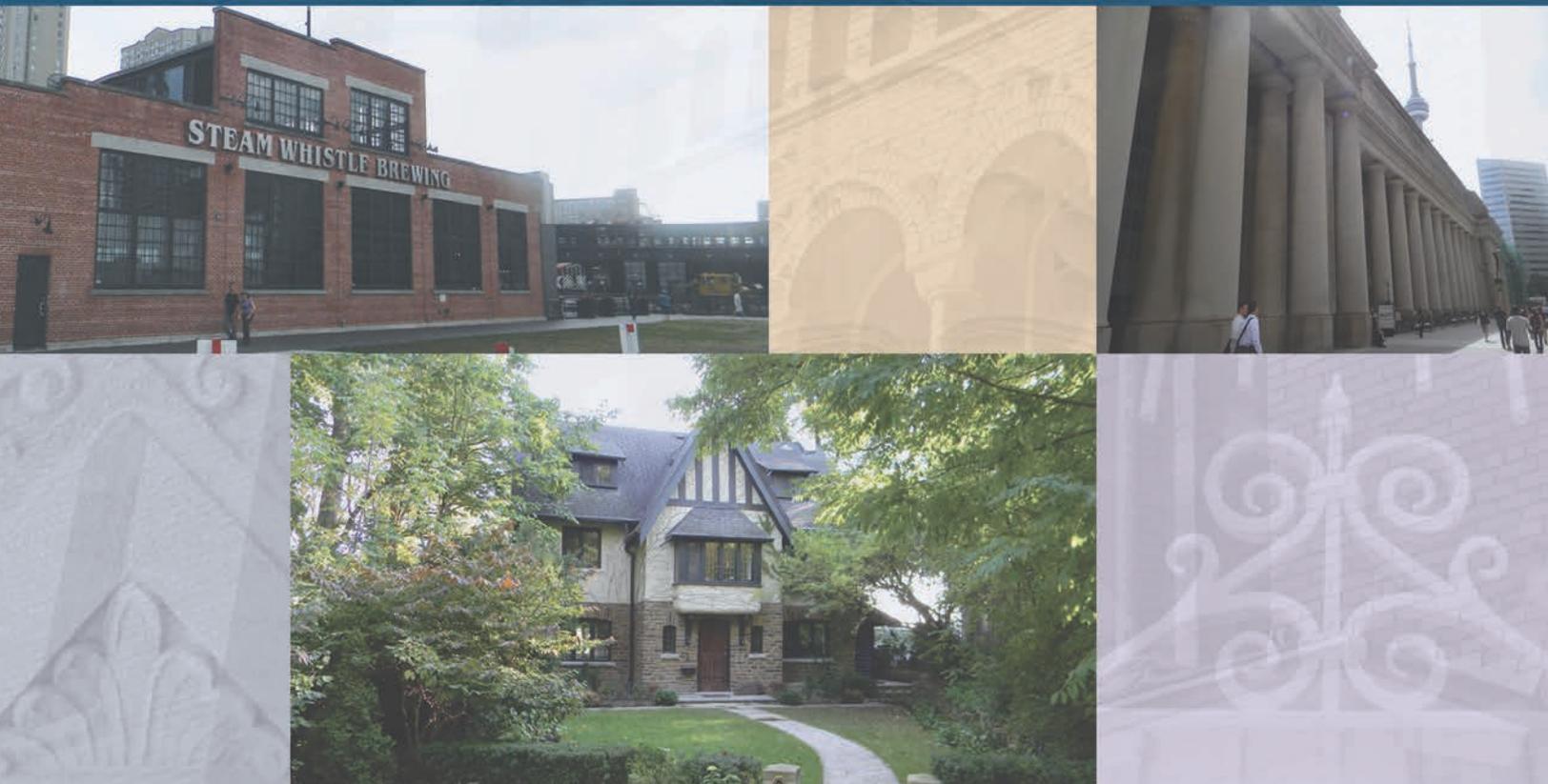




Heritage Conservation Districts in Toronto

Procedures, Policies and Terms of Reference



Heritage Preservation Services
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Foreword

The City of Toronto is a place with a long and proud history that can be seen all around us in the neighbourhoods, buildings and landscapes of our City. Our shared heritage reflects cultures and resources from the pre-contact era to the modern day and is a key part of the identity and liveability of Toronto. The City Planning Division strives to recognize and protect heritage resources of all kinds, including Heritage Conservation Districts (HCDs).

Heritage Conservation Districts in Toronto: Procedures, Policies and Terms of Reference is an important part of the future success of Heritage Conservation Districts in Toronto. Since changes to the Ontario Heritage Act in 2005, the City has seen a new focus on conserving heritage resources in the development and planning process, along with increased powers for City Council to protect historic properties and districts across the City. This document will ensure that the City of Toronto's procedures and approaches to HCDs are up to date and fair for all. As our City grows and changes our significant historic areas will need to be protected and able to welcome appropriate change, making HCDs an important part of the planning process.

The commitment of the City of Toronto to its heritage and history will ensure that we foster a strong sense of time and place in a city that welcomes people and cultures from around the world. Retaining a connection to our history is increasingly important for all Torontonians as our neighbourhoods and commercial areas evolve and change. I welcome this approach to Heritage Conservation Districts in Toronto and look forward to seeing our history remain an important part of our future.



Gary Wright

Chief Planner & Executive Director
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Introduction: Understanding Heritage Conservation Districts

Heritage Conservation Districts (HCDs) are an important and powerful part of the heritage planning framework in Ontario and the City of Toronto. They serve to ensure that historically significant neighbourhoods and areas are protected and reflect Toronto as a place and people through their cultural heritage values and characteristics. HCDs are maintained so that every Torontonian, present and future, can appreciate and take pride in the City's rich cultural heritage.

By protecting our significant and historic neighbourhoods we recognize the importance of history and context within our growing city. While some areas undergo rapid intensification, it is important that we manage change in defined areas of the city that possess cultural heritage value and reflect important periods of the City's history and development. This can be done by creating a historically and contextually sensitive approach to change – one characterized by an ethic of conservation.

The City of Toronto has been designating HCDs since 1985 and has created 20 of them, as of the date of this document. While these districts protect historically significant neighbourhoods, they employ wide-ranging methodologies of evaluation, development guidance, and goal setting. A consistent approach to studying and planning HCDs will ensure that they are of a high quality, fair and defensible.

What is a Heritage Conservation District?

An HCD is an area of the city that is legally protected by a municipal by-law passed under Part V of the Ontario Heritage Act (OHA), by City Council. HCDs are designated because the areas they protect are considered to be historically or culturally significant and require special care and attention in the planning process to ensure that they are conserved. Within the boundary of an HCD every property is subject to the HCD by-law. An HCD Plan that directs how change and conservation should be managed is required for each district.

HCDs may contain multiple properties, landowners, resource types and cultural heritage values. They can be found in residential neighbourhoods, commercial areas, main streets, institutional and industrial campuses and natural areas. The organization of streets, blocks, properties, structures, landscape, streetscape, plantings, and other features of an HCD can contribute to the identified cultural heritage values of an area.



Queen Street West is a vibrant commercial district in downtown Toronto that is the City's first commercial retail HCD.



Weston HCD is a residential neighbourhood on either side of Weston Road in the Etobicoke York region of the City.



Cabbagetown currently has four HCDs and is well known for its consistent Victorian architecture.

Every HCD is unique and will require special policies or guidelines to ensure its conservation and careful management. Each HCD Plan is also unique, but it must still ensure that an accepted and consistent standard of heritage conservation is met across the City.

Why are HCDs Important?

HCDs are important because they ensure that areas valued for their significant history and character are protected and managed in the long term. HCD Plans provide the City and the community with a clear set of policies and guidelines that respond to the unique historic qualities and attributes of a neighbourhood, so that appropriate change can be guided and welcomed.

HCDs are also important because they reflect what a community values about an area. The local community should help to define what is important about a neighbourhood or area and provide input for the analysis of its cultural heritage values, character and conservation objectives. HCDs foster a sense of time and place that results in local community pride. The collaborative nature of creating an HCD has proven to create stronger historic neighbourhoods and communities.

How Does an HCD Work?

HCDs ensure that the significance and character of areas with cultural heritage value are protected and conserved in the long term by managing change to the properties and resources within it. Proposed changes to the district are subject to a permit process under the *Ontario Heritage Act* (OHA). City staff will review permits in relation to the District Plan and may work with the community to ensure that alterations and new construction comply with the plan, fit in and support the character of the HCD.

The OHA empowers City Council to legally designate a defined area of the City as an HCD under a municipal by-law. Once the designation by-law is in place, City Council will issue or refuse heritage permits for alterations and demolitions under section 42 of the OHA. For appropriate alterations to properties within an HCD, City Council has delegated permit approvals to the Chief Planner.

Property owners within an HCD who wish to alter their property or demolish a designated structure must obtain heritage permits. The appropriateness of proposed changes will be weighed against the HCD Plan, the Official Plan, the Provincial Policy Statement, and the *Standards and Guidelines for the Conservation of Historic Places in Canada*. HCD advisory committees will also be consulted where appropriate.

Although it is primarily the attributes and features that are visible from the public realm that are of the most concern in the majority of HCDs, it is important to remember that under the OHA the entire property, except for the interior, is designated as part of the HCD. Policies and guidelines should address how alterations and additions can be accommodated on a variety of property types within a district so that its character and values are maintained over time. The conservation of a district's cultural heritage values and character can be achieved only by carefully managing appropriate change at the individual property level as well as on the district scale.

The Importance of Community Leadership and Collaboration

The creation of an HCD is usually a community driven process. Community groups are encouraged to nominate areas for consideration by City Council. A community group can also lead research, gather information, hire consultants for the HCD Study and Plan, and may also form a community advisory committee for the ongoing management of the district.

The nominator(s) of a potential HCD may be expected to raise funds to pay for the HCD Study and Plan. The City does not currently fund HCD Studies or Plans, although in some areas S.37 funding (Under the Planning Act) may be available. Partnering with other local and/or historical organizations to undertake fundraising initiatives and raising awareness is also a good idea.

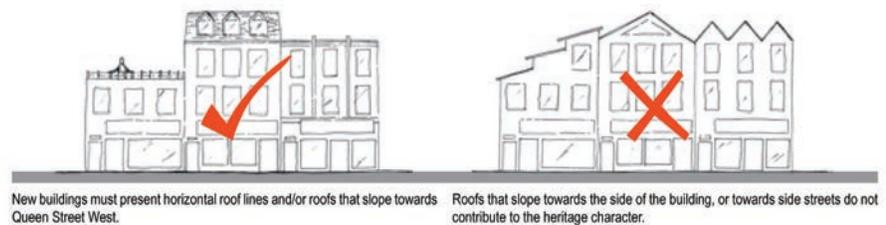
Without the vital work of volunteers and the leadership of community representatives, Toronto would have far fewer HCDs and thousands fewer properties protected on its inventory. The work of these volunteers and community members should be celebrated, supported and understood as integral to all the processes described in this document.

Once an HCD study is under way, a team from the City Planning Division will be formed. The team will consist of a member of Heritage Preservation Services (HPS) staff who will lead the internal process, and will generally include representatives from Community Planning and Urban Design. The internal team may also have additional members, as required. The purpose of this team is to ensure that an HCD is studied and planned in a way that is consistent with City policy and meets the needs of the community.

What Does it Mean to be in an HCD?

Being a property owner in an HCD comes with both benefits and responsibilities. While an HCD is an excellent tool for managing how a district, neighbourhood or commercial area changes over time, there are also regulations and procedures of which a property owner must be aware.

An HCD comes with many benefits in addition to a predictable and more refined heritage planning process for the district. These include an attractive and protected stable neighbourhood, access to heritage conservation incentives, City staff assistance for understanding the HCD Plan and the appreciation of the district and its history throughout the community. Most importantly, an HCD designation protects significant areas and neighborhoods from damage to the integrity of its character and its cultural heritage values.



HCD policies and guidelines help to create a predictable and consistent framework for conservation and change. (Queen Street West HCD Plan)

An HCD can also limit the extent to which properties can be developed so that new additions or structures fit into the character of the HCD. This may mean that certain structures will not be recommended for demolition or extensive alteration. While the intent of an HCD is to manage change and to find a way

to allow harmonious alteration and additions, it can also be true that a small number of property owners may feel disadvantaged by the regulations of a HCD Plan. The plan needs to be written to address the conservation of the entire district and might not always address the experience of a single or few owners who might feel constrained by the regulations.

Every property owner in an HCD can make an application to alter their property under section 42 of the Ontario Heritage Act. Changes to properties are required to conform to the HCD Plan to ensure long-term conservation consistent with the policies of this document. Applications inconsistent with the HCD Plan can only receive approval from City Council.



About this Document

The purpose of this document is to create a consistent, transparent and fair set of required procedures and policies to guide the creation of HCDs across the City. It is intended to be used by members of the community to understand how to study and plan an HCD as well as by professionals who require a detailed terms of reference that reflects how the City expects HCD Studies and Plans to satisfy the requirements of provincial legislation and policy.

These policies and terms of reference respond to changes to the OHA in 2005 that created new requirements for heritage conservation districts. HCD Plans adopted prior to this document have differing methodologies for the determination of what properties should be subject to demolition control and conservation. These wide ranging plans have, on occasion, not met the expectations of communities in dealing with development within their HCDs.

This document will ensure that all communities are subject to fair and uniform standards and expectations for creating and managing an HCD in the long term and that each HCD Plan has clear objectives, strong policies and an effective standard of conservation. This document and its requirements should be read and understood in its entirety, however many community members will find Parts I, II and III to be written in plain language and targeted at a broad audience, while “Appendix A: Terms of Reference” is targeted more towards a professional community to use in directing work and meeting the expectations of Council.

This document acknowledges and incorporates important feedback from consultation with existing HCD advisory committees, heritage professionals experienced in the creation of HCD studies and plans, City staff and community stakeholders.

Legislation, Policies and Other Documents

The procedures, policies and terms of reference of this document are written to satisfy the direction provided by the *Ontario Heritage Act* for the study, planning and designation of HCDs, as well as *The Ontario Planning Act*, *the Provincial Policy Statement 2005 (PPS)*, and *The City of Toronto Official Plan* direction for the conservation of cultural heritage resources. They also apply *the Standards and Guidelines for the Conservation of Historic Places in Canada* and the *Ontario Heritage Toolkit: Heritage Conservation Districts (Toolkit)*.

The HCD policies and attached terms of reference describe the detailed requirements of the City that fulfill the obligations of the PPS and various Acts, while the content of Parts I, II and III provide discussion, clarification and implementation of the larger policy framework. Some of the policies are intended to streamline and make consistent the administration of HCDs, while others satisfy legislative and policy requirements.

The *Ontario Heritage Act* enables Toronto City Council to designate Heritage Conservation Districts under Part V of the Act as follows:

41. (1) *Where there is in effect in a municipality an official plan that contains provisions relating to the establishment of heritage conservation districts, the council of the municipality may by by-law designate the municipality or any defined area or areas thereof as a heritage conservation district.*

Accordingly, the City of Toronto Official Plan addresses the designation of Heritage Conservation Districts and the associated authority of the above mentioned section of the OHA as follows:

1. *Significant heritage resources, will be conserved by:*
 - b) *designating areas with a concentration of heritage resources as Heritage Conservation Districts and adopting conservation and design guidelines to maintain and improve their character.*

This document ensures that every HCD Study and Plan is completed in a way that is straight forward and predictable for City Council, property owners and property developers and ensures that the requirements of the OHA are satisfied

consistently. Section 40. (2) sets out the minimum requirements for the study of an HCD, as follows:

- (a) *examine the character and appearance of the area that is the subject of the study, including buildings, structures and other property features of the area, to determine if the area should be preserved as a heritage conservation district;*
- (b) *examine and make recommendations as to the geographic boundaries of the area to be designated;*
- (c) *consider and make recommendations as to the objectives of the designation and the content of the heritage conservation district plan required under section 41.1;*
- (d) *make recommendations as to any changes that will be required to the municipality's official plan and to any municipal by-laws, including any zoning by-laws. 2005, c. 6. s. 29.*

Section 41.1 (5) sets out the minimum requirements for an HCD Plan, as follows:

- (a) *a statement of the objectives to be achieved in designating the area as a heritage conservation district;*
- (b) *a statement explaining the cultural heritage value or interest of the heritage conservation district;*
- (c) *a description of the heritage attributes of the heritage conservation district and of properties in the district;*
- (d) *policy statements, guidelines and procedures for achieving the stated objectives and managing change in the heritage conservation district;*
and
- (e) *a description of the alterations or classes of alterations that are minor in nature and that the owner of property in the heritage conservation district may carry out or permit to be carried out on any part of the property, other than the interior of any structure or building on the property, without obtaining a permit under section 42. 2005, c. 6, s. 31.*

The policies of this document satisfy the requirements of the OHA procedures for studying and planning an HCD in a variety of ways. In general, HCD Policies 1, 4-7 and Section 1 of Appendix A address the requirements of section 40.(2) of the OHA to ensure that proposed HCDs are properly and adequately studied (referred to as the HCD Study in this document), while HCD Policies 8-16 and Section 2 of Appendix A address the OHA requirements found in section 41.1 (5) to ensure that HCDs are properly and adequately planned (referred to as the HCD Plan in this document) so that change and conservation can be

The Ontario Heritage Toolkit is an important resource to guide research and the creation of HCDs. Consult the *Ontario Heritage Toolkit: Heritage Property Evaluation* for guidance on researching individual properties, and the *Ontario Heritage Tool Kit: Heritage Conservation Districts* for guidance on researching and understanding HCDs. Both publications can be downloaded at: http://www.mtc.gov.on.ca/en/heritage/heritage_toolkit.shtml

appropriately managed once the designation is complete. Some HCD Policies mentioned above may address some of the requirements for both an HCD Study and Plan. HCD Policies 2 and 3 describe how the City will receive and process a nomination.

In addition to satisfying the requirements of the OHA, the HCD policies are written to ensure compliance with the mandatory PPS requirement that significant cultural heritage resources shall be conserved, including the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. In particular, these are: HCD Policies 7, 8, 9, 10, 11, 12, 13, 14.

The PPS direction on archaeological sites and resources in section 2.6.2 is addressed in HCD Policy 15 to ensure that archaeological resources are considered and conserved as a part of the HCD and that they are not less important than any of the HCD's constituent parts. This policy is complimentary to the City of Toronto Archaeological Management Plan and in no way replaces its intent or requirements.

This document also aims to further the goals of the City of Toronto Official Plan to conserve properties listed or designated on the Inventory of heritage properties by applying the City Council adopted *Standards and Guidelines for the Conservation of Historic Places in Canada* (Standards and Guidelines) for a consistent and accepted standard of conservation across HCDs in the City of Toronto.

HCD Policy 10 indicates that the Standards and Guidelines are to be employed in evaluating the appropriateness of change to the district. This implies a regard for the district that is sensitive to its cultural heritage values and that promotes long term conservation through the careful management of change. The Standards and Guidelines contain guidelines for HCDs as cultural heritage landscapes and should be consulted when considering changes to the resources of a district.

The Toolkit is a guidance document of the Ministry of Tourism and Culture that has greatly informed this document and should be regarded as a companion

to it. It is referred to from time to time where it adds clarity or understanding to the stated requirements, and sections of it may be repeated or reinforced throughout. In the case of a conflict between the requirements of this document and the Toolkit, all reasonable efforts should be made to reconcile the conflict in favour of the higher standard of documentation and conservation. However, should the conflict prove to be irreconcilable, this document will prevail to the extent of the conflict.

HCD POLICY 1: Proposed HCDs must address all of the policies and requirements of the City Council adopted terms of reference for an HCD Study and Plan prior to the designation of any district.

Applicability

The policies and terms of reference contained in this document are in effect as of the date of their adoption by City Council and will apply to all HCDs studied and designated after that date. They do not apply retroactively to HCDs that were designated prior to the adoption of this document. However, when a HCD Plan that existed prior to the adoption of this document is revised, or if its plan or by-law is amended, it is the goal of the City that the new HCD Plan will be brought into conformity with this document. Any additional studies needed to complement HCD Plan revisions should also be undertaken in accordance with this document.

Part I – Nominating a Heritage Conservation District

Section 1: Community Leadership and Engagement

Nominating a potential HCD is the first formal step to seeking a HCD designation for a neighbourhood or area. HCDs are created because the people who live and work in an area believe that the character and historic values of that area are unique or special and should be protected and conserved in the long term.

HCD POLICY 2: A nominator may be any person, group, organization, association or corporation that wishes to see an area of the city studied for designation as an HCD. The City may also initiate an HCD Study by request of Council or where it is relevant to planning studies.

When a group or individual seeks to nominate an area as a potential HCD, the community can organize ahead of time to gather support, create interest and help property owners to understand what an HCD could mean for the community. An organized effort for a nomination is the best way to succeed in creating a new district.

Creating an HCD takes a lot of hard work and commitment from community members, consultants and volunteers as well as City staff, but that hard work is an investment that pays off in the long-term protection of a neighbourhood or area with significant cultural heritage value. While HPS staff review and guide the process of nominating, studying and writing an HCD Plan, it is often the leadership of an engaged community that drives the process, helps to define the goals of the HCD, identifies its significance and gathers support for it.

Section 2: Preparing a Nomination - Understanding the Neighbourhood

Understanding a neighbourhood or area is about being able to communicate what makes it special. Before a nomination is submitted a nominator should have a basic understanding of what might make their area a good candidate for an HCD designation. In order to do this a nominator should undertake some initial research.



Community involvement is an important part of studying and planning an HCD.

When considering the nomination of a neighbourhood or area as an HCD, the best first step is to contact the City. HPS staff can help a nominator understand what should be included in a nomination. The more research and documentation that is submitted, the easier it is for HPS to determine if a proposed district should be authorized for study. It is important to note that HPS staff will not complete the nomination for the nominator, but can provide advice about completing a successful nomination.

The research needed for a nomination is important, but not so onerous as to require the complete documentation of the neighbourhood or the work of a professional consultant. A nominator should first tour the area to see if there is a consistency to the architecture or design, or perhaps a dominant and well represented historic theme.



Cabbagetown is an excellent example of consistent historic streetscape that is immediately evident. Looking for patterns, groupings and relationships of resources can often indicate potential for an HCD.

Boundaries are an important part of studying and designating an HCD. They define the study area and should generally reflect the extent of a consistent character, theme or identity for the proposed district. They are continually refined over the course of the study and designation, however, having a strong sense of the potential district's boundaries at an early stage is important.

While the built form and landscape can be understood through walking tours, photographs and literature, a compelling case for why the area should be studied as an HCD needs to be made. A nominator should be able to make the case for a nomination through some typical photographs of the area and a good understanding of the area's history and its potential significance. A nominator will need to participate in and champion the study and planning process if a nomination is to be successful.

Once there is an understanding of why it is important that an area be considered for HCD designation, the next step is to gather support for the nomination. Letters of support from historical societies, ratepayer and residents associations, community organizations, local City Councillors, MPPs and MPs, as well as others will demonstrate that there is wide spread support for the nomination. Although letters of support are not absolutely required, a successful nomination will demonstrate support within the community for an HCD designation.

A nominator will also propose the general boundaries of the district as part of the nomination package. Although the boundaries may change if the study and plan progress, it is important to have an idea of the geographic extent of the potential HCD at the beginning of the nomination stage.

Section 3: Processing a Nomination

A nomination form will be submitted for each district that a community wishes to see designated as an HCD. A complete nomination will help HPS staff understand what the district looks like, its history and why the nominator believes it should be protected as an HCD. When HPS receives an HCD nomination a preliminary evaluation will be undertaken to determine if this is an area that the City has previously considered or if it has been identified for Section 37 funding to study as a potential HCD. HPS staff may return a nomination if it is incomplete or if it is determined that the area will not likely satisfy the criteria for the determination of cultural heritage value for HCDs.

When a nomination is complete enough to determine that there may be potential for an HCD, a neighbourhood visit will be scheduled so HPS staff can see the area and discuss it with the nominator. The neighbourhood visit is important to both the nominator and HPS. Community members will benefit because they will get a better idea of what City Planning is looking for in an HCD and HPS staff will benefit from a deeper understanding of the community's interest in an HCD.



A walk through Yorkville-Hazleton HCD shows that there are a variety of resource styles and types in the district and helps to better understand the relationship of resources to one and other.

If the nominated area is considered appropriate for an area study, HPS staff will set up a community meeting to let the neighbourhood know that an HCD nomination has been made and that it is a good candidate for study. The purpose of this meeting is to receive feedback from residents and property owners in the area and to answer general questions about HCDs, their implications and benefits.

After the community meeting, HPS staff will prepare a report to City Council seeking authority to study the area under section 40. (1) of the OHA. The area will be defined by a boundary that is informed by the nomination and additional analysis during neighbourhood visits and community meetings. If council determines that no authority to study the area should be given, then the nomination will be unsuccessful and the file will be closed.

Not every HCD nomination will result in an authorization to study an HCD. HPS staff need to be reasonably confident that the study will result in the creation of an HCD Plan. When nominating a potential HCD it is important to keep in mind that the primary goal of an HCD is to conserve the history, cultural heritage values and character of the district.



If City Council determines that authorization to study should be granted, then the nominator may be responsible for locating and accumulating funds to hire a consultant to study the area and write an HCD Plan. In addition, the nominator will be expected to provide quarterly updates on progress with fundraising, recruiting volunteers, conducting research and documentation, as well as the progress of the consultant once the formal study is under way.



The properties in the Union Station HCD demonstrate that nominations for HCDs can be submitted for all types of areas, including, residential, commercial, retail and even industrial.

Sometimes the City will lead an HCD Study or plan when City Council or staff has recommended that an HCD is desirable. When this happens, the City will ensure that the affected community is engaged in the process prior to all decision points in the study, planning and designation of the HCD. Whenever this occurs, the HCD Study and Plan consultation requirements found in the terms of reference will apply. Nomination requirements and progress reports will be waived for City Council, staff and its representatives.

HCD POLICY 3: The creation of an HCD is a collaborative process involving the community, City staff and heritage professionals. In order to maintain consistent communication, once a nominated area has been authorized for study, the nominator will be required to send quarterly progress updates to the designated contact in Heritage Preservation Services until the designation is complete. City staff may close or suspend HCD files if they become dormant for over one year and progress reports have not been received.

Part II – The HCD Study

The HCD Study is perhaps the most important part of creating an HCD. Without it, policies and guidelines would have neither a foundation in local cultural heritage values and resources, nor a thorough understanding of the makeup and nature of the study area. Without meaningful consideration and evaluation of the district, policies and guidelines cannot be effective.

Requirements for an HCD Study are set out in section 40. (2) of the OHA. The contents of an HCD Study set out by this document address the OHA requirements and includes:

- The history and evolution of the area
- A built form and landscape survey
- The analysis of typologies and district character
- An evaluation of cultural heritage values
- A Statement of District Significance that includes:
 - a description of the location/extent of the district
 - a description of cultural heritage values
 - a description of heritage character
 - general attributes of the district
- Recommendations for by-laws and the HCD Plan.

Once an HCD Study is completed, a community meeting will be held so feedback about the study and its recommendations can be gathered. After that meeting, a report to Council will be prepared by HPS staff recommending either that staff proceed with a district plan and designation for the area, or that the area not be designated and an HCD Plan should not be completed. If Council doesn't recommend continuing with an HCD Plan and designation the nominators may be referred to other municipal resources, tools or studies for planning issues in the area.

HCD POLICY 4: A community or organization that nominates an area for consideration as an HCD may be required to retain a qualified heritage professional to prepare the HCD Study and Plan (as described in the Terms of Reference) who is a member of the Canadian Association of Heritage Professionals and has demonstrated experience in preparing HCDs Studies and Plans.



A decorative keystone from a house in Cabbagetown.



Architectural details, like those seen in this image from the Union Station HCD, can also be recorded on a built form and landscape survey form.

Section 4: History and Evolution of the Study Area

Evaluation of a potential district cannot occur without a robust written and illustrated history of the area that takes into consideration all periods of history that affect the area, including Aboriginal history. *The Ontario Heritage Toolkit* provides guidance on researching both individual properties and districts and should be used to guide research efforts. Nominators and consultants should ensure that all research sources are recorded so that factual information can be verified and used later in the process of creating an HCD.

HCD POLICY 5: A well-researched and comprehensive history of the area, including its patterns of evolution must be completed prior to evaluation and planning of the HCD, including pre-contact history of the area.

The history of the area provides a thorough understanding of the evolution of development, events, and notable individuals associated with the proposed district. It should demonstrate why the proposed district is historically interesting or unique.

To illustrate how the neighbourhood has evolved over time, drawings or maps should be included that survey the evolving physical elements of the HCD Study Area such as:

- the topography including stream courses, ravines and hills
- the layout and organization of streets, blocks and lanes, parks and civic building sites
- the size and configuration of lots on the block
- the footprint of buildings
- landscape features including woodlots, farm hedgerows, street trees, gardens and garden elements including gates, walls, sculpture etc.

A timeline should be constructed that marks significant points and influential moments in the history and evolution of the proposed district so that they can be understood in a linear and visual way.

Section 5: Built Form and Landscape Survey

The built form and landscape survey is a non-evaluative record used to collect basic data about properties, resources, landscape, design features, and groupings of resources prior to the determination of the significance of a district

or its resources. A survey form is needed for each property within the proposed HCD so that a full record of the district resources can be assembled.

By having a complete survey, the City, community groups, planners and others can access basic locational, historical, architectural and landscape information about a property. This ensures accurate data and fosters a deeper understanding of the designed and natural resources in the City. Furthermore, it allows the City to have a proactive resource for identifying properties that should be added to the inventory and for monitoring properties and districts over time.

A complete guide to completing the built form and landscape survey is found in Appendix C of this document - please consult it for further information.

HCD POLICY 6: Structures and notable landscape features will be documented on a survey form for the extent of the proposed HCD so that its resources and attributes can be understood and monitored over time.

Who Records the Information?

Typically, volunteers who wish to record and learn more about their community complete a survey. Heritage conservation professionals, architects, planners, students and others can also complete surveys.

Section 6: Character Analysis - Themes and Typologies

After the built form and landscape survey is completed, a careful character analysis of an HCD study area is an important next step to understand its potential significance. This begins by grouping the resources of the study area according to themes and types. By understanding the interrelationship of themes, types and context within the study area a comprehensive analysis of character, attributes and significant features can be made.

Changes in landscape, architecture, development patterns and the historic evolution of the study area in general should inform the analysis of various themes and typologies. The identified themes and types should be mapped to reveal their prevalence, geographic relationships and influence on topography and layout of the district.

The identification of themes and typologies is important for the evaluation of the area's character, cultural heritage values, objectives, policies and guidelines for the management of the district.



Draper Street HCD is an island of historic architecture amid a rapidly evolving neighbourhood.

A good thematic framework of Canada is available from Parks Canada and can be used to guide the understanding and analysis of themes that apply to the proposed district. The Parks Canada thematic framework can be found at:
<http://www.pc.gc.ca/docs/r/system-reseau/sec2/sites-lieux17.aspx>



Parts of Fort York are a static (relict) district and have been preserved to commemorate a specific time in history.



Queen Street West is a dynamic district whose character can be defined in part by change over time as new business and communities move in to the area.

Thematic Groupings

Themes emerge from the analysis of historic trends, building and landscape patterns, and historic associations in a study area. Once the themes are identified, their significance can be determined through the application of criteria for the determination of cultural heritage value as detailed in this document. The thematic groups will indicate how the existing built form, landscape and other features relate to historical events, evolution, individuals, groups and practices in the study area.

Identified themes should be reflected in the resources of the study area. Some themes may have few resources related to them, while others may have many. It is not the number of resources related to a theme that is important, but rather the quality of documentation, analysis and relationship that reveal a theme's significance. The themes should be thoroughly described and illustrated using examples from within the study area.

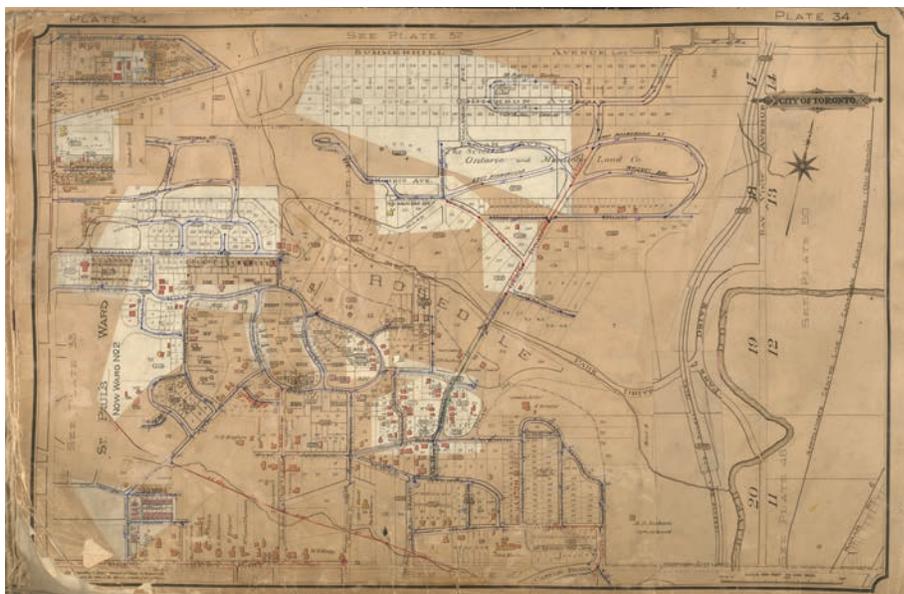
In addition to existing thematic frameworks from Parks Canada, it is possible that additional, complimentary or more specific thematic groupings may relate to the local situation. These may include, but are not limited to:

- Aboriginal history, uses and associations
- transportation
- trade and economy, (including related routes, trail ways and water ways)
- development patterns and history
- use (i.e. commercial, residential, institutional, industrial, mixed use, etc.)
- major local events
- notable individuals
- places and practices of faith/worship/remembrance
- immigration patterns and trends

District Typologies

It may be useful and desirable for the configuration and nature of a study area to be identified by type. By identifying applicable typologies for the study area broad themes in the development, growth and evolution of the area can be understood. Potential HCDs may be identified as one or more of four district typologies:

- **designed district:** that is purposely planned and laid out by a single person or a group and whose original or early messages remain discernible. This type of district is valued for the integrity and intactness of its original design.



The Curved Streets of Rosedale can be seen in this 1903 Fire Insurance Map and identify the designed elements of the district. (City of Toronto Archives, Goad's Atlas, 1903, Plate 34)

- **evolved static (relict) district:** a district where the evolutionary process has ended and its significant component features still reveal its mature material form. It is appreciated for its aesthetic value, or for its significance in commemorating persons and events important in the history of the community, province/territory or the nation.
- **evolved dynamic (evolving) district:** a district that continues to grow and change and is in continuous use. Guidelines for this type of district allow for managed change that supports and maintains the district's character and cultural heritage value.
- **associative district:** a district that is defined by an association such as an event or activity, rather than by its physical character. Physical attributes may be relevant in this type of district, but a dominant theme usually connects all the resources and attributes of the area.

Architectural, Streetscape and Landscape Typologies

Groupings by type reveal the unifying qualities, styles and attributes of the district and the structures, streetscape, landscape and features within it. The analysis by type will reveal patterns in architectural style, development and the general form of the study area. Building types should be described and illustrated with photos or sketches in plan and section.



Fort York is also an associative district that is preserved to help interpret specific events in the history of Toronto.

For more information on district typologies see *The Ontario Heritage Toolkit: Heritage Conservation Districts*, pages 10-11.



These houses in Weston HCD could be categorized by type as two and a half storey houses with gable roofs, bay windows and offset front porches.

Typology may consider, but is not limited to, such attributes of design as:

| BUILT FORM | LANDSCAPE | STREETSCAPE |
|--|---|--|
| <ul style="list-style-type: none"> - form and massing - layout and arrangement - number of storeys/height - number of structural bays/width - roof forms - fenestration - porches and storefronts - setback - relationship to lot and landscape | <ul style="list-style-type: none"> - natural or designed landscape - public and open spaces - spatial arrangement/layout - plantings and arrangement - hedge rows and wind breaks, etc. - paths, routes and trails - views and vistas - trees | <ul style="list-style-type: none"> - use, such as residential, commercial, etc. - ceremonial, neighbourhood, arterial, laneway, etc. - street width/dimensions, special elements, light standards - street layout, paving and sidewalks - transportation corridors, tracks, right-of-ways, etc. - street layout such as grid, winding, etc. - street furniture, signage, lighting, etc. |

Official Plan Neighbourhoods Character Elements

Section 4.1 of the City of Toronto Official Plan provides guidance on how to identify the character of an entire neighbourhood or area. These elements of character should also be used to assist in determining the overall character of a potential HCD in addition to the identification of individual resource types in a potential district.

Conclusions and Character Statement

Through the systematic grouping of themes and types within a study area, significant trends, themes and influences that inform the overall character of the study area will reveal themselves. Conclusions about the character of the study area that are informed by the results of this section are required in a “Description of Heritage Character”.

Section 7: Evaluation

To define the significance of a potential HCD, the City has established cultural heritage value and integrity criteria based on Ontario Regulation 9/06. For a district to communicate its historic sense of time and place it must have cultural heritage values that identify it as a significant heritage area, and it must possess sufficient integrity to communicate those values.

A historically significant district has a sense of time and place that reveals its history, design and functions in a compelling way to residents and visitors. The significance of an HCD can be a difficult thing to pinpoint and may consist of both tangible and intangible qualities that can be managed in the long term.

Applying the Criteria

Applying the criteria is a step-by-step process. Cultural heritage values must first be determined so that the significance of the district can be demonstrated. Once the district's values are understood and articulated the period(s) of significance can be determined and integrity criteria applied. These help to determine if enough of the original or appropriate physical fabric remains to communicate the values of the district.

In considering the cultural heritage values of a district, there is no minimum age requirement. However, enough time should have passed for the community to reflect upon and assess an area's cultural heritage values in an objective and considered way.

When applying the criteria for the determination of cultural heritage value of an HCD, the following requirements will be satisfied:

- the criteria must apply to the whole district and not a single or few properties within its boundaries
- how the criteria applies to the district must be articulated in a clear and compelling way that makes evident why the district is significant
- the identified cultural heritage values of the district must be evident in its heritage attributes.

The criteria for the determination of cultural heritage value are individually sufficient so that a district may qualify for designation by demonstrating significance under a single criterion. In all cases, more is learned by identifying multiple values where they exist, but this does not mean that districts with more than one cultural heritage value are more important than districts with a singular cultural heritage value. Both criteria for determining sufficient integrity are mandatory and must be satisfied to warrant a designation.

HCD POLICY 7: To qualify for designation under Part V of the Ontario Heritage Act a proposed HCD must be evaluated for its cultural heritage values using the criteria included in this document. Every HCD must have a Statement of Significance prepared that reflects this evaluation and includes known archaeological attributes or resources. (The City will provide information about archaeological attributes and resources, where it is available).



The large and mature tree canopy is an important part of the streetscape in South Rosedale.

Criteria for the Determination of Cultural Heritage Value within a Heritage Conservation District

- The district has **design value or physical value** because it,
 - has a rare, unique, representative or early collection of a style, type, expression, material or construction method,
 - has a rare, unique, or representative layout, plan, landscape, or spatial organization,
 - displays a consistently high degree of overall craftsmanship, or artistic merit.

- The district has **historical value or associative value** because it,
 - has direct associations with a theme, event, person, activity, organization or institution that is significant to a community,
 - yields, or has the potential to yield, information that contributes to an understanding of the history of a community or area,
 - demonstrates or reflects the work or ideas of a planner, architect, landscape architect, artist, builder, designer or theorist who is significant to a community.

- The district has **contextual value** because it,
 - possesses a character that defines, maintains or supports the area's history and sense of time and place,
 - contains resources that are interrelated by design, history, use and/or setting,
 - is defined by, planned around, or is a landmark.

- The district has **social value or community value** because it,
 - yields information that contributes to the understanding of, supports, or maintains a community, culture or identity within the district,
 - is historically and/or functionally linked to a cultural group, an organized movement or ideology that is significant to a community, plays a historic or ongoing role in the practice or recognition of religious, spiritual or sacred beliefs of a defined group of people that is significant to a community.

- The district has **natural value or scientific value** because it,
 - has a rare, unique or representative collection of significant natural resources
 - represents, or is a result of, a significant technical or scientific achievement.

Integrity Criteria

A district must have physical integrity in order to communicate its significance. Although a threshold of contributing properties can be important to the integrity of a district, it is the quality of the interrelationship of the resources in the district that is most important to establishing integrity. The City of Toronto requires that the integrity of the district be addressed to ensure its established significance is evident in its heritage resources and attributes.

The integrity of associative values can be determined by the ability of a district and its individual resources to represent its physical state contemporary to the time of an identified historic association, or period(s) of significance. A period of significance is the time(s) in history or range of times that the district represents, or in which it became significant. Identification of one or more periods of significance will assist in the crafting of policies and guidelines for the future management of the district.

Some areas and individual resources, although poor in condition, retain much of their authentic attributes, style, materials and sense of place and can be returned (through careful restoration) to good condition. It's important to understand that condition is not the same as integrity. The following two integrity criteria must be addressed to provide a basis for designation:

- **Visual, functional or historical coherence** is reflected in the consistency of resources related to the cultural heritage values and character of the district. It can be determined by analyzing resources in a district to understand if there are common thematic, architectural or associative characteristics that unify, relate to, and communicate the cultural heritage values of the district.
- **Authenticity** means that a district can convey its cultural heritage values through its authentic attributes. To be authentic a district should retain most of its original or appropriate materials, layout and structures related to its identified values. Where alterations and infill exist they are generally sensitive, compatible and reinforce the cultural heritage values of the district.

Conclusion and Statement of District Significance

Conclusions about the cultural heritage value of the study area are required in a "Statement of Significance" that is informed by the results of this section. A Statement of District Significance includes a general description of the HCD

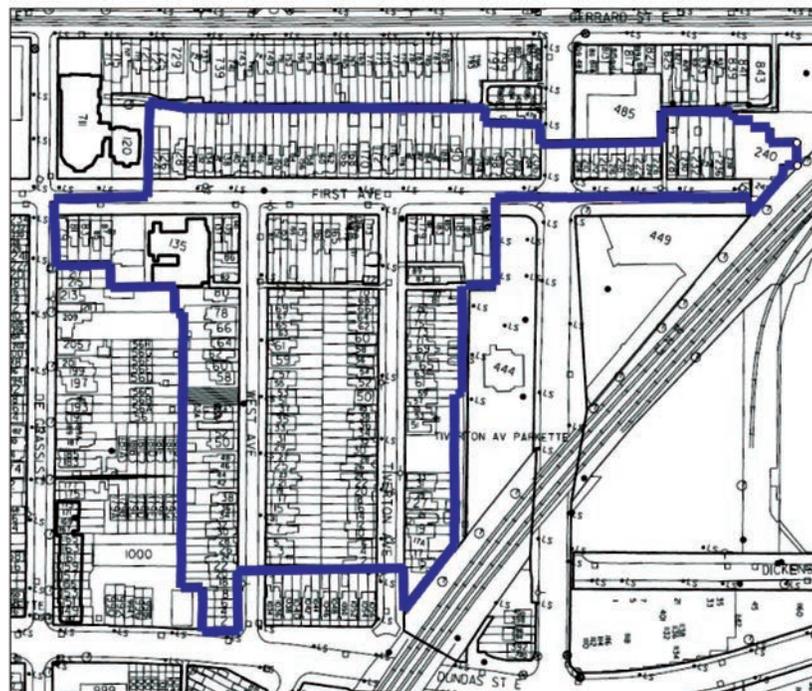
A guide to writing statements of significance for inclusion on the Canadian Register of Historic Places can be found at <http://www.historicplaces.ca/en/pages/resources-ressources.aspx>

and a description of cultural heritage value consistent with the requirements for inclusion on the Canadian Register of Historic Places, as well as a description of heritage character (see Section 6 of this document).

Section 8: HCD Boundaries

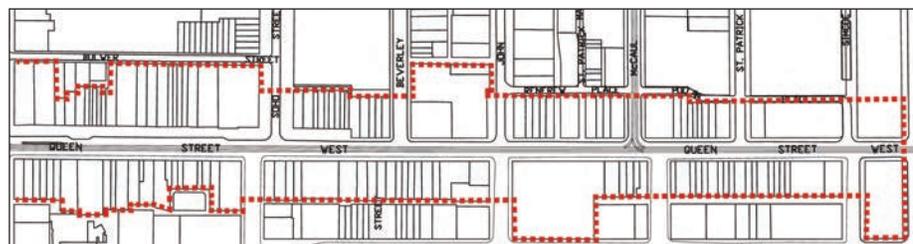
HCD Study Area boundaries are determined when City Council authorizes an HCD Study to be undertaken. However, once the history, evolution and significance of the district is understood and documented, the study area boundaries may need to be re-examined to ensure they are accurate and reflect the cultural heritage values, character and/or geography of the potential HCD as identified in the HCD Study.

RIVERDALE HERITAGE CONSERVATION DISTRICT PHASE I



The boundaries of the Riverdale HCD show a neighbourhood of connected streets. (Riverdale HCD Plan)

The *Ontario Heritage Tool Kit: Heritage Conservation Districts* has an excellent guide to delineating boundaries for HCDs and should be consulted with this document when proposing or confirming HCD boundaries.



The Queen Street West HCD has a linear boundary relating to its commercial character. (Queen Street West HCD Plan)

The boundary should be carefully drawn to ensure that it includes only those areas that relate to the cultural heritage values, character and/or geography of the study area. It is not appropriate to include unrelated areas solely for the purpose of making the district larger or to extend control. However, this does not mean that areas with different uses or typologies cannot exist within the same boundary, such as commercial and residential areas. In many cases, these seemingly different areas are historically or thematically inseparable. Similarly, employment areas related to institutions or industry can be directly linked to a residential area that contains workers' housing.

Section 9: Planning to Plan

Once the analysis of the HCD Study Area is complete, conclusions must be drawn about continuing to the planning and designation stage. If a study area qualifies as an HCD then a series of issues must be addressed within the study prior to adoption by City Council and moving on to the planning stage.

The study will address what the objectives of the HCD designation and Plan will be. HCD Policy 8 of this document must be restated as the primary objective of every HCD Plan, and others may be included that benefit the community and the conservation of the HCD.

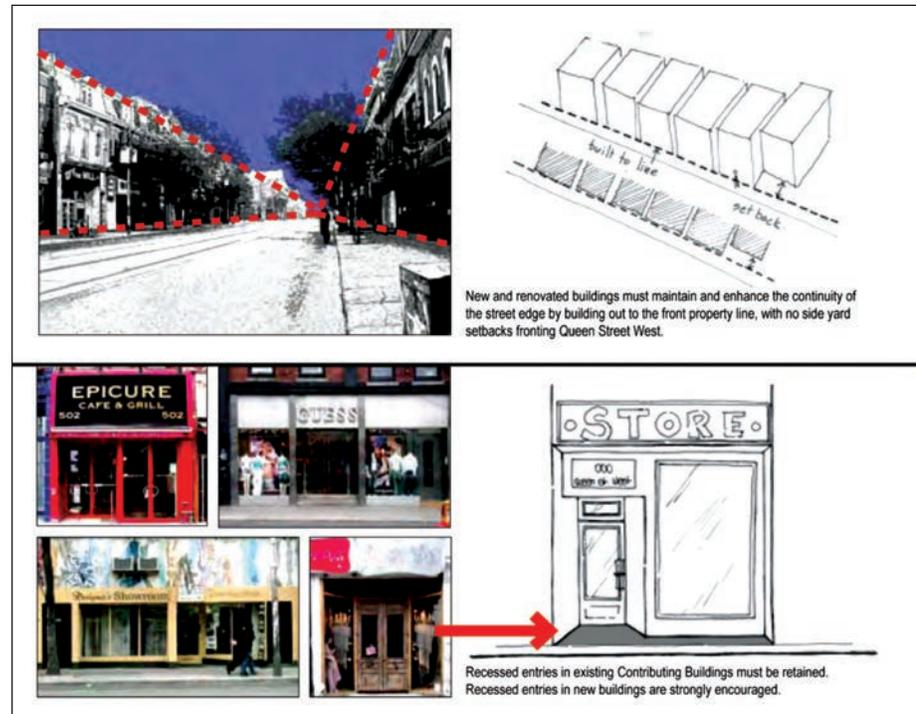
A completed HCD Study may result in a variety of planning recommendations for an area in addition to, or instead of, an HCD Plan and designation. This may include the designation of individual properties, creation of urban design guidelines or secondary plans and zoning amendments.

HCD POLICY 8: The primary objective for every Heritage Conservation District is the protection, conservation and management of the attributes and heritage resources of the district so that the area's historic significance, cultural heritage values and character, as identified in the HCD Study and Plan, are protected in the long-term.

Created in collaboration with City Staff, this section of the HCD Study must also address any changes that will be required to the City's Official Plan and any by-laws, including existing zoning by-laws as a result of the designation. Issues such as height, density, lot coverage, and related planning and heritage policies or by-laws should be carefully analyzed for their potential impact on the proposed HCD.

It is also necessary for an HCD Study to address what content is required in the HCD Plan to ensure that its objectives are met. Specific policies and guidelines that may be required for the district should be forecasted here including, but not limited to, policies and guidelines for:

- alteration of contributing properties and other resources in the district
- new construction and alteration of non-contributing resources in the district
- landscape, streetscape, views and vistas
- archaeologically sensitive areas
- trees and tree canopy
- public works
- etc.



Illustrated conservation guidelines from the Queen Street West HCD. (Queen Street West HCD Plan)

Sometimes, a full set of policies and guidelines are not required for every resource type in certain HCD Plans. If policies and guidelines that are set out in the Terms of Reference are not required for an HCD Plan then a rationale and recommendations for excluding them should be included in this section of the HCD Study.

Study areas can be large so they can consider the context of an entire neighbourhood and its many attributes; however, it may be desirable for a study area to be sub-divided into phases or multiple plans. Designations and

HCD Plans that cover only a portion of a study area, for example residential or commercial, are acceptable. Recommendations to this effect should also be contained in this section of the HCD Study.

Finally, there may be properties within a study area that are not consistent with the rest of the district but are, nevertheless, important in their own right. The HCD Study may recommend individual properties within its boundary for designation under Part IV of the OHA.

HCD POLICY 9: Every HCD Plan must be written so that the cultural heritage values of individually designated (Part IV under the OHA) heritage properties are respected and conserved. The HCD Plan should address this so potential conflict between Part IV and Part V properties is minimized or eliminated.

If the Toronto Preservation Board recommends proceeding to an HCD Plan and designation by-law for all or part of the study area, Council may list the properties within the proposed HCD on the City's Inventory of Heritage Properties at this time to ensure that City staff can monitor them during the completion of the HCD.

After the study and recommendations are complete, a community meeting should be held to inform the community about the study and to get feedback on the direction for the HCD Plan prior to being presented to the Toronto Preservation Board for consideration.

Part III – The HCD Plan

The HCD Plan provides the framework and requirements for the conservation and management of an HCD. It contains policies, guidelines and procedures for ensuring that the cultural heritage values, character and integrity of the district are conserved in the long term. The HCD Plan will also state clear objectives, and definitive policies for heritage conservation, planning requirements and procedures. The minimum requirements of the City of Toronto for an HCD Plan are comprehensively addressed in the Terms of Reference attached in Appendix A of this document.

Section 10: Conservation Objectives

A very important part of setting the framework for the HCD Plan is stating its objectives for designation. The statement of objectives will relate to the long-term conservation of the district, its current and anticipated future condition, a vision for the future of the district, and the desired outcomes for the designation of the district, pursuant to HCD Policy 8.

The HCD Plan will include the Statement of Significance from the HCD Study, as indicated in the Terms of Reference. These statements will inform the objectives for designating the district.

The objectives in the plan will relate to the conservation of the district's significance and character and give force to the policies and guidelines detailed in the plan. Other objectives can also be incorporated into the plan, as identified within the HCD Study, however additional objectives cannot conflict with the HCD Policies in this document.

Section 11: District Heritage Attributes and Contributing Resources

District Heritage Attributes

The HCD Plan needs to identify the general attributes of the district so that they can be protected and managed. District attributes include physical, spatial and material elements within the district, including those related to natural, residential, commercial, institutional, industrial, landscape, streetscape and archaeological resources.



The objectives of an HCD plan ensure that conservation is a key priority so that the values and integrity of the district and its resources can be conserved.

Additional objectives can include informing the community about the significance of the district, neighbourhood beautification, and others. Additional goals should be discussed with the consultant and City staff and consensus about their appropriateness for inclusion in the plan should be sought.

The Ontario Heritage Toolkit: Heritage Conservation Districts addresses the identification of attributes on pages 21-23.



Attributes can range from built resources like the houses of Rosedale or landscape elements such as the gates to Riverdale Park in Cabbagetown.



The tree canopy and park like setting is an important attribute of the Wychwood Park HCD.

Contributing Resources

The properties and features of the district that help to create a coherent sense of time and place are a district’s contributing resources. Without the conservation of its resources, the HCD’s character and integrity would be lost. Contributing resources need to be maintained and conserved in order to protect the integrity of the district. Properties in a district will be categorized as either contributing or non-contributing and not further ranked for relative importance.

A list of all properties within the district that contribute, or do not contribute, to the cultural heritage values and character of the HCD will be included in the HCD Plan. This list will ensure that all property owners in the district can readily determine if their properties are considered contributing to the district and what policies and guidelines they are subject to.

Each contributing property in the district requires an individual ‘Statement of Contribution.’ This statement provides a rationale for each property’s contribution to the significance of the district and a brief description of how the property supports the character, values and integrity of the HCD. It will also help to determine how the policies and guidelines of the HCD Plan apply to each contributing resource. The statement of contribution only needs to be a few well-crafted sentences and a single statement may be applied to multiple properties when they contribute to the district in a similar fashion.

Section 12: Conservation Policies & Guidelines

The policies and guidelines for a district provide the regulatory framework for decision-making. Policies set the direction for the management of the district in a clear and definitive way. The HCD Plan is adopted by by-law, so policies need to have the certainty and strength of a by-law and avoid ambiguous language (should, might, may, could, can, etc).

It is also important to understand the relationship between policies and guidelines expected by this document. While policies lay out the regulatory requirements for an HCD, the guidelines are there to help achieve the HCD Plan policies. Where there may be more than one way to achieve the policies of the plan, multiple approaches and guidelines can be created to deal with various policy, planning, development and conservation scenarios. Guidelines that do not help achieve the objectives and polices of the HCD Plan should not be included. Guidelines should be illustrated wherever possible.

While the HCD Plan contains policies that are tailored to each district, the City of Toronto requires standard policies in every HCD Plan. In addition to HCD Policy 8, the required conservation policies are:

HCD POLICY 10: The HCD Plan and *the Standards and Guidelines for the Conservation of Historic Places in Canada* will apply to any interventions to the HCD as a whole and will generally apply to individual properties within an HCD, consistent with HCD Policy 8.

HCD POLICY 11: In order to conserve the integrity of the history, character, attributes and cultural heritage values of the HCD, applications for the demolition of contributing resources under section 42 of the OHA will not be considered unless:

- The integrity of the contributing resource for which the demolition application has been submitted has been lost; and
- The loss of integrity of the resource is not the result of demolition by neglect, deferred maintenance or purposeful damage to the property.

A peer review of the demolition application may be required at the expense of the applicant, if requested by the City.

HCD POLICY 12: Any alterations to the HCD and its resources shall respect and reinforce the history, character and cultural heritage values and attributes of the district. Changes to the district shall not diminish or detract from the character, history, cultural heritage values and integrity of the district.

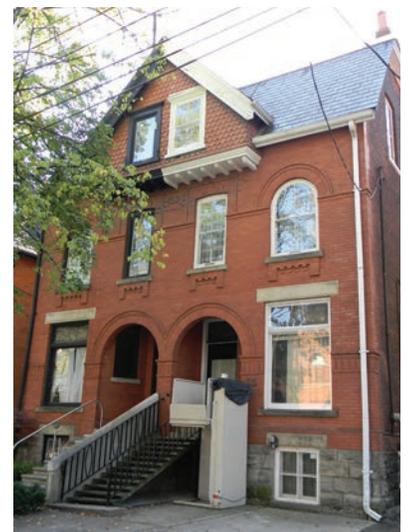
HCD POLICY 13: The reconstruction or restoration of historic structures within the district will be permitted only with thorough supporting research. Historical styles and stylistic elements should not be applied where they did not previously exist. New additions and construction will be distinguishable as new, however minor changes in keeping with the district character may be permitted.

HCD POLICY 14: Where the roadways, sidewalks or right-of-ways of an HCD are identified as attributes of the district, public works should be planned with regard for the HCD Plan and accepted conservation standards and guidelines, consistent with the Ontario Heritage Act.

The Ontario Heritage Tool Kit: Heritage Conservation Districts has excellent examples of illustrated guidelines on pages 30 & 31. Guidelines and policies should be illustrated to avoid confusion and misunderstanding of intent.



Harbord Village is an HCD that uses a system of contributing and non-contributing resources to help guide alteration and infill development.



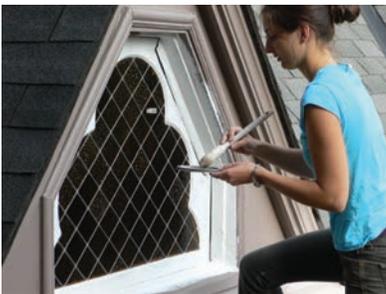
Guidelines for accessibility and other important issues should also be addressed in policies and guidelines for alteration.

Guidelines to accomplish the required policies should be developed for each HCD Plan with regard to the district's cultural heritage values and character. Additional policies that reinforce or complement the required policies may also be added.

Heritage Permits and Heritage Permits Deemed to be Issued

A permit to alter or demolish a heritage property within an HCD is always required prior to any work being undertaken, with the exception of interior alterations that do not affect the exterior of a structure or property. Under Section 42 of the OHA, an owner must apply to the municipality for a permit to alter, erect, demolish or remove a property located in an HCD, including non-contributing properties. When a building permit is required, building permit drawings will be submitted to Heritage Preservation Services and approved prior to their submission to Toronto Building. This will avoid unnecessary delays. If a building permit is not required, approval for any alteration visible on the building's exterior is still subject to a heritage permit.

The permit process ensures that the significance and character of the district are not harmed by proposed changes and that the HCD's integrity is maintained. The review of heritage permits may be undertaken with the participation of a heritage advisory committee, where one exists (see the section on Heritage Advisory Committees). It is important to understand that changes undertaken without a permit may be subject to fines and requirements to restore the property to its previous state.



Regular maintenance of heritage properties ensures that their significance and integrity is conserved in the long term. Here a window is restored by Vitreous Glassworks. (John Wilcox, Vitreous Glassworks)

Deemed permits are identified in the Municipal Code and describe actions within a district that do not require a permit to be issued by City Council. Because many actions are minor or positive for the resources of the district and do not require the detailed review of professional heritage staff or a consultant, the City has created a standardized set of deemed heritage permits applicable to all HCDs. The alterations or classes of alterations that are subject to deemed heritage permits are included in Chapter 103, Article IV of the Municipal Code. A copy of the deemed permits under the Municipal Code (section 103-21.C (1) – (6)) should be included in each HCD Plan.

An HCD Plan may also add to the list of approved deemed permits where it is appropriate. Any new deemed permits must not conflict with the policies or intent of this document and must be approved by City Council within the HCD Plan. All owners who are unsure if they need a permit should contact Heritage Preservation Services.

Section 13: Archaeological Requirements within an HCD Study and Plan

Archaeology is an important part of our cultural heritage and tells us much about our history. The City of Toronto has an Archaeological Management Plan that identifies areas of known archaeological potential, including Archaeologically Sensitive Areas (ASAs) and areas where there is potential to encounter archaeological deposits, although their presence has not been confirmed on the ground. These latter areas are known as areas of general archaeological potential.

Where they exist within an HCD boundary, ASAs will be included as an attribute of the district that represents its archaeological importance. As such, any permits issued under Part V of the Ontario Heritage Act will be conditional upon satisfying all archaeological requirements for ASAs where they apply.

The HCD Plan and ASAs

HCD POLICY 15: The HCD Plan must identify, in a map overlay for the district, the extent of any area of general archaeological potential and archaeologically sensitive areas (ASAs). ASAs must be identified as attributes of the district. (Archaeological mapping will be provided by the City, where it is available.)

As an attribute of the HCD, any actions that will affect an ASA must be completed under a heritage permit issued under the Ontario Heritage Act.

Actions within an ASA that require permits include, but are not limited to:

- installation of patios and deck footings, fences, pools, sheds and other outbuildings,
- major landscaping, including all soil disturbances beyond minor gardening,
- excavation for below grade utilities,
- site grading,
- work on existing or new driveways and sidewalks.

Site alteration also includes any construction activities requiring permits or approvals under provincial legislation, such as the *Conservation Authorities Act*, the *Planning Act* or the *Building Code Act*.

Procedures for ASAs

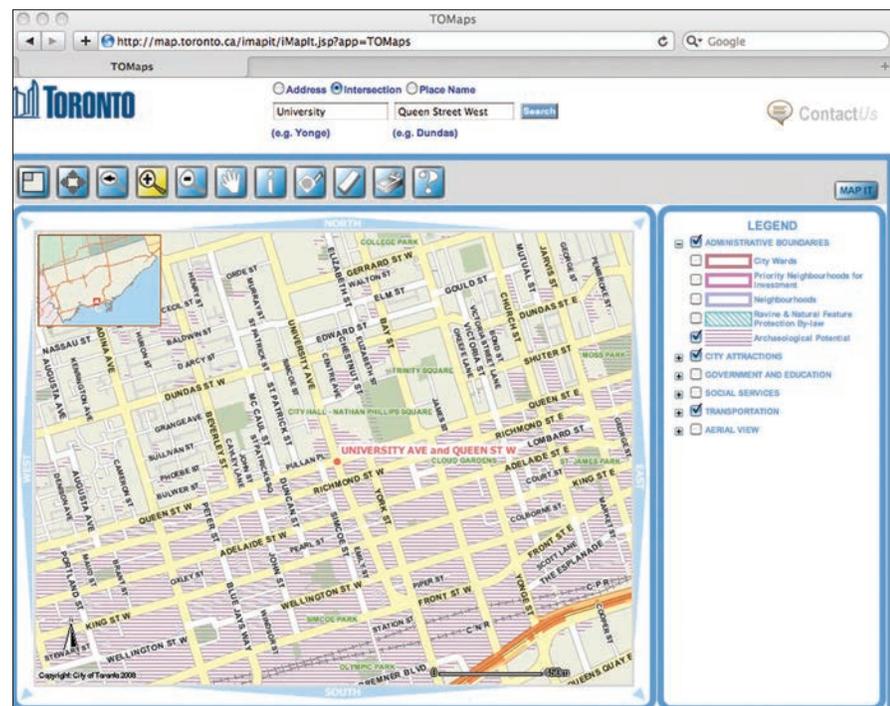
In addition to obtaining a permit under Part V of the OHA for any archaeological sites or resources identified as attributes of a district, the procedures for archaeology identified within the Archaeological Management Plan must also be adhered to, where they apply.

ASAs Identified After the Designation of an HCD

Where an HCD exists prior to the identification of an ASA, the plan shall be amended to include the ASA once the extent of it has been determined. It will be subject to all of the requirements detailed in this document and the Archaeological Management Plan. Likewise, if the boundary of an ASA changes after an area is designated, the plan shall be amended to reflect those changes.



An archaeological dig at 327 Queen Street West (part of the Queen Street West HCD) resulted in the discovery of 25,000 artifacts from the cellars and rear lots of two mid-19th century buildings once located on this site.



A sample of archaeological mapping in TOMaps available on the City of Toronto website.

The HCD Plan and Areas of General Archaeological Potential

Lands holding general archaeological potential will be identified in a map overlay for the district as determined by the Archaeological Management Plan.

Procedures for Areas of Archaeological Potential

Within the areas of general archaeological potential, soil disturbance activities associated with larger scale development, such as applications made under the Planning Act, will be subject to archaeological review by City staff and an archaeological assessment may be required prior to any on-site work.

Section 14: Implementation

Once an HCD Plan is complete, a community meeting will be held to gather feedback about the content and direction of the HCD Plan. The notification for this meeting will be sent by City staff, however this is not the statutory meeting required under the Ontario Heritage Act. The statutory public meeting will be held at the Community Council meeting when the HCD designation and Plan are considered. Despite this, the City believes that consultation with the community prior to Council considering the designation of an HCD is in the best interest of the community, City and property owners.

Polling

In the past, some communities have been polled by HPS at the request of the local councillor, in order to gauge the extent of support for the HCD Plan and designation. While polling can indicate a level of community support, it does not determine whether a proposed HCD satisfies the adopted criteria, and whether or not the area has cultural heritage value and integrity. The decision to designate is made by City Council under the authority of the OHA. These factors are assessed in a systematic way, with conclusions that are the result of careful analysis and professional opinion. The results of a poll do not change these conclusions.

Community support is important to the successful implementation of a district, HPS staff will not conduct polls of the district to determine the level of community acceptance. A City Councillor may wish to engage Election and Registry Services to undertake a poll that determines the level of support for an HCD Plan and designation, to inform his or her understanding of community interest.

HCD Policy 16: Heritage Preservation Services will not undertake any polling of the residents or owners within the proposed district to determine if designation is appropriate or warranted. City staff will advise City Council regarding the eligibility of the proposed district for designation.

HCD Advisory Committees

An HCD advisory committee should be created for every HCD. The committee may be a recognized committee of the ratepayers' or residents' association or Business Improvement Association (BIA) in the area or a standalone committee that meets on a regular basis. The purpose of the HCD advisory committee is to be a conduit for community based feedback to the City about the consistency



Wychwood Park HCD

of heritage permit applications with the policies and guidelines of the HCD Plan. The advisory committee may also assist owners in understanding how to follow the policies and guidelines when planning alterations to a property within the district. Governance models for HACs may be addressed in the HCD Plan.

HCD advisory committees should reach out to their community members and other HCD advisory committees to share information, ideas and strategies for managing their districts and improving their plans. The City recognizes the interest and knowledge of HCD Advisory Committees as a source of valuable input in decisions under the OHA. However, the committee has neither the authority to issue permits or exemptions to HCD Plan requirements, nor to over-ride decisions of City staff or Council.

A terms of reference for HCD advisory committees is found in Appendix D. Prior to creating an HCD advisory committee, the terms of reference should be discussed with HPS staff and adopted by the committee.

HCD Plan Review

HCD Plans will be reviewed on a predetermined basis as identified in the HCD Plan to ensure that it is working as expected and that its objectives are being met. A review of the HCD Plan should ideally occur every 5-15 years. HPS staff will initiate the review of the plan by holding a meeting to discuss the existing plan with the community advisory group. The review may generally include, but will not be limited to the consideration of the HCD Plan objectives, cultural heritage values, policies, guidelines and whether contributing or non-contributing status of certain properties should be reconsidered. If the result of the review is that no change is required, then the review will be considered complete with no additional study required.

If the review results in changes that are desired by the community or considered necessary by HPS, then the community may need to begin fundraising to pay a consultant to review the HCD Plan in detail and recommend changes to it. However, it may be possible for HPS staff to make very minor changes to the plan without a professional third party review.

If City Council accepts any recommended changes to the plan, it will do so through an amendment to the plan and its by-law, for which HPS will prepare a report to Council. If no change is required to the plan, HPS staff will prepare an information report to inform Council that a review has been completed and that no changes were required.

Summary of HCD Policies

HCD POLICY 1: Proposed HCDs must address all of the policies and requirements of the City Council adopted terms of reference for an HCD Study and Plan prior to the designation of any district.

HCD POLICY 2: A nominator may be any person, group, organization, association or corporation that wishes to see an area of the city studied for designation as an HCD. The City may also initiate an HCD study by request of Council or where it is relevant to planning studies.

HCD POLICY 3: The creation of an HCD is a collaborative process involving the community, city staff and heritage professionals. In order to maintain consistent communication, once a nominated area has been authorized for study, the nominator will be required to send quarterly progress updates to the designated contact in Heritage Preservation Services until the designation is complete. City staff may close or suspend HCD files if they become dormant for over one year and progress reports have not been received.

HCD POLICY 4: A community or organization that nominates an area for consideration as an HCD may be required to retain a qualified heritage professional to prepare the HCD Study and Plan (as described in the Terms of Reference) who is a member of the Canadian Association of Heritage Professionals and has demonstrated experience in preparing HCD Studies and Plans.

HCD POLICY 5: A well-researched and comprehensive history of the area, including its patterns of evolution must be completed prior to evaluation and planning of the HCD, including pre-contact history of the area.

HCD POLICY 6: Structures and notable landscape features will be documented on a survey form for the extent of the proposed HCD so that its resources and attributes can be understood and monitored over time.

HCD POLICY 7: To qualify for designation under Part V of the Ontario Heritage Act a proposed HCD must be evaluated for its cultural heritage values using the criteria included in this document. Every HCD must have a Statement of Significance prepared that reflects this evaluation and includes known archaeological attributes or resources (The City will provide information about archaeological attributes and resources, where it is available).

HCD POLICY 8: The primary objective for every Heritage Conservation District is the protection, conservation and management of the attributes and heritage resources of the district so that the area's historic significance, cultural heritage values and character, as identified in the HCD Study and Plan, are protected in the long-term.

HCD POLICY 9: Every HCD Plan must be written so that the cultural heritage values of individually designated (Part IV under the OHA) heritage properties are respected and conserved. The HCD Plan should address this so that potential conflict between Part IV and Part V properties is minimized or eliminated.

HCD POLICY 10: The HCD Plan and *The Standards and Guidelines for the Conservation of Historic Places in Canada* will apply to any interventions to the HCD as a whole and will generally apply to individual properties within an HCD, consistent with HCD Policy 8.

HCD POLICY 11: In order to conserve the integrity of the history, character, attributes and cultural heritage values of the HCD, applications for the demolition of contributing resources under section 42 of the OHA will not be considered unless:

- The integrity of the contributing resource for which the demolition application has been submitted has been lost; and
- The loss of integrity of the resource is not the result of demolition by neglect, deferred maintenance or purposeful damage to the property;

A peer review of the demolition application may be required at the expense of the applicant, if requested by the City.

HCD POLICY 12: Any alterations to the HCD and its resources shall respect and reinforce the history, character and cultural heritage values and attributes of the district. Changes to the district shall not diminish or detract from the character, history, cultural heritage values and integrity of the district.

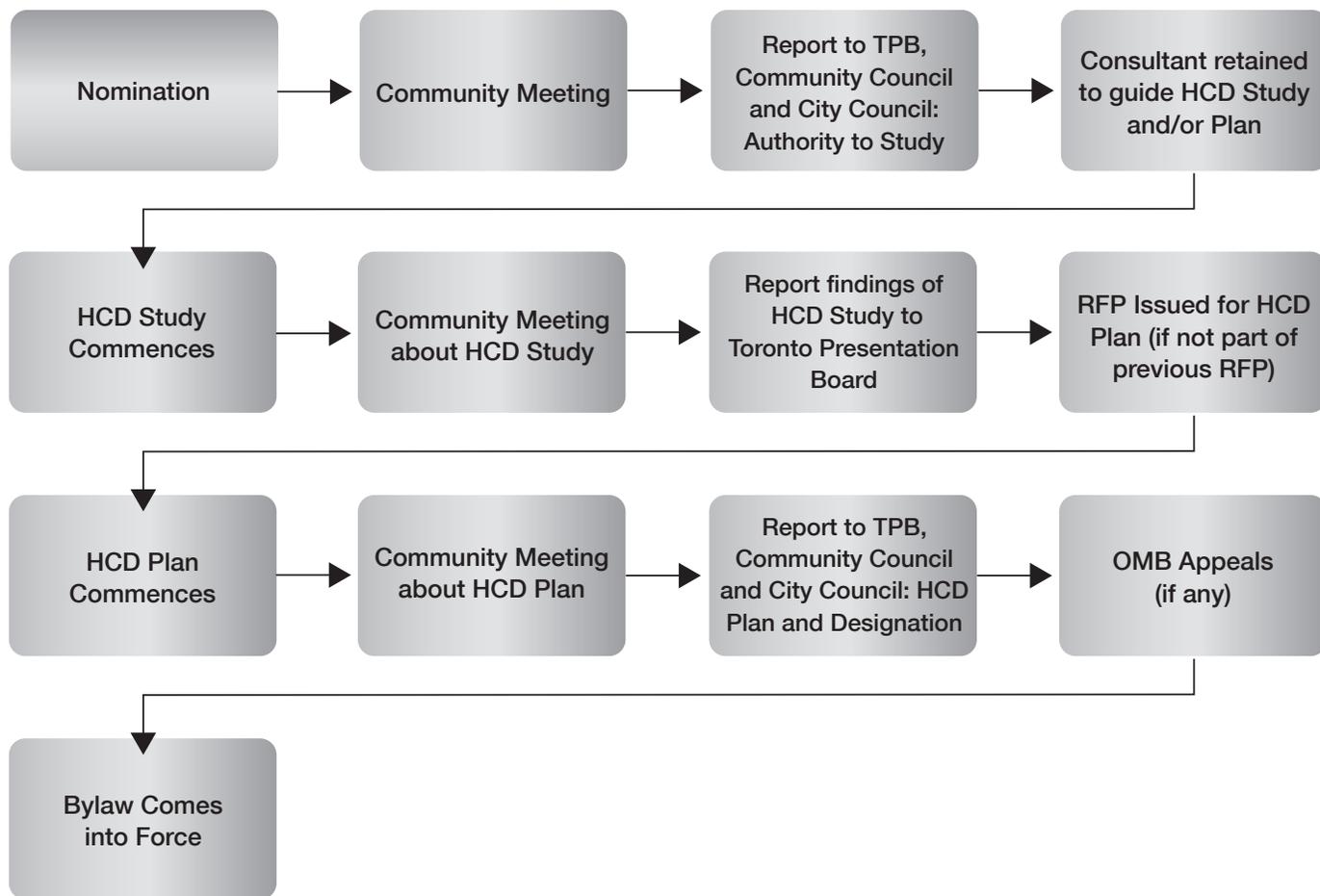
HCD POLICY 13: The reconstruction or restoration of historic structures within the district will be permitted only with thorough supporting research. Historical styles and stylistic elements should not be applied where they did not previously exist. New additions and construction will be distinguishable as new, however minor changes in keeping with the district character may be permitted.

HCD POLICY 14: Where the roadways, sidewalks or right-of-ways of an HCD are identified as attributes of the district, public works should be planned with regard for the HCD Plan and accepted conservation standards and guidelines, consistent with the Ontario Heritage Act.

HCD POLICY 15: The HCD Plan must identify, in a map overlay for the district, the extent of any areas of general archaeological potential and archaeologically sensitive areas (ASAs). ASAs must be identified as attributes of the district. (Archaeological mapping will be provided by the City, where it is available).

HCD Policy 16: Heritage Preservation Services will not undertake any polling of the residents or owners within the proposed district to determine if designation is appropriate or warranted. City staff will advise City Council regarding the eligibility of the proposed district for designation.

HCD Study and Plan Process Chart



Glossary

contributing resource: a property, structure, landscape element or other feature of an HCD that supports the identified significant cultural heritage values, character and integrity of the district. Contributing resources each have a statement of contribution to the district's significance and are subject to policies and guidelines for conservation and alteration as detailed in *Heritage Conservation Districts in Toronto: Procedures Policies and Terms of Reference* and HCD Plans.

cultural heritage value: the identified reasons for a heritage conservation district being considered historically significant and eligible for protection under the *Ontario Heritage Act*. Cultural heritage values for HCDs are determined through the application of evaluation criteria in section 7 of *Heritage Conservation Districts in Toronto: Procedures Policies and Terms of Reference*. They also help to inform the conservation approach to an HCD, its attributes and contributing resources.

description of cultural heritage value: a description within a Statement of District Significance of the cultural heritage values of a heritage conservation district that make it significant and which inform the decision making process for its resources and attributes.

description of heritage character: a description within a Statement of District Significance that explains the predominant character, physical make up and context of a heritage conservation district. It is separate from, but complimentary to a description of cultural heritage value. A description of heritage character is written in a similar format to a description of cultural heritage value within a Statement of District Significance.

HCD Plan: The plan required under section 41.1 (5) of the *Ontario Heritage Act* that provides the framework and requirements for the conservation and management

of a heritage conservation district. It contains policies, guidelines, and procedures for ensuring that the cultural heritage values, character and integrity of the district are conserved in the long term. The HCD Plan states clear objectives, definitive policies for heritage conservation, as well as relevant planning requirements and procedures. The requirements for an HCD Plan in the *Ontario Heritage Act* are supplemented by Part III and Appendix C of *Heritage Conservation Districts in Toronto: Procedures Policies and Terms of Reference*.

HCD Study: the document that records the history and resources of an HCD Study Area, and evaluates its heritage significance, character and attributes. It concludes whether sufficient cultural heritage value exists to warrant designation under the *Ontario Heritage Act*. An HCD Study lays out next steps for an HCD Plan and designation and may also recommend what other planning and conservation tools may be appropriate for the HCD Study Area. The requirements for an HCD Study are found in section 40.(2) of the *Ontario Heritage Act* and are supplemented by Part II and Appendix C of *Heritage Conservation Districts in Toronto: Procedures Policies and Terms of Reference*.

HCD Study Area: the geographic area of the municipality authorized for study as a potential HCD by City Council under section 40.(1) of the *Ontario Heritage Act* and for which an HCD Study is undertaken.

heritage attributes: in relation to real property within heritage conservation districts, and to the buildings, structures and features on the real property, the attributes of the properties, buildings, structures and features that contribute to their cultural heritage value or interest within a heritage conservation district.

heritage conservation district (HCD): an area of the municipality that is legally protected by a municipal by-law

under Part V of the *Ontario Heritage Act* for its significant cultural heritage value, character and integrity. It is defined by a boundary and statement of significance, and is subject to an HCD Plan.

non-contributing resource: a property, structure, landscape element or feature of a district that does not support the overall cultural heritage values, character and integrity of the district. Non-contributing properties are subject to policies for alteration and new construction as detailed in *Heritage Conservation Districts in Toronto: Procedures Policies and Terms of Reference* and the relevant HCD Plan.

statement of contribution: a brief statement about each contributing resource in an HCD that demonstrates how the property or resource supports the cultural heritage values, character and integrity of the district as identified in the statement of significance. A single statement of contribution may be used for multiple properties where the reasons for contribution are the same.

Statement of District Significance: a statement about the district that contains a description of the boundaries or geography of a heritage conservation district, a description of its cultural heritage values, a description of its heritage character and the general attributes of the district to be conserved. The Statement of District Significance should generally be written according to the format prescribed for inclusion on the Canadian Register of Historic Places, with the addition of a description of heritage character.



Appendices

Appendix A

Terms of Reference

Appendix B

HCD Nomination Form

Appendix C

Built Form and Landscape Survey Form & Guide

Appendix D

Heritage Conservation District Advisory Committee Terms of Reference

Appendix A – Terms of Reference

Explanatory note to the Terms of Reference:

The Terms of Reference provides heritage professionals and community leaders with the requirements for studying, planning and designating an HCD in Toronto. A community or organization that is leading the study and designation of an HCD should use this Terms of Reference in any request for proposals or work contract they may create. The Terms of Reference are designed to be thorough, prescriptive and universal. Because of this, they read as more technical in nature than the description of procedures and policies in the introduction and Parts I, II & III of this document.

The Terms of Reference represent the minimum standard of work required for all HCD studies and plans. As such, they should not be edited without prior consultation with HPS staff. However community groups wishing to request additional work or to undertake additional studies in conjunction with the requirements of the Terms of Reference may add to it as necessary.

1. HCD Study Requirements

The HCD Study can begin once City Council has authorized the area to be studied under the OHA. At this stage the proposed district is referred to as a “HCD Study Area,” while the document produced is referred to as the “HCD Study.” The objective of the study phase is to analyze the study area in detail in order to understand its content, evolution, structure, history, character and cultural heritage values.

The HCD Study will determine if the study area possesses cultural heritage value, integrity and definable character sufficient to warrant designation. The study must make clear what the characteristics and values of the district are and how they were determined. The HCD Study is conducted separately and prior to an HCD Plan because the need for a plan cannot be determined until the study is complete.

1.1 History and Evolution of the Study Area

- A history of the settlement and the development of the study area is required for the study that includes an analysis of social, political and cultural events and associations relevant to the development of the study area.
- A history of the physical evolution of the study area must also be compiled. It should demonstrate how various physical factors such as development, building type, transportation modes, rivers, ravines and escarpments, etc. have shaped the area over time. These historical factors should be mapped so as to demonstrate their impact. (See Section 4 of *Heritage Conservation Districts in Toronto: Procedures, Policies and Terms of Reference*.)
- The history of the area should be illustrated with historical photographs and mapping and a comprehensive timeline of the area from pre-history to present will be compiled in chronological order.
- A comprehensive bibliography of all historical resources used in the compilation of the history must be included in an appendix of the study.

1.2 Built Form and Landscape Survey

- A survey of all the major built, spatial and landscape features of the study area will be undertaken that documents the history, existing styles, built and landscape elements including topography, layout, streetscape, parks and open spaces, and each individual structure or major feature in the study area consistent with the requirements found in Section 5 and Appendix C of *Heritage Conservation Districts in Toronto: Procedures, Policies and Terms of Reference*.

1.3 Character Analysis: Thematic Groups and Typologies

- An analysis of the area's various historical themes and design typologies that groups and categorizes the built form, public realm, landscape and streetscape features of the study area is required for the HCD study.
- Physical factors that have shaped the types and forms of the study area should also be mapped and analyzed.
- Each identified thematic group or design type should be described and illustrated with district specific photographic examples taken from within the study area.

1.4 Evaluation of Significance and Determination of Cultural Heritage Value

- Where a study area is determined to have cultural heritage value and integrity consistent with the relevant policies and criteria of *Heritage Conservation Districts in Toronto: Procedures, Policies and Guidelines* and consistent with HCD Policy 7, it is considered to be significant and eligible for designation as an HCD under Part V of the OHA.
- The evaluation of cultural heritage value and integrity must comprehensively analyze all aspects of the study area, including its history, the results of the study area survey and character analysis.

1.5 Statement of District Significance

- A Statement of Significance is required which includes the following information:
 - A description of the district's location and boundaries
 - A description of the district's Cultural Heritage Values
 - A description of the district's Heritage Character
 - A description of the general heritage attributes of the district.

- The Description of Cultural Heritage Value is based on the application of criteria for the determination of cultural heritage value found in Section 7 of Heritage Conservation Districts in Toronto Procedures, Policies and Terms of Reference. It will reflect the cultural heritage values of the entire study area and will be consistent with the requirements for inclusion on the Canadian Register of Historic Places.
- The Description of Heritage Character will provide a conclusive summary of the outcomes of the character analysis for the area and should be formatted in the same way as a description of cultural heritage value.

1.6 Period of Significance

- A period of significance or multiple periods of significance relating to the cultural heritage values and character of the area will be determined within the HCD Study.
- The periods of significance should relate to periods in the history of the area that are still visible in the physical features of the study area. The proposed conservation approach for the HCD Plan will be informed by the period(s) of significance identified in this part of the study.

1.7 Boundaries

- The HCD Study boundaries, which may be different from the original proposed study area boundaries, will be defined relative to the stated cultural heritage values and character of the district. They must be described and mapped so that they can be readily understood and located.
- The finalized study area boundaries should not be limited to a singular block or street, unless that block or street represents the full extent of the district's character and significance, or is part of a logical phasing of work.

- If properties are excluded or added during this phase, City staff will send notification of this change by regular mail to the affected property owners.

1.8 Archaeology

- Archaeologically Sensitive Areas (ASAs) and areas of archaeological potential that exist within the boundaries of the proposed HCD will be mapped and described in the study, where this information is available from City staff or its agents.
- Where necessary, the study will identify any special recommendations or protective measures required for archaeological concerns in the study area that should be contained within the HCD Plan, including options for mitigation and interpretation.
- The study must refer to the “Archaeological Management Plan” for standard policies and procedures for archaeology.

1.9 Objectives for the HCD Plan

- The primary objective for every Heritage Conservation District is the protection, conservation and management of the attributes and contributing resources of the district so the area’s historic significance, cultural heritage values, character and integrity, as identified in the HCD Study and Plan, are protected in the long-term consistent with HCD Policy 8.
- Additional objectives (informed by the HCD Study) for the conservation of the district may be proposed prior to the designation of the district so that the intent of the HCD Plan and designation are clearly understood.
- Special or unique concerns for the conservation of the HCD should be addressed in the objectives for the district and may also examine other opportunities such as interpretation, commemoration, promotion,

beautification, education and community building. Where multiple objectives are recommended they shall not conflict with City Council adopted HCD Policies, or one another.

1.10 Analysis of Official Plan and Current Zoning Provisions

- The Official Plan and any secondary plans or avenue studies, current zoning by-laws, urban design guidelines and any additional by-law or policy affecting the study area must each be analyzed in detail and any potential conflict with the objectives for the conservation of the district must be identified within the study.
- In consultation with City Staff, the analysis of the documents described above should include the consideration of height, density, materials, massing, angular plane requirements, shadow, design guidelines, landscape, performance standards, setback, use, scale, allowances or conditions that may affect the cultural heritage values and character of the district.
- Recommendations for potential amendments to the documents described above should be included so as to remove any conflict they may have with the HCD Plan conservation objectives.
- In the event of a conflict between an HCD Plan and a municipal by-law that affects the designated district, all reasonable efforts to resolve the conflict in favour of the higher standard of conservation should be made. However, should the conflict prove to be irreconcilable, the HCD Plan shall prevail to the extent of the conflict, but in all other respects the by-law remains in full force.

1.11 Community Consultation Meeting

- A community consultation meeting will be organized by City staff to inform area stakeholders about the HCD Study. Notification will be sent to all owners and

residents of the HCD and those immediately adjacent to the study area boundary.

- The heritage consultant should present samples of the Built Form and Landscape Survey and all the resource typologies at the consultation as well as present conclusions about the character and significance of the study area and recommendations for the next phase.
- Public feedback will be welcomed for 14 days after the meeting by mail, email and fax directed to the Senior Coordinator, Heritage Preservation Services. Online or social media tools are acceptable for feedback only where City policies address it as appropriate for public engagement.

1.12 Report to Toronto Preservation Board

- Once all of the requirements of the Terms of Reference for an HCD Study have been completed to the satisfaction of the Manager, Heritage Preservation Services, HPS staff will prepare a report for the Toronto Preservation Board that summarizes the findings of the HCD Study with a recommendation that the Board receive the HCD Study for information and direct staff to work with the applicant(s) to complete the HCD Plan for all or part of the area identified in the study. Any other recommendations may be presented to City Council in a Staff report.
- Where an HCD Study reveals that an HCD Plan is not warranted HPS Staff may recommend to Council that it receive the HCD Study for information and direct staff to close the file for this area without proceeding to an HCD Plan. Additional recommendations to Council can be made as a result of the HCD Study and may include the designation of individual properties, creation of urban design guidelines or secondary plans and zoning amendments.

2. The HCD Plan

After completion of an HCD Study, and receipt of direction from Council that the designation of the study area as an HCD is supported, an HCD Plan must be created and adopted as part of the HCD by-law. The HCD Plan must be thorough and state the objectives for designating the district, and it must regulate appropriate change and development within the HCD. The HCD Plan describes the formal characteristics of the district that contribute to its significance, cultural heritage values, character and integrity.

Heritage attributes must be identified and district specific policies and guidelines will be developed to conserve those attributes. Detailed policies and guidelines will also address landscape, archaeology, parks, public spaces, streetscape and the public realm to ensure that the character and cultural heritage values of the district are conserved and reinforced in the long term.

2.1 Statement of District Significance

- The Statement of District Significance from the HCD Study will be included in the HCD Plan with any necessary modifications.

2.2 Statement of Objectives

- A clear and concise final statement of objectives for the district is required in the HCD Plan that will be informed by the cultural heritage values and character of the district and the findings of the area study.
- The primary objective for every Heritage Conservation District is the protection, conservation and management of the attributes and contributing resources of the district so that the area's historic significance, cultural heritage values, character and integrity, as identified in the HCD Study and Plan, are protected in the long-term.

- The statement of objectives must relate to the long-term conservation of the district, its current and anticipated future condition, a vision for the future of the district, and the desired outcomes for the designation of the district.
- Special or unique conservation concerns for the district should be addressed in the district objectives and may also examine other opportunities such as interpretation, commemoration, promotion, beautification, education and community building activities. Where multiple objectives exist they will not conflict with City Council adopted HCD policies or one another.
- The statement of objectives must relate to and give force to the policies and guidelines detailed in the plan.

2.3 HCD Plan Boundaries

- The boundaries of the HCD need to be finalized in the HCD Plan so as to indicate what geographic area is subject to the policies and guidelines of the plan.
- If the boundaries for the HCD Plan differ from the boundaries in the HCD Study, the reason for the difference needs to be stated within the plan.
- HCD Plan boundaries that do not reflect the entirety of the study area may be established to allow for phased HCD Plans that will ensure manageable plan areas.
- If it is necessary for the plan boundaries to be extended beyond the boundaries identified in the study, all additional properties must be surveyed, analyzed and evaluated consistent with requirements of an HCD Study, with the resulting documentation included as an appendix to the HCD Plan. Staff will give notice of this change to the owners of the affected properties by standard mail.

2.4 District Heritage Attributes

- The HCD Plan will include a list of general attributes of the district and other features key to conserving the character and significance of the district as informed by the HCD Study.
- District attributes may include structures, landscape features, spatial organizations, sites and other features, contributing resources (see 2.6), listed and designated properties under Part IV of the OHA and archaeological resources (see 2.7).
- District attributes may also include the key physical, spatial and material attributes of the resources within the district including natural, residential, commercial, institutional, industrial, and archaeological heritage, etc.

2.5 Contributing Resources

- A list of all properties and features within the district that are deemed to contribute to the cultural heritage value and character of the district is required in the HCD Plan. Each contributing resource must be individually identified by municipal address and on a map of the district. It should also be submitted in a database table with fields for street and street number.
- A list of all properties within the district that do not contribute to the cultural heritage values and character of the district is required in the HCD Plan. Each non-contributing property must be individually identified by municipal address and on a map of the district. It should also be submitted in a database table with fields for street and street number.
- Properties within the district should only be categorized as either contributing or non-contributing to the character, cultural heritage values and integrity of the district.

APPENDIX A - TERMS OF REFERENCE

- A statement of contribution is required for each property considered to contribute to the district. Statements of Contribution that apply to multiple properties may be used. The statement of contribution should briefly describe how the property contributes to the cultural heritage values and character of the district, as described in Section 11 of *Heritage Conservation Districts in Toronto: Procedures, Policies and Terms of Reference*.

2.6 Archaeologically Sensitive Areas (ASAs)

- The HCD Plan will identify in a map the extent of any area of general archaeological potential.
- Where ASAs exist, the HCD Plan will identify them on a map of the district and contain policies and procedures for identification, protection and documentation of those sites consistent with the Archaeological Management Plan.
- The HCD Plan should include any special recommendations or requirements for archaeological consideration or additional assessments within the district that may have been suggested in the area study, in consultation with HPS staff.
- Where necessary, mitigation and interpretation strategies for identified archaeological sites or resources within the district should also be detailed in the HCD Plan.
- The study must refer to the "Archaeological Management Plan" for standard policies and procedures for archaeology.

2.7 Current Zoning and Official Plan (OP) Provisions

- Required changes to the zoning or OP provisions and other policies or by-laws affecting the area, as

identified in the area study, must be comprehensively addressed in the plan in consultation with City staff.

- Specific changes to the zoning, OP and other by-laws will be recommended as necessary with specific regard to the statements of cultural heritage value, character and objectives for the district.

2.8 District Alteration and Conservation Policies and Guidelines

- Definitive and clear policies for the alteration and conservation of contributing properties and resources within the district will be included in the HCD Plan as required. These policies will be consistent with the HCD Policies and will reflect a high standard of overall conservation for the district.
- Alteration and conservation policies and guidelines should be illustrated wherever possible.
- Guidelines specific to the alteration and conservation of attributes of the district and its contributing resources will be included in the HCD Plan and should consider the following in relation to the *Standards and Guidelines for the Conservation of Historic places in Canada*, where they apply to the particular district:
 - Relationship to surrounding context and structures
 - Layout and organization
 - Landscape features and plantings
 - Additional storeys, rear yard additions and vertical additions including compatible modern architecture
 - Roofs and roof elements
 - Storefronts and signage
 - Porches, decks and balconies
 - Foundations
 - Siding, trim and architectural details
 - Material finishes
 - Fenestration, windows, doors and related elements
 - Energy conservation retrofits and upgrades

- Fences
- Plan and layout of streets, laneways, pedestrian paths, sidewalks
- Parking, driveways and garages
- Front and side yard landscaping, paving and pathways
- Accessibility
- Exterior lighting
- Trees
- Additional guidelines as required.

Additional policies for the district may be included to add control or direction for specific or unique properties, properties designated under Part IV of the OHA and opportunities for the revitalization of the district as determined by the community, consultant and City staff.

Clear and illustrated guidelines will address appropriate design and conservation approaches for cultural heritage landscape elements, streetscape and public realm, including:

- Plan and layout of streets, laneways, and pedestrian paths
- gateways, trails and open spaces
- Streetscape elements including sidewalks, street furniture, street lighting, sidewalk patios, street signage, paving and curb cuts
- Public works, repairs and maintenance of right of ways.

Additional policies must not conflict with HCD Policies adopted by City Council.

2.9 New Construction Policies and Design Guidelines

- Definitive and clear policies and guidelines relating to alteration or infill construction on non-contributing properties within the district will be included in the HCD Plan. These policies must be consistent with the HCD Policies and will ensure compatible, sympathetic

and distinguishable infill in the district. They should be illustrated wherever possible.

- Comprehensive and illustrated guidelines will address appropriate design approaches to alteration and infill development for non-contributing properties, and specifically include consideration of:
 - Form, scale, massing and architectural rhythm
 - Compatibility with the district and neighbouring structures
 - Distinguishable design, including appropriate modern design
 - Height, setback, lot coverage and density
 - Roof forms and elements
 - Angular planes
 - Signage and storefronts
 - Porches, decks and balconies
 - Material finishes
 - Windows and doors, and ratio of glazing to wall
 - Fences and landscaping
 - Accessibility
 - Exterior lighting
 - Parking, driveways and garages
 - Grading and topography
 - Front and side yard landscaping, planting, paving and pathways
 - Trees

All the guidelines detailed in the above sections should address the specific cultural heritage values, themes, typologies and character identified in the HCD Study.

2.10 Community Consultation Meeting

- A community consultation meeting will be organized by City staff to inform area stakeholders about the contents of the HCD Plan. City staff will provide notice to all property owners within the proposed HCD.
- The heritage consultant should present the content of the HCD Plan at the consultation meeting, including its

policies and guidelines and will discuss the objectives of the plan in detail.

- Public feedback will be welcomed for 14 days after the meeting by mail, email and fax directed to the Senior Preservation Coordinator, Heritage Preservation Services. Online or social media tools are acceptable for feedback only where they are initiated and maintained by City staff.

2.11 Report to City Council and Statutory Public Meeting

- Once all of the requirements for the HCD Plan have been completed to the satisfaction of the Manager, Heritage Preservation Services, HPS staff will prepare a report to the Toronto Preservation Board, Community Council and City Council that presents the HCD Plan for consideration and summarizes its findings with recommendations for designation and adoption of the HCD Plan by municipal by-law under the OHA.
- City staff will provide notice of a statutory public meeting held under the Ontario Heritage Act at the meeting of the appropriate Community Council at the time of its consideration of the designation of the HCD and adoption of the HCD Plan by by-law.
- An opportunity for deputations to Community Council regarding the HCD Plan and designation will be provided. Section 41. (8)(e) of the OHA states: “Despite the *Statutory Powers Procedure Act* and subsections (6) and (7), the OMB may, on its own motion or on the motion of any party, dismiss all or part of the appeal without holding a hearing on the appeal if the appellant has not participated in the public process for the adoption of the relevant heritage conservation district plan under section 41.1 by either making an oral submission at a public meeting or by submitting written

submissions to the council of the municipality and the Board believes there is no reasonable explanation for failing to do so.”

2.12 Heritage Permits Deemed to be Issued

- A list of deemed permits for all HCDs is included in the Municipal Code, Chapter 103, section 103-22. An application to alter a designated property does not need to be submitted for undertaking the works described in that section.
- Pursuant to OHA Section 42. (2) Additional deemed permits for an area may be recommended for inclusion in an HCD plan approved by Council in consultation with staff, the consultant and the community. Consensus will be reached on all additional deemed permits before including them in the plan.
- Deemed permits must relate to work that is minor in nature and cannot affect the character of the district or its resources.

2.13 HCD Advisory Committee

- Once an HCD Plan has been adopted by City Council it is advisable that an advisory committee should be formed to liaise with City staff and to provide feedback about specific applications, consistent with the adopted terms of reference for HCD Advisory Committees.
- The membership, number of members, appointment process and other considerations for management of the committee may be included in the HCD Plan.

2.14 Plan Review

- A guideline for a scheduled review of the plan and its objectives will be recommended in the HCD Plan and should not be more than 15 years from the time the district is designated. The following clause must be

included in the plan: “The failure to review the contents of the plan within the scheduled review guideline will in no way invalidate the plan or its ability to be enforced.”

- HPS staff will initiate the review of the plan by holding a meeting to discuss the HCD Plan with the local HCD advisory committee. If the result of the review and meeting is that no change is required, then the review will be considered complete and no changes will be made. Notice will be sent to all residents that a review has been completed that results in no changes to the HCD plan.
- If the review results in changes that are desired by the community or considered necessary by City Staff, then the community may need to begin fundraising to pay a consultant to review the HCD Plan in detail and recommend changes to it, however it may be possible for HPS staff to make minor changes to the plan without a professional third party review.
- If City Council accepts recommended changes to the plan, it will do so through an amendment to the plan and its by-law, for which HPS staff will prepare a report to Council. If no change is required to the plan, HPS staff will prepare an information report to inform the Toronto Preservation Board and relevant Community Council that a review has been completed and no changes were required.

HCD Nomination Form

All Heritage Conservation Districts must be nominated prior to Toronto City Council authorizing a study of the area. In order for City staff to determine if a district warrants studying under the Ontario Heritage Act a nomination form should be as complete and thorough as possible. Refer to Part I of *Heritage Conservation District in Toronto* for a guide to successful nominations.

1. NOMINATOR INFORMATION

| | | |
|---------------|----------|-------|
| Organization: | Contact: | |
| Telephone: | Email: | Date: |

2. ABOUT THE NOMINATED DISTRICT

| | |
|---|--|
| Proposed District Name: | Current Neighbourhood Name: |
| Has the City identified this as a Potential HCD?: | Have you raised funds to study the area? If so, how much?: |

3. REASON FOR NOMINATION

Why do you think the area should be a heritage conservation district? (Attach additional pages as necessary)

General history of the area: (Attach additional pages as necessary)

General character of the area: (Attach additional pages as necessary)

4. ADDITIONAL INFORMATION

5. ATTACHMENTS:

- Map with proposed boundary (required)
- Photos showing representative/typical views of the district (required)
- Letters of Support (optional but encouraged)

6. PICTURES

Attach photos of the proposed district to this form with direction of the view and name of the street/property and the proposed district labeled:

Photo (4x6)

[Include representative pictures of the area being nominated.
Additional pictures may be attached to this form.]

Photo (4x6)

[Include representative pictures of the area being nominated.
Additional pictures may be attached to this form.]

Built Form and Landscape Survey Form

1. PROPERTY INFORMATION

| | |
|---|--------------------|
| Property Address: | Neighbourhood: |
| Ward: | Current Use: |
| Current Heritage Status (under study, listed, designated Part IV or V): | Date Photographed: |

2. HISTORICAL INFORMATION

| | | |
|----------------------|-----------------------|----------|
| Architect/Designer: | Date of Construction: | Builder: |
| Previous Use(s): | Previous Owners(s): | |
| History: | | |
| Information Sources: | | |

3. ARCHITECTURAL INFORMATION

| | | |
|-------------------------------------|-------------------------|------------------------|
| Roof Type & Cladding: | Construction Materials: | Cladding: |
| Description of Architectural Style: | | |
| Height/Storeys: | Bays: | Door and Window types: |
| Structure type: | | |
| Foundation/Basement: | Plan: | Porch/balcony: |

3. ARCHITECTURAL INFORMATION (Continued)

Alterations, Features or Special Notes:

Information Sources:

4. LANDSCAPE/STREETScape

Sidewalk and Driveway Paving:

Trees and plantings:

Description of Property Landscape/Streetscape:

Walls and landscape structures:

Front and side yard setbacks:

Landscape Type:

Street Furniture:

Water elements:

Special Notes or Features:

Information Sources:

5. CONTEXT AND SETTING

Additional structures or features on Site:

Tree Canopy:

Pedestrian Realm and Parking:

Views and Vistas (note direction):

5. CONTEXT AND SETTING (Continued)

Description of setting and surrounding context:

Information Sources:

6. ADDITIONAL INFORMATION

Other Notes and Observations:

Information Sources:

7. RECORDER INFORMATION

Name:

Date:

8. PICTURE

Photo (4x6)
Main Elevation

[Additional or portrait oriented photos may be included at the end of this form]

A Guide to Completing the Survey Form

These study area Built Form and Landscape Survey guidance notes have been created to help recorders understand the requirements of the study area survey. A survey form should be completed for each property in an HCD Study. (required fields are marked with “*”): Additional information not specifically indicated on the form may also be included, where desirable.

Property Information

Property information is the basic ‘tombstone’ data that helps locate and identify a property. This section is required so that the community and City have access to a basic record of each property that is linked to an address and photo.

Property Address*: This is the municipal address of the property being recorded. Postal codes should be included whenever possible. A legal description is not required as part of this field.

Neighbourhood: The local or common name of the neighbourhood or area in which the property is located. The City has established names for many neighbourhoods, but others may also be appropriate. The best name to use is the one used to name of the HCD study area. Examples include Queen Street West, Rosedale North and Rosedale South, Weston and others.

Ward*: This is the political catchment area in which the HCD being studied exists. It helps the City to identify the councillor(s) responsible for this area. To determine which ward(s) a study area is in you can enter the address of a survey property at the following link: <http://app.toronto.ca/wards/jsp/wards.jsp>.

Current Use*: The current use of a property is important to know so that the demands on a property can be understood and so a timeline of uses and changes can be

created (use does not necessarily refer to a zoning type or official designation. If known, outline the length of time the building has been operating in the current use). Terms such as residential, mixed used, commercial, industrial, institutional, park, recreational, cemetery and other common terms can be employed.

Heritage Status*: Is the property already listed, designated or subject to a heritage easement agreement under the Ontario Heritage Act? If so, when was the protection enacted? When was the area authorized for study as an HCD?

Photograph of the Property*: A photograph is a vital element of a survey because it provides a visual reference that helps to locate and identify the property and generally understand its current state. Photographs should be inserted into the box on the form as a digital image; however, the image will also be required to be submitted as a separate file on a CD or memory stick. Photos must be print quality (300 dpi or higher), full colour, properly focussed, and should not be obscured by trees, snow, or other objects where possible. The primary view of the property should be included in the property information section of the survey form, however additional angles, views and details can be included at the end of the survey form.

Date photographed*: The date the property was photographed is needed so that the community and City can keep track of the age of its records and visual references. This is especially important to know in the context of enforcing unpermitted alteration in a district.

Historical Information

The history of the resource being recorded is very important to fully understand its potential significance. Historical research on individual properties can be conducted at the City of Toronto Archives. Historical information, based

on the following headings, should be provided for all properties in the district:

History/Background*: A general history of the development of the property, changes to it over time, and interesting events or people related to the property will help to identify any potential significance to this property or the larger district. This is also an appropriate field to enter any historical data that you think may be interesting or important that does not belong in another field.

Date of Construction*: The date of construction is needed to help reinforce the historical assumptions about the building, but also to place it in time and context. On rare occasions the date of construction is very hard or impossible to find. If this is the case simply enter “not known” into this field, however every effort should be made to try to determine this date.

Architect/ designer*: This is the primary architect or designer or team responsible for the design of the resource. If you are recording a landscape then the landscape architect or designer should also be entered in this field. If this information cannot be found simply enter “not known” into this field, however every effort should be made to try to determine the architect or designer.

Builder: This is the primary contractor, builder or tradesperson (skilled or otherwise) that led the erection or construction of the resource. This can often include many individuals, teams or companies. If this information cannot be found simply enter “not known” into this field, however every effort should be made to try to determine the builder.

Previous Uses: The original and all other previous uses of the property and/or building should be documented.

Previous Owner(s)/Occupant(s): Previous owners may turn out to be someone significant to the history of city, region, province, or even the country.

Architectural Information

Architectural data is important to collect on all properties in the proposed district in order to understand and evaluate its architectural qualities and relate it to a particular character or theme within a district. Architectural information only needs to be recorded for structures. If a landscape or streetscape is being recorded, use the fields for those and skip this section. Monuments, public art and sculpture can be recorded under special notes or features in both this section and the landscape/streetscape section, as applicable.

Although an HCD may be more concerned with elevations visible from the street, it is important to record the architectural features of all sides of the property wherever possible so that each resource can be fully understood and documented.

Architectural style and additions*: Classification into a specific style may be difficult, as many structures in Toronto are comprised of elements from different eras of building or have been altered throughout their existence. A number of excellent guides to Toronto’s architecture may be consulted to help assign a style to a building. Describe any extension/ alteration to the structure or feature. Additions to the structure should also be recorded here also, noting the style, whether the same or different from the original structure.

Structure type*: This includes common language types, such as residential, semi-detached, commercial block, apartment or office tower, school, place of worship, warehouse, factory, etc.

Roof Type & Covering: Provide a description of the roof form (i.e. gable, hipped, gambrel, flat, shed roof etc. Also record the roof covering (i.e. natural slate/ asphalt/ shingles etc) and related roof elements. Finally, ensure all dormers and their roof type and cladding is also recorded.

Construction Materials: This can include all construction materials from foundation to roof. It may be concrete, brick, wood, stone, glass, aluminum (or other metals) etc. All materials and combination of materials that can be reasonably documented should be included here.

Cladding: This is necessary to record as it is not always possible to discern the cladding material from a photograph. The written description of the material removes any uncertainty about the materials at the time of the survey.

Height/storeys: The height in storeys of a property. Height in feet/metres can also be included, but is not required. Relative terms may be used. The term “half storey” applies to accommodation in the roof space positioned above the level of the eaves. A half storey will usually have roof dormers to allow light into rooms in the half storey.

Bays: The number of bays is indicated by the vertical divisions or articulations of a building. A bay may contain a door, window or a solid wall. A structure built on an irregular plan form with many bays may be described as ‘multiple-bay’.

Doors and Windows: The size, type, material and spacing of windows should be indicated, such as double hung wood sash window, casement window, stained glass transom, or fixed multi-paned windows. If there are many types of windows visible, every effort should be made to document as many of them as possible. Similarly, door size, type, material and spacing should also be recorded.

Foundation/Basement: The foundation of a property is also important. Whether it sits on a slab or a full basement and whether it has windows or entries should be recorded where possible.

Plan: The plan form and characteristics of the structure are the general shape or footprint of the building when seen from above. It should be described using terms such as L-shaped, cruciform, square plan, irregular plan, etc.

Porch/ Balcony: Describe porches and balconies on the property including whether they are open or enclosed, sheltered by a roof, and their construction materials.

Special Notes or Features: Note any additional traits, features or other information that are worth recording, but do not easily correspond to the other fields for this section.

Landscape / Streetscape

The landscape and streetscape of an HCD are crucial to defining the sense of time and place in a district. Just as with structures, each identifiable landscape and streetscape and its elements within a potential HCD should be recorded on a survey form so that can be understood, monitored and conserved.

Landscapes may be resources in and of themselves such as parks, formal gardens and natural areas, whereas landscape features may also be related to a structure or part of property where the landscape is not the primary feature.

Streetscape is the area in and around the street that defines the general setting of a neighbourhood and community. It can consist of boulevards, street/public trees, landscaping, street furniture, sidewalks and paving. It can also include characteristics of private land, structures and landscapes that contribute to the overall sense of time and place that is perceptible from the public realm. Elements of the

streetscape related to, or upon the individual property should be recorded here.

Description of Property Landscape /

Streetscape*: Record sidewalks, fences, driveways, trees, lamp posts or any other features of the surrounding streetscape that help define the building's setting. Include the lot size, shape/form and topography. (i.e. ravine, lake, hilly landscape etc)?

Landscape Type: Record if the landscape is a park, sports field, a botanical garden, natural area, community common space, private yard, a commercial streetscape, etc. Describe where the landscape/streetscape being recorded is located in relation to other properties in the district and what its function, purpose or relationship to the district is.

Sidewalks and Driveway Paving: Paving can be important to defining the character and texture of a streetscape or landscape related to a property. Record if the paving is asphalt, brick, interlocking pavers, permeable paving, gravel, wood chip, etc.

Trees and Plantings*: Trees may be one of the most significant features of a landscape or streetscape, and may even be heritage features in their own right. Record the species of each tree, the size of its canopy, trunk and root spread. Discuss the spacing and diversity or continuity of species on the property. These are equally important on public land as they are on private land. All trees should be recorded.

Walls and Landscape Structures: Many landscapes have built features in them, such as retaining walls, decorative edging or built up earth and structures. All of these features should be recorded so that they can be

monitored, as well as to provide a better understanding of the geography and topography of the resource.

Street Furniture: Items such as benches, lights, street poles and signs, hydrants, and other common elements of the streetscape related to, or in front of the property can be recorded here. Even seemingly common elements should be recorded as they may contribute significantly to the streetscape.

Water Elements: Water elements such as ponds, fountains, streams, etc and their related elements such as bridges, lookouts, and others should be recorded where they are in the landscape or streetscape.

Special Notes or Features: Note any additional traits, features or other information that is worth recording, but does not easily correspond to the other fields for this section.

Context and Setting

The context and setting of a district are important to record and describe so that a strong sense of place can be discerned. The spaces between places help to create context and environment, and they define one community from another and should be recorded.

Description of setting and surrounding context*

While this category may seem similar to the landscape / streetscape category, it is different because it considers the overall context of the area being surveyed. Whereas the previous categories were specific to the resource or property being surveyed, this category seeks to understand and document the environmental conditions around the property. Similarities to other properties, consistent situation of properties throughout the neighbourhood and landscape or styles that define an overall character are important to understand and record.

Additional Structures or features of the area:

Structures that are not linked to an individual property, like bridges and streetcar tracks, should be recorded here.

Tree Canopy: The tree canopy of the area is important to understand. While individual trees are important to individual properties and landscapes, the collective canopy can have a significant impact on the setting of a neighbourhood. Discuss the spacing, diversity and/or continuity of species in the district.

Pedestrian Realm and Parking: Record what the pedestrian realm consists of, such as wide sidewalks and boulevards. Note how parking is accommodated in the neighbourhood.

Views and Vistas: Views and vistas in and around the property and through the district are important to note as they may be important to understanding the character of the area. The extent of the view should also be noted, including its terminus and breadth.

Appendix D: Heritage Conservation District Advisory Committee Terms of Reference

Purpose:

To define the role of Heritage Conservation District Advisory Committees and to establish commenting protocols for the review of heritage permit applications.

Heritage Conservation District Advisory Committee:

Heritage Conservation District (HCD) Advisory Committees are an important part of successful HCDs. They can provide comments and feedback to Heritage Preservation Services staff regarding specific heritage permit applications within the HCD and may also be called on to provide feedback and comments on the implementation of the HCD Plan.

The fundamental role of the HCD Advisory Committee is to be ambassadors for the area's HCD Plan and designation. The committee should assist property owners seeking information on heritage matters related to the HCD Plan and the Ontario Heritage Act, and help point property owners toward conservation information and resources such as financial incentives.

The committee membership will be comprised of local residents within an HCD who support the HCD Plan's objectives and policies and who can provide services on a voluntary basis. Heritage Preservation Services (HPS) will provide training to the Advisory Committee on the application of *Standards and Guidelines for the Conservation of Historic Places in Canada* and the HCD Plan. The HCD Advisory Committee will operate in a manner consistent with the City's Conflict of Interest Policy.

It should be noted that HCD Advisory Committees do not possess the authority to issue heritage permits. The

authority to issue heritage permits where an application is consistent with the HCD Plan has been delegated to HPS staff, within the City Planning Division. Permits for applications that are not consistent with the HCD Plan can only be issued by Toronto City Council.

Commenting Protocol:

The committee may provide comments to HPS staff on heritage permit applications for properties within the HCD, in particular, where compliance with the HCD Plan is questionable. Comments provided to HPS staff from the Heritage Advisory Committee will be based on the objectives, policies and guidelines of the HCD Plan and will reflect the committee's unique perspective about the significance and character of the District. The feedback from the Committee on these issues is very important to HPS staff.

In general, heritage permit applications for minor work that is consistent with the HCD Plan and the *Standards and Guidelines for the Conservation of Historic Places in Canada*, and that can be approved on-the-spot at the permit desk of HPS will not be circulated to HCD Advisory Committees for review or comment. However, those permit applications that require more detailed review may be circulated. Heritage permit applications will be received and processed by City staff who will then circulate them to the relevant committee according to these terms of reference and any other adopted protocols.

HPS staff may request that an HCD Advisory Committee work to resolve specific issues with an applicant, however all advice of the Advisory Committee in that regard must be consistent with the HCD Plan and the *Standards*

and Guidelines for the Conservation of Historic Places in Canada. In addition to commenting on applications circulated by HPS, the committee may bring any questions relating to development activity or heritage preservation in the district to the attention of staff.

If a property owner approaches the Advisory Committee for advice on preparing an application, the committee should discuss the matter with HPS staff to ensure that comments are consistent with relevant policies. The Advisory Committee will ensure that the applicant understands that the committee is an advisory group that does not possess approval authority. Where differences of interpretation of the HCD Plan arise between HPS staff and the Advisory Committee, a meeting of staff and the committee will be held to seek resolution and provide clearer interpretation of the HCD Plan.

From time to time, HPS may request feedback on the effectiveness of the HCD Plan and its policies to inform the periodic review of HCD Plans and city-wide policy issues.

In order to ensure clarity and avoid confusion, the Committee should speak with one voice and should attempt to work by consensus. In the event a consensus between all members cannot be reached, the Committee must still present a single position to the applicant and HPS staff through the Committee chair or the chair's designate. Generally, HPS staff will communicate with the Committee by email, however in some instances staff may find it preferable to convene site meetings to discuss particularly complex applications.

Confidentiality

Certain plans circulated to the HCD Advisory Committee may be confidential or sensitive and are to be used solely for the purpose of providing comments and feedback to the City of Toronto. City Staff will advise Advisory Committee

members when expectations for confidentiality apply and will seek the permission of applicants to distribute materials where the City Planning Division Routine Disclosure Guidelines do not apply. The circulation of materials to the Advisory Committee will be governed by freedom of information and protection of privacy requirements of the City of Toronto and the Province of Ontario.

