



STAFF REPORT ACTION REQUIRED

Supplementary Report - Designation of the St. Lawrence Neighbourhood Heritage Conservation District under Part V of the Ontario Heritage Act -

Date:	November 30, 2015
To:	City Council
From:	Chief Planner and Executive Director, City Planning Division
Wards:	Toronto Centre-Rosedale – Ward 28
Reference Number:	P:\2015\Cluster B\PLN\City Council\CC15145

SUMMARY

At its meeting of November 10, 2015, the Toronto East York Community Council adopted TE12.11 and recommended that City Council designate the area referred to as the St. Lawrence Neighbourhood as a Heritage Conservation District (HCD) and adopt an HCD Plan by by-law under Part V of the Ontario Heritage Act. Toronto and East York Community Council requested the Director, Urban Design, City Planning Division, to meet with ERA Architects Inc., and affected concerned property owners, and report directly to City Council for its meeting on December 9 and 10, 2015, if there are any wording or technical changes required to amend the by-law.

Following the consultation with ERA Architects and affected concerned property owners, staff, along with the City's consultant, Fournier Gersovitz Moss Drolet Architectes (FGMDA), undertook a review of the HCD Plan to ensure that all policies and guidelines are clear and consistent and to remove any ambiguities related to defined terms.

This review resulted in a number of minor revisions to add clarity, while retaining the original intent of the policies that were supported by the Toronto Preservation Board and Toronto and East York Community Council.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council adopt by by-law the revised St. Lawrence Neighbourhood Heritage Conservation District Plan, dated November 2015, as the district plan for the St. Lawrence Neighbourhood Heritage Conservation District, attached as Attachment No.2 to the report (November 30, 2015) from the Chief Planner and Executive Director, City Planning Division.

Financial Impact

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

DECISION HISTORY

City Council, at its meeting of September 28, 29 and 30, 2005 adopted a heritage conservation district study area under Part V of the Ontario Heritage Act for St. Lawrence Neighbourhood.

<http://www.toronto.ca/legdocs/2005/agendas/council/cc050928/cofa.pdf>

City Council, at its meeting of October 26 and 27, 2009 amended the study area boundary to include lands north of King Street East, to the north side of Adelaide Street East.

<http://www.toronto.ca/legdocs/mmis/2009/cc/decisions/2009-10-26-cc41-dd.htm>

On March 5, 6 and 7, 2012, City Council adopted the document titled, "Heritage Conservation Districts in Toronto: Procedures, Policies and Terms of Reference" (January 2012) for the nomination, studying and planning of heritage conservation districts in Toronto.

<http://www.toronto.ca/legdocs/mmis/2012/pg/bgrd/backgroundfile-44992.pdf>

On October 2, 3 and 4, 2012, City Council adopted a prioritization system and criteria included in the report (August 16, 2012) from the Acting Chief Planner and Executive Director, City Planning, and directed the Chief Planner and Executive Director, City Planning to initiate the study of the St. Lawrence Neighbourhood study area, as a result of the application of the prioritization criteria.

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

On May 23, 2014, the Toronto Preservation Board endorsed the St. Lawrence Neighbourhood Heritage Conservation District Study, including its recommended boundary and the recommendation to proceed to district designation.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PB31.3>

On November 10, 2015, the Toronto and East York Community Council adopted, with amendments, recommendations to designate the area referred to as the St. Lawrence Neighbourhood as a Heritage Conservation District (HCD) and adopt an HCD Plan by by-law under Part V of the Ontario Heritage Act.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE12.11>

ISSUE BACKGROUND

Toronto and East York Community Council requested the Director, Urban Design, City Planning Division, to meet with ERA Architects Inc., and affected concerned property owners, and report directly to City Council for its meeting on December 9 and 10, 2015, if there are any wording or technical changes required to amend the by-law.

The parties generally support the proposed HCD Plan, however, at the November 10, 2015 TEYCC meeting, a few deputants expressed some concerns related to the clarity of the Plan's language. Of particular concern was the relationship between policies and guidelines, which appeared to be inflexible in all circumstances, and the use of the term "heritage fabric" within the Plan, because the definition was thought to be overly broad and ambiguous.

Questions about the proposed boundary were also raised during an additional consultation with the ward councillor's office, particularly regarding the exclusion of the southern residential neighbourhood, as well as a property containing archaeological potential related to Upper Canada's First Parliament site.

COMMENTS

Following additional consultation with ERA Architects, affected concerned property owners and the ward councillor, staff, along with the City's consultant, Fournier Gersovitz Moss Drolet Architectes (FGMDA), undertook a review of the HCD Plan to ensure that all policies and guidelines are clear and consistent and to remove any ambiguities related to defined terms.

This review resulted in a number of minor revisions to add clarity, while retaining the original intent of the policies that were supported by the Toronto Preservation Board and Toronto and East York Community Council. The review also resulted in the addition of a new policy regarding periodic review of the Plan document, and additional explanatory text where warranted. The boundary was adjusted slightly to include the entire First Parliament site, which had been included by the consultant team's archaeologist, but was not integrated into the final mapping. The review also provided an opportunity for addressing some minor housekeeping items.

The revisions are described below, indicated by their section numbers where appropriate. The revised HCD Plan is attached to this report as Attachment No. 2.

Road Map

The Road Map section and flowchart has been revised to clarify how owners of properties designated under Part IV of the Ontario Heritage Act can determine the policies and guidelines related to their properties.

Areas Excluded from the HCD Boundary– Section 1.1

Additional text provides a rationale for the exclusion of the residential area south of the district. This exclusion was endorsed by the Toronto Preservation Board, along with the other recommendations of the HCD Study at its meeting of May 23, 2014. Among the endorsed recommendations was the preparation of a second Heritage Conservation District plan for this excluded area to the south of the proposed St. Lawrence Plan boundary, with designation at a later date, when it has been identified as a priority.

Boundary Adjustments in the HCD Plan Phase – Section 1.1

The boundary was revised to include an area of archaeological potential at 54 Parliament Street, and which is related to the First Parliament site. The newly included property is owned by the City, and is currently occupied by a Toronto Parking Authority parking lot. Although the archaeologically sensitive area which was occupied by the first Parliament buildings at 365-271 Front Street East was included in the original plan boundary, the addition of 54 Parliament Street will provide more complete protection for this important site. It is shown in Attachment No. 1.

Statement of Heritage Attributes – Section 2.1

There was ambiguity as to whether all building features are heritage attributes (for example, historic windows). Common attributes of commercial and industrial typology properties were contained in a separate section but for clarity, they have been pulled into the Heritage Attributes description of the Statement of Cultural Heritage Value and Interest.

Revision:

- The distinctive built form typologies of Commercial Warehouses with their heritage attributes:
 - Distinct tripartite design (storefront, upper storeys, roof);
 - Expressed separation between upper storeys and storefronts;
 - Three to five storey height;
 - Narrow rhythm of facades (average bay width of 2m-4.5m, average storefront width of 5m-9m);
 - Red, buff or polychrome brickwork, often with stone detailing;
 - Glazed storefronts with wood or metal frames;
 - Recessed entrances;
 - Decorative storefront surrounds, often including pilasters, cornice, fascia, and/or cast iron detailing;
 - Glazing proportions (75-95% storefronts, 20-35% upper storeys);

- Regularly-spaced and vertically-oriented windows in the upper storeys, and their features and components;
 - Flat roof with expressed cornice or mansard/gable roof with dormers;
 - Italianate, Neoclassical, Second Empire, and Romanesque Revival stylistic influences.
- The distinctive built form typologies of Industrial Buildings with their heritage attributes:
 - Large building footprint;
 - Two to ten storey height;
 - Uniform elevations with repetitive windows and bays;
 - Vertical articulation of elevations (average bay width of 3m-6m);
 - Glazing proportions (15-40%)
 - Red or polychrome brickwork, sometimes with stone detailing;
 - Lack of porosity at street level;
 - Raised ground floor levels from the sidewalk;
 - Less detailing on upper storeys;
 - Flat roofs with simple cornices.

Some owners requested more specificity on which parts of historic windows are considered to have value within the attributes. The following revision provides clarity to the policies affecting windows and doors:

- Window and entrance openings, *features* and *components*

Policies and Guidelines for Contributing Properties – Section 5.0;

Policies and Guidelines for Non- Contributing Properties– Section 6.0

Policies and Guidelines for Streetscapes and Open Spaces - Section 7.0

An explanation has been added at the beginning of sections 5.0, 6.0 and 8.0 to describe how the context, policies, guidelines and best practices contained within each policy section should be read. This explanatory text is consistent with the City's HCD Policy document, *Heritage Conservation Districts in Toronto: Procedures, Policies and Terms of Reference*. Specifically, the new text clarifies the role of the guidelines in providing additional direction on achieving the policies, and a range of alternative approaches where appropriate. The new text reads as follows:

" Context

Each section includes an introductory context box, which places the policies and guidelines within a larger policy framework. These boxes also elaborate upon the importance of the section to the District *cultural heritage value* and *attributes*, and should be read prior to the policies and guidelines.

Policy

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. (Heritage Conservation Districts in Toronto: Procedures, Policies and Terms of Reference, 36)

Guideline

The guidelines help to achieve the HCD Plan policies. Where there may be more than one way to achieve the policies of the plan, multiple approaches and guidelines have been created to deal with various policy, planning, development and conservation scenarios. (Heritage Conservation Districts in Toronto: Procedures, Policies and Terms of Reference, 36)

Sidebar

Sidebar provide additional reference information in the case of applicable policies that should be consulted.

Best Practices

Best practices provide recommended actions that can help to ensure interventions within the District meet the District objectives. While best practices are not mandatory, property owners are encouraged to meet those recommendations in order to ensure a high quality of conservation work."

Periodic Review – Section 10.4

A policy has been added that recommends a periodic review of the Plan document every ten years.

Terminology

All instances of "heritage fabric" have been removed from the Plan, as it is not a term defined in Provincial legislation and policy. In most instances, the term "heritage attribute(s)" has been substituted for clarity.

The term "Best Practices" has been added to those policies and guidelines that are recommendations, rather than obligations.

Minor Revisions for Clarity

This review has provided an opportunity to make some minor revisions, beyond what emerged from the additional consultation. These revisions were made with the objective of further clarifying the policies and removing any potential ambiguity. The revisions in no way change the meaning or intent of the Plan which was adopted by the Toronto Preservation Board and the Toronto and East York Community Council.

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SIGNATURE

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ATTACHMENTS

Attachment No. 1 – Map of St. Lawrence Neighbourhood HCD
Attachment No. 2 – Revised St. Lawrence Neighbourhood HCD Plan