



PB29.9

Garden District Heritage

Conservation District Update

PB29.9 Garden District – HCD Plan Overview

- In 2013, Heritage Planning (HP) along with its consultant MHBC Planning Ltd., initiated the Garden District HCD Study.
- In July 2014, Toronto Preservation Board (TPB) endorsed the HCD Study and its recommendations, including recommendation to proceed with the development of a Plan for the Garden District HCD.
- HP initiated the plan phase for the Garden District HCD, engaging MHBC Planning Ltd. to prepare the HCD Plan.
- Following a November 16, 2015 community consultation meeting, HP finalized the HCD Plan.
- On January 31, 2017, City Council adopted by-law 232-2017 and the HCD Plan.
- The HCD Plan was subsequently appealed to the OLT (formerly LPAT)
- HCD Boundaries



Garden District HCD Boundaries



Sherbourne Street looking north



Pembroke Street



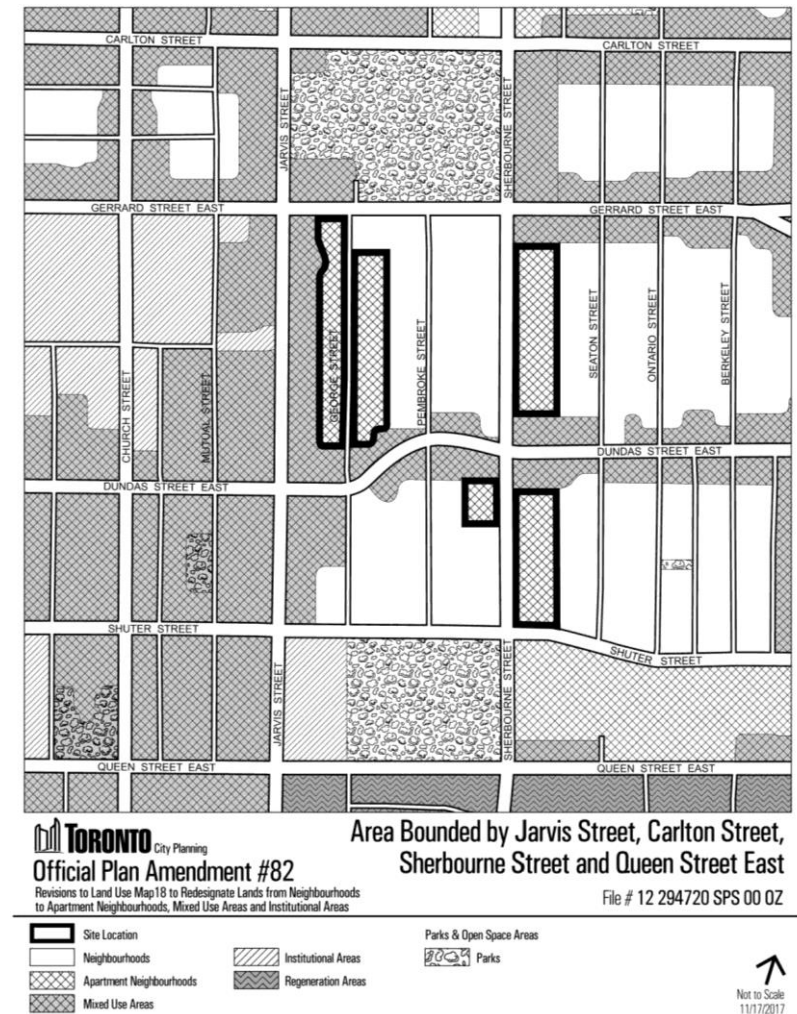
Sherbourne Street

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Garden District – SASP 461/OPA 82

- In March 2015, City Council adopted the recommendations of the **Downtown East Planning Study** final report.
- The purpose of the Study was to identify opportunities for potential reinvestment in the area including higher density residential and non-residential development and other longer term revitalization initiatives.
- The key recommendation was that City Council amend the Official Plan, **Official Plan Amendment 82** (OPA 82), for the lands bounded approximately by Jarvis Street, Carlton Street, Sherbourne Street and Queen Street East.
- OPA 82 was subsequently appealed to the Ontario Municipal Board/LPAT (OLT) who approved the document in a modified form in a decision issued on **May 23, 2018**.
- While OPA 82 is a recently adopted policy that grants increased development permission to certain areas of the District (most notably properties on **Dundas Street East**) it nonetheless recognizes that **heritage conservation** is a complementary goal to that intensification.
- The preamble to OPA 82 notes:

"The Garden District is a unique area within the Downtown, housing and supporting some of the City's most vulnerable populations, and containing a rich heritage built form and iconic parks, particularly Allan Gardens. Future growth and investment in this area will need to be sensitive to this character ensuring that new development further strengthens the Garden District as a distinct, vibrant mixed use community in the Downtown."



Revised SASP 461/OPA 82 (May 2018)

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Garden District – OLT Process

- The Garden District HCD appeal has been the subject of **seven Case Management Conferences**, some of which were heard together with the appeal of OPA 82.
- **Eight appellants** to the HCD have raised issues with the structure of the Plan, lack of clarity on the applicability of policies vs. explanatory text, the boundaries of character sub-areas, and potential conflict with policies of OPA 82 which encourages high rise intensification on the Dundas Street East corridor.
- The Tribunal scheduled a 15 day hearing on the merits of the HCD beginning August 17, 2020. At the request of the parties the hearing was adjourned to allow further discussion of outstanding issues.
- On February 2, 2021, **City Council** adopted the revised HCD Plan and directed the City Solicitor and other Staff to attend at the Tribunal in support of the proposed revised policies to the HCD Plan and continue negotiations with other appellants to the HCD Plan appeal in an effort to resolve all outstanding issues under appeal, to make minor amendments to the proposed revised policies, and to take all necessary steps to bring resolution to the entire matter.

- A **settlement hearing** was held on June 22, 2021
- The Tribunal's order brings into effect the revised HCD Plan:
 - Written decision was issued on October 18, 2021
 - Oral decision was issued on June 22, 2021



Original HCD Plan (January 2017)



Revised HCD Plan (June 2021)

PB29.9 Garden District - Statement of Cultural Heritage Value & Heritage Attributes

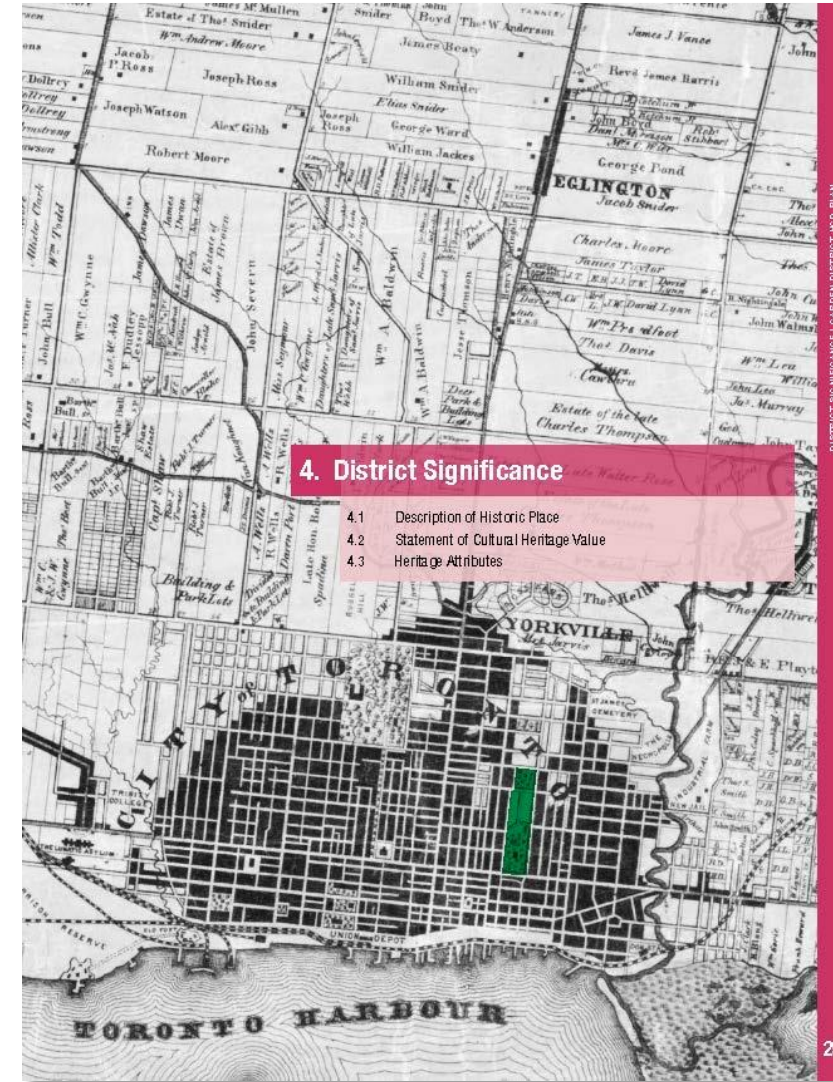
- Important cultural heritage landscape in the City
- Planned in the mid-19th century (1855)
- Residential enclave bookended by two landscapes
- The District has **historic** and **associative value** originating from the Anishnawbe lands and the 19th century Moss Park Estate lands owned by the Allan family.



Dundas Street East &
George Street in 1923



1855 Moss Park Estate Plan of Subdivision



1860 Tremaine's Map of the County of
York, Canada West

PB29.9 Garden District - Statement of Cultural Heritage Value & Heritage Attributes

- The **contextual value** of the District is established by the 1855 Moss Park Estate plan of subdivision and the resulting built form pattern and streetscape character.

"A feature of the Garden District, arising from the 1855 plan of subdivision, includes the generous setbacks of residential buildings from the streets with soft-landscaped front yards. This complements the landscaped setting of Allan Gardens to the north and Moss Park to the south, with landscaped front yards and street tree canopy along the residential spine of the district, Pembroke Street, serving as the central access and green connection between the two parks."



Pembroke Street

Sherbourne Street



Allan Gardens

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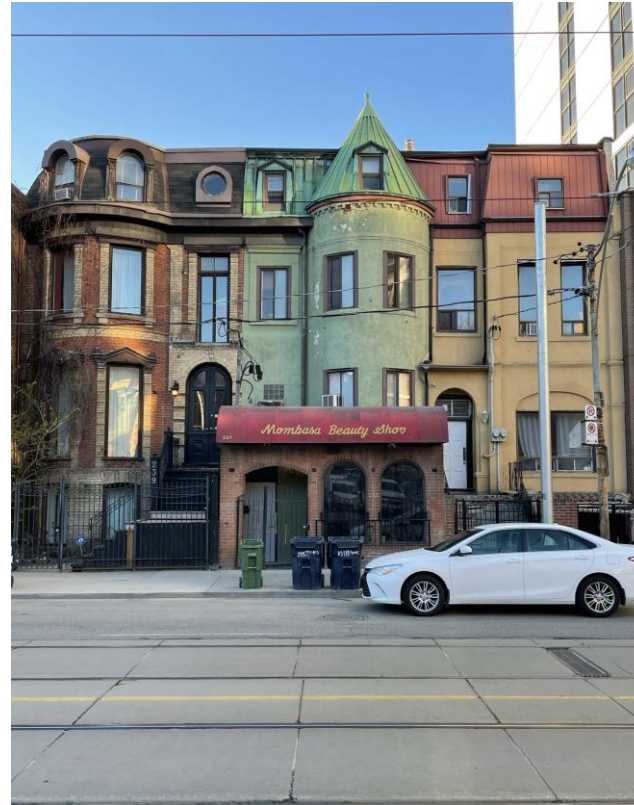
Garden District - Statement of Cultural Heritage Value & Heritage Attributes

- The **design value** of the Garden District is represented in the wide range of architectural styles found in the District.

"The District is primarily composed of late 19th and early 20th century residential house-form buildings. A number of the residential buildings, particularly along Dundas and Gerrard streets have been adaptively re-used for commercial and institutional use. In addition, a number of purpose-built commercial buildings have been constructed along Dundas Street East."

- The **social** and **community value** of the District lies in its historic role in providing community and social services in the city.

"The District continues serve the community by way of a number of institutions focused on social goals." "First Nations community centres and First Nations artwork have prominent places in the District, reflecting the living heritage of people that lived on the land before the establishment of the Town of York, now the City of Toronto."



Dundas Street East



Pembroke Street



Pembroke Street



Shuter Street

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Garden District – Statement of Objectives (excerpts)

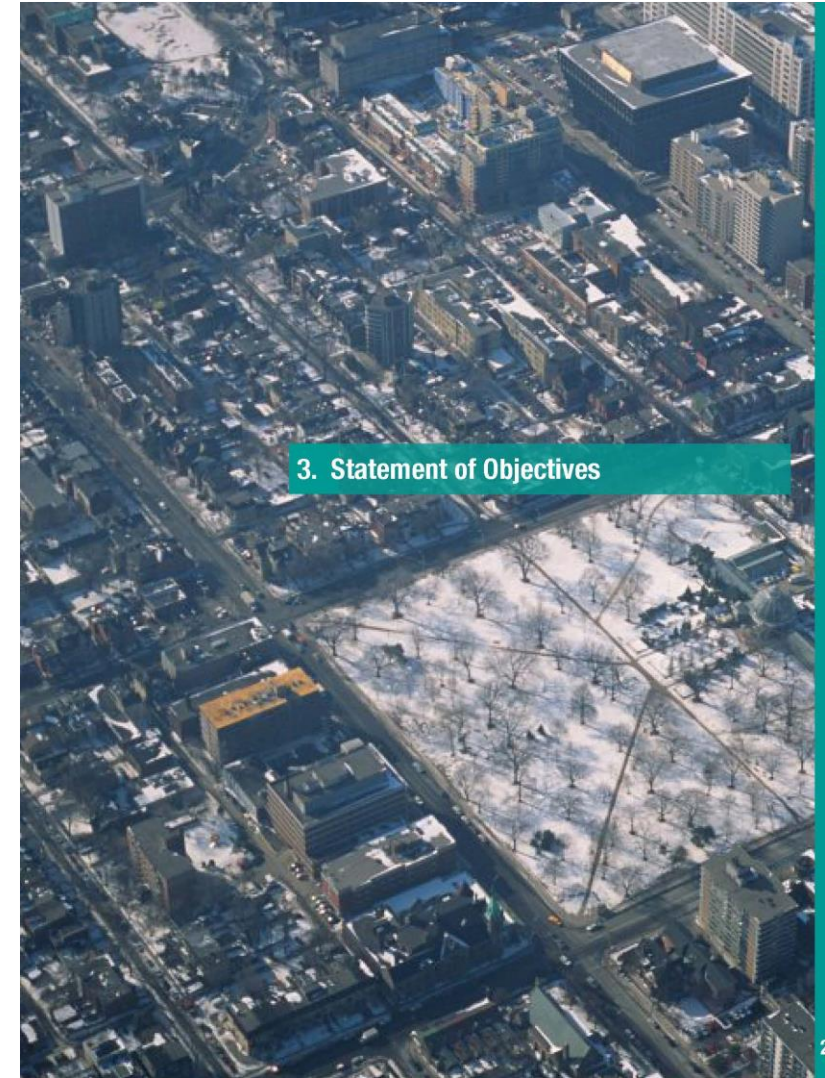
2. Conserve, maintain and enhance the overall soft landscaped, residential streetscape character of the George, Pembroke, Sherbourne, Gerrard and Shuter Street character sub-areas with generous front yard setbacks and a collection of 2-3 storey house-form buildings displaying a range of architectural styles.
8. Conserve the predominant scale and built form pattern in each character sub-area, while allowing for growth and changes as permitted in the City's Official Plan.
10. Ensure that new development and additions conserve and enhance the cultural heritage value of the District in general, as well as the character sub-area in which it is located, particularly with respect to scale, public realm and the general pattern of the built form as set out in the policies and guidelines.
14. Conserve, support and enhance the social, cultural and community values of the District as a socially inclusive neighbourhood with a history of innovative community and social services.



Pembroke Street

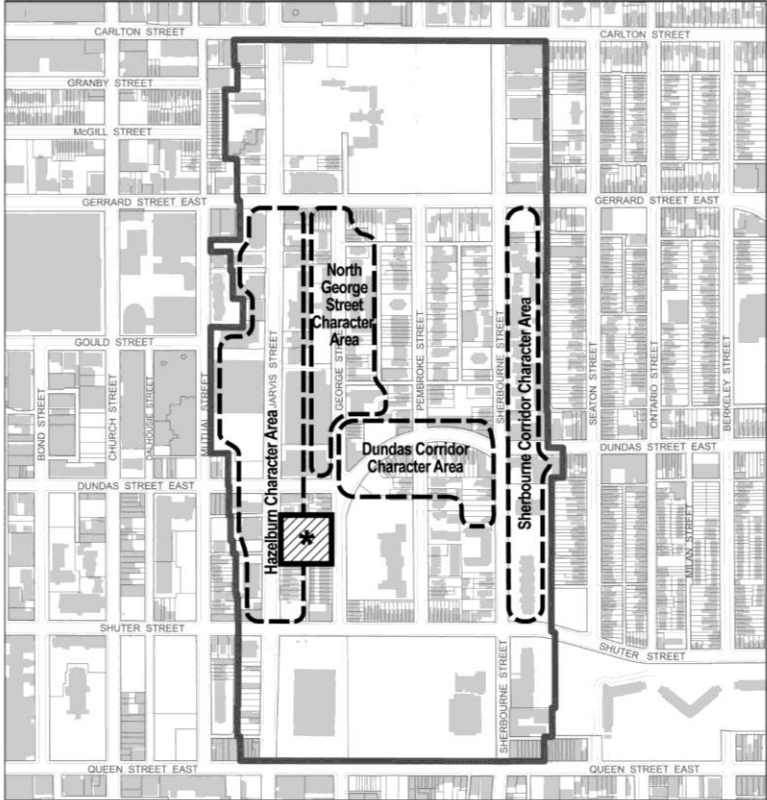
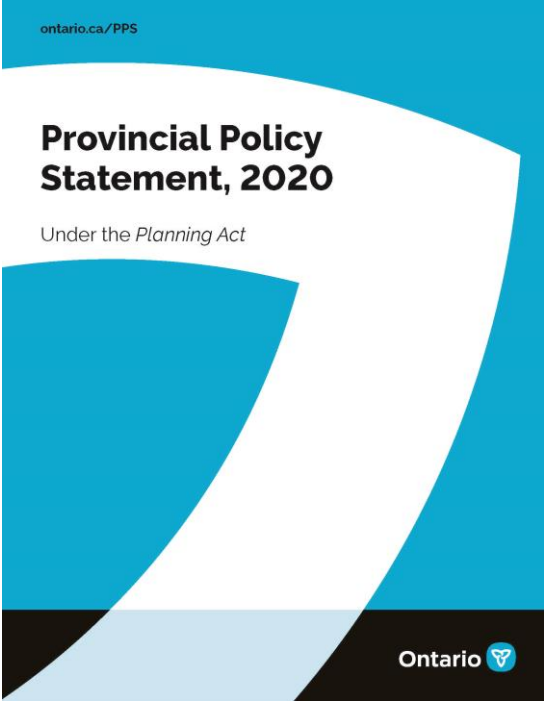


Gerrard Street



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Garden District – Legislative & Policy Framework



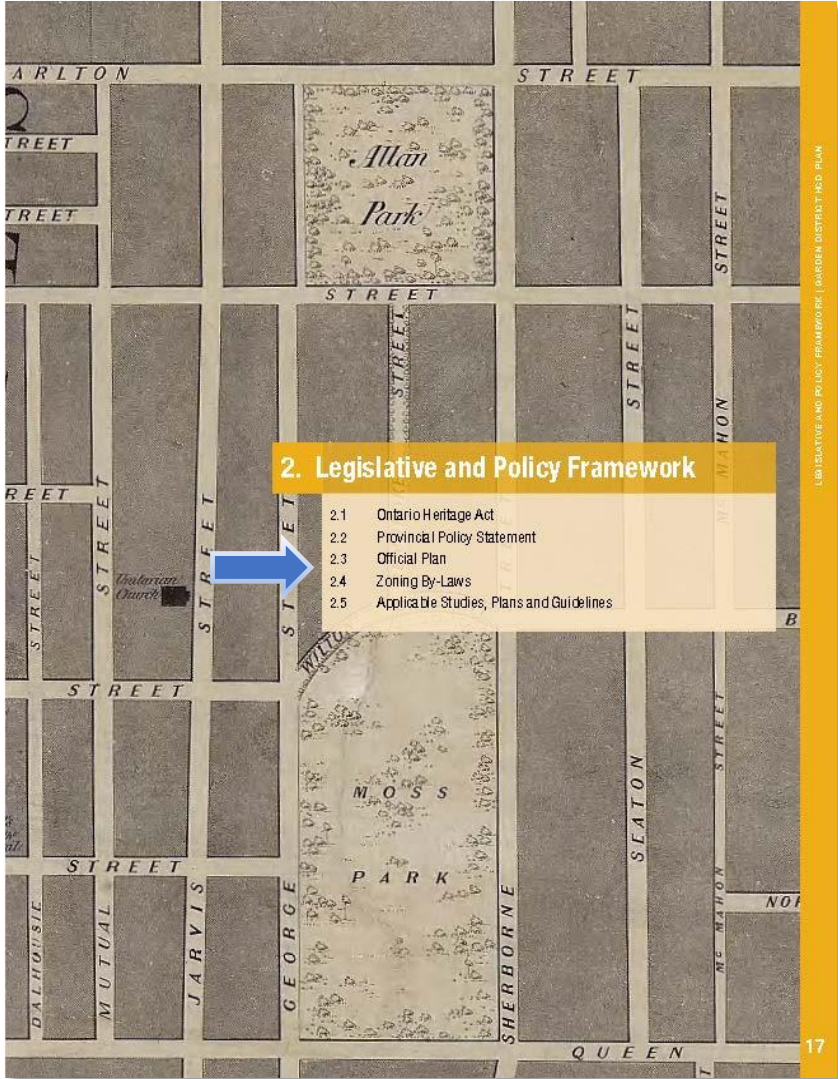
TORONTO City Planning
Character Areas

Area Bounded by Jarvis Street, Carlton Street,
Sherbourne Street and Queen Street East

File # 12 294720 SPS 00 02

- Study Area Boundary
- Character Area
- Excluded from the limits of Site and Area Specific Policy 461

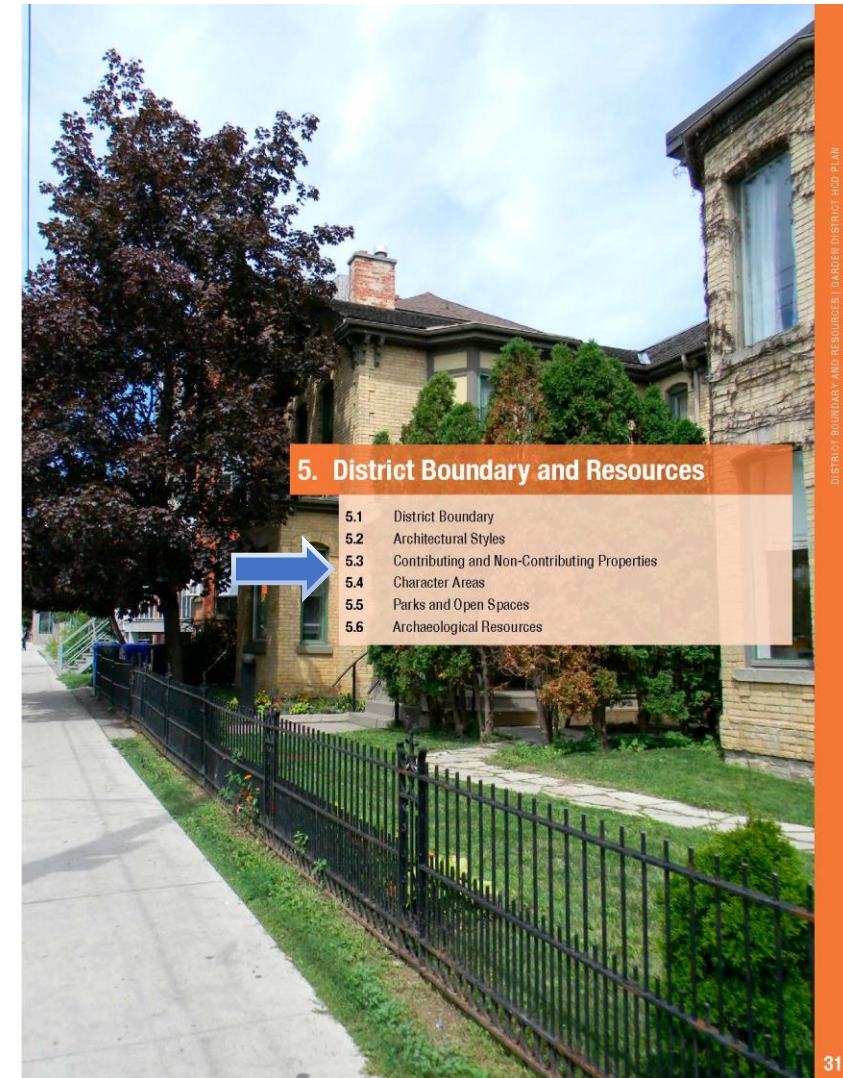
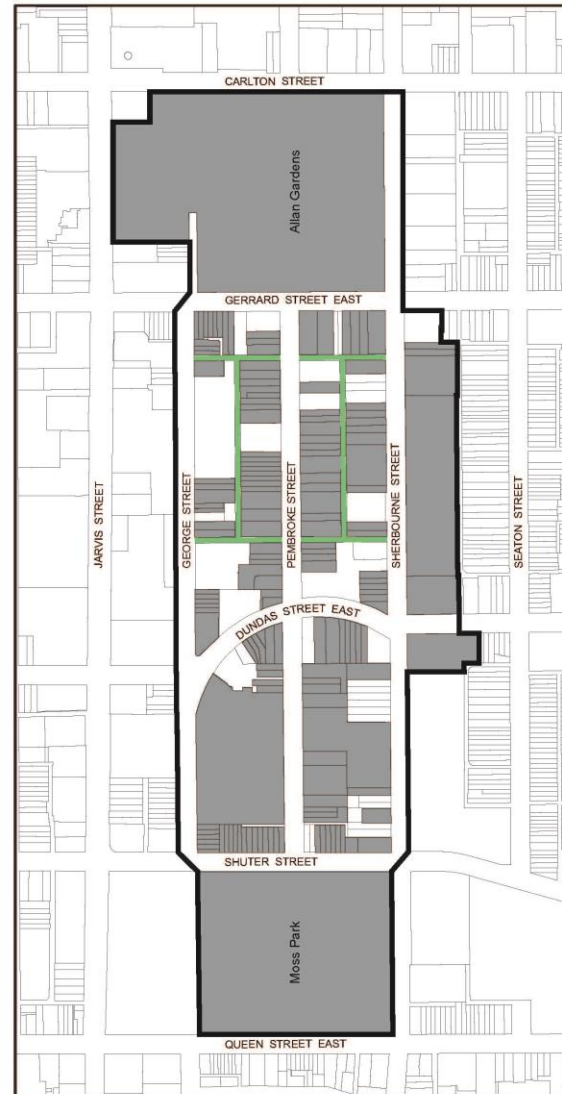
↑
Not to Scale
12/13/2017



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Garden District - Section 5.3 Contributing & Non-Contributing Properties

- A multi-step process was used to determine the classification of properties as **contributing** or **non-contributing** in the District:
 - The significant periods of construction within the District are between **1855 and 1930**. If a building was constructed within this date range, the form and typology were reviewed to determine if the **architectural style** and **integrity** warranted inclusion as a *contributing* building.
 - Buildings that fell **outside of the periods of construction** or buildings that have been **heavily modified** to the point where their architectural features/heritage attributes are no longer intact were classified as *non-contributing*.
 - Minor edits were made to the map of Contributing Properties

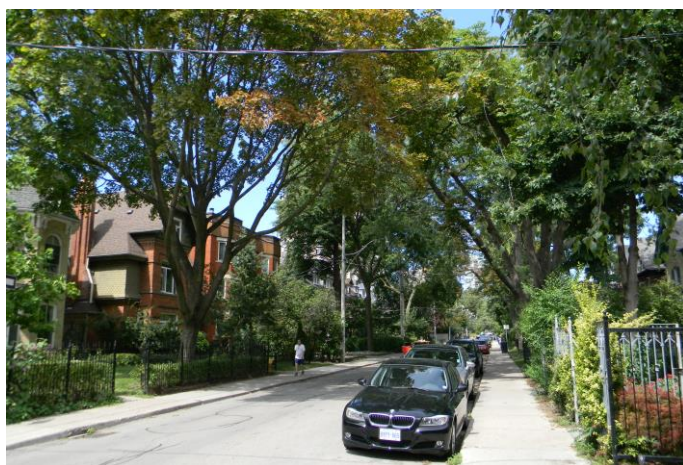


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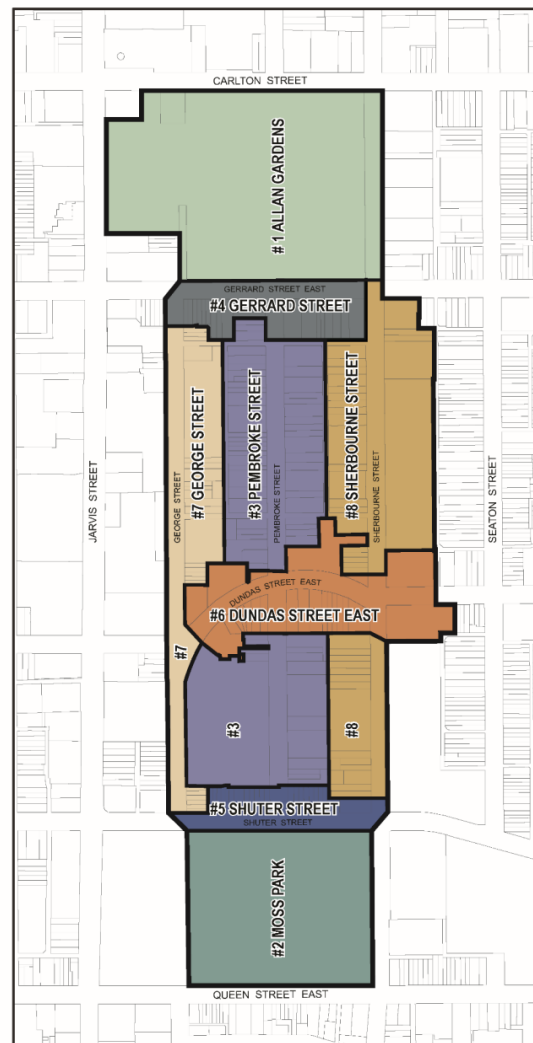
Garden District - Section 5.4 Character Sub-Areas



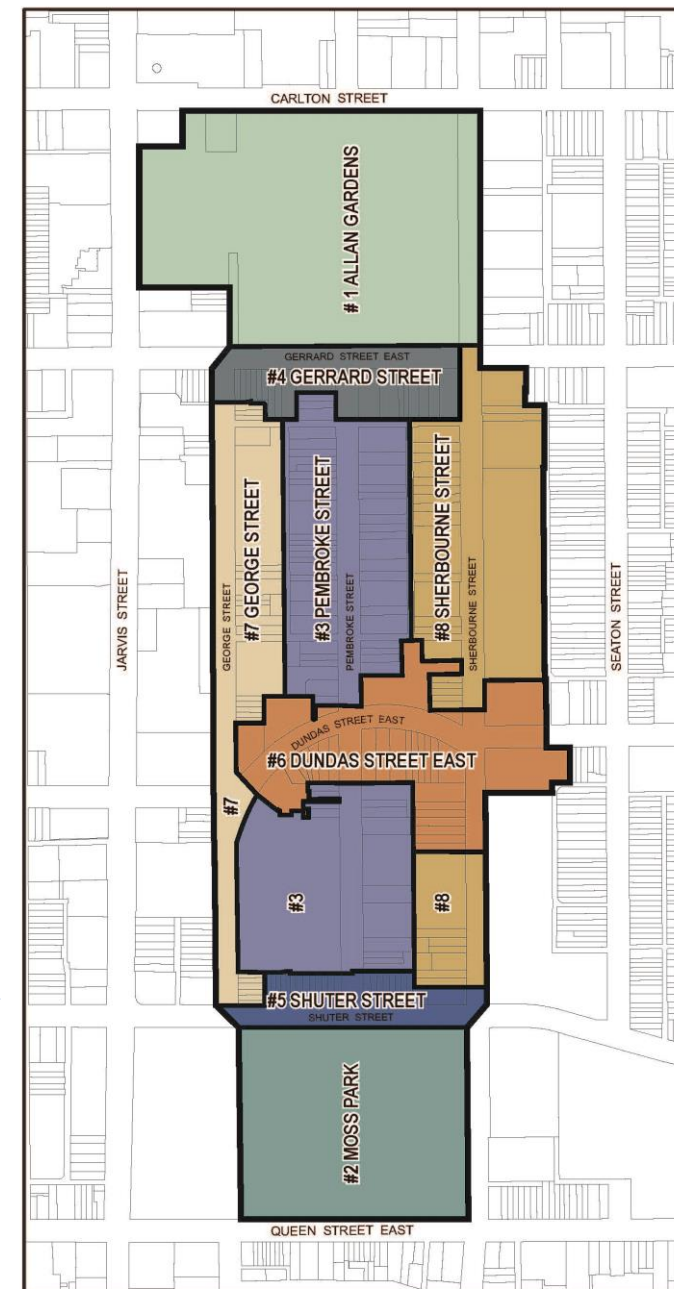
Pembroke Street



Pembroke Street looking north



Character Sub-Areas - Original HCD Plan (2016)



Character Sub-Areas – Revised HCD Plan (2021)

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Garden District – Policies and Guidelines (revised HCD Plan)

Introduction to Chapters 6, 7 & 8:

“This section contains *policies* and *guidelines* intended to manage change within the District in order to meet the objectives of this Plan and to *conserve* the District's cultural heritage value.

The ***policies*** (in **bold** font) set the direction for the management of the District in a clear and definitive way. The directions provided by the *policies* generally use either 'shall' or 'should' language and are to be interpreted accordingly.

The ***guidelines*** (in regular font) provide suggested ways in which the HCD Plan *policies* might be achieved, however there may be other methods for satisfying related *policies*. *Guidelines* are useful directions on how to meet the *policies* of the HCD Plan.”

Appendix A – Definitions:

Policy: In this document, *policies* set the direction for the management of the District and are the primary means by which the Plan area's *cultural heritage values* and *heritage attributes* are *conserved* and change is managed.

Guideline: Recommended methods of achieving an associated *policy*.

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Garden District – Policies & Guidelines for Contributing Properties

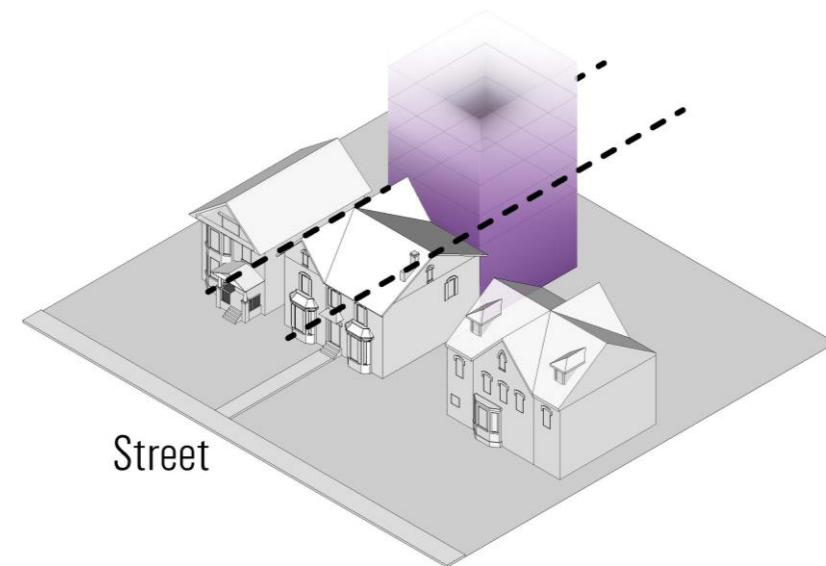
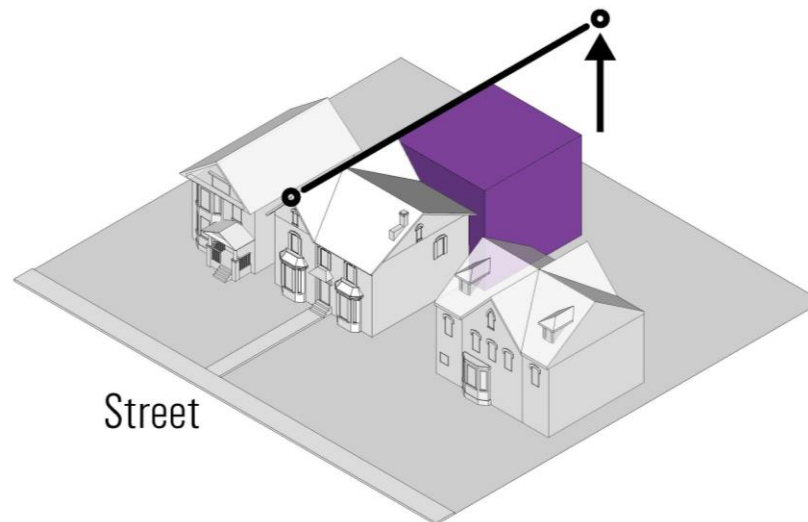
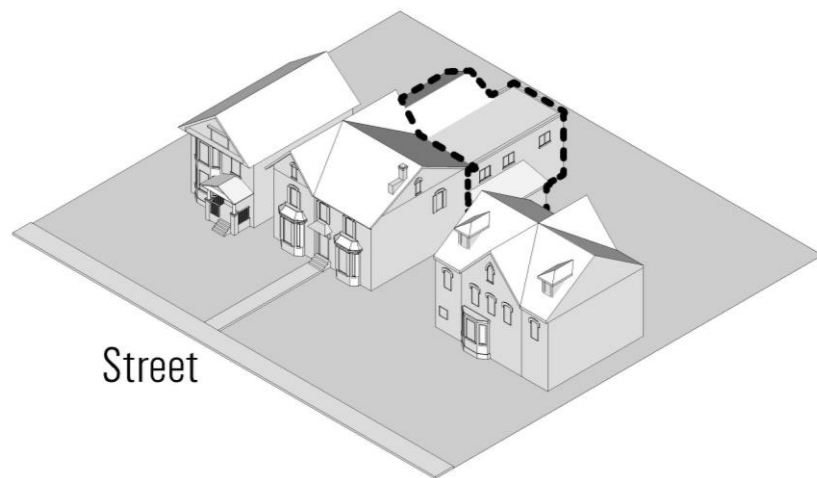
- The policies and guidelines for contributing properties conserve the District's heritage attributes. The conservation policies address a broad range of building elements, including entrances, windows, roofs and exterior walls.
- The HCD Plan also contains policies and guidelines for additions to contributing properties, in order to ensure that they are sympathetic to the heritage attributes of the District. These policies and guidelines identify appropriate stepbacks and setbacks, which vary by character sub-area.
- This chapter has been revised to provide further specificity on contributing properties within the Dundas Street East character sub-area. Specifically, the policies pertaining to **demolition, removal and relocation, alteration, and massing** have been updated to provide greater clarity regarding the Plan's direction on the contributing properties.
- Changes to sub-sections pertaining to restoration, roofs, exterior walls, windows and doors, and parking and circulation can be classified as minor edits, and relate to the removal and addition of terms and phrases in order to provide further clarity on certain policies and guidelines.

6. Policies and Guidelines for Contributing Properties

- 6.1 Understanding
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- 6.18 Parking and Circulation

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Garden District – Section 6.10 Massing (revised HCD Plan)



ALL CHARACTER SUB-AREAS:

Existing rear wings and *additions* to *primary structures* may be *demolished*.

Primary structure: The main structure of a building on a *contributing property*, not including rear wings or *additions* that are not visible from the street.

PEMBROKE STREET, GERRARD STREET AND SHUTER STREET CHARACTER SUB-AREAS:

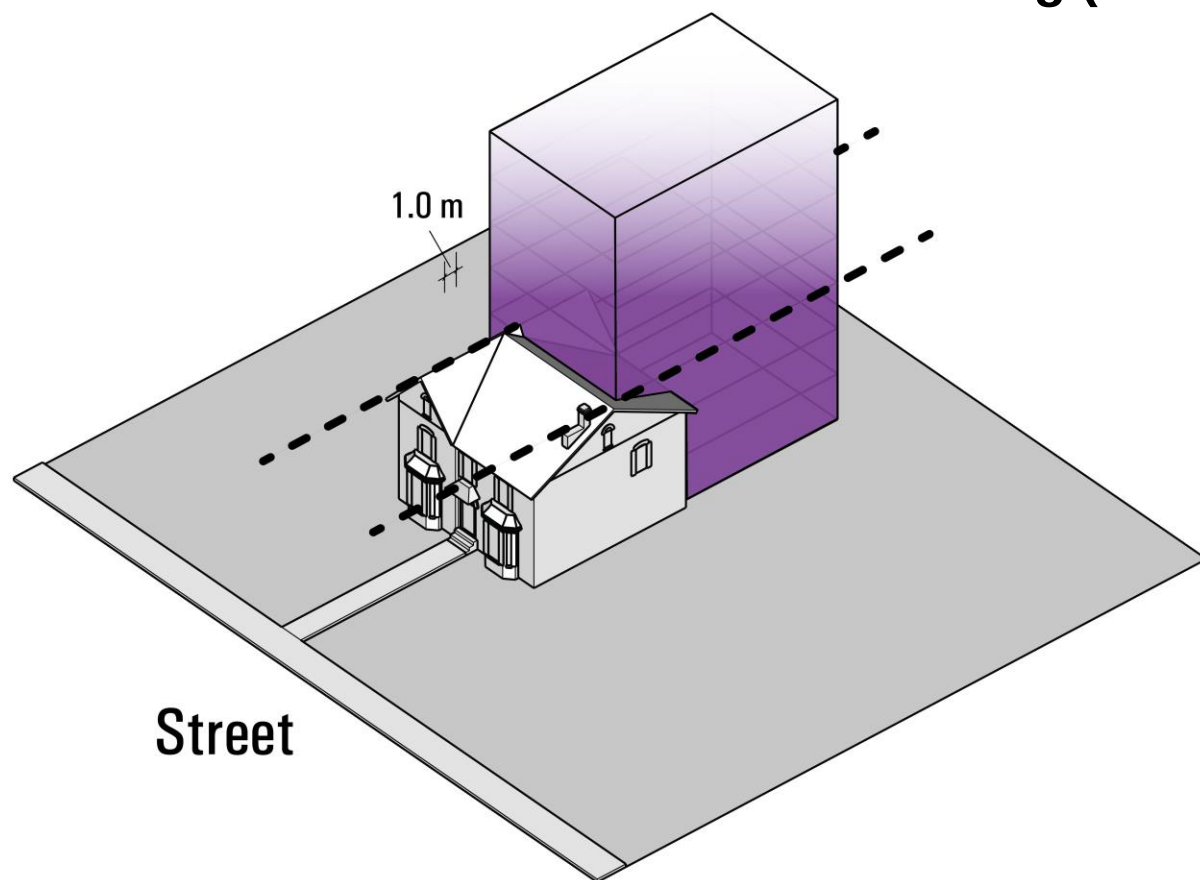
Additions to contributing properties shall not exceed the height of the roof ridge of the *primary structure*.

GEORGE STREET AND SHERBOURNE STREET CHARACTER SUB-AREAS:

New development and additions taller than the *primary structure* shall be located behind the *primary structure*.

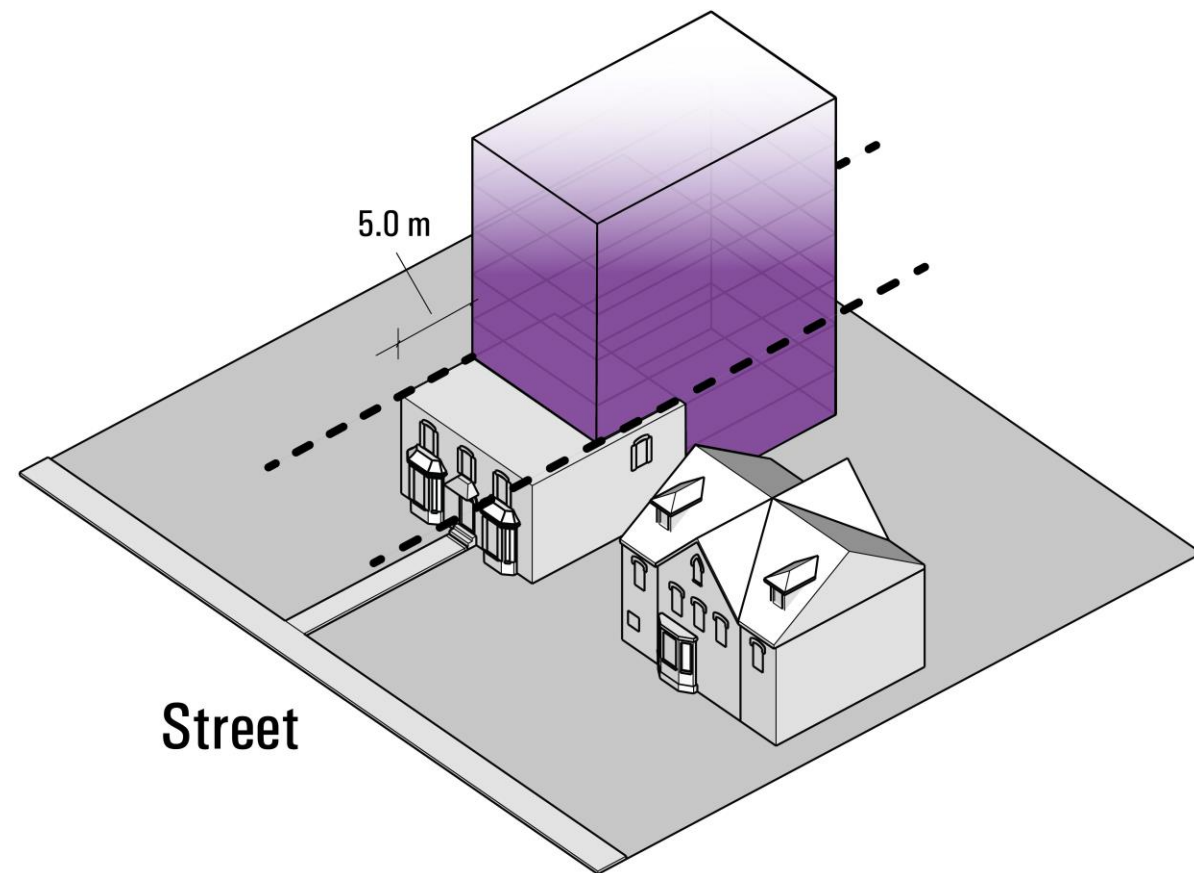
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Garden District - Section 6.10 Massing (revised HCD Plan)



DUNDAS STREET EAST CHARACTER SUB-AREA:

New development and additions taller than the roof ridge of the primary structure of house-form contributing properties should be located a minimum 1 metre behind the roof ridge.

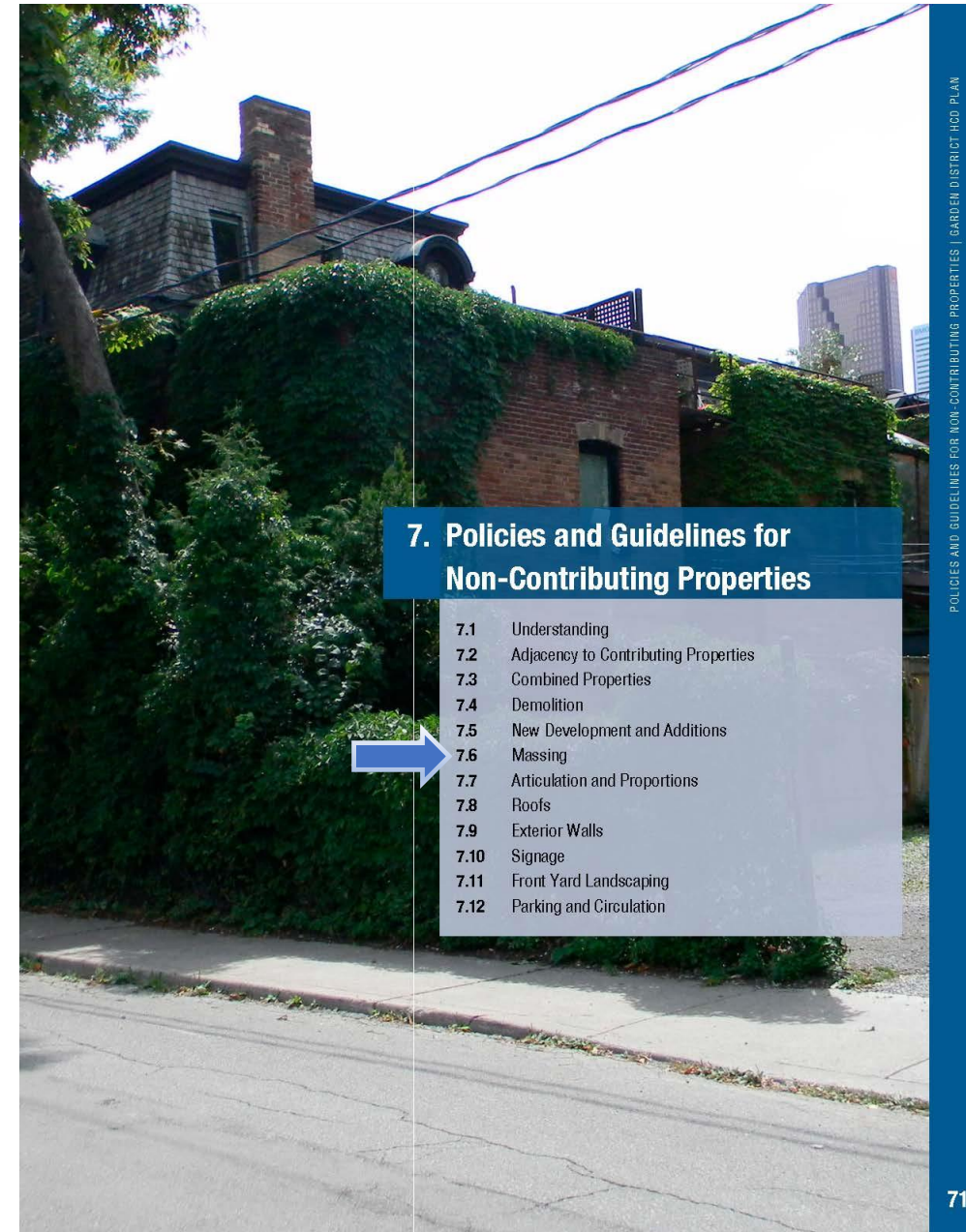


New development and additions taller than the flat roof contributing properties should provide a minimum setback of 5 metres from all streetwalls fronting onto a public right-of-way.

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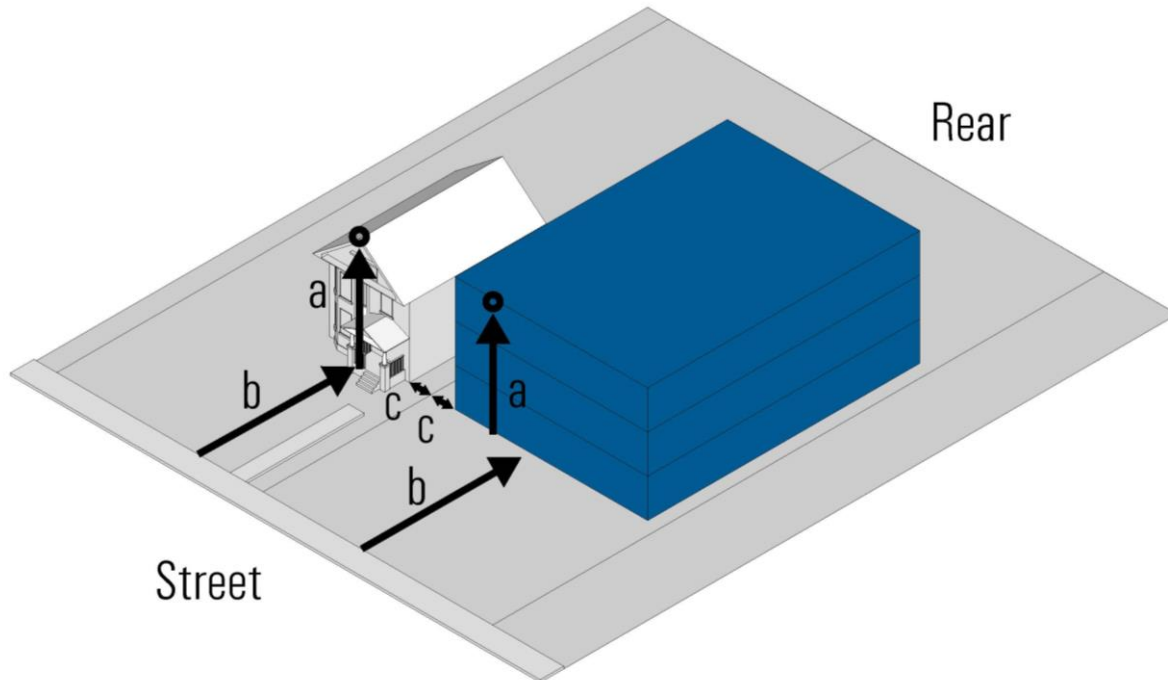
Garden District - Policies & Guidelines for Non-Contributing Properties

- Development on non-contributing properties can potentially have an impact on the cultural heritage value and heritage attributes of the District. For this reason, the HCD Plan contains policies and guidelines to ensure that alterations, additions or new development on non-contributing properties enhance the heritage character of the District.
- The policies and guidelines for non-contributing properties focus mainly on additions and new development. These policies and guidelines require that new development in the District be compatible with its cultural heritage value and heritage attributes.
- Among other matters, the policies and guidelines address massing, architectural treatment of new development, i.e. articulation and proportions, and front yard landscaping.
- Policies and guidelines pertaining to **massing, and articulation and proportions** have been revised to provide further clarity on new development and additions to the non-contributing properties within the Dundas Street East character sub-area.
- Minor changes have been made to sections addressing understanding, alterations and additions, front yard landscaping, and parking and circulation to increase clarity on certain policies and guidelines.



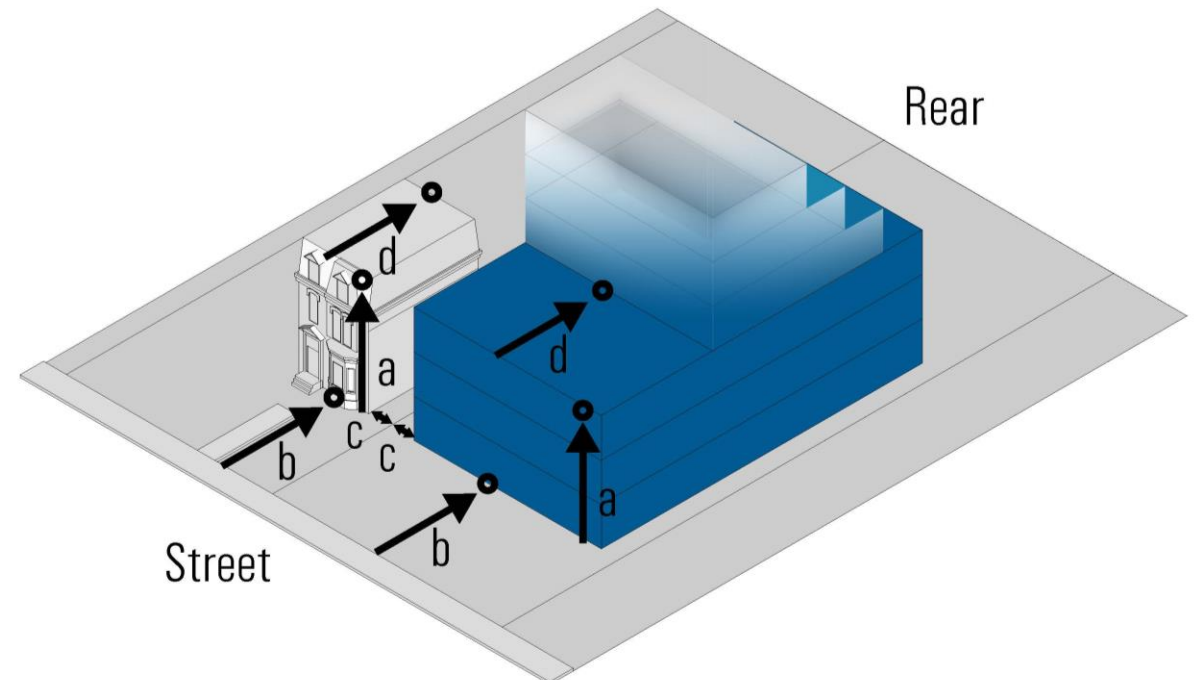
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Garden District - Section 7.6 Massing (revised HCD Plan)



PEMBROKE STREET, GERRARD STREET AND SHUTER STREET CHARACTER SUB-AREAS:

Policy 7.6.5: *New development and additions on non-contributing properties within the Pembroke, Gerrard and Shuter Street character sub-areas shall not exceed the height of the roof ridge of adjacent contributing properties.*



GEORGE STREET AND SHERBOURNE STREET CHARACTER SUB-AREAS:

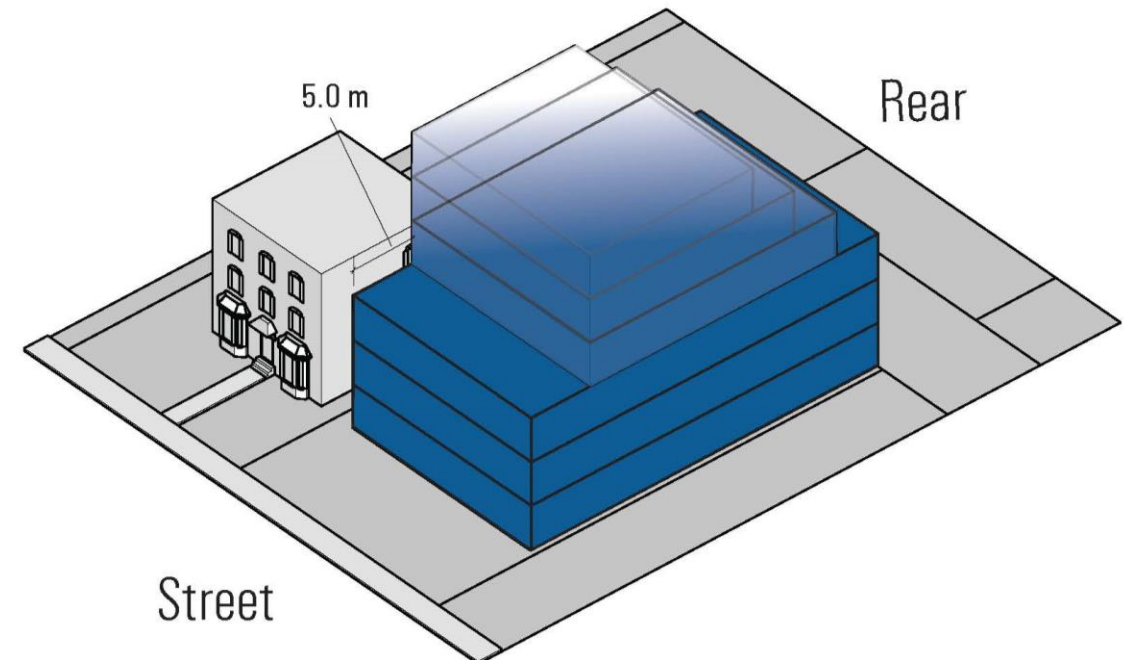
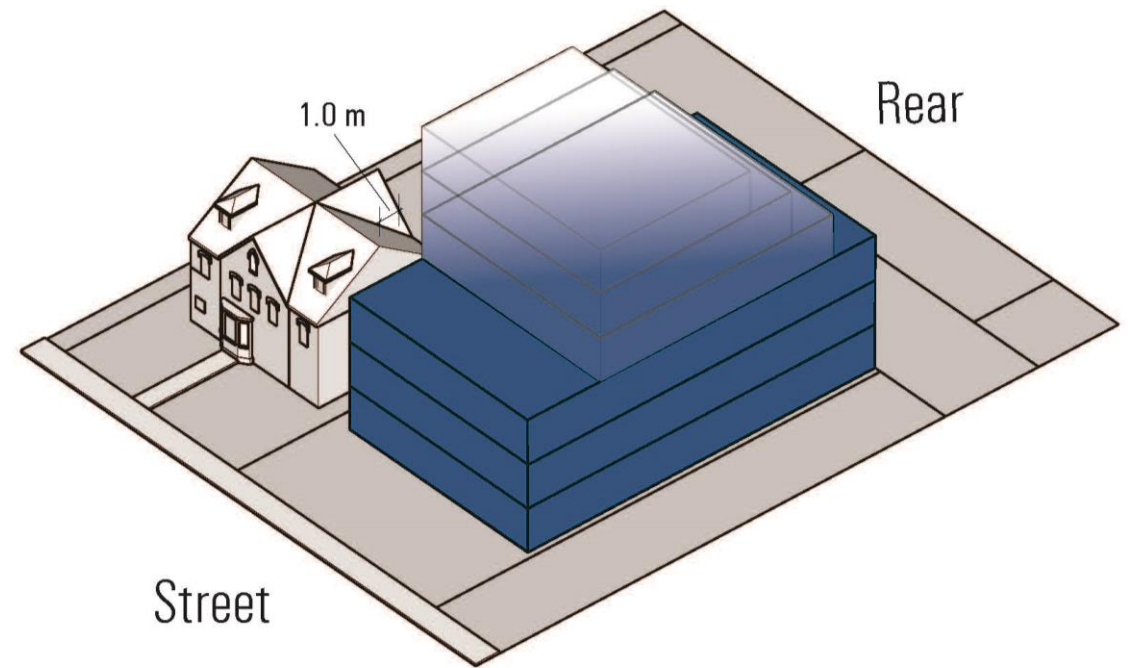
Policy 7.6.6: *Any portion of new development and additions on non-contributing properties within the George Street and Sherbourne Street character sub-areas that are taller than adjacent contributing properties shall step back to the rear of the primary structure of adjacent contributing properties.*

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Garden District - Section 7.6 Massing (revised HCD Plan)

DUNDAS STREET EAST CHARACTER SUB-AREA:

Policy 7.6.7: In the Dundas Street East *character sub-area*, any portion of *new development and additions* above the *podium* or base building on *non-contributing properties* that are taller than the roof ridge of *adjacent house form contributing properties* should be located a minimum 1 metre behind the roof ridge of *adjacent contributing properties*, and any portion of *new development and additions* above the *podium* or base building on *non-contributing properties* that are taller than the *adjacent flat roof contributing properties* should provide a minimum *stepback* of 5 metres from the *streetwall* of *adjacent contributing properties* to maintain the legibility and prominence of the low-scale *streetwall*.

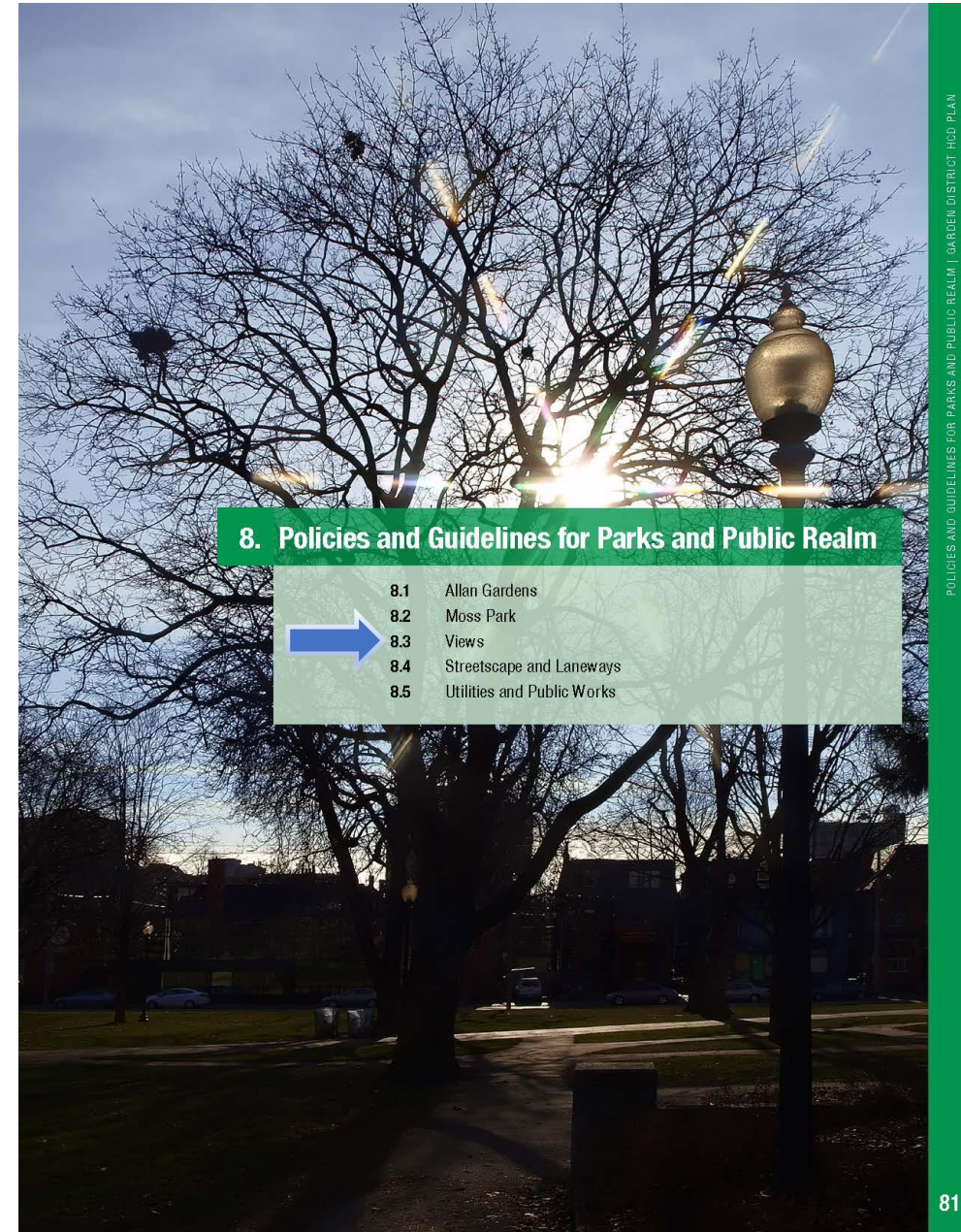


PB29.9 Garden District - Policies & Guidelines for Parks & Public Realm

- The policies and guidelines in for Parks and Public realm address **Allan Gardens** and **Moss Park, views, streetscape and laneways**, and **utilities and public works**.
- Policies and guidelines for Allan Gardens address the conservation of the heritage attributes of the District as a whole, while acknowledging that the existing Part IV designation of the property ensures the protection of additional identified heritage attributes as an individual property.
- **Section 8.3. Views** has been modified to identification of views and the relationship of the identified views to the District's cultural heritage value:

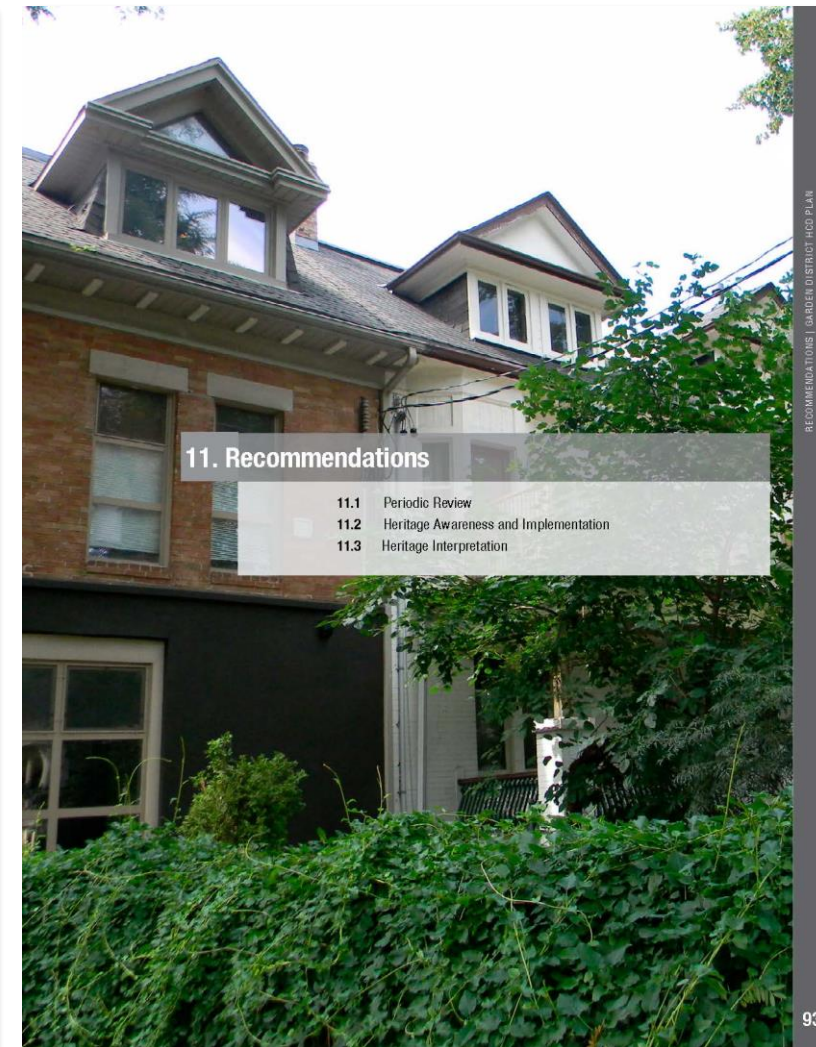
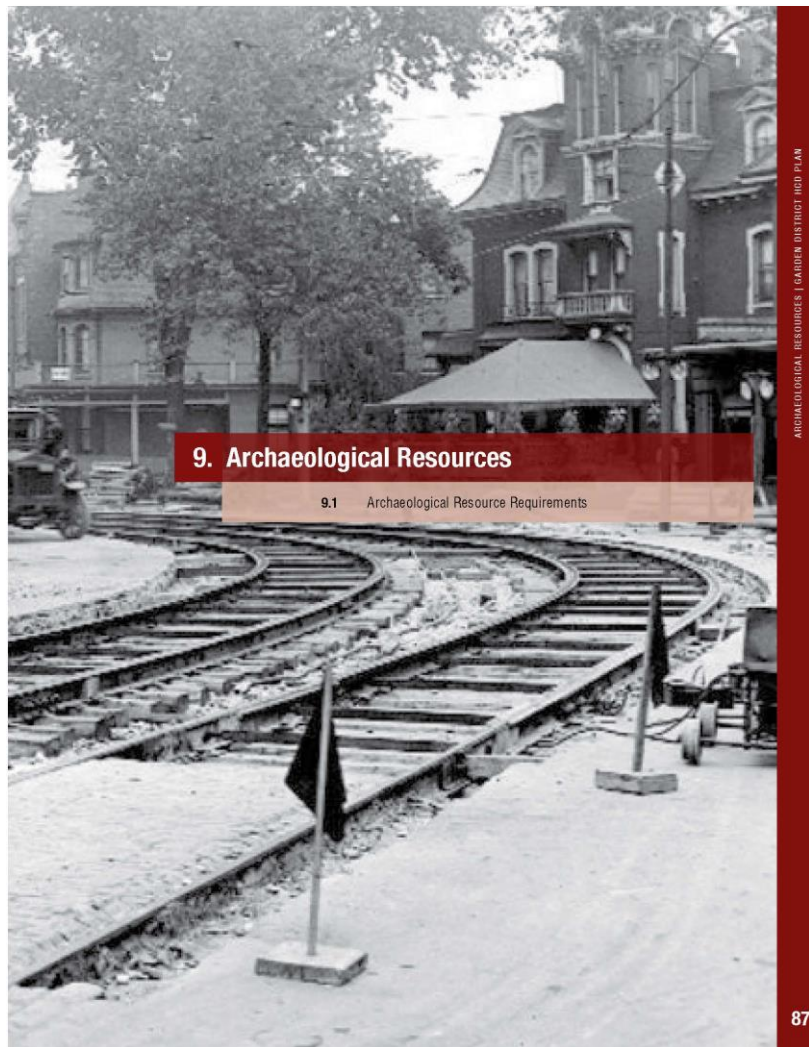
In addition to views along Pembroke Street (policy 8.3.1), policy 8.3.2 of the revised HCD Plan identifies views along Dundas Street East looking eastward to All Saints Church. The views identified in this section shall be conserved.

All Saints Church located at
223 Sherbourne Street



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Garden District – Chapters 9, 10 & 11



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Garden District - Appendices

Appendix A. Definitions: Revisions have been made to Definitions to reflect changes to the policies and guidelines in the revised HCD Plan.

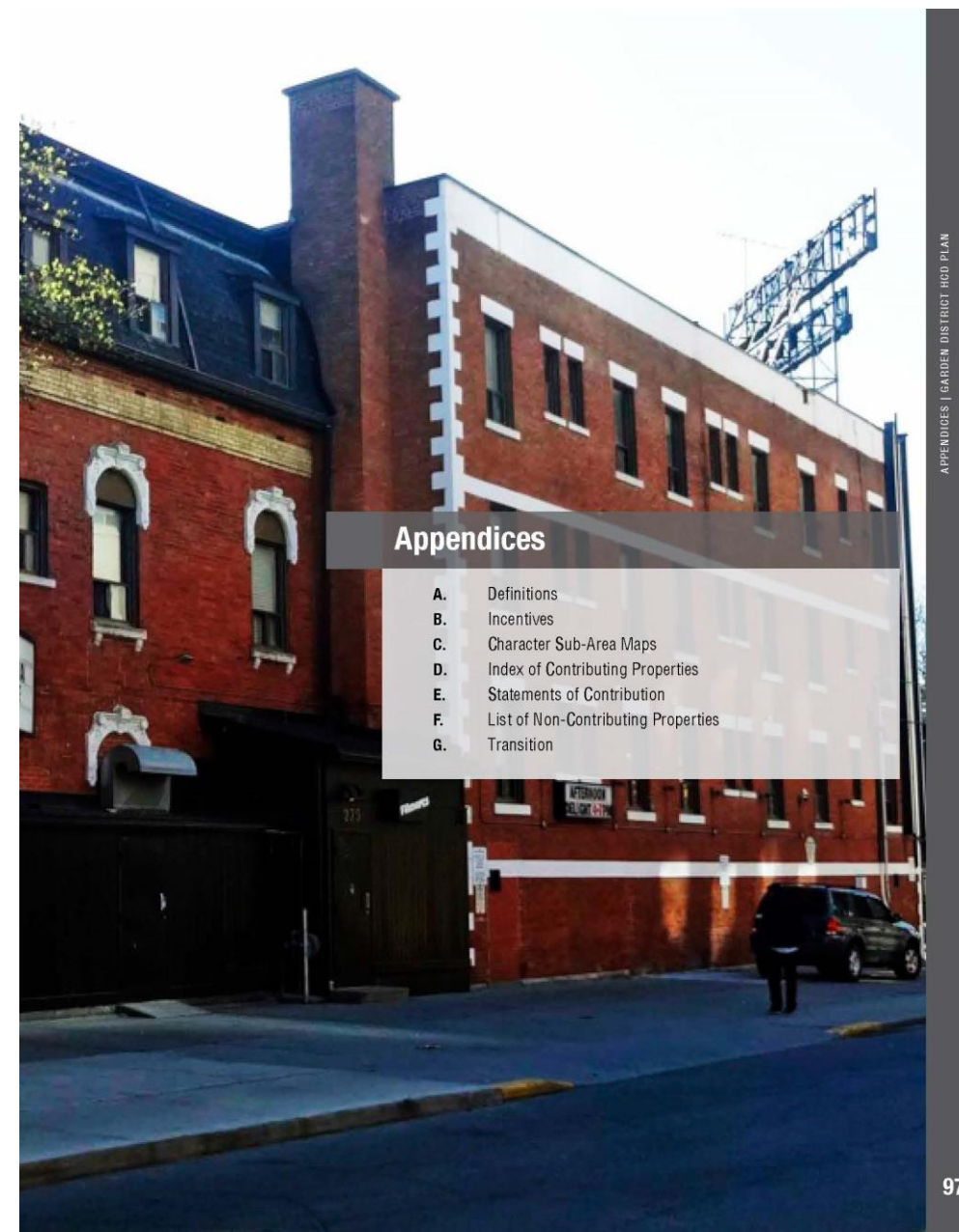
Appendix C. Character Sub-Areas Map: Appendix C has been updated to reflect the changes made to Character Sub-Areas with respect to the boundaries of the Dundas Street East and Sherbourne Street character sub-areas.

Appendix D. Index of Contributing Properties: List of contributing properties was further reviewed by City staff. The contributing properties which have been demolished or significantly altered insofar as their heritage integrity were substantially compromised have been removed from the list.

Appendix E. Statements of Contribution: Statements of Contribution was revised to reflect changes made to Appendix D.

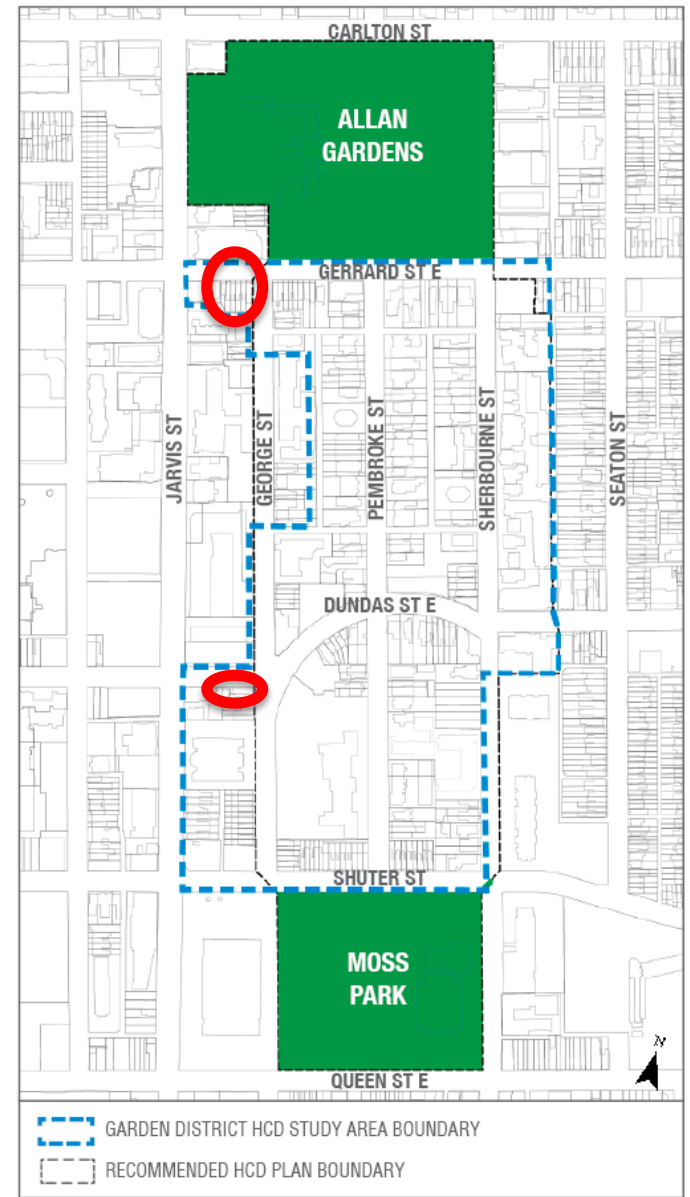
Appendix F. List of Non-Contributing Properties: Appendix F was updated to reflect changes made to Appendix D.

Appendix G. Transition: The original HCD Plan has been revised to include a "Transition" appendix to make clear that the revised HCD Plan does not apply to development approvals that have been recently granted by City Council or the Tribunal.



PB29.9 Garden District – Next Steps

- Link to the revised HCD Plan:
<https://www.toronto.ca/wp-content/uploads/2021/11/96fb-CityPlanning-Garden-District-HCD-Revised-Plan.pdf>
- Individual inclusion on City's Heritage Register (properties located outside of the proposed HCD boundaries, recommended by HCD Study)
- New by-law number will be issued
- Send notification to property owners



Garden District HCD Study Area