

Designation of the Cabbagetown Southwest Heritage Conservation District under Part V of the Ontario Heritage Act

Date: November 16, 2023

To: Toronto Preservation Board

Toronto and East York Community Council

From: Senior Manager, Heritage Planning, Urban Design, City Planning

Wards: Toronto Centre - Ward 13

SUMMARY

This report recommends that City Council designate the area referred to as Cabbagetown Southwest as a Heritage Conservation District ("HCD"), identified on the map in Attachment 1 to this report, and adopt the Cabbagetown Southwest HCD Plan by by-law under Part V of the Ontario Heritage Act.

The designation of Cabbagetown Southwest (the "District") as an HCD and adoption of the HCD Plan will manage change within the District to conserve the area's cultural heritage value through the implementation of contextual policies and guidelines.

The study of the District for potential designation as an HCD was led by Heritage Planning staff and was initiated in 2015 on Council direction. The Cabbagetown Southwest HCD Study process and the HCD Plan have been prepared in accordance with provincial legislation and *Heritage Conservation Districts in Toronto: Procedures, Policies and Terms of Reference*.

RECOMMENDATIONS

The Senior Manager, Heritage Planning, Urban Design, City Planning recommends that:

1. City Council, in accordance with Section 41 of the Ontario Heritage Act, designate by by-law the area shown on Attachment 1 to the report (November 16, 2023) from the Senior Manager, Heritage Planning, Urban Design, City Planning, as the Cabbagetown Southwest Heritage Conservation District.

2. City Council adopt by by-law the Cabbagetown Southwest Heritage Conservation District Plan as the District Plan for the Cabbagetown Southwest Heritage Conservation District, attached as Attachment 5 to the report (November 16, 2023) from the Senior Manager, Heritage Planning, Urban Design, City Planning.

3. City Council authorize the City Solicitor to make such stylistic and technical changes to the Cabbagetown Southwest Heritage Conservation District Plan, attached as Attachment 5 to the report (November 16, 2023) from the Senior Manager, Heritage Planning, Urban Design, City Planning, as deemed necessary by and at the sole discretion of the City Solicitor in consultation with the Chief Planner and Executive Director, City Planning and the Senior Manager, Heritage Planning and to ensure that such stylistic and technical changes are reflected within the Cabbagetown Southwest HCD Plan's policies, guidelines, schedules, appendices and maps.

4. If there are any appeals to the by-law under Section 41 of the Ontario Heritage Act, City Council direct the City Solicitor, together with the City's outside counsel and any other appropriate City staff and/or outside consultants to appear before the Ontario Land Tribunal to defend the by-law.

FINANCIAL IMPACT

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

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact Section.

DECISION HISTORY

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. At the same meeting, City Council directed staff to develop a prioritization system to determine which potential heritage conservation districts should be undertaken first.

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

On May 13, 2014, Toronto and East York Community Council nominated the Cabbagetown Southwest Area for consideration as a Heritage Conservation District, requesting that the nomination from the community be reviewed and that a study authorization report be brought forward and considered for prioritization should the area demonstrate sufficient cultural heritage value.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE32.83>

On March 31, 2015, City Council adopted the amended Council-approved prioritization system and criteria as shown in Attachments 1A-6A to the report (February 3, 2015) from the Chief Planner and Executive Director, City Planning. At the same meeting,

City Council authorized the following areas for study as potential Heritage Conservation Districts: Baby Point, Bloor West Village, Cabbagetown Southwest, the Distillery District, and Kensington Market, and identified the areas shown in Attachments 2B-8B to the report (February 3, 2015) from the Chief Planner and Executive Director, as the Heritage Conservation District Study Areas for each authorized district. City Council also directed the Chief Planner and Executive Director, City Planning, to initiate the study of Baby Point, Bloor West Village, Cabbagetown Southwest and Casa Loma Districts in 2016, as a result of the application of the prioritization criteria.
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG2.8>

On June 20, 2019, the Toronto Preservation Board adopted the report recommending proceeding from the Study to the Plan Phase for the proposed Cabbagetown Southwest Heritage Conservation District
<https://secure.toronto.ca/council/agenda-item.do?item=2019.PB7.8>

BACKGROUND

Legislative Framework

Planning Act and Provincial Policy Statement

The conservation of cultural heritage resources is an integral component of good planning, contributing to a sense of place, economic prosperity, and healthy and equitable communities. Heritage conservation in Ontario is identified as a provincial interest under the Planning Act. Cultural heritage resources are considered irreplaceable and valuable assets that must be wisely protected and managed as part of planning for future growth under the Provincial Policy Statement (2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan"). Heritage conservation is enabled through the Ontario Heritage Act. The City of Toronto's Official Plan implements the provincial policy regime, the Planning Act, the Ontario Heritage Act (the "OHA") and provides policies to guide decision making within the city.

Good planning within the provincial and municipal policy framework has at its foundation an understanding and appreciation for places of historic significance and ensures the conservation of these resources are to be balanced with other provincial interests. Heritage resources may include buildings, structures, monuments, and geographic areas that have cultural heritage value or interest to a community, including an Indigenous community.

The Planning Act establishes the foundation for land use planning in Ontario, describing how land can be controlled and by whom. Section 2 of the Planning Act identifies heritage conservation as a matter of provincial interest and directs that municipalities shall have regard to the conservation of features of significant architectural, historical, archaeological or scientific interest. Heritage conservation contributes to other matters of provincial interest, including the promotion of built form that is well-designed, and that encourages a sense of place.

The Planning Act requires that all decisions affecting land use planning matters shall conform to the Growth Plan and shall be consistent with the Provincial Policy Statement (the "PPS"), both of which position heritage as a key component in supporting key provincial principles and interests.

<https://www.ontario.ca/laws/statute/90p13>

The Provincial Policy Statement provides policy direction on land use planning in Ontario and is to be used by municipalities in the development of their official plans and to guide and inform decisions on planning matters, which shall be consistent with the PPS. The PPS articulates how and why heritage conservation is a component of good planning, explicitly requiring the conservation of cultural heritage and archaeological resources, alongside the pursuit of other provincial interests. The PPS does so by linking heritage conservation to key policy directives, including building strong healthy communities, the wise use and management of resources, and protecting health and safety.

Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development states that long-term economic prosperity is supported by, among other considerations, the promotion of well-designed built form and cultural planning, and the conservation of features that help define character. Section 2.6 Cultural Heritage and Archaeology subsequently directs that "significant built heritage resources and significant cultural heritage landscapes shall be conserved". Through the definition of conserved, built heritage resources, cultural heritage landscape and protected heritage property, the PPS identifies the Ontario Heritage Act as the primary legislation through which heritage conservation will be implemented.

<https://www.ontario.ca/page/provincial-policy-statement-2020>

A Place to Grow: Growth Plan for the Greater Golden Horseshoe

The Growth Plan builds on the PPS to establish a land use planning framework that supports complete communities, a thriving economy, a clean and healthy environment and social equity. Section 1.2.1 Guiding Principles states that policies in the plan seek to, among other principles, "conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities". Cultural heritage resources are understood as being irreplaceable, and are significant features that provide people with a sense of place. Section 4.2.7 Cultural Heritage Resources directs that cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.

<https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe>

Ontario Heritage Act

The Ontario Heritage Act is the key provincial legislation for the conservation of cultural heritage resources in Ontario. It regulates, among other things, how municipal councils can identify and protect heritage resources, including archaeology, within municipal boundaries. This is largely achieved through listing on the City's Heritage Register, designation of individual properties under Part IV of the OHA, or designation of districts under Part V of the OHA.

Section 27 of the OHA gives municipalities the authority to maintain and add to a publicly accessible heritage register. The City of Toronto's Heritage Register includes individual heritage properties that have been designated under Part IV, Section 29, properties in a heritage conservation district designated under Part V, Section 41 of the OHA as well as properties that have not been designated but City Council believes to be of "cultural heritage value or interest."

<https://www.ontario.ca/laws/statute/90o18>

Under Part V of the OHA municipalities are enabled to establish heritage conservation districts where their official plan contains provisions relating to the establishment of such. The City of Toronto's Official Plan supports identification, evaluation and designation of heritage conservation districts. Section 41.1 of the OHA describes the requirements for the HCD Plan, including: a statement of objectives; a statement of district significance explaining the cultural heritage value or interest of the HCD; a description of heritage attributes; policies, guidelines and procedures for achieving the stated objectives; and a description of alterations that may be undertaken by property owners without obtaining a heritage permit. The OHA requires that, prior to the by-law adopting a HCD plan is made, information relating to the proposed HCD plan, including a copy of the plan, is made available to the public, that at least one public meeting is held regarding the HCD plan (Community Council), and that the municipal heritage committee (Toronto Preservation Board) be consulted.

On January 1, 2023, the Province's proposed amendments to the OHA through the More Homes Built Faster Act, 2022 (Bill 23) came into effect. For Heritage Conservation Districts, per Regulation 569/22 of the OHA, at least 25 per cent of the properties within the defined area must satisfy two or more of the nine criteria for determining cultural heritage value of interest.

A municipal heritage register under the Ontario Heritage Act may include properties that have not been designated but Council believes to be of "cultural heritage value or interest" and meet one or more of the provincial criteria for determining whether it is of cultural heritage value or interest. The recent amendments to the Act limit listing to a period of two years. If a listed property is not subject to a Notice of Intention to Designate within two years, on and after the second anniversary of the property being Listed in the heritage register, the legislation deems the property be removed from the heritage register after a two-year period and imposes a five-year prohibition on re-including that property in the heritage register, if deemed to be removed.

City of Toronto's Official Plan

The City of Toronto's Official Plan (the "Official Plan") contains a number of policies related to properties on the City's Heritage Register and properties adjacent to them, as well as the protection of areas of archaeological potential. Indicating the integral role that heritage conservation plays in successful city-building, Section 3.1.6 of the Official Plan states that, "Cultural heritage is an important component of sustainable development and place making. The preservation of our cultural heritage is essential to the character of this urban and liveable City that can contribute to other social, cultural, economic and environmental goals of the City."

Official Plan Policy 3.1.6.30 provides for the establishment of HCDs and their designation and conservation. It states, "Potential heritage conservation districts will be identified and evaluated to determine their significance and cultural heritage values, in a Heritage Conservation District study. Heritage Conservation Districts that have been evaluated to be significant for their heritage value will be designated and conserved."

Policy 3.1.6.2 states that properties and HCDs of potential cultural heritage value or interest will be identified and evaluated consistent with provincial regulations and criteria and that the evaluation of HCDs may also consider additional criteria such as social, community, natural and scientific value. Policy 3.1.6.3 directs that HCDs will be protected by being designated under the OHA and included on the Heritage Register. Policy 3.1.6.4 states that properties on the Heritage Register (including those within HCDs) will be conserved and maintained consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada.

Policy 3.1.6.32 states, "Impacts of site alterations, developments, municipal improvements, and/or public works within or adjacent to Heritage Conservation Districts will be assessed to ensure that the integrity of the districts' heritage values, attributes, and character are conserved. This assessment will be achieved through a Heritage Impact Assessment..." Policy 3.1.6.33 states, "Heritage Conservation Districts should be managed and conserved by approving only those alterations, additions, new development, demolitions, removals and public works in accordance with respective Heritage Conservation District plans." Policy 3.1.6.6 encourages the adaptive re-use of heritage properties while Policy 3.1.6.26 states that, when new construction on, or adjacent to, a property on the Heritage Register does occur, it will be designed to conserve the cultural heritage values, attributes and character of that property and will mitigate visual and physical impacts on it.

In addition to the direction of Section 3.1.6, the Official Plan provides support for heritage conservation within the context of accommodating growth and change. Section 2.2.1 Downtown: The Heart of Toronto states that "Downtown is where our history is richest" and that "Given that this is one place in Toronto where "change is constant", we must ensure that our built heritage is respected, nurtured and improved." Policy 2.2.1.5 directs that "the architectural and cultural heritage of Downtown will be preserved by designating buildings, districts and open spaces with heritage significance and by working with owners to restore and maintain historic buildings." Policy 2.2.1.6 speaks to providing guidance within HCDs, by directing that design guidelines specific to districts of historic or distinct character will be developed and applied to ensure new development respects the context of such districts in terms of the development's fit with existing streets, setbacks, heights and relationship to landmark buildings.

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

Heritage Conservation Districts in Toronto: Procedure, Policies and Terms of Reference ("HCDs in Toronto") was adopted by Toronto City Council in March 2012 in order to provide a consistent approach for the studying and planning of HCDs in the city. In addition, the Standards and Guidelines for the Conservation of Historic Places in Canada ("Standards and Guidelines") is the benchmark for recommending conservation treatments and approaches. The Official Plan references the Standards and Guidelines

as a key guidance document, requiring that properties on the Heritage Register be conserved and maintained consistent with the Standards and Guidelines.

City of Toronto Archaeological Management Plan

The intent of the Archaeological Management Plan is to ensure that archaeological resources are appropriately conserved, and that archaeological sites are adequately considered and studied prior to any form of development or land use change that may affect them. It identifies general areas of archaeological potential, as well as specific areas of known extant archaeological sites referred to as Archaeologically Sensitive Areas.

City of Toronto Reconciliation Action Plan 2022-2032

City of Toronto Reconciliation Action Plan, adopted by City Council in April 2022, will guide its actions to advance truth, justice and reconciliation for the next 10 years, from 2022 to 2032. It builds on the City's existing commitments to Indigenous peoples and takes them even further through meaningful actions.

<https://www.toronto.ca/legdocs/mmis/2022/ex/bgrd/backgroundfile-222934.pdf>

COMMENTS

Project Background

The Cabbagetown area has four other HCDs covering much of the community's area - Cabbagetown - Metcalfe HCD (2001); Cabbagetown North HCD (2003); Cabbagetown South HCD (2005); and the Cabbagetown Northwest HCD (2007).

In Toronto, heritage conservation districts are identified and designated through a phased process which involves completion of an HCD Study and then an HCD Plan. In 2013 the Cabbagetown HCD Advisory Committee nominated for study the area that now comprises the proposed Cabbagetown Southwest HCD. In May 2014, with the support of the local Councillor, the Toronto and East York Community Council nominated the Cabbagetown Southwest area for an HCD study. In March 2015, City Council directed the study to be initiated.

In June 2018, City Planning engaged EVOQ Architecture Inc. to conduct an HCD Study of the Cabbagetown Southwest area. The Study included a Built Form and Landscape Survey; a Character Analysis; and Planning Analysis of the area. The Survey inventoried each property within the study area, using the City of Toronto's standardized survey form recording each property's height, cladding material, architectural style, and roof types, supplemented with photographs.

The Character Analysis was undertaken to understand the defining features of Cabbagetown Southwest, and to determine whether those features reflect and support an appreciation for the study area's periods of development. This analysis included the mapping of information collected through the built form and landscape survey, including

dates of construction, architectural styles, building typologies and integrity. The analysis of this data enabled the consultant team to identify patterns and trends in the built form of the study area.

The Planning Analysis was completed by Urban Strategies Inc. to review the existing planning framework against the area's prevailing heritage character to understand whether the existing planning controls support or detract from the heritage character of the area, and to subsequently determine appropriate tools to resolve any potential conflict.

The HCD Study and its recommendations were endorsed by the Toronto Preservation Board in June 2019. In the summer of 2020, EVOQ Architecture Inc, in partnership with Lura Consulting initiated the HCD planning phase. The team subsequently prepared policies and guidelines and led further community consultation, outlined below.

In December 2020, nine properties on Berkeley and Ontario streets between Dundas Street East and Shuter Street were listed on Toronto's Heritage Register. These properties were identified as having potential heritage value in the original Study area but were excluded from the Plan area when the HCD boundary changed.

In Fall 2021 the HCD Plan phase was paused by Heritage Planning before resuming in Fall 2022.

On January 1, 2023, amendments to the OHA through the More Homes Built Faster Act, 2022 (Bill 23) came into effect. For Heritage Conservation Districts, per regulation 569/22 of the OHA, at least 25 percent of the properties within the defined area must satisfy two or more of the nine criteria for determining cultural heritage value of interest.

City staff and EVOQ consultants re-examined all of the properties within the boundary of the District and determined 487 of 586 properties (83 percent of properties) satisfy two or more criteria which far exceeds the provincial prescribed criteria of 25 percent.

Community Consultation

The HCD Study phase of the project included two community consultation meetings and three community advisory group ("CAG") meetings in 2018 and 2019. City Planning, in collaboration with Lura Consulting, a sub-consultant retained to assist with community engagement, undertook these meetings in order to benefit from local expertise and receive community knowledge, views and ideas for consideration as part of the HCD study. The CAG process provided the study team with an opportunity to vet information and ideas and incorporate the community's perspectives and knowledge into the study.

After the completed HCD Study was endorsed by the Toronto Preservation Board, the HCD Plan phase of the project comprised significant additional community consultation. For the HCD Plan phase, Lura Consulting was again retained as a sub-consultant to assist with community consultation.

From 2020 to 2023 there have been five additional CAG meetings which occurred November 10 and 17, 2020; May 17 and 27, 2021; and July 25, 2023. In addition to this

there have been two broad community consultation meetings - one occurring virtually on January 27, 2021 with the other being an in-person drop-in, open-house style event on September 21, 2023. Also, the project team has met the Cabbagetown HCD Advisory Committee several times during the 2020 - 2023 period.

In 2023 Heritage Planning led an Indigenous engagement process which sought to connect with and solicit feedback from several Indigenous organizations in the Cabbagetown area about the HCD Plan. The consultation, through virtual meetings with representatives from two organizations that expressed interest in participating, helped to inform the addition of one of the Plan's 13 objectives as well as policy in the Park and Public Space section of the Plan.

Cultural Heritage Value

Following the analysis of the study area's present-day character, history and evolution, the consultant team evaluated the area against the Criteria for the Determination of Cultural Heritage Value within a Heritage Conservation District, as outlined in *Heritage Conservation Districts in Toronto: Procedures, Policies and Terms of Reference* and based on Ontario Regulation 9/06.

The evaluation determined that a significant portion of the Cabbagetown Southwest study area exhibits sufficient historical, associative, design, physical, contextual, social, and community value to warrant designation under Part V of the *Ontario Heritage Act* as a heritage conservation district.

The neighbourhood has historical and associative value as it yields information that contributes to an understanding of the historic diversity of this community through its wide range of housing typologies, as well as its more recent history of redevelopment and on-going community activism. Its extant grid and block pattern reflects the subdivision plan by John Howard, the first City Surveyor; the deviations that exist reflect subsequent City initiatives from the mid-20th century to address extremely poor living conditions and respond to increase car ownership, including the extension of Shuter Street, and realignment of Gerrard Street East at Parliament Street.

The area's contextual value is seen in its present-day character and unique sense of place in contrast to its surroundings. It possesses a physical character that supports its history and maintains a sense of time and place, evidenced in the density of fine grain historical residential buildings and the variety of late 19th and early 20th century architectural styles, material and details that are interrelated, but that also reflect a high degree of personalization through ornamentation and detailing. Its juxtaposition to the adjacent high-density urban renewal areas of Regent Park and Moss Park further supports its distinct character and sense of place.

The Cabbagetown Southwest study area has design and physical value as it represents an important period in the early suburban expansion of Toronto, with buildings and an overall spatial organization that reflect urban expansion during the latter half of the 19th century, wherein development was an activity in which a variety of individuals participated as opposed to the master planned communities that arose in the early 20th century. It has a high concentration of Victorian era buildings that use consistent

construction methods, architectural styles, details and materials, and though altered many retain similarities that contribute to a cohesive and consistent character across the District. Brickwork, woodwork, bay window treatments, windows, doors and porches illustrate a high degree of craftsmanship, where originals or restored features exist.

The study area's social and community value relates to its historical link to the Gay Liberation Movement of the 1970s, when the neighbourhood saw an influx of residents from the LGBTQ+ community. The Canadian Lesbian and Gay Archives (now The ArQuives) was founded in the neighbourhood on Seaton Street occupied by the Body Politic and Glad Day Bookshop for a brief period in the 1970s. As part of the broader Cabbagetown neighbourhood, the area saw an influx of LGBTQ+ residents through the 1970s and 1980s, many of whom restored and renovated houses and contributed to the revitalization of Cabbagetown.

The neighbourhood is historically and functionally linked to a variety of community groups and residents' associations who have organized and advocated for its preservation and supported a sense of community. The provision of social and community services is also identified as an important value within the area; Seaton House, the former Lee School and Girl's Home, and Central Neighbourhood House have historically and continue to provide services to residents of the Downtown East area, contributing to the neighbourhood's diversity and identity as a welcoming and inclusive community. See Attachment 2 for the Statement of Cultural Heritage Value and Heritage Attributes.

Statement of Objectives

The OHA requires that HCD plans contain a statement of objectives to be achieved through the designation of the HCD. These objectives are an important link between the values identified in the statement of cultural heritage value and the policies that are intended to conserve those values of the District, including its heritage attributes.

The overall objective of the Cabbagetown Southwest HCD Plan is the protection, conservation and management of its heritage attributes including contributing properties so that the District's cultural heritage value is protected in the long-term. See Attachment 3 for the full Statement of Objectives.

Proposed Boundary

The proposed Cabbagetown Southwest HCD Plan boundary includes most of the original study area, except for the southeast corner. The proposed boundary includes two city-owned parkettes. See Attachment 1 for a map of the District boundary.

The southeast corner of the HCD Study area, identified as the Area of Urban Redevelopment, was excluded from the District boundary in the HCD Plan phase as it was an area that extensively redeveloped in the latter half of the 20th century. While the infill development is compatible with the neighbourhood's heritage character, the area generally does not have sufficient physical, spatial and material elements to support an understanding of the proposed District's cultural heritage value and is not recommended

for the Part V designation. There may be properties in the area that merit further research and evaluation for individual designation.

Contributing and Non-Contributing Properties

The HCD Plan identifies properties as contributing or non-contributing, in keeping with HCDs in Toronto. Contributing properties are those that support the identified significant cultural heritage values, character and integrity of the District, while non-contributing properties do not on their own contribute to the Statement of Cultural Heritage Value.

Properties within the proposed district were evaluated to determine whether they contribute to the area's identified cultural heritage value. Contributing properties are those that have design, historic and/or associative value and that support the neighbourhood's heritage character. Properties within the proposed district were identified as contributing if they satisfied the following criteria:

- Constructed during the periods of Development and Intensification (1856-1919) or the Residential Decline and Industrialization (1920-1945)
- Is a prevailing typology, such as Bay and Gable or Ontario Cottage
- Maintains their integrity and/or has contextual value as part of a row of historic buildings.

There are 586 properties within the District: 487 properties have been identified as contributing and 98 are identified as non-contributing.

Existing Heritage Status of Properties

The District includes 52 properties on the Heritage Register, and nine properties that are individually designated under Part IV Section 29 of the OHA.

Should the District Plan be appealed and not come into force before January 1, 2025, all of the 46 properties listed prior to January 1, 2023 will be removed from the Heritage Register. These properties may be considered for prioritization for research and evaluation for Part IV designation.

Part IV Designated Properties

The Ontario Heritage Act allows a property to be designated individually under Part IV of the OHA as well as included within an HCD and designated under Part V of the OHA. The designation of an HCD does not preclude designation of individual properties under Part IV, and the policies of the HCD Plan will continue to apply to Part IV designated properties.

In the Cabbagetown Southwest HCD, all properties will be designated under Part V of the Ontario Heritage Act. The Part V HCD designation will conserve and maintain the cultural heritage value and heritage attributes of the District as a whole. Some properties located within the District are also designated under Part IV of the Ontario Heritage Act, which protects the cultural heritage value of individual properties and their identified heritage attributes. These properties are designated by municipal by-law

containing a Statement of Significance that defines its cultural heritage value and heritage attributes as an individual property. Interventions on properties designated under Part IV will also conserve the individual property's cultural heritage value and heritage attributes. Part IV designations may include attributes such as interior features and other detailed attributes that are unique to the property.

All Part IV properties within the District have been identified as contributing properties. Where there is a property with a Part IV designation the cultural heritage value and heritage attributes identified in the Part IV designating by-law are to be conserved in accordance with Section 3.1.6 of the Official Plan in addition to the requirements of the HCD Plan.

District Policies and Guidelines

The OHA requires that all HCD plans include "policy statements, guidelines and procedures for achieving the stated objectives and managing change" in the district.

The Cabbagetown Southwest HCD Plan contains policies and guidelines that are intended to manage change within the District in order to meet the objectives of the HCD Plan and to conserve the cultural heritage value and heritage attributes of the District. These policies and guidelines will inform decisions on alterations, additions, new development and demolition within the District. See Attachment 5 for the HCD Plan.

In the HCD Plan, policies describe what is required when undertaking work on a property within the District. Policies are required components of the designating by-law and are not discretionary, unless otherwise indicated. Guidelines provide suggested methods of satisfying associated policies but do not carry the mandatory weight of policy. Guidelines recognize that there may be a variety of strategies that could satisfy any given policy.

Policies and Guidelines for Contributing Properties

The Official Plan requires that properties on the Heritage Register be conserved and maintained consistent with the Standards and Guidelines, which has been adopted by City Council as the guiding document for the planning, stewardship and conservation of properties on the Heritage Register. An HCD plan gives context-specific guidance on how to achieve consistency.

HCDs in Toronto require that all properties within HCDs be categorized as either contributing or non-contributing to the District's cultural heritage value and heritage attributes. Separate sets of policies and guidelines have been developed for contributing and non-contributing properties to manage change within the District.

The HCD Plan prohibits the demolition and removal of buildings on contributing properties, except in the case of a catastrophic loss and where losses were not the result of demolition by neglect, deferred maintenance or purposeful damage to the property.

The HCD Plan requires that contributing properties be conserved and maintained to ensure the conservation of the District's cultural heritage value, heritage attributes and integrity, based on an understanding of the property and how it contributes to the District. The HCD Plan provides policies and guidelines to inform the conservation of building assemblies for contributing properties (roofs, windows and doors, exterior walls, storefronts and entrances), as well as the design of compatible alterations and additions, signage, and lighting. These policies and guidelines also address combined properties (those properties with both contributing and non-contributing portions) and code compliance.

Policies and Guidelines for Non-Contributing Properties

While non-contributing properties do not individually contribute to the heritage character of the District, their proximity to and evolution alongside contributing properties gives them the potential to significantly impact the heritage character of neighbouring properties and the District as a whole should they be modified or developed. Any aspect of new development to non-contributing properties, including replacement buildings, additions or alterations, must comply with the policies and guidelines of this HCD Plan for non-contributing properties.

The HCD Plan requires that new development, additions and alterations to non-contributing properties be compatible with cultural heritage value and heritage attributes of the District and adjacent contributing properties. The HCD Plan provides policies and guidelines to inform the design of compatible new development, alterations and additions to non-contributing properties, as well as the design of exterior walls, roofs, signage, and lighting. The HCD Plan also addresses combined properties and alterations to properties that are adjacent to the District.

Policies and Guidelines for Parks and Public Realm

The Parks and Public Realm policies and guidelines address Anniversary Park and the Ontario Street Parkette, as well as the District's streetscape and laneways, gateways, tree canopy and other public spaces. Within this section is policy that encourages the inclusion of interpretation or recognition of local Indigenous heritage into the design and redesign of public spaces.

Archaeology

At the time of writing the Plan, no portions of the District have been identified as having potential. However, new discoveries, inputs and studies may contribute to different understandings of archaeological potential over time, as can the identification and mapping of those areas. Any future updates to the definition of the District's archaeological potential will be represented in the City of Toronto's Archaeological Management Plan. The Official Plan policies for archaeological resources also apply to the HCD Plan area.

Procedures

The HCD Plan describes the heritage permit process, including categories of work for which no heritage permit is required, consistent with the Municipal Code. The HCD Plan

identifies circumstances when a Heritage Impact Assessment will or may be required, for both contributing and non-contributing properties.

Heritage Potential Properties Outside the District Boundary

In 2019, the Toronto Preservation Board adopted the staff report to revise the boundary of the District when proceeding to the HCD Plan phase which included a recommendation for further research and evaluation of the nine properties or rows located outside the District to determine if they merit Part IV designation.

In 2020, Council included the following properties to the City's Heritage Register:

188 Berkeley Street
190 Berkeley Street
200 Berkeley Street
209 Berkeley Street
210 Berkeley Street
211 Berkeley Street
212 Berkeley Street
221 Berkeley Street
210 Ontario Street

The timing of the future research and evaluation of these properties to determine if they merit Part IV designation will be part of the City's city-wide review of the approximately 4000 properties that are currently listed on the Heritage Register within the second phase of implementation of Bill 23 amendments of the Ontario Heritage Act. To learn more about Bill 23 amendments to the Ontario Heritage Act: [Agenda Item History - 2023.PH2.11 \(toronto.ca\)](#)

Recommendations

Recommendations include a review of the HCD Plan within the first 10 years of it coming into force, to consider if any updates are warranted. Additional recommendations include the potential creation of an HCD Advisory Committee to ensure ongoing community-based feedback in the implementation of the HCD Plan and heritage permit process, and the facilitation of heritage awareness within the District.

Unlike appeals under the Planning Act, under Part V of the Ontario Heritage Act an HCD cannot come into force until all appeals have been resolved or dismissed. As such, the Cabbagetown Southwest HCD Plan (if it is approved by City Council and appealed to the OLT) will not be binding on new development applications until such time as the Ontario Land Tribunal approves the document as a whole. Thus, individual designation of contributing properties (under Part IV of the OHA) may still be used to protect cultural heritage values and attributes of these properties until the HCD Plan comes into force.

Given the changes to the OHA as a result of Bill 23, should the HCD not come into force before the two-year expiration of the listing of a property (the majority of the listings will

expire on January 1, 2025), these properties may be considered for prioritization for research and evaluation for Part IV designation.

CONCLUSION

The Cabbagetown Southwest HCD Plan meets the requirements of the Ontario Heritage Act and other provincial legislation, including all statutory requirements for notification, consultation, study and content. City Planning staff are of the opinion that the HCD Plan is in conformity with the Ontario Heritage Act, Provincial Policy Statement, Growth Plan, Official Plan policies, and best practices in heritage planning. Once adopted and in force, the HCD Plan will enable City Council to better conserve the cultural heritage value and heritage attributes of the District and to manage and guide future change.

City Planning staff recommend designation of Cabbagetown Southwest under Part V of the Ontario Heritage Act, including adoption by by-law of the Cabbagetown Southwest HCD Plan. The proposed Cabbagetown Southwest HCD has cultural heritage value as an evolved historic district, and the HCD Plan provides a framework to help conserve and maintain the character of this important historic main street for generations to come.

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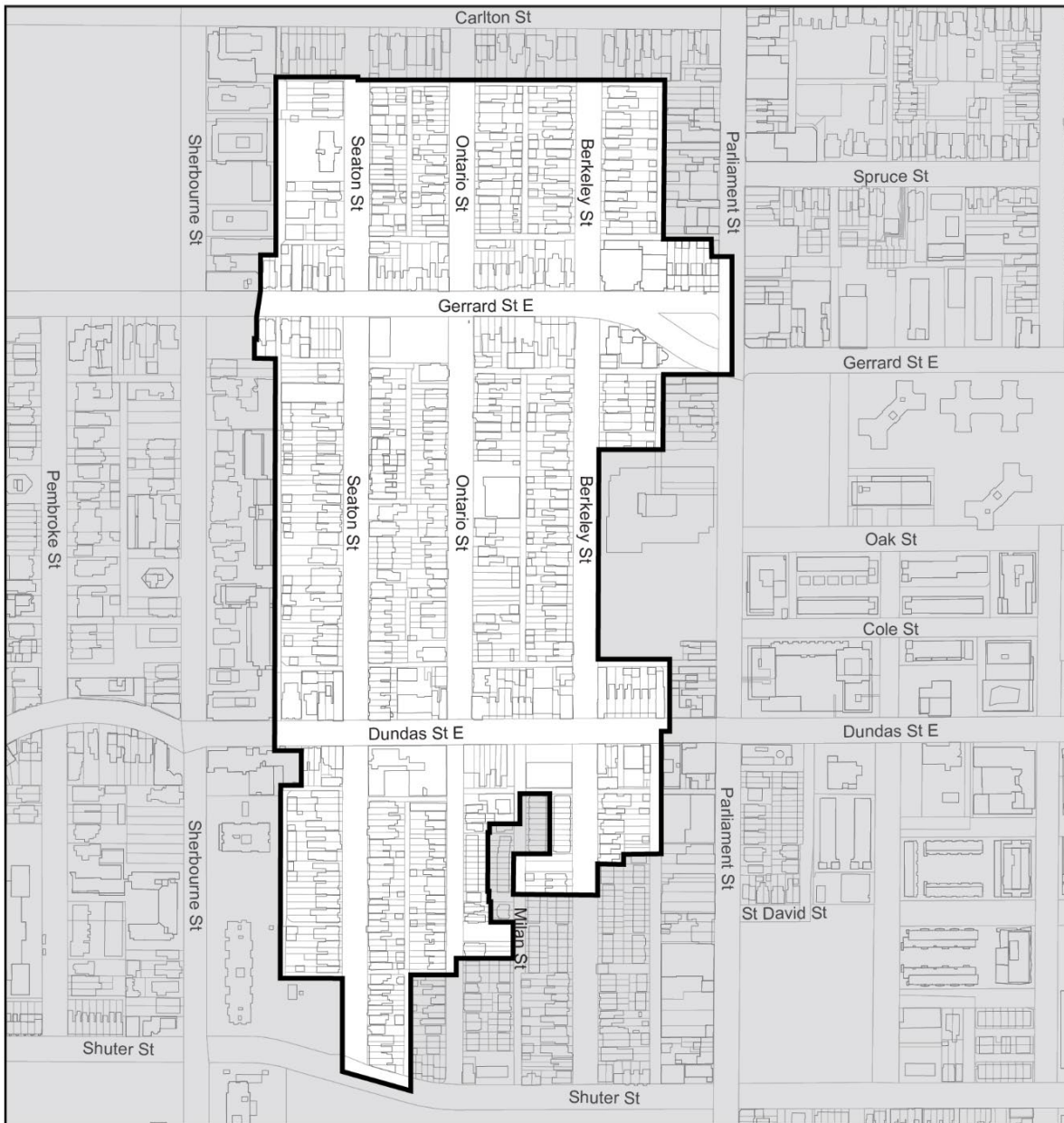
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Senior Manager, Heritage Planning
Urban Design, City Planning

ATTACHMENTS

Attachment 1 – Cabbagetown Southwest Heritage Conservation District – Boundary
Attachment 2 – Statement of Cultural Heritage Value and Heritage Attributes
Attachment 3 – Statement of Objectives
Attachment 4 – Map of Contributing Properties
Attachment 5 – Cabbagetown Southwest Heritage Conservation District (HCD) Plan
Attachment 6 - Appendix "D" of the Cabbagetown Southwest Heritage Conservation District (HCD) Plan

CABBAGETOWN SOUTHWEST HERITAGE CONSERVATION DISTRICT BOUNDARY

ATTACHMENT 1



 **TORONTO**
HCD Boundary

Proposed Cabbagetown SW
Heritage Conservation District (HCD)

 HCD Boundary



Not to Scale
08/22/2023

STATEMENT OF CULTURAL HERITAGE VALUE

Cabbagetown Southwest's Cultural Heritage Values are based on its historical and associative values as an early Toronto residential neighbourhood with a highly diverse socio-economic population; its design and physical values as an excellent representation of a dense Victorian neighbourhood with a high concentration of bay and gable buildings; its contextual values as a neighbourhood with a cohesive built form that is situated near large-scale developments; and its social and community value relating to its existing and historic institutions that have served the neighbourhood since the 19th century, and its history of community activism.

The District's historical and associative values are derived from the evolution and history of its development from the original Park Lots whose boundaries and configuration influenced the present-day long north-south streets and the laneways. Ontario Street demarcated the boundary between Park Lots 3 and 4, the properties of Thomas Gibbs Ridout and Charles Ridout, respectively. The period of Park Lot Grants and Property Subdivision encompassed the agreement between William Allen (whose property was to the immediate west) and Thomas Gibbs Ridout in 1845 to widen a laneway to create Sherbourne Street, improving access and prompting the early development in the district. The layout and block subdivisions were subsequently surveyed by John Howard, Surveyor for the City of Toronto, who created the present-day grid pattern with rear and side laneway access.

Most of the District's buildings were constructed in a 30-year period between 1870 and 1899 soon after the long north-south blocks were subdivided and sold to small developers and individual owners. The area attracted working-class immigrants coming to Toronto in the 1880s, who were employed at industries located to the south along the railways and harbour. The socio-economic diversity of the District's population is reflected in the variety of housing types, which range from small Ontario Cottages to highly ornate Victorian Bay and Gables. The influx of industries in the early 20th century within the District resulted in a small number of residential buildings being demolished and replaced by factory buildings which contribute in turn to the District's socio-economic history.

The neighbourhood's contextual values are based on the streetscapes with dense fine grain historic residential buildings that create a sense of time and place. The streetwalls are defined by low-rise buildings with narrow frontages, a datum line of pitched roofs with intersecting gables, an articulated rhythm of bays and gables, a predominance of brick cladding, and mixture of late 19th and early 20th-century architectural styles. Although the architecture is extremely cohesive throughout the district given the narrow period of development, each building maintains a level of uniqueness through its ornamentation and detailing. The area's distinct identity is further accentuated by its juxtaposition to the Moss Park and Regent Park areas of urban renewal immediately adjacent to the south and east where the original fine grain neighbourhoods were replaced with large-scale developments.

The District's design and physical values stem from the high concentration of late 19th century residential buildings with a high degree of integrity and authenticity using consistent construction methods, architectural styles, details, and materials, which are still evident today. The Victorian era residential buildings include the bay and gable typology, which is prevalent in Toronto, and a number of Italianate and Second Empire buildings located along Dundas and Gerrard Streets. The majority of the buildings are constructed up to their side property lines or with small side setbacks; with small front yard setbacks; and with similar proportions of solid to void ratios.

The buildings share their materiality and detailing including the predominant use of brick with articulated polychromatic patterns, projecting string courses that accentuate the windows and floors, corbelled brick patterns or other decorative elements between first and second floor windows, and use of woodwork in the vergeboard and eaves trim. The projecting front gable bays create a strong and distinctive rhythm and articulation of the streetwall, which is further accentuated by the datum line of the roof soffits. Within the overall cohesiveness of the area, the varying bay windows, vergeboards and other treatments and detailing give the individual houses a unique character.

Though each building in the District is unique, they share similarities in their typology, proportions, massing, materials, and visual rhythm which create a cohesive and consistent heritage character despite the differences in their individual detailing.

The District's social and community values are associated with the existing and historic institutions that have served the neighbourhood since the 19th century. The District is also associated with the Gay Liberation Movement of the 1970s when an influx of members from the LGBTQ+ community moved into Cabbagetown Southwest, including a number of prominent community members who started the Canadian Lesbian and Gay Archives, operated the Glad Day Bookshop, and ran The Body Politic magazine within the neighbourhood.

The downtown east side residents were some of the first in the City to demand community input in planning decisions and began the first working groups to discuss the future of their neighbourhoods with the city. This resulted in the creation of a number of community groups including the Cabbagetown Residents Association (CRA), created in 1967 as the Don Vale Cabbagetown Property Owners Association, and later changed to Don Vale Cabbagetown Residents' Association (DVCRA) prior to being the CRA; and the Cabbagetown South Residents' Association (CSRA) formed in 2002 after the amalgamation of the Central Cabbagetown Residents' Association (CENTRA) and the Seaton Ontario Berkeley Residents' Association (SOBRA).

Heritage Attributes:

The cultural heritage value of the Cabbagetown Southwest District is expressed by the following attributes:

Built Form:

- The mixture of housing typologies, including small Ontario Worker's Cottages adjacent to larger and more ornate Bay-and-Gable houses, that reflects the historic socio-economic diversity of Cabbagetown Southwest
- The fine-grained character of the District's lot patterns and buildings, which include narrow frontages, low-scale streetwalls, and variety of typologies and styles.
- The cohesiveness of the architectural expression of the District's built form typologies, and the distinct architectural details of the individual buildings
- The buildings' relationship to grade with at grade or slightly raised entrances and front yards that extend to the façade
- The datum lines and rhythm created by the soffits punctuated with front gables
- The articulation of the elevations with bay windows and porches
- The vertical expression of the elevations accentuated by the narrow lot, the vertical rectangular windows, the steeply pitched gables, and the bay windows
- The historic architectural styles, including Victorian, Second Empire, Italianate, Romanesque Revival, and Georgian that reflect the period of development of Cabbagetown Southwest
- The concentration of Second Empire and Italianate buildings on the commercial streets
- The predominance of gable roofs, including ridge crests and verge boards, with the exception a few localized mansard roofs
- The predominant use of brick, and the overall quality of the ornamentation of masonry, including the use of polychromatic brickwork and stone detailing; as well as intricate and decorative woodwork
- Original wood windows and doors on contributing properties, and those with stained, coloured, and bevelled glass components
- The configuration and components of historic storefronts on contributing properties, including sign bands, display and transom windows, recessed entrances, piers and bulkheads

Streetscape:

- The cohesiveness of the District's built form that is reflective of the short period of build out and intensification
- The narrow lots that reflect the subdivision and development of the area by small-scale builders who built out short stretches of row houses
- The buildings, built to their side lot lines or with a narrow setback, that contribute to a continuous streetwall
- The predominantly low-rise scale within the residential streets (1–3 storeys for residential buildings)
- The proportion of the streetwall to the street
- The relatively similar (2 m to 5 m) front setbacks of most houses; (with the exception of a few older buildings that are either up to the property line or very recessed)

- The long north-south residential streets, the network of laneways, and the east-west mixed-use streets with consistent heritage character

Landscape:

- The soft landscaping of the front yard setbacks of most house-form buildings that extend from the sidewalk to the building's front façade
- The tree canopy
- The District's physical, functional, visual and historic relationship to the rest of Cabbagetown to the north connecting through its Victorian residential streets
- The contrasting scale of the District with the large-scale post-war housing developments of Moss Park and Regent Park to its south and east

STATEMENT OF OBJECTIVES

The overall objective of this Heritage Conservation District Plan is to protect and conserve the cultural heritage value and interest of the District as manifested by its heritage attributes in order to preserve these qualities for the benefit of current and future generations. The cultural heritage value and interest of the District consists of its historic value, physical character and its social and community value. The heritage attributes of the District include its built form, landscape, and streetscapes. Regarding the management of change within the District, the objective of this District Plan will focus upon conserving the physical character and the organization of the Cabbagetown Southwest District.

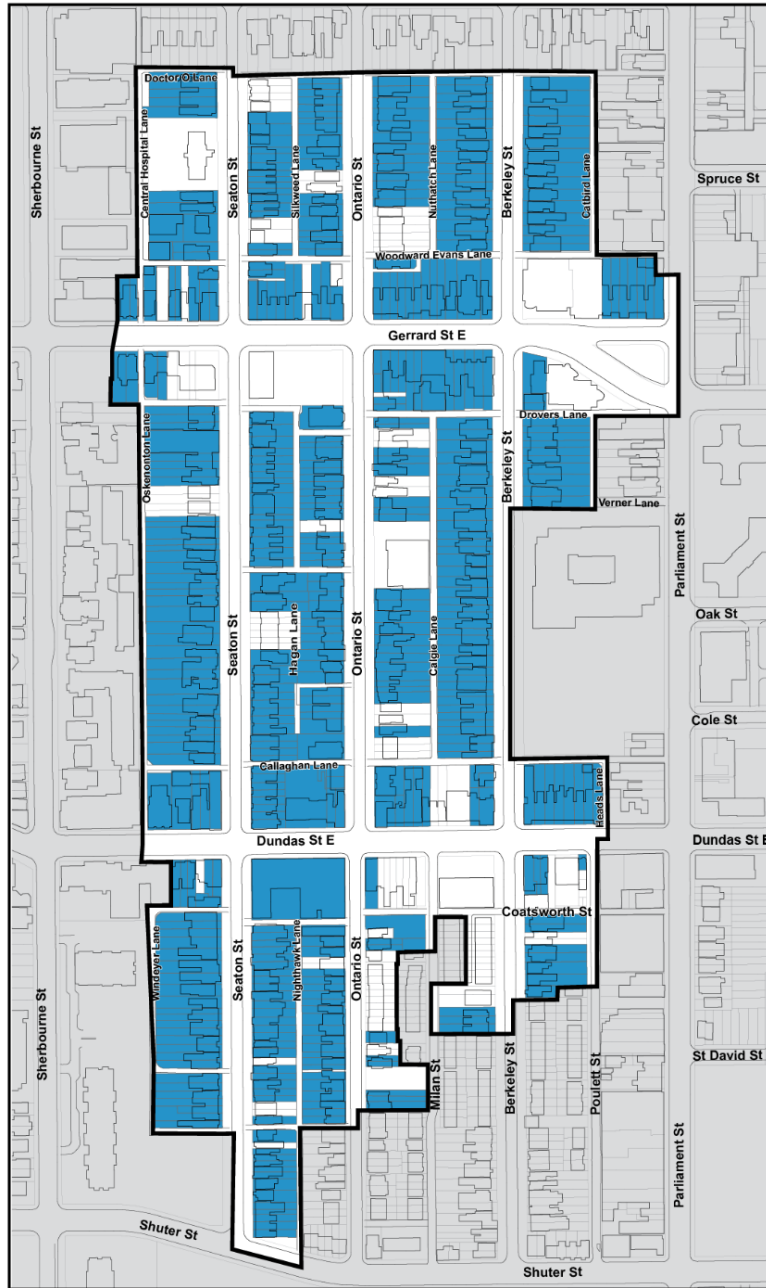
Specific objectives of this Plan are set out below. Although the following sections are numbered, the numeric sequence does not establish a priority among the objectives.

1. Conserve the cultural heritage values of the District as expressed through its heritage attributes, contributing properties, public realm, and character sub-areas.
2. Conserve the legibility of the District's periods of significance that expresses its late-19th and early 20th-century character, and its subsequent early to mid-20th century industrialization.
3. Conserve the District's contributing properties, Part IV designated properties and listed properties.
4. Ensure compatible alterations to contributing properties and preserve heritage attributes of contributing properties within the District.
5. Ensure that new development and additions conserve and maintain the cultural heritage values of the District with respect to the historic scale, materials, form and massing of the contributing properties and the public realm, and the general built form pattern.
6. Encourage a high quality of architecture in the design of new development, additions and alterations that is compatible to the District's cultural heritage value.
7. Conserve and enhance the District's human-scale built form that supports and enhances the pedestrian main street experience.
8. Conserve and enhance the District's identified views and gateway.
9. Ensure compatibility and harmony of materials between new and old, including type, colours, scale, finishes and details.

10. Conserve and enhance the well-defined and articulated streetwalls (streetscapes) of the District, including the horizontal datum line.
11. Conserve and enhance the District's fine-grain built form.
12. Conserve, support and enhance the social, cultural and community significance of the District.
13. Honour and celebrate the District's historic and contemporary Indigenous heritage.

**CABBAGETOWN SOUTHWEST HCD
MAP OF CONTRIBUTING PROPERTIES**

ATTACHMENT 4



Contributing Properties

**Proposed Cabbagetown SW
Heritage Conservation District (HCD)**

-  HCD Boundary
-  Contributing



Not to Scale
09/06/2023