



# KENSINGTON MARKET HERITAGE CONSERVATION DISTRICT

HCD PLAN  
VOLUME 1  
2024

City of Toronto, City Planning Division

Kensington Market Heritage Conservation District Plan online:  
[https://www.toronto.ca/city-government/planning-development/  
heritage-preservation/heritage-conservation-districts-planning-studies/](https://www.toronto.ca/city-government/planning-development/heritage-preservation/heritage-conservation-districts-planning-studies/)

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# Table of Contents

- i. A Heritage Conservation District Plan for Kensington Market
- ii. The Purpose of the Plan
- iii. How to Read This Plan
- iv. Road Map

## 1. Introduction

- 1.1. City of Toronto’s Vision for HCDs and City Building
- 1.2. Project Background
- 1.3. Public Engagement and Community Consultation
  - 1.3.1. Summary of Community Consultation
- 1.4. Historic Overview
  - 1.4.1. Indigenous Communities
  - 1.4.2. Early British Settlement (1790s to 1850s)
  - 1.4.3. Residential Development (1850s to 1900s)
  - 1.4.4. Jewish Market (1900s to 1950s)
  - 1.4.5. A Diverse Market Neighbourhood (1950s to 1970s)
  - 1.4.6. Kensington Today (1970s to Present)

## 2. Legislative and Policy Framework

- 2.1. Provincial Legislation
  - 2.1.1. Ontario Heritage Act
  - 2.1.2. Planning Act
- 2.2. Provincial Planning Statement, 2024
- 2.3. Official Plan
  - 2.3.1. Urban Structure
  - 2.3.2. Land Use Designations
  - 2.3.3. Heritage
  - 2.3.4. Downtown Secondary Plan (OPA 406)
  - 2.3.5. Site and Area Specific Policy 197

- 2.3.6. Related OPAs and Secondary Plans
- 2.3.7. Heritage Conservation Districts in Toronto: Procedures, Policies, and Terms of Reference
- 2.3.8. Standards and Guidelines for the Conservation of Historic Places in Canada
- 2.4. Zoning By-laws
  - 2.4.1. Zoning By-law 569-2013
  - 2.4.2. Zoning By-law 438-86
- 2.5. Applicable Studies, Plans, and Guidelines
  - 2.5.1. City of Toronto Archaeological Management Plan
  - 2.5.2. City of Toronto Reconciliation Action Plan 2022-2032
  - 2.5.3. Kensington Market BIA Public Realm Masterplan

## 3. District Significance

- 3.1. Description of Historic Place
- 3.2. Statement of Cultural Heritage Value
- 3.3. Heritage Attributes

## 4. Statement of Objectives

## 5. District Boundary and Resources

- 5.1. District Boundary
- 5.2. Contributing and Non-Contributing Properties
- 5.3. Market Character Sub-Area
- 5.4. Building Typologies and Configurations
  - 5.4.1. Typologies
  - 5.4.2. Configurations and Sub-typologies
- 5.5. Architectural Styles
  - 5.5.1. Gothic Revival
  - 5.5.2. Second Empire
  - 5.5.3. Queen Anne Revival
  - 5.5.4. Victorian Period Vernacular



5.5.5. Edwardian

5.5.6. Byzantine Revival

5.5.7. Early-Twentieth-Century Vernacular

5.6. Public Realm

5.6.1. Parks and Open Space

5.6.2. Streets, Laneways, Sidewalks, and Boulevards

5.6.3. Public Art and Cultural Expression

5.7. Archaeological Resources

## 6. Policies and Guidelines for Contributing Properties

6.1. Understanding

6.2. Existing Part IV Designations

6.3. Consolidated and Combined Properties

6.4. Demolition

6.5. Removal and Relocation

6.6. Maintenance

6.7. Additions and Massing

6.8. Roofs

6.9. Exterior Walls

6.10. Windows and Doors

6.11. Entrances, Porches & Balconies

6.12. Storefronts

6.13. Signage

6.14. Parking

6.15. Laneway Development

## 7. Policies and Guidelines for Non-contributing Properties

7.1. Understanding

7.2. Combined Properties

7.3. Demolition

7.4. Additions and Massing

7.5. Streetwall Composition

7.6. Storefronts

7.7. Signage

7.8. Garages and Parking

7.9. Laneway Development

7.10. Adjacency to the District

## 8. Policies and Guidelines for Public Realm

8.1. Market Character Sub-Area

8.2. Landscaping within the Public Right-of-way

8.3. Streets, Laneways & Circulation

8.4. Placemaking, Placekeeping, Public Art & Cultural Expression

8.5. Utilities and Public Works

## 9. Archaeological Resources

9.1. Requirements for Archaeological Resource Assessment

## 10. Procedures

10.1. Heritage Permits Deemed to be Issued

10.2. Heritage Permit Process

10.3. Heritage Impact Assessment

10.4. Archaeological Assessment

## 11. Recommendations

11.1. Public Awareness and Implementation

11.2. Periodic Review

## Appendices

A. Definitions

B. Heritage Incentives

C. Index of Contributing Properties (*see Volume 2*)

D. Statements of Contribution (*see Volume 2*)

E. List of Non-contributing Properties (*see Volume 2*)

F. Transition (*see Volume 2*)

## i. A Heritage Conservation District Plan for Kensington Market

Kensington Market is an important historic neighbourhood with a unique identity and sense of place. The neighbourhood is a microcosm of Canada's diverse immigrant population, where many different ethnocultural communities have each added to the area's layers of built form, maintained a dynamic market, and contributed to a vibrant street life. Its network of narrow streets and laneways fronted by closely built rows of small, narrow houses (many of which have been converted to commercial use by the addition of ground-floor shops), small-scale purpose-built stores, and cultural institutions such as the Kiever and Anshei Minsk synagogues collectively create a distinctive urban district. The *public realm* and built environment of the area are a staging ground for the activities and uses that also contribute to the neighbourhood's character and intangible heritage, including its sense of anarchy, inclusivity, and a history of experimentation.

The federal government has recognized Kensington Market's significance at a national level through its designation as a National Historic Site in 2006. While an important affirmation of Kensington Market's role in Canadian history, designation as a National Historic Site is strictly commemorative in nature and does not afford real protection or guidance on managing change in the area. Implementing a Heritage Conservation District Plan will help to ensure the *conservation* of Kensington Market's cultural heritage and character as a valuable part of Toronto.

## ii. The Purpose of the Plan

Heritage *conservation* plays an integral role in city planning as a powerful values-based approach to city building, helping to convey what makes Toronto unlike anywhere else. Heritage Conservation Districts ("HCDs") are a planning tool that guides change in neighbourhoods that represent Toronto's rich social, cultural, and architectural history—places that contribute to the livability and appeal of Toronto as a multicultural, sustainable, and equitable city. HCDs provide place-based *policies* and *guidelines* that *conserve* and enhance historic neighbourhoods, while pointing to opportunities for contextually appropriate growth and change.

HCDs across Ontario vary in size and character. An HCD may include elements of residential, commercial, institutional, and main streets. The distinct character of an HCD derives from the natural and cultural resources within its boundaries. The focus of an HCD is on the prevailing character of an area, particularly its contextual attributes such as the physical and historical interrelationships of its buildings and structures, natural features, and circulation systems.



Figure 2: Kensington Avenue at St. Andrew Street, 1950s (City of Toronto Archives, Fonds 1128, Series 380, Item 182).



The Kensington Market Heritage Conservation District Plan (the “Plan”) establishes a framework that will *conserve* the Kensington Market Heritage Conservation District’s (the “District”) *cultural heritage value* through the protection and *conservation* of its *heritage attributes*. This document and the *policies* and *guidelines* herein will guide the review of development applications and permits within the District and will inform the decisions of Council and City staff.

As per Part V of the *Ontario Heritage Act* (“OHA”), the purpose of an HCD Plan is to:

- create a statement explaining the *cultural heritage value* or interest of the District
- describe the *heritage attributes* of the District
- develop a Statement of Objectives to be achieved in the designation of the District
- develop *policies, guidelines*, and procedures for achieving the stated objectives and managing change in the District
- describe the *alterations* or classes of *alterations* that the owner of a property in the District may carry out without obtaining a permit

In addition, the Plan will create a greater awareness of the significant *cultural heritage value* of the Kensington Market area, facilitate an enhanced understanding of the benefits of heritage *conservation*, and provide access to heritage financial incentives for eligible *maintenance* and *conservation* work within the District.

The Plan applies to all privately and municipally owned properties within the District where changes are being proposed. The Plan does not compel property owners to proactively make improvements or *alterations* to their properties beyond *maintenance* as required by the City of Toronto Property Standards By-Law and which can generally be undertaken without a heritage permit.

### Encouraging Design Excellence

The Plan includes specific and general *policies* and *guidelines* that support the *conservation* of the District’s *cultural heritage values*. The *conservation* of *contributing properties* and development on *non-contributing properties* should reflect design excellence and innovation through the use of best practices in heritage *conservation*, high-quality materials and a sensitive and thoughtful design response to the surrounding context and *public realm*.

### Toronto’s Goals for a Sustainable Future

In October 2019, Council voted unanimously to declare a climate emergency and accelerate efforts to mitigate and adapt to climate change. The City has developed the TransformTO Net Zero Strategy to outline a pathway to achieve net zero emissions community-wide by 2040. An earlier, related measure adopted by Council in 2016, is the City’s Long Term Waste Management Strategy, which sets an aspirational goal to work towards zero waste and a circular economy.

Presently, heating single family homes is the single largest source of emissions in Toronto. In addition, the construction sector (which includes *demolition* and renovation activity) is one of three areas identified as having the greatest opportunity for circular interventions according to a 2022 study conducted by the City of Toronto.

The Plan encourages and supports sustainable building practices both within the context of *alterations* to existing buildings and for the design of *new development*. For example, it includes guidance for property owners seeking to increase the energy efficiency of their building envelope or install green technologies such as solar panels. Another resource for property owners is the Toronto Green Standard (TGS), a critical tool in implementing Official Plan policies to advance sustainable city building and the climate action directions. The TGS is comprised of five categories of performance measures for sustainable development: Air Quality; Building Energy, Emissions and Resilience; Water Quality and Efficiency; Ecology and Biodiversity; and Waste and The Circular Economy. Property owners are encouraged to refer to the most recent version of the TGS and strive for the highest level of sustainability that they can achieve.

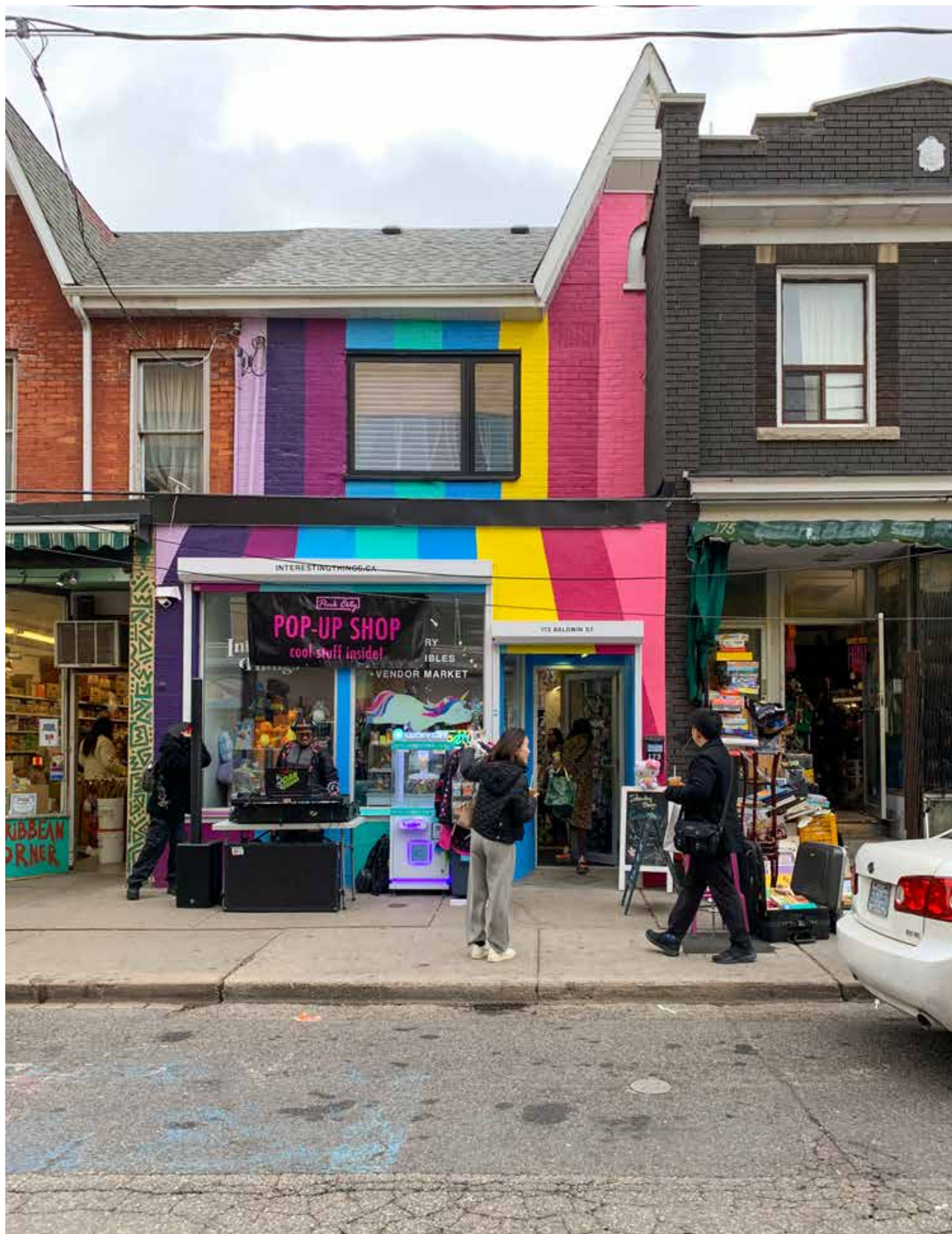


Figure 3: Murals and brightly painted buildings (such as 173 Baldwin Street) are a common sight in Kensington Market.



### iii. How to Read This Plan

The Plan is intended to provide information for those seeking to better understand the *cultural heritage value*, *heritage resources*, and significance of the District, as well as to provide *policies* and *guidelines* to achieve the stated objectives. Sections 1, 3, 4, and 5 include information on the District's *cultural heritage value* and significance; Sections 6 through 9 include *policies* and *guidelines*.

While all property owners within the District are strongly encouraged to read the entire Plan to understand its scope and intent, Sections 6 through 9 of the Plan apply to properties depending upon their classification as a *contributing* or *non-contributing property*, building typology, *character sub-area*, and whether there are any archaeological or *public realm* considerations.

#### Volume 1

**Section 1 – Introduction** provides background on the Plan, including the City of Toronto's vision for heritage *conservation* and city building, a summary of the HCD Study and Plan process, an overview of community engagement completed to inform the Plan, and an historic overview of the HCD Study Area.

**Section 2 – Legislative and Policy Framework** discusses applicable policies and supporting guidelines as they relate to heritage *conservation*, as well as an analysis of the planning framework within the District.

**Sections 3 and 4 – District Significance and Statement of Objectives** provide important foundational information that applies to all properties within the District. The objectives, statement of *cultural heritage value*, and *heritage attributes* are the basis of the Plan, and are referred to throughout the document.

**Section 5 – District Boundary and Resources** includes a description of the District boundary, building typologies, *character sub-area*, and *heritage resources* within the District, including the methodology for their identification and evaluation.

**Sections 6 through 9 – Policies and Guidelines** provide the *policies* and *guidelines* for managing change within the District in order to meet the objectives of the Plan.

**Section 10 – Procedures** describes how the Plan will be used, including a list of activities that do not require review against the Plan, and outlines the heritage permit process.

**Section 11 – Recommendations** provides important information on the financial incentives available to owners of *contributing properties* within the District, and the recommended schedule for periodic review of the Plan.

#### **Appendix A - Definitions**

#### **Appendix B – Heritage Incentives**

#### Volume 2

#### **Appendix C - Index of Contributing Properties**

#### **Appendix D - Statements of Contribution**

#### **Appendix E - List of Non-contributing Properties**

#### **Appendix F - Transition**

#### **Road Map**

The chart on the following page shows how a District property owner can determine which Sections of the Plan apply based on a property's classification, typology, and *character sub-area*.

#### **Definitions**

Italicized terms throughout this document have been defined; definitions can be found in Appendix A.

#### **Maps and Figures**

The maps and figures presented in the Plan, although reasonably accurate, are intended for illustrative purposes. Maps which require precise boundaries, such as the District boundary, will be provided by the City of Toronto as an attachment to the by-law adopting the Plan.

iv. Road Map



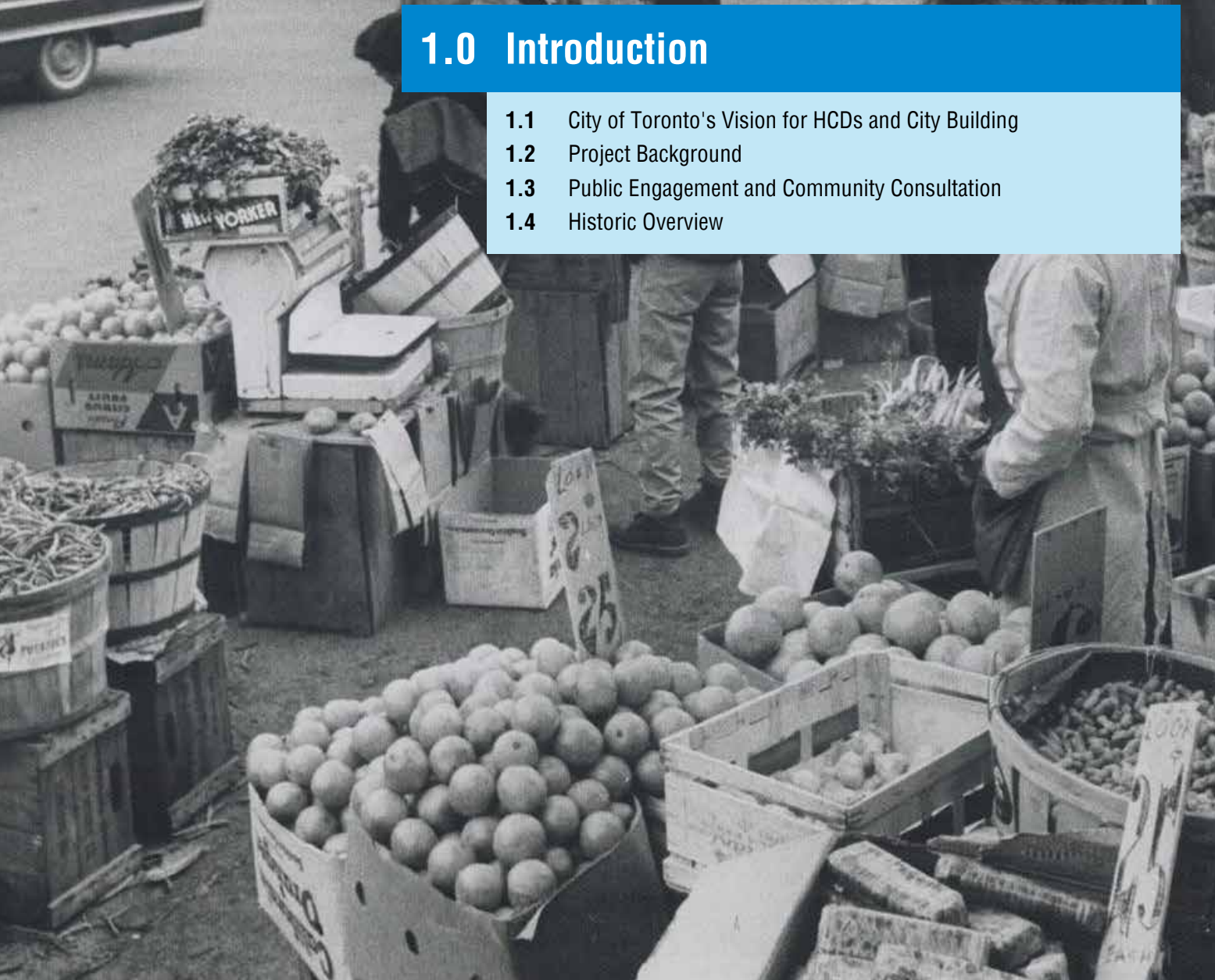
\*With the exception of Bellevue Square Park and Sonya's Parkette. Refer to Chapter 8 Policies & Guidelines for Parks and Public Realm





## 1.0 Introduction

- 1.1 City of Toronto's Vision for HCDs and City Building
- 1.2 Project Background
- 1.3 Public Engagement and Community Consultation
- 1.4 Historic Overview



## 1.0 Introduction

### 1.1 City of Toronto's Vision for HCDs and City Building

Toronto's diverse cultural heritage is reflected in the built form and landscapes of its extensive neighbourhood system, main streets, ravines, and parks, as well as the traditions and cultural spaces of its over 2.5 million residents. Cultural heritage is widely understood to be an important component of sustainable development and place-making, and Toronto City Council is acting to ensure the ongoing *conservation* of significant heritage areas.

A range of regulatory tools available to the City are used to *conserve* the *cultural heritage values* and *attributes* of heritage properties and areas. This includes designation as an HCD under Part V of the OHA, as well as individual property designation under Part IV of the OHA, and listing on the City of Toronto's Heritage Register. In addition, coordination between Heritage Planning and other City Divisions and Departments in the development of Official Plan policies, Secondary Plans, Site and Area Specific Policies, and Zoning By-laws ensures that the regulatory process is complementary, and reflects the common goals that all City departments strive to achieve as mandated by City Council.

Heritage conservation districts are a valuable regulatory tool that enable the City to recognize places that speak to Toronto's rich history and that continue to contribute to the livability and appeal of Toronto as a multicultural, sustainable, and equitable place for present and future generations. They are also valued for their ability to strengthen business areas, leverage economic development, positively influence *conservation* and planning outcomes, enhance civic engagement, protect the public interest, have regard to provincial interests, and demonstrate compliance with provincial planning policy and the City's own Official Plan.

The identification, evaluation, and designation of heritage conservation districts is a City Planning priority because heritage conservation districts are valued for their ability to provide contextual, place-based *policies* and *guidelines* to *conserve* and *maintain* our unique historic neighbourhoods.

The City has created its own suite of policy tools for heritage conservation districts to achieve these goals, recognizing that, as Canada's largest city, Toronto faces unique challenges as well as unique opportunities in *conserving* and benefiting from heritage districts. City Council adopted *Heritage Conservation Districts in Toronto: Procedures, Policies and Terms of Reference* ("HCDs in Toronto") in 2012, which is built upon the requirements of the OHA, and provides a detailed approach to the study and planning of heritage conservation districts in Toronto. Its goal is to ensure a fair, consistent, and transparent process in the development of *policy*-driven plans within a clear, predictable, and responsive heritage planning system.

As Toronto evolves and expands, heritage conservation districts are well positioned to ensure that growth and change are managed in a way that respects and takes advantage of the features that have come to define Toronto. Existing HCDs promote and support walkability, spaces for small businesses, a healthy tree canopy, and diversity in built form. The City of Toronto's vision for heritage conservation districts is that they will continue to *conserve* those features that express the unique heritage character of historic neighbourhoods, main streets, and areas across Toronto, in order to contribute to a healthy, sustainable, prosperous, and equitable city.

### 1.2 Project Background

In Toronto, heritage conservation districts are identified and designated under Part V of the OHA through a phased process which involves completion of an HCD Study and then an HCD Plan. The Kensington Market Heritage Conservation District Study (the "HCD Study") was prioritized by City Council in March 2015. The purpose of the HCD Study was to provide an overall understanding of the area's history and heritage character and to determine if an HCD would be appropriate for the study area.

**Figure 4:** Previous page: sidewalks cluttered with baskets of fresh produce at the intersection of Augusta Avenue and Nassau Street, 1966 (photo by Dick Darrell, Toronto Star Collection, Toronto Public Library).



The City of Toronto's City Planning Division initiated the Kensington Market HCD Study in spring 2016, engaging a consultant team led by Taylor Hazell Architects to conduct the study. Following a request from the local Councillor in response to early feedback from community members, the initial study area boundary was expanded to include a greater portion of the residential properties surrounding the commercial market area. Many community members consider the relationship of commercial and residential components of the neighbourhood as integral to the overall heritage character of the Kensington Market neighbourhood due to the long-standing live-work tradition in the area.

Community consultation conducted as part of the first phase of the HCD Study indicated that there is community support for an HCD in this area. The HCD Study report was endorsed by the Toronto Preservation Board in September 2017 with the recommendation to proceed with developing an HCD Plan for the District.

A copy of the Kensington Market HCD Study is [available on the City's website](#) and was used to inform the development of the Plan. The HCD Study contains a summary of the area's history and evolution; built form and character analysis; policy review; and heritage evaluation.

In July 2018, a Study Area by-law pursuant to Section 40.1 of the OHA was adopted by City Council, prohibiting the *demolition or removal* of any buildings or structures on commercial and mixed use properties within the study area for a period of one year.

City staff continued work on the Plan, including drafting a Statement of *Cultural Heritage Value* and *Heritage Attributes* and a Statement of Objectives. One *character sub-area* was identified in the District.

During the Plan phase, the District boundary was further refined to align with the Statement of *Cultural Heritage Value* and description of the *Heritage Attributes*, and properties that represented the identified values were classified as *contributing properties*. A Statement of Contribution was developed for each *contributing property* in accordance with HCDs in Toronto. The Statement of Contribution for each *contributing property* generally identifies how a *contributing property* contributes to the *cultural heritage value* and *heritage attributes* of the District.

## 1.3 Public Engagement and Community Consultation

The requirements for public engagement and community consultation during the HCD Plan phase are outlined in the OHA and reflected in HCDs in Toronto.

Part V, Section 41.1 of the OHA specifies:

(6) Before a by-law adopting a heritage conservation district plan is made by the council of a municipality under subsection 41 (1) or under subsection (2), the council shall ensure that,

- information relating to the proposed heritage conservation district plan, including a copy of the plan, is made available to the public;
- at least one public meeting is held with respect to the proposed heritage conservation district plan; and
- if the council of the municipality has established a municipal heritage committee under section 28, the committee is consulted with respect to the proposed heritage conservation district plan. 2005, c. 6, s. 31.

To fulfill the requirement to consult and inform the community, a series of community consultation meetings, meetings with key stakeholders, and local advisory committee meetings were held. Excerpts from the draft Plan, including key *policies* and *guidelines*, were made available for a two-week public review period on November 15, 2024 and presented at a community open house in order to solicit written comments and feedback for consideration prior to finalization.

### 1.3.1 Summary of Community Consultation

#### HCD Study Phase (2016-2017)

Community consultation meetings were held on June 21, 2016, and February 9, 2016. In addition to the two public meetings, a stakeholder advisory committee (later renamed the Community Advisory Group) consisting of local residents, property owners, business owners, and community representatives met in May and November 2016. In September 2017, the HCD Study report was presented for endorsement to the Toronto Preservation Board to proceed to the plan phase, with support from community members.

### HCD Plan Phase (2019-2024)

The same Community Advisory Group was consulted periodically between March 2019 and September 2024 to review portions of the draft Plan, including draft objectives, statement of *cultural heritage value* and *heritage attributes*, and to provide input on developing *policy* approaches for the Plan. The Community Advisory Group also assisted in identifying properties that represent the District's social value or hold *cultural heritage value* for the Kensington Market community.

Individual community stakeholders were consulted throughout the project, including meetings with the Kensington Market Business Improvement Area (BIA), to present and discuss the draft recommendations.

A community consultation meeting was conducted on October 24, 2023, to provide updates on the development of the Plan and to receive feedback about proposed *policy* approaches. A second community consultation meeting was conducted on November 18, 2024, to obtain further community input on the draft Plan, including draft *policies* and *guidelines*. A list of *contributing properties* was available at this meeting. Comments received were reviewed by City staff, and revisions made to the Plan where appropriate. These changes included the refinement of *policies* and *guidelines*, amongst general formatting and language revisions.

LURA Consulting was retained as an external facilitator at all Community Advisory Group and community consultation meetings, and provided summaries of the feedback.

### Urban Indigenous Engagement (2023-2024)

Heritage Planning staff also reached out to a number of Indigenous-led organizations and programs serving the Indigenous community in Kensington Market to seek input into the *cultural heritage values* of the Plan area, and on *policy* development. In May 2023, Heritage Planning retained Innovation 7, an Indigenous engagement and consultation firm, to assist the City in connecting with members of the local urban Indigenous community. The City of Toronto in collaboration with Innovation 7 hosted two events at the Parkdale Queen West Community Health Centre (168 Bathurst Street location) and a third event at the Native Canadian Centre of Toronto (NCCT), to provide background about the project and to receive

comments and feedback on a variety of issues related to the proposed Plan. Following the meetings, the draft Statement of Objectives, *policies*, and *guidelines* were updated to reflect the feedback received.

Treaty and Territorial Partner representatives were also provided with an opportunity to indicate interest in the Study Area.

Summaries of all consultation meetings and events are available online.

## 1.4 Historic Overview

### 1.4.1 Indigenous Communities

For time immemorial, Toronto has been home to Indigenous peoples. Ojibway oral histories speak of Ice People, who lived at a time when ice covered the land.<sup>1</sup> Following the retreat of glaciers approximately 13,000 years ago, small groups of Indigenous peoples moved from place to place, hunting and gathering the food they needed according to the seasons. Over millennia, they adapted to dramatically changing environmental conditions, developing and acquiring new technologies as they did so. Waterways and the lake were vital sources of fresh water and nourishment, and shorelines and nearby areas were important sites for gathering, trading, hunting, fishing, and ceremonies. Long-distance trade moved valuable resources across the land.

After maize and squash were introduced to Southern Ontario, by approximately 500 CE, horticulture began to supplement food sources. By 1300 CE, villages focused on growing food became year-round settlements surrounded by crops. These villages were home to ancestors of the Huron-Wendat Nation, who would continue to occupy increasingly larger villages in the Toronto area and beyond. These villages were connected to well-established travel routes which were part of local and long-distance trail networks, including the Carrying Place trails on the Don, Rouge and Humber rivers that connected Lake Ontario to Georgian Bay. Beads made from seashells from the eastern seaboard were found at the Alexandra site in North York, which was a community of 800-1000 people in approximately 1350.

<sup>1</sup> With thanks to Philip Cote for the reference to Benton-Banai, Edward, *The Mishomis book: The voice of the Ojibway* (Indian Country Press, 1985), p. 26.

By 1600, the Wendat had formed a confederation of individual nations, and had concentrated most of their villages away from Lake Ontario, in the Georgian Bay area. Following contact with French explorers and missionaries in Southern Ontario in the early 1600s, European diseases decimated First Nations. Competition for furs to trade with Europeans and the desire to replenish numbers through absorption of captives, among other factors,<sup>2</sup> contributed to the Beaver Wars, which after 1640, saw the Haudenosaunee Confederacy expand into Southern Ontario, dispersing the Wendat. Within the boundaries of today's Toronto the Haudenosaunee Confederacy then occupied villages on the Carrying Place trails on the Humber and Rouge Rivers from approximately the 1660s to the 1680s.

In the late 1680s, the Haudenosaunee Confederacy chose to leave their villages in the Toronto area and returned to their homelands in upstate New York. As evidenced by the 1701 Great Peace of Montreal, the 1701 Nanfan Treaty, and the Dish with One Spoon Treaty, the Haudenosaunee continued to have an interest in the resources of the area. Anishinaabe people from the Lake Superior region then moved into the Toronto area. While the Wendat and Haudenosaunee people lived in year-round villages surrounded by crops, the Anishinaabe people continued to live primarily by seasonally moving across the land to hunt, fish, and gather resources that were available at a specific time, including migrating birds and maple syrup. To the west of Toronto, the Anishinaabe people became known as the Mississaugas of the Credit. To the east, they became known as the Chippewas of Beausoleil, Georgina Island and Rama and the Mississaugas of Alderville, Curve Lake, Hiawatha, Scugog Island.<sup>3</sup>

In 1787, as the British began to prepare for an influx of colonists into the area following the American Revolution, the British Crown negotiated the Toronto Purchase with the Mississaugas of the Credit First Nation to obtain title to the land. The flawed and poorly documented agreement was invalidated, and Treaty 13 was negotiated in 1805 for lands now including much of the City of Toronto. In 1923, the Governments of Ontario and Canada signed the Williams Treaties for over 20,000 square kilometres, including portions

of eastern Toronto, with seven First Nations of the Chippewa of Lake Simcoe (Beausoleil, Georgina Island and Rama) and the Mississauga of the north shore of Lake Ontario (Alderville, Curve Lake, Hiawatha and Scugog Island).

The Mississaugas, Chippewa, the Haudenosaunee, or the Wendat did not traditionally regard land as a commodity to be sold or owned. Following the Toronto Purchase, the British government quickly set out to survey the land into lots which were either sold or granted into private ownership of settlers. In 2010, the Government of Canada settled the Toronto Purchase Claim with the Mississaugas of the Credit after agreeing that the Mississaugas were originally unfairly compensated. In 2018, the Williams Treaties First Nations settled litigation about land surrenders and harvesting rights with the Governments of Canada and Ontario.

The City of Toronto remains the traditional territory of many nations including the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples and is now home to many diverse First Nations, Inuit and Métis peoples. Toronto is also covered by Treaty 13 signed with the Mississaugas of the Credit, and the Williams Treaties signed with seven Mississaugas and Chippewa First Nations.

#### 1.4.2 Early British Settlement (1790s to 1850s)<sup>4</sup>

Following negotiation of the Toronto Purchase in 1787, British Parliament created Upper and Lower Canada with the passing of the Constitutional Act in 1791. John Graves Simcoe was appointed Lieutenant-Governor of Upper Canada and commenced creating government institutions and preparing the land for settlement. The government divided the province into a series of Districts and Counties, which provided the basis for land surveys and the creation of townships. York County was created in 1792 and was part of the larger Home District.

The Plan Area was comprised of part of Park Lots 16, 17, and 18, originally granted to military and government officials in the 1790s. Immigration to York increased after 1815, when the end of the Napoleonic Wars in Europe brought settlers from Britain

2 <https://histindigenouspeoples.pressbooks.tru.ca/chapter/chapter-5-colonial-wars-looking-east>; Gary Warrick, "The Aboriginal Population of Ontario in Late Pre-history," in Munson and Jamieson, eds., *Before Ontario: The Archaeology of a Province* (McGill-Queen's University Press, 2013), p. 72.

3 Mississaugas of the Credit, "The History of Mississaugas of the New Credit First Nation." n.d.

4 The text in sections 1.4.2 to 1.4.5 were adapted from the historic overview of the District as found in the Kensington Market Heritage Conservation District Study (August 2017) prepared by Taylor Hazell Architects Ltd.





**Figure 5:** Belle Vue, pictured c.1885, was constructed by George Taylor Denison in the Georgian style (Toronto Public Library).

and Ireland who were able to acquire large tracts of land. It was during this time that the original Park Lot owners transferred or sold their lots to other landed gentry. Three prominent individuals – Dr. William Warren Baldwin, George Taylor Denison and George Crookshank – acquired all the land within the HCD Study Area.

Dr. William Warren Baldwin was a doctor, businessman, lawyer, judge, architect, and reform politician in Upper Canada. He acquired Park Lot 16 (and two others to the east, outside the HCD Study Area) in 1822 and shortly after began subdividing it for residential development. He also laid out Spadina Avenue as the central thoroughfare with a double width of approximately 40 metres (132 feet), later expanded to 48 metres (160 feet).

George Taylor Denison was the eldest son of Captain John Denison of Brookfield, patriarch of one of the most influential families in the development of Toronto. In 1815, Denison acquired Park Lot 17 and the east half of Park Lot 18 and constructed Belle Vue, a large estate house in the middle of the property.

George Crookshank was a member of the Upper Canadian political elite, serving as Assistant Commissary General, Receiver General, Legislative Councillor, and Director of the Bank of Upper Canada. He acquired the west half of Park Lot 18 as well as Park Lots 19 and 20 (outside the Study Area) in 1817, assembling a 330-acre farm along Crookshank Lane (now Bathurst Street), running north from Queen Street to today's Dupont Street.

The City of Toronto was incorporated in 1834 as the first municipality in Ontario, and by then its population had risen to 9,254. Gas lighting, sewers on main streets, and steamboat activity in its port indicated Toronto's growing urban status. Toronto's importance grew between 1849 and 1851 and again

between 1855 and 1859 when it served as the capital of the United Province of the Canadas. Not only did this increase Toronto's exposure, but it accounted for important government and educational facilities being located in the city, such as Upper Canada College.

As the provincial capital, Toronto attracted government officials and, in turn, businesses. The 1850s also saw the introduction of railways, connecting Toronto to New York, Montreal, Detroit, and Chicago. Toronto was made the capital of the new province of Ontario at Confederation in 1867, and by the 1870s it was becoming markedly industrialized.

Due to Aiken's survey system and the size and location of Park Lots, Toronto had several large residential estates built by wealthy citizens including two within the Study Area. Belle Vue, as mentioned above, was the Denison family estate, while the McDonald estate was located at Bathurst Street and Dundas Street West.

#### 1.4.3 Residential Development (1850s to 1900s)

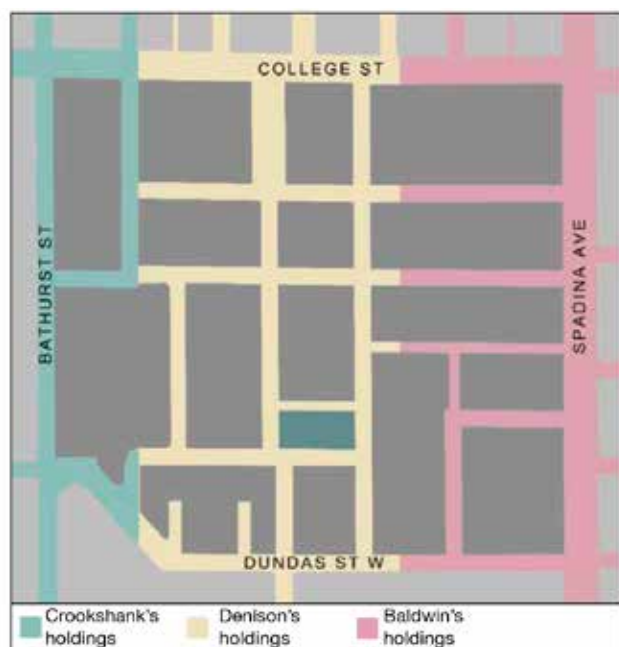
The Baldwin, Denison, and Crookshank properties were subdivided during the 1850s when the landholders died and their lands transferred to relatives. In some cases, land was donated to public or religious institutions, as was the case for the Saint Stephen-in-the-Fields Church, which was located on land donated by Robert Denison, George Taylor Denison's third son. These streets and blocks created by the subdivisions of Park Lots 16, 17, and 18 by Baldwin, Denison, and Crookshank were laid out with little or no regard for the conditions unfolding on *adjacent* properties.

As a result, smaller roads, particularly those oriented east-west, did not line up across various Park Lots, creating jogs and bends. Belle Vue retained its extensive grounds, although it was surrounded by building lots to the north and south. There are no major north-south streets within the former Denison estate – Bathurst Street and Spadina Avenue were both outside the estate boundary, owned by Crookshank and Baldwin respectively.

The subdivision plans and building lots were required by the city's rapidly growing population. By the mid-1850s, the overwhelming majority of Toronto's population comprised Protestant immigrants from the United Kingdom. City

directories from the late nineteenth century portray the Study Area as a predominantly British, working-class neighbourhood with many trades – carpenters, machinist, labourers, bricklayers and plasterers – well represented. However, the area was also home to clerks, railways engineers, firemen, and even a zookeeper, and several grocers had established themselves along Nassau Street. At this time, the Study Area was characterized by sporadic construction of residential buildings – primarily semi-detached houses and rows built of wood. Worker cottages were constructed at the rear of several lots and along laneways, including Glen Baillie Place, Fitzroy Terrace and Kensington Place, which all date to the 1880s. A row of commercial buildings fronted Spadina Avenue between St. Andrew and Nassau streets. By the late 1890s, the majority of lots had been built upon. Toronto Fire Station 315 and Saint Stephen-in-the-Fields Church defined the generous entrance to Bellevue Avenue (named for the Belle Vue estate).

The Belle Vue estate house itself was *demolished* in 1899, and a portion of the former estate property remained as a public park. The same year, the McDonald estate was purchased by the Toronto Western Hospital and renovated to accommodate patients. Founded in 1895 by 12 Toronto doctors who each pledged \$100, the hospital was dedicated to ‘aid the suffering’ and vowed to be the ‘home of friendly care and protection.’<sup>5</sup>



**Figure 6:** An image adapted from the Kensington Market Heritage Conservation District Study (Taylor Hazell Architects, 2017), showing the Park Lots between Spadina Avenue and Bathurst Street and their respective owners.

#### 1.4.4 Jewish Market (1900s to 1950s)

Despite Toronto's predominately Anglo-Saxon population at the turn of the century, there were modest numbers of people of Italian, German, Slavic, and African origins (including those whose ancestors were brought to North America through the transatlantic slave trade). Jewish immigrants were arriving in Canada and Toronto from Eastern Europe, which was feeling the effects of industrialization. In their home countries, Jews were forbidden to own agricultural property, so they were primarily craftsmen and merchants. Similarly, laws in western Russia prohibited Jewish movement and restricted assembly and worship, preventing people from holding office, entering professions, or working in factories. Although Jewish immigration to Canada began in the late eighteenth century, it increased dramatically between 1890 and the beginning of the First World War in 1914. By the time the war broke out, there were over 100,000 Jewish Canadians – approximately three quarters of whom lived in Toronto and Montreal.

The District, with its narrow, short streets and modest housing stock was a draw to Jews already living in Toronto and those just arriving. Prior to moving to the area west of University Avenue in search of better accommodations, most of the city's Jewish residents lived in 'The Ward' – an immigrant receiving area bounded by Yonge Street, College Street, University Avenue, and Queen Street. However, by 1909, only a third of the city's Jewish population still lived there; the area bounded by Spadina Avenue, Palmerston Avenue, Queen, and College streets was now home to approximately two-thirds<sup>6</sup> of the city's Jewish population.



**Figure 7:** Trachter's Milk Store, 71 Kensington Ave., Toronto, May 1925 (Ontario Jewish Archives, item 2947).

5 University Health Network Archives, Toronto Western Hospital fonds, Box 14, File 26-0-10.

6 Stephen A. Speisman, *The Jews of Toronto: a history to 1937* (Toronto: McClelland and Stewart, c1979), p. 90.

Eastern European Jews settled in concentrated areas to a larger degree than other ethno-cultural groups who tended to disperse in pockets. To a certain extent, Jewish immigrants looked to recreate a Jewish village or shtetl in Toronto. Central to this sense of belonging were the congregations of Rodfei Sholem Anshei Kiev (also known as the Kiever) and Beth Israel Anshei Minsk (also known as the Minsker), both formed in 1912 under the landsmenshaft tradition. Landsmen were people originating from the same town or region and sharing similar traditions. The current synagogue at 10 St. Andrew Street (the Minsker) was designed by the architectural firm of Kaplan & Sprachman and was completed in 1930. The Kiever was originally located in The Ward, and first moved to its current location in 1917. The extant building for the Kiever Synagogue was completed in 1927 to the designs of architect Benjamin Swartz, ten years after the congregation first acquired the property at the corner of Bellevue Avenue and Denison Square.

By 1918, a weekly market emerged along Kensington Avenue and Baldwin Street. At the time, municipal zoning provisions did not exist, enabling businesses to erect new commercial premises along these streets or to locate in existing residential buildings that were being converted to suit this new use. Business, however, did not require a storefront. It also took place on the street with peddlers selling fruit, dry goods, or rags on the curb or from their push carts.

Complaints about the open-air display of goods, particularly food, began in the 1930s; however, Torontonians continued to revel in the noisy, dirty, hectic atmosphere of the market. As *The Globe* reported at the time, “This, beyond doubt, is Toronto’s liveliest [market]. There’s nothing like it any place else in the city, and it’s more Asiatic, so it seems, than Canadian. Here is the glamor of the East if there is glamor in crying babies and snooping dogs, haggling women and yelling vendors, dirt and squawking chickens, refuse and fruit, vegetable scatters in crates across the sidewalks, cars and trucks blocking the roadway.”<sup>7</sup>

Starting in the 1940s, the Jewish community gradually moved out of the Study Area, relocating to North York along Bathurst Street. By the 1950s, the area was no longer synonymous with a Jewish Market and had taken on the broader term Kensington Market.

#### 1.4.5 A Diverse Market Neighbourhood (1950s to 1970s)

Prior to the 1950s, the City of Toronto had no formal land use regulations in force; the City of Toronto’s first zoning by-law was passed in June 1952, with major amendments to follow in 1953. Kensington Market was designated as a residential area in this by-law, but it retained a high number of legal non-conforming uses (both commercial and light industrial) as a consequence of the area’s development history. Redevelopment of these properties following the introduction of the zoning by-law thus resulted in a gradual phasing out of non-conforming commercial uses from this decade onwards.

Increasingly heavy traffic congestion prompted the City’s Public Works Department to start looking at a ‘properly planned market’ in the early 1960s. Planners consulted with residents and other departments, identifying three basic principles:



Figure 8: Augusta Avenue, south of Baldwin Street looking north, 1963 (City of Toronto Archives, Fonds 1257, Series 1057, Item 5611).



Figure 9: Southeast corner of Augusta Avenue and Oxford Street, between 1981-1986 (City of Toronto Archives, Fonds 200, Series 1465, File 529, Item 1).

<sup>7</sup> *Globe*, “Toronto’s Busiest Market on Kensington Avenue has Asiatic Atmosphere,” August 6, 1937, p. 4.



maintain the unique features of the market; create off-street parking; and improve circulation for pedestrians, cars, and trucks. The redevelopment was cancelled in 1967, influenced in part by strong community opposition. The only manifestation of the urban renewal attempt was the construction of City-owned parking lots on St. Andrew Street and Bellevue Avenue.

Immigration continued to influence the area, with changes to the built form and introduction of new customs and traditions by successive waves of newcomers to the city. As Jewish families moved out the market, Hungarian and Portuguese immigrants began moving in. It was during this period that many of the canopies and enclosures in front of businesses that characterize the market today were erected.

The Portuguese influence in Kensington was evident along Augusta Avenue which became known as “A rua dos Portugueses – The street of the Portuguese.” Many existing nineteenth-century buildings were replaced with two-storey, mixed use properties. Other buildings were modified with one-storey, garage-like *additions* using a variety of utilitarian materials and projecting into the *public realm*.

Until the 1960s, Canada’s immigration policy was discriminatory and biased towards Eastern Europe. This ended in 1966 when the federal government produced the White Paper on Immigration which tied immigration to economic growth, leading to policy shifts that had a pronounced impact on the diversity of the Study Area through the 1970s and 1980s as immigrants from China, Korea, Vietnam, Latin America, and Jamaica found a landing place in Kensington Market.

This period of increased immigration overlapped with the forced displacement of the Chinese community from Toronto’s First Chinatown in The Ward, when the City expropriated land in the 1950s and 1960s to make way for the development of City Hall and Nathan Phillips Square. As a result, a new concentration of Chinese businesses arose along Spadina Avenue between College Street and Dundas Street West. Chinatown West maintains close interrelationships with Kensington Market, reflected in a porous boundary between the two areas.

#### 1.4.6 Kensington Today (1970s to Present)

The early 1970s saw continued pressure to allow for commercial expansion into the *adjacent* residentially zoned area. Between the early 1960s to the late 1970s, there was a general trend of increased commercial conversion within the core of the market, and the start of the decline of grocery and food sellers as an overall proportion of businesses within the Market (from 67% in 1964 to 39% by 1977).<sup>8</sup> Overall, newer businesses focused on sales of hardware, general goods, and clothing.

Revised zoning regulations were adopted in the 1970s as a result of a planning process involving community input and included the extension of commercial zoning north on Augusta Avenue to College Street and along Nassau Street, and the reversion of several properties on streets abutting the Market area to residential zoning. Additional provisions placed limits on types of commercial use, density, and height.

The zoning was partially an effort to stabilize the balance of commercial and residential uses within the neighbourhood, which had seen increasing pressure from the hospital and other commercial uses within the area, but also a response to strong community interest and activism on neighbourhood planning issues. These included the Spadina Expressway (cancelled in 1971), expansion of the Toronto Western Hospital, and expansion of the Provincial Institute of Trades (which became George Brown Community College). The residents also successfully lobbied the Toronto District School Board (TDSB), to build a ‘community school.’ Rather than tearing down a block of buildings along Bellevue Avenue, the TDSB held meetings, gathered community input over a year-long period and hired architects who incorporated citizens’ suggestions. The Kensington Community School, located at the corner of College and Lippincott streets, opened in 1973 and still provides education for Junior Kindergarten to Grade 6 students.

Beyond neighbourhood planning concerns, local residents and businesses also supported disenfranchised populations and those outside mainstream society, including 2SLGBTQ+ people. Kensington Market provided essential physical spaces and places for these subcultures to develop and thrive, from being an early home of Glad Day Books and the Body Politic in the 1970s, to becoming a centre of punk culture in the 1980s-90s.

8 City of Toronto Planning Board, Official Plan Proposal Study for Kensington Market, May 1978, pg. 37.

Kensington Market continues to be a place that welcomes and embraces diversity and inclusiveness.

In the mid-1970s, the popular television show 'King of Kensington', set in Kensington Market starring local actor Al Waxman was launched by the CBC (Canadian Broadcast Corporation). It featured topical storylines and offered a snapshot of daily life in the Market in a lighthearted way, and was popular throughout its run, ending in 1980. Following his death in 2001, a statue of Al Waxman was erected in Bellevue Square Park.

In more recent decades, the Market has become known for a number of events and festivals animating the District's streets, in particular the annual Winter Solstice Festival (started in 1988), and Pedestrian Sundays, which began in 2004 and are currently held once per month during the summer.

In 2018, Bellevue Square Park underwent a revitalization project, which included the creation of a new plaza at its northeast corner to better integrate the park with Augusta Avenue, and an upgrade to its amenities. A revitalization project of Alexandra Park, the Toronto Community Housing neighbourhood to the south, will change the interface between Kensington Market and the surrounding City, by re-introducing a four-way intersection at Augusta Avenue and Dundas Street West and creating a new plaza opposite Kensington Avenue.



**Figure 10:** Jamaican immigrant and reggae legend Stranger Cole opened Roots Records at 58 Kensington Avenue in 1978; it was one of the first Caribbean businesses in Kensington Market (photo by Doug Griffin, Toronto Star Collection, Toronto Public Library).



**Figure 11:** The Kensington Community Land Trust acquired the building at 54 Kensington Avenue in 2021 (pictured at centre), which features the iconic Mona Lisa mural painted by Peter Matayas in the 1980's on the south side of the building.





## 2.0 Legislative and Policy Framework

- 2.1 Provincial Legislation
- 2.2 Provincial Planning Statement, 2024
- 2.3 Official Plan
- 2.4 Zoning By-laws
- 2.5 Applicable Studies, Plans and Guidelines

## 2.0 Legislative and Policy Framework

### 2.1 Provincial Legislation

#### 2.1.1 Ontario Heritage Act

The key piece of legislation that governs heritage *conservation* in Ontario is the *Ontario Heritage Act*, which was created to support *conservation*, protection, and *preservation* of heritage resources in the Province. 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.

Part V, Section 41.1(5), of the OHA lists the following as requirements of an HCD Plan:

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

This Plan meets the requirements of an HCD Plan as provided by the OHA.

#### Ontario Heritage Toolkit

The Ontario Heritage Toolkit is a series of guides that explain step-by-step how municipal councils can undertake the identification and *conservation* of heritage properties using powers under the OHA. The guides also describe roles community members can play in municipal heritage *conservation*, as participants on municipal heritage committees, or through local research conducted by groups with an understanding of heritage. The Ontario Heritage Toolkit provides guidance on how to conduct HCD studies and plans, identify *cultural heritage value* and *heritage attributes*, determine district boundaries, and prepare a statement of objectives.

#### 2.1.2 Planning Act

The *Planning Act* governs land-use planning activity in Ontario. It states that the “conservation of features of significant architectural, cultural, historical, archaeological or scientific interest” is a matter of provincial interest and that the Minister, the council of a municipality, a local board, a planning board and the [Ontario Land] Tribunal in carrying out their responsibilities under the Act shall have regard for that interest (section 2 (d)) as well as other matters of provincial interest.

Further, the *Planning Act* allows the province to issue policy statements elaborating on areas of provincial interest.



**Figure 13:** A sketch of a bustling market area that appeared in several planning policy documents for Kensington Market in the 1970s, including A Proposed New Zoning report from 1975, and Official Plan Proposals from 1978.

**Figure 12:** Previous page: 217-225 Augusta Avenue, 2023.



## 2.2 Provincial Planning Statement, 2024

The *Provincial Planning Statement, 2024*, (the “PPS 2024”) is issued under Section 3 of the *Planning Act* and provides policy direction on matters of provincial interest related to land use planning and development. The *Planning Act* requires that municipal and provincial land use planning decisions be consistent with the PPS 2024. The PPS 2024 is intended to be read in its entirety, with relevant *policies* applied to each situation.

The PPS 2024 requires that cultural heritage and *archaeological resources*, identified as key provincial interests, be *conserved*. It provides specific direction for the protection of built heritage resources, *cultural heritage landscapes*, *archaeological resources*, and areas of archaeological potential, both on development sites and where development is proposed on *adjacent* properties. The PPS 2024 states that cultural heritage and archaeology help provide people with a ‘sense of place’.

Policy 4.6.1 directs that “Protected heritage property, which may contain built heritage resources or *cultural heritage landscapes*, shall be *conserved*.” Policy 4.6.2 specifies that “Planning authorities shall not permit development and site *alteration* on lands containing *archaeological resources* or areas of archaeological potential unless the significant *archaeological resources* have been *conserved*.”

Policy 4.6.3 states, “Planning authorities shall not permit development and site *alteration* on *adjacent* lands to protected heritage property unless the *heritage attributes* of the protected heritage property will be *conserved*.” Policy 4.6.4(b) encourages planning authorities to develop and implement proactive strategies for *conserving* significant built heritage resources and *cultural heritage landscapes*.

## 2.3 Official Plan

The City of Toronto Official Plan (the “OP”) is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form *compatibility* of different land uses and the provision of municipal services and facilities. It directs that OP policies, Secondary Plans, Site and Area Specific Policies, and heritage conservation districts that fall within the boundary of the Downtown Plan must be read together, and for any individual policy to be properly understood, each document must be read in its entirety.

### 2.3.1 Urban Structure

The OP sets out the Urban Structure of the City, which includes the Downtown and Central Waterfront areas identified on Map 2. The entirety of the Kensington Market HCD falls within the boundaries of Downtown in the OP. The OP states that future planning and investment decisions Downtown should be guided by the *conservation* and promotion of cultural heritage resources – of First Nations and Métis communities and of settlers.

The OP envisions a vibrant mix of residential and employment growth for Downtown, acknowledging that it is both where our history is richest and where the City continues to rebuild to accommodate a growing economy and a changing society. Within this framework of constant change, the OP indicates the importance of ensuring built heritage is respected, nurtured and celebrated. Policies 5 and 6 in Section 2.2.1 speak directly to heritage *conservation* in Downtown, including through the designation of heritage conservation districts.

Additional policies for Downtown are laid out in the Downtown Secondary Plan (Official Plan Amendment (“OPA”) 406), which is described in further detail below.

### 2.3.2 Land Use Designations

Three land use designations comprise the area within the District boundary: *Mixed Use Areas*, *Neighbourhoods*, and *Parks and Open Space Areas*. Generally, existing commercial properties located along Kensington Avenue, Augusta Avenue, Baldwin Street, and a portion of Nassau Street are designated as *Mixed Use Areas*. *Mixed Use Areas* are intended to combine a broad mix of residential, office, retail, service and other uses allowing people to live, work and shop in the same area, while minimizing their dependence on cars. *Mixed Use Areas* is one of four land use designations anticipated to receive increased jobs and population by the OP's growth strategy. However, under Section 4.5, the OP states that not all *Mixed Use Areas* will experience the same scale or intensity of development. In Downtown's designated *Mixed Use Areas*, a full range of housing opportunities is encouraged through intensification.

The OP policies permit additional gross floor area (GFA) for lands designated *Mixed Use Areas* and *Employment Areas* on a lot containing a heritage building, provided that the *new development* conforms to any applicable HCD plan (3.1.6.21.e):

- 21) Additional gross floor area may be permitted in excess of what is permitted in the Zoning By-law for lands designated *Mixed Use Areas*, *Regeneration Areas*, *Employment Areas*, *Institutional Areas* or *Apartment Neighbourhoods* for a heritage building or structure on a designated heritage property that is part of a *new development* provided that:

...

- e) where the property is within a Heritage Conservation District, the proposed development conforms to the Heritage Conservation District Plan and/or any *guidelines* for that district.

The residential properties throughout the remaining portion of the District, including those accessed by laneways, are designated as *Neighbourhoods*. *Neighbourhoods* are seen as stable areas where change is intended to be sensitive, gradual and complementary to existing physical character. This character is typified by low-scale buildings and a variety of building types – detached, semi-detached, row, townhouses and walk-ups (up to four storeys).

Sonya's Parkette and Bellevue Square Park are designated as *Parks and Open Space Areas*. They offer residents, workers, and visitors respite from the urban environment and a variety of opportunities for active and passive recreation.

### 2.3.3 Heritage

Section 3.1.6 of the OP provides policies pertaining to heritage *conservation*. It recognizes that as Toronto continues to grow and intensify, it must "be balanced with the ongoing *conservation* of our significant heritage properties, Districts, and Areas." The OP addresses the designation of HCDs and the authority of the OHA in Section 3.1.6 (3):

- 3) Heritage properties of *cultural heritage value* or interest [...] including Heritage Conservation Districts and archaeological sites that are publicly known will be protected by being designated under the *Ontario Heritage Act* and/or included on the Heritage Register.

The OP also sets out policies that require the consideration of development activities outside but *adjacent* to a heritage conservation district. These policies allow for City Planning staff to require the review of these *adjacent* properties through a Heritage Impact Assessment ("HIA").

Section 3.5 addresses Toronto's Economic Health and retail activity within the City. Policy 3.5.3.5 states that:

In order to provide local opportunities for small businesses and maintain the safety, comfort, and amenity of shopping areas, zoning regulations for ground floor commercial retail uses in new buildings in new neighbourhoods or in *Mixed Use Areas* along pedestrian shopping strips where most storefronts are located at or near the streetline, may provide for a maximum store or commercial unit size and minimum first-storey height based on the following considerations:

- a) the prevailing sizes of existing stores and commercial units in the area;

...

- e) the prevailing *policies* of any applicable Heritage Conservation District Plans.

### 2.3.4 Downtown Secondary Plan (OPA 406)

Official Plan Amendment 406 (the “Downtown Plan”) was adopted by City Council in May 2018, and approved (with modifications) by the Ministry of Municipal Affairs and Housing in June 2019. The Downtown Plan applies to the area generally bordered by the Don Valley to the east, the Waterfront to the south, Bathurst Street to the west, and the Rosedale Valley and CPR Rail tracks to the north. The in-force Downtown Plan is a 25-year vision that sets the direction for the city centre as the cultural, civic, retail, and economic heart of Toronto and as a great place to live. A series of goals – grouped around the themes of complete communities, connectivity, prosperity, resilience, and responsibility – establish outcomes the Downtown Plan intends to achieve as growth continues.

Portions of the District are subject to additional policies within the Downtown Plan. The market area within the District is designated as *Mixed Use Areas 4 – Local*. Development within these areas will contain residential, small-scale office, institutional, service, and retail uses that generally serve the needs of the local community and are of a low-rise scale, generally 4 storeys or less in height. The Secondary Plan acknowledges that some sites may be required to address site-specific characteristics related to lot size, heritage, shadow impacts and other factors, and therefore, not all sites will be able to accommodate the maximum scale of development.

Augusta Avenue, Kensington Avenue, and Baldwin Street have been identified as Priority Retail Streets in the Downtown Plan, implemented through the Priority Retail Streets zoning by-law amendment. These policies require that the ground floor of developments contain only quality space for retail and related animating non-residential uses, encourage specific design elements to protect the prevailing character of the street, and require that larger format stores be located on the second or lower levels of *new development*, or wrapped by smaller stores.

The Downtown Plan also acknowledges the importance of preserving sunlight in the *public realm* to promote thermal comfort, with Bellevue Square Park identified as one of the Downtown’s sun-protected parks.

The Downtown Parks and Public Realm Plan, one of the five infrastructure strategies guiding implementation of the Downtown Plan, sets out a ‘Kensington Market-Alexandra Park’ Park District. It establishes priorities for public space in the area, including maintaining fine-grain frontages, prioritizing

high volumes of pedestrians in the design of streets, and improving pedestrian connections to and through Alexandra Park and Scadding Court to the south. The Downtown Mobility Strategy aims to improve the pedestrian experience to maintain and enhance the walkability of Downtown, including the need to undertake a Pedestrian Priority Area Study to develop a new vision for areas that prioritize pedestrians (e.g., Kensington Market, Distillery District, Union Station).

### 2.3.5 Site and Area Specific Policy 197

Chapter 7 of the OP contains Site and Area Specific Policies (“SASP”) that vary from one or more of the provisions of the OP and set out a further layer of local policy direction for an area.

‘SASP 197 – Kensington Market’ applies primarily to areas designated as *Mixed Use Areas* and states that “any public or private developments and works should be consistent with the special characteristics of the area, including:

- low scale buildings with retail at grade;
- minimal *setbacks*; and
- open air display of goods on the boulevard’

Being wholly located within the Downtown Secondary Plan, the policies in SASP 197 will take precedence over the Downtown Plan in the event of any conflict between the two.

### 2.3.6 Related OPAs and Secondary Plans

Any person(s) contemplating an *alteration* to a property within the District may wish to consult other, related policy frameworks that were considered in the preparation of the Plan. These include but are not limited to:

- OPA 379, College Street Study and related Urban Design Guidelines;
- OPA 246, Bathurst Street – Queen Street West to Dupont Street (Tribunal Decision on final appeal issued December 2023); and
- Expanding Housing Options in Neighbourhoods initiatives (“EHON”), including Official Plan Amendment 649 – Multiplexes on Neighbourhoods-designated lands (2023) and a related study to investigate ways to support the preservation and growth of small-scale retail, services and office uses on residentially-zoned lots in *Neighbourhoods*.



### 2.3.7 Heritage Conservation Districts in Toronto: Procedures, Policies, and Terms of Reference

*Heritage Conservation Districts in Toronto: Procedures, Policies and Terms of Reference* was adopted by Toronto City Council on March 6, 2012. It was developed to reflect the requirements for the creation of an HCD Plan prescribed by the OHA and to provide a consistent approach for the studying and planning of HCDs in the city.

This document also addresses the changes to HCD Study boundaries that are made during the HCD Plan phase in Section 2.3, stating “if the boundaries for the HCD Plan differ from the boundaries in the HCD Study, the reason for the difference needs to be stated within the plan.” The rationale of the change in the District boundary from the HCD Study phase can be found in Section 5.1.

This Plan meets the requirements of HCDs in Toronto.

### 2.3.8 Standards and Guidelines for the Conservation of Historic Places in Canada

The *Standards and Guidelines for the Conservation of Historic Places in Canada* (“Standards and Guidelines”) provide sound, practical guidance to achieve good *conservation* practice. They establish a consistent, pan-Canadian set of *conservation* principles and guidelines that will be useful to anyone with an interest in *conserving* Canada’s historic places. The Standards and Guidelines, adopted by Toronto City Council in 2008, offer results-oriented guidance for sound decision-making when planning for, intervening on, and using historic places.

Toronto’s Official Plan references the Standards and Guidelines as a key guidance document, requiring that properties on the City’s Heritage Register be *conserved* and *maintained* consistent with the Standards and Guidelines. In addition, Policy 10 of HCDs in Toronto states, “the HCD Plan and the *Standards and Guidelines for the Conservation of Historic Places in Canada* will apply to any interventions to the HCD as a whole and will generally apply to individual properties within an HCD [...]”.

## 2.4 Zoning By-laws

Zoning by-laws implement the land use policies of the City’s Official Plan. They are legal documents that set the required standards for obtaining a building permit. Zoning by-laws provide details of how land may be used, where buildings and structures can be located, the shape and size of buildings including building heights, densities, and *setbacks*, building parking requirements, and many other important aspects of development.

### 2.4.1 Zoning By-law 569-2013

Under City-wide Zoning By-law 569-2013 (as amended), the majority of the District is covered by Residential (R) zoning with a permitted maximum height of 13.0 metres. The required minimum lot frontage for the properties in the District is 4.5 metres. Generally, the permitted maximum floor space index (FSI) applicable is 1.0. Certain exceptions apply to specific properties, and the full by-law should be consulted for the most up-to-date information.

Approximately one-third of the District is covered Commercial Residential (CR) zoning, subject to Development Standard Set 2 (SS2). Development Standard Set 2 (SS2) is typically assigned to main streets outside of the immediate downtown. The permitted maximum floor space index (FSI) in the CR zone applicable to the District is 2.0, with a permitted maximum non-residential density of 2.0, and maximum residential density of 1.5. The permitted maximum height for these properties is 12.0 metres. Augusta Avenue, Baldwin Avenue, and Kensington Avenue are also subject to the Priority Retail Streets overlay provisions.

Two properties, 103 Bellevue Avenue (Saint Stephen-in-the-Fields Church) and 132 Bellevue Avenue (Fire Station 315), as well as the northern portion of 34 Oxford Street (this portion of the property is outside the District boundary) are in a CR zone along College Street that permits a higher FSI of 3.0, with a permitted maximum non-residential density of 2.0, and maximum residential density of 2.5.

Bellevue Square Park and Sonya’s Parkette zoned Open Space Recreation (OR).

## 2.4.2 Zoning By-law 438-86

Two properties in the District (61 Bellevue Avenue and 401 College Street) are not included in the By-law 569-2013. 61 Bellevue Avenue and 401 College Street (Kensington Community School) remain subject to the former City of Toronto Zoning By-law 438-86 (as amended).



**Figure 14:** A sketch of late-nineteenth century houses along a street that appeared in several planning policy documents for Kensington Market in the 1970s, including Official Plan Proposals (1978).

## 2.5 Applicable Studies, Plans, and Guidelines

### 2.5.1 City of Toronto Archaeological Management Plan

The intent of the City of Toronto's Archaeological Management Plan ("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. The Management Plan identifies general areas of archaeological potential, as well as specific areas of known extant archaeological sites referred to as Archaeologically Sensitive Areas ("ASAs"). ASAs represent concentrations of interrelated features of considerable scale and complexity, some of which are related to significant periods of occupation or a long-term continuity of use, while others are the product of a variety of changes in use, or association, over time.

Typically, when development is proposed for any lands that incorporate areas of archaeological potential, it triggers an archaeological assessment and an evaluation process is undertaken (Stage 1 Background Study and Property Inspection). This begins with a detailed land use history of the property in order to identify specific features of potential archaeological interest or value and to predict the degree to which *archaeological resources* may still exist.

In cases where the Stage 1 study confirms that significant *archaeological resources* may be present on a property, some form of test excavation is required (Stage 2 Property Assessment). If the results of the excavations are positive, more extensive investigation may be required (Stage 3 Site-Specific Assessment), but often it is possible at the conclusion of the Stage 2 work to evaluate the *cultural heritage value* of the *archaeological resources* and to develop any required strategies for Stage 4 Mitigation of Development Impacts to minimize or offset the negative effects of the proposed redevelopment and/or soil disturbance.

Mitigation strategies may consist of planning and design measures to avoid the *archaeological resources*, archaeological monitoring during construction or extensive archaeological excavation, salvage and recording prior to construction, or some combination of these approaches. Archaeological monitoring and excavation work on site is followed by comparative analyses of the archaeological data that have been recovered (salvaged) and the interpretation of those data. The identification of the most appropriate form of Stage 4 mitigation requires close consultation between the consulting archaeologist, the development proponent and their agents and contractors, and the planning approvals and regulatory authorities and must be carried out in accordance with the City of Toronto's Archaeological Management Plan and applicable provincial regulations. This overall assessment process generally takes place in the context of development applications, but additional application types might be reviewed within an HCD Plan area.

### 2.5.2 City of Toronto Reconciliation Action Plan 2022-2032

The City of Toronto's first Reconciliation Action Plan was adopted by Council in April 2022. It will guide the City's 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 28 meaningful actions across five themes:

- Actions to restore truth
- Actions to right relations and share power
- Actions for justice
- Actions to make financial reparations
- Actions for the Indigenous Affairs Office

These actions will contribute to the visibility and overall well-being of First Nations, Inuit, and Métis Peoples in Toronto through placemaking and placekeeping, supporting economic development and prosperity, increasing civic engagement, honouring Indigenous ways of knowing and being, and recognizing rights to self-determination and self-governance.

The Reconciliation Action Plan states, “The City will continue to collaborate with Indigenous leaders and community members to fulfill the actions within the plan, ensure transparency and accountability, and restore right relations. It is a living document, which will evolve, as needed, to incorporate directives from any future public inquiries or calls for government action from local Indigenous communities and organizations.”

Indigenous engagement has been an integral part of the public consultation process for the Kensington Market HCD Plan. Feedback from Indigenous community members has helped shape the Plan’s Statement of Objectives, *policies*, and *guidelines*.

### 2.5.3 Kensington Market BIA Public Realm Masterplan

The Kensington Market BIA commissioned a *public realm* masterplan to consider strategies for improving and enhancing the market area’s public spaces and the experience of people that live and use the market on a daily basis. Issued in January 2020, the report was completed by SUMO Project, in association with Gladki Planning Associates, PMA Landscape Architects Ltd., and Greenberg Consultants Inc. The project team engaged with over 1200 people (the majority of whom attended a Pedestrian Sunday event), and identifies a vision and eight guiding principles that form the foundation of a proposed implementation strategy. The eight guiding principles include:

1. Keep the Market as a market
2. A Market for everyone
3. Engage the community on the design and implementation process
4. Integrate the arts
5. Strengthen the relationship between the Market’s commercial and residential communities
6. Foster collaborations with organizations inside and outside the Market
7. Activate the Market year-round
8. Celebrate the Market: its cultural heritage, diversity, and unique atmosphere



**Figure 15:** A mural at the base of a storefront on Baldwin Street. The storefront also highlights some archival photos of Kensington Market.





## 3.0 District Significance

- 3.1 Description of Historic Place
- 3.2 Statement of Cultural Heritage Value
- 3.3 Heritage Attributes



## 3.0 District Significance

### 3.1 Description of Historic Place

The District is a vibrant mixed use neighbourhood in downtown Toronto, known for its eclectic architecture, bustling sidewalks, and both multicultural and counter-cultural traditions. Since the mid-nineteenth century, successive groups of immigrants have settled in the District and left their imprint. Vivid layers of built forms, *public realm* patterns, and cultural expressions contribute to Kensington Market's unique identity and sense of place. The District contains the Kensington Market National Historic Site of Canada,<sup>9</sup> designated by the Historic Sites and Monuments Board of Canada in November 2006.

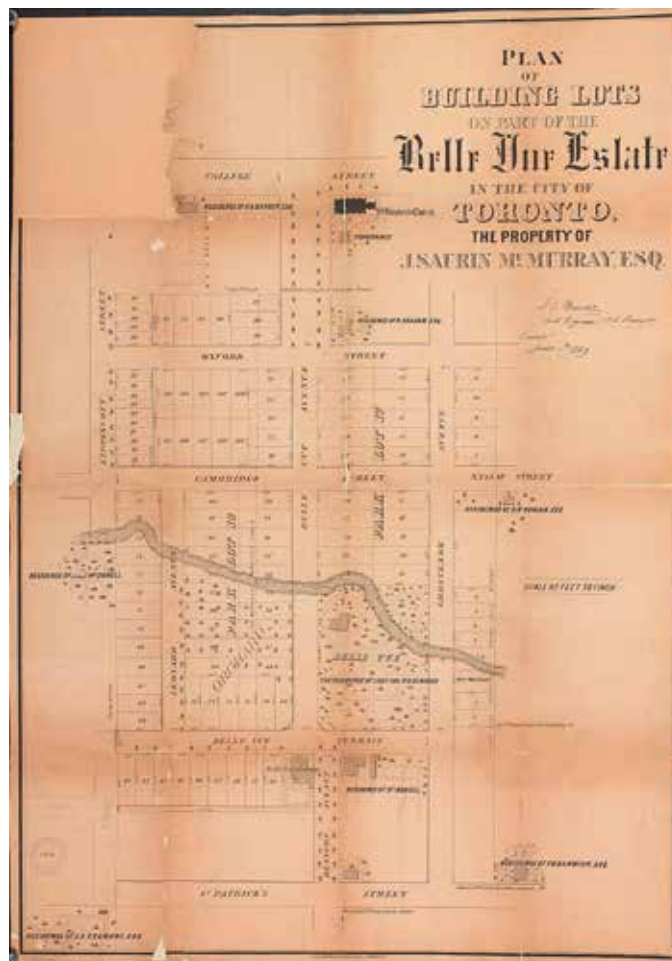
The District is *adjacent* to College Street to the north, Spadina Avenue to the east, Dundas Street West to the south, Bathurst Street to the west, and is in proximity to Toronto Western Hospital. The District extends beyond its existing mixed use core to include the predominantly residential streets and properties surrounding the commercial market area.

A *character sub-area* has been identified in response to the distinct pattern of built form and *public realm* characteristics found in the District's core market area. This *character sub-area* helps illustrate the area's historic evolution and development (see Section 5.3 of this Plan).

### 3.2 Statement of Cultural Heritage Value

The *cultural heritage value* of the Kensington Market Heritage Conservation District centres on its historic and ongoing associations with a culturally diverse population and the commercial activity that emerged to support those communities; its physical value as a unique concentration of modified house-form buildings within a distinct block pattern; its contextual value relating to its distinct built form and character as a complete community; and its social and community value as a place that has cultivated an identity defined by innovation, public art, and social activism.

The District has **historic and associative value** as part of the ancestral lands of the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples. It also holds historic and associative value for its reflection of the contributions of various immigrant communities, attracted by affordable housing and the proximity to employment. Between the 1910s and 1930s, the area emerged as a Jewish Market, which produced some of the patterns of building expansion and commercial use that continue today. The open-air display of goods on the commercial streets within Kensington Market is a legacy of Jewish merchants and businesses in the early twentieth century. An influx of Portuguese and Hungarian immigrants at mid-century contributed to the commercialization of Augusta Avenue, following the precedent set by the Jewish Market through the conversion of existing house-form buildings into commercial spaces.



**Figure 17:** 1869 Map showing the subdivision of lots on Park Lots 17 and 18 by cartographer J.O. Browne (Toronto Public Library).

<sup>9</sup> Canadian Register of Historic Places, [https://www.pc.gc.ca/apps/dfhd/page\\_nhs\\_eng.aspx?id=11571](https://www.pc.gc.ca/apps/dfhd/page_nhs_eng.aspx?id=11571)

**Figure 16:** Previous page: east side of Augusta Avenue, at Wales Avenue.



**Figure 18:** 27, 29, and 33 Kensington Avenue are examples of Converted House-form buildings that demonstrate the market's evolution over time.

Beginning in the 1960s, Chinese, Vietnamese, and Korean communities established themselves in proximity to Spadina Avenue, including through the foundation of Family and Community Associations that provided financial and social support. The physical geographies of these communities are non-coincidentally interrelated, as Jewish property owners were more likely to rent to Black, Asian, and other non-white and immigrant populations. Later groups drawn to Kensington Market included Latin American, Southeast Asian, African, and Jamaican communities in the 1990s. With each community's arrival, the District became increasingly known throughout Toronto as a destination for imported and specialty goods from overseas. The visible layering of building *additions*, particularly within the market area, represents the adaptation that occurred as these groups established homes and businesses in the District.



**Figure 19:** A row of workers' laneway housing on Glen Baillie Place.

The **physical value** of Kensington Market relates to its fine-grain, low-scale streetscapes and concentration of late-nineteenth- and early-twentieth-century buildings. The origins of this built form character can be traced to the subdivision of park lots, an early colonial system of organizing the city. In the 1800s, the three major property owners in the District (Dr. William Warren Baldwin, George Taylor Denison, and George Crookshank) each subdivided their land holdings with little regard for how *adjacent* property was being planned. Over the course of about half a century, this uncoordinated and piecemeal subdivision created a unique street and block pattern with no two blocks the same size, and streets that do not align with *adjacent* areas or other streets beyond the boundary of the District. Traces of the individual landowners' subdivision plans are also evident in the wider right-of-way on Bellevue Avenue north of Oxford Street, which is a remnant of an early intention for the road to function as a grand avenue lined by trees, and Bellevue Square Park, which was donated to the City by Denison's heirs in the 1890s. Despite the lack of an overarching planning framework, concurrent development throughout the area resulted in a cohesive concentration of late-nineteenth- and early-twentieth-century residences constructed for the working class, many of which appear in pairs or rows. The District also features pockets of worker's cottages located along laneways, many of which were originally constructed in the 1880s following the re-subdivision of some of the larger lots. This housing was erected in rows and is an important feature of the District. Many of the District's properties reflect modifications made by new generations and new immigrant communities, while retaining their Victorian and early-twentieth-century character.



**Figure 20:** Augusta Avenue and Baldwin Street, 1932; the District's fine-grain commercial space has contributed to the concentration of independent businesses that support a sense of place and a uniquely animated *public realm* (City of Toronto Archives, Fonds 1266, Item 26172).



The District has **contextual value** as one of the city's most iconic and widely known neighbourhoods among both residents and visitors. Bound by four major streets, the area's historic development patterns resulted in a self-contained neighbourhood and complete community that sustains its own residential, commercial, and institutional activities. The interrelated streetscapes of house-form and commercial buildings that have been *altered* over time to accommodate a range of uses create a distinct built form environment. In many cases, the narrow property frontages of the working-class housing stock, particularly along Kensington Avenue, Augusta Avenue, and Baldwin Street, were converted to stores and other non-residential uses, providing fine-grain commercial space that was affordable to immigrant communities. These small unit sizes have contributed to the concentration of independent retailers and food sellers that support a sense of place. Incremental change to these buildings over time, primarily through ground floor *alterations*, is a defining characteristic of Kensington Market and has given rise to a uniquely animated *public realm*. Daily life in the District has also been supported by access to local institutions and open spaces, including Bellevue Square Park, a popular gathering place and focal point for the neighbourhood.

The District has **social and community value** for its enduring identity and sense of place, centred on dynamism, resilience, and creativity. The Kensington Market area is held in high regard for creating community, for its openness, and for its welcoming nature, characteristics that are in line with Indigenous community values. Fueled historically by the arrival of new and marginalized groups who were considered outsiders elsewhere in Toronto, and supported by an engaged community, the District evolved as a social enclave that supports innovation, small business, traditions of public art, diverse and alternative cultural expression, and social activism. This identity is evident in the brightly painted houses, the public art, the animated pedestrian experience, and the cultural events and festivals hosted by the community. The high level of engagement expressed through various grassroots initiatives and social and political activism is an ongoing value of the District and continues to shape it. There is also a legacy of institutions (e.g. the Kiever and Anshei Minsk synagogues, Saint Stephen-in-the-Fields Church) and numerous organizations (many grassroots and not-for-profit) serving the community.



**Figure 21:** Drawing of Saint Stephen-in-the-Fields Church, looking southwest, by architect Thomas Fuller, 1858 (Toronto Public Library).



**Figure 22:** Unveiling Campbell Russell Lane, 2018 named for a Kensington Market community leader, social justice activist, and priest (Joe Cressy, Facebook).

### 3.3 Heritage Attributes

The *cultural heritage value* of the District is expressed by the following *heritage attributes*. Although the following *heritage attributes* are numbered, the numeric sequence does not establish a priority among the *attributes*.

1. The fine-grain streetscapes created by narrow property frontages, including a high proportion that are less than 5.5 metres, low-rise built form, and minimal or zero building *setbacks* from the public right-of-way;
2. The visual character of *contributing properties*, most of which include *building features* reflecting vernacular interpretations of Victorian and early-twentieth-century architectural styles, dating to the District's early development as a residential neighbourhood;
3. The concentration of House-form buildings, distinguished by gable, mansard, and pitched roof forms that represent the District's early period of residential development from the 1850s to the early 1900s, including examples of bay-and-gable buildings;
4. The *contributing properties* that reflect the District's development as a working-class residential enclave, including examples of Ontario Cottages, and the pockets of worker's cottages and infill housing located along laneways within the District;
5. The unique street and block patterns that support the pedestrian character of the District, and which comprise:
  - i. blocks that vary in orientation and size;
  - ii. a high number of T-intersections and corner properties;
  - iii. a high percentage of east-west streets that commence and terminate within the District's boundaries;
  - iv. a difference between the actual and perceived widths of public rights-of-way;
  - v. the unplanned and evolved *network of laneways* that terminate inside a block and provide access to only a few properties;
6. The range of building typologies and public parks in close proximity to each other that create the sense of a self-contained neighbourhood and complete community;
7. The visibly wider right-of-way on Bellevue Avenue between Oxford Street and College Street that reflects the early intention for a grand avenue;
8. The soft landscaping in the public boulevard that reflects the early residential character of the District;
9. Infrastructure, including social services, and cultural expressions such as public art that indicate a community that is highly active in local social, political, and economic matters; and
10. The District's *archaeological resources*.



**Figure 23:** View of the *contributing properties* at 17-27 Wales Avenue from Bellevue Square Park.



## Market Character Sub-Area

The *cultural heritage value* of the Market Character Sub-Area is expressed by the following *heritage attributes*:

11. The concentration of House-form buildings that have been modified to accommodate commercial conversions, resulting in a visibly layered built form where the original House-form building remains legible;
12. The purpose-built commercial buildings that reflect vernacular interpretations of early-twentieth-century architectural styles, dating to the emergence of the District's commercial market;
13. The narrow storefronts, which are typically less than 9 metres wide;
14. The *contributing properties* that define key intersections through entrances with corner configurations and storefronts that address both street-facing elevations;
15. The *public realm* patterns that support the eclectic and bustling character of the commercial market, which is defined by the outdoor display of goods, and that facilitate a variety of public events and street festivals;
16. The presence of street trees within the public boulevard, particularly on Kensington Avenue; and
17. The evolving murals, street art, and other forms of creative expression that animate exterior walls, streets, and other surfaces within the *public realm*.



Figure 24: Converted House-form buildings at 178-194 Baldwin Street are examples of the District's small storefronts, narrow lot frontages, and patterns of building adaptation.





## 4.0 Statement of Objectives



## 4.0 Statement of Objectives

The overall objectives of the Plan are to *conserve* the District's *heritage attributes* and manage future change in order to sustain the District's *cultural heritage value* in the long term. The District's *cultural heritage value* consists of its design/physical, historic/associative, contextual, and social/community values. The District's *heritage attributes* are physical, spatial, and material elements that represent the District's *cultural heritage value*; they relate to built heritage resources, landscape, streetscape, and *archaeological resources*.

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

### OBJECTIVES:

1. *Conserve and maintain* the District's *cultural heritage value* as expressed through its *heritage attributes, contributing properties, public realm, and archaeological resources*.
2. Find opportunities to acknowledge and honour the historic and ongoing presence of Indigenous peoples in the District, including through visual representation of Indigenous heritage.
3. Find opportunities to acknowledge and honour the historic and ongoing presence of multicultural immigrant communities in the District.
4. *Conserve* the legibility of the District's early periods of development as expressed through the visual character of the District's *contributing properties*, which include architectural features popularized during the late nineteenth and early twentieth centuries.
5. *Conserve* the patterns of building expansion and adaptation that reflect the District's emergence as a market and the legacy of waves of immigrant communities.
6. *Conserve* the pattern of small storefronts and narrow lot frontages, which help facilitate the traditional food-based market uses and other small businesses that contribute to the District's eclectic character.
7. *Conserve* the District's low-rise, fine-grain scale defined by the District's building typologies and configurations.
8. *Conserve and maintain* the pockets of workers' housing accessed by or fronting onto laneways.
9. *Conserve* the District's unique block configuration with irregular block sizes and many interior streets that both commence and terminate within the District.
10. *Conserve, maintain, and support* the vibrant character of the District's *public realm* by encouraging its ongoing use for commercial activities, cultural events, public art, and cultural expression.
11. *Conserve* the residential and institutional streetscape of Bellevue Avenue, north of Oxford Street, including its historically wide right-of-way and soft landscaping within the *public realm*.
12. Ensure that *archaeological resources* are *conserved*.
13. Support and manage the ongoing evolution of the District through the continuation of the measured, incremental change that has resulted in the layered built fabric that represents the District's *cultural heritage value*.
14. Ensure that *new development, additions, and alterations* to existing built heritage resources *conserve, maintain, and enhance* the *cultural heritage value* of the District.
15. Enhance the social, cultural, and community values of the District such as by supporting opportunities for the creation of new affordable housing and commercial units and community spaces, facilitating *alterations* to increase *accessibility*, and promoting sustainable building practices.

Figure 25: Previous page: Kensington Market's famous garden car, parked on Augusta Avenue south of Oxford Street.



## 5.0 District Boundary and Resources

- 5.1 District Boundary
- 5.2 Contributing and Non-Contributing Properties
- 5.3 Market Character Sub-Area
- 5.4 Building Typologies and Configurations
- 5.5 Architectural Styles
- 5.6 Public Realm
- 5.7 Archaeological Resources



## 5.0 District Boundary and Resources

### 5.1 District Boundary

The District boundary has been informed by the findings of the HCD Study, community engagement, and a refined methodology for the identification of *contributing properties*. The HCD Study boundary largely reflected historical concession and lot patterns. It was revised during the HCD Plan phase to focus on the existing built form and *public realm* characteristics that express the *cultural heritage value* and *heritage attributes* of the District.

The District is located between College Street to the north, Dundas Street West to the south, Bathurst Street to the west, and Spadina Avenue to the east. It excludes Toronto Western Hospital, the low-scale parking garage at 55 Leonard Avenue, and properties fronting onto College Street, Dundas Street West, Bathurst Street, and Spadina Avenue. The boundary runs along the rear lot lines of properties on the west side of Lippincott Street, and side lot lines of properties located at the edge of the District on Oxford, Nassau, Baldwin, St. Andrew, Casimir, and Hickory streets, and Bellevue, Denison, Augusta, and Kensington avenues. It includes the full right-of-way of streets wholly contained within the District, except along the western boundary *adjacent* to Toronto Western Hospital, where the boundary follows the centreline of Carlyle Street, Wales Avenue, Leonard Avenue, and Nassau Street. The District is a mixed use area, with residential, commercial, and institutional uses surrounding the primary concentration of commercial uses in the core of the market.

Where only part of a property is depicted within the boundary, the *policies* of the Plan will only be applied to that portion of the site. OP policies for *alterations* or *new development adjacent* to properties on the Heritage Register would apply to the portion of the site outside the indicated boundary.

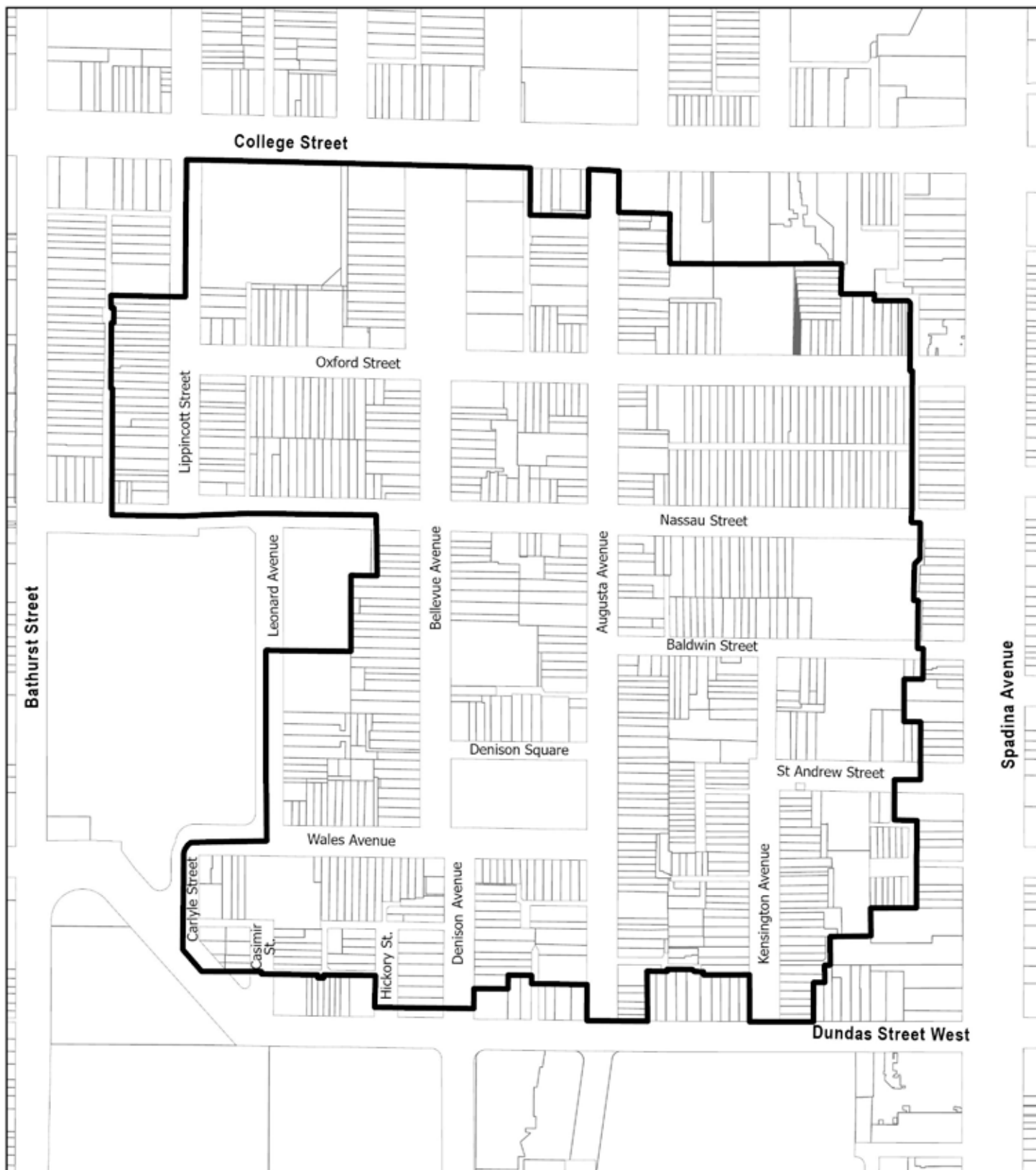


Figure 27: Baldwin Street, looking west, during a Pedestrian Sunday event.



Figure 28: Nassau Street, east of Augusta Avenue looking east.

Figure 26: Previous page: the late-nineteenth-century House-form buildings at 12-22 Bellevue Avenue contribute to the District's visual character.



**Toronto**  
Boundary Map

Kensington Market  
Heritage Conservation District

 Boundary

  
Not to Scale

## 5.2 Contributing and Non-Contributing Properties

The heritage resources within an HCD create a *cultural heritage landscape* – a cohesive whole that is greater than the sum of its parts. Every property within the District boundary is designated under Part V of the OHA. For the purposes of this Plan and in accordance with HCDs in Toronto, each property has been classified as either *contributing* or *non-contributing* to the District’s *cultural heritage value*. This classification provides the basis for the *policies* and *guidelines* within the Plan, which recognize that a higher standard of *conservation* must be applied to *contributing properties*. *Contributing properties* directly reflect and relate to the District’s *cultural heritage value*.

Managing change within the District is a fundamental objective of the Plan. A *contributing property* is defined as “a property, structure, landscape element or other feature of an HCD that supports the identified significant *cultural heritage values*, *heritage attributes* and *integrity* of the District.” An HCD can also include *non-contributing properties* that do not add to the overall *cultural heritage value* and *integrity* of the District, but which are part of the HCD and subject to the designation by-law. The primary difference between *contributing* and *non-contributing properties* is that the *demolition* of a *non-contributing property* would not negatively impact the *cultural heritage value* of the District. Development and *alterations* to *non-contributing properties* can create opportunities for infill construction that supports the District’s *cultural heritage value*, due to their proximity to and evolution alongside the District’s *contributing properties*.

### Methodology

Within the District, the classification of properties as either “*contributing*” or “*non-contributing*” relied on evaluating each property against the framework of the Statement of *Cultural Heritage Value* and the identified design, contextual, historical, social and community values of the District as expressed through the District’s *heritage attributes* (Section 3.3).

Properties that have been identified as *contributing* to the heritage character of Kensington Market include those with buildings that either:

1. Represent the District’s origins as a largely working-class neighbourhood, with *building features* that visually reflect the early periods of development prior to the establishment of the commercial market, and
  - Retain a sufficient level of *integrity* as House-form, Institutional, Commercial, or Multi-residential buildings, or
  - Demonstrate a sufficient level of *integrity* through visible layering, particularly that reflects the conversion of House-form buildings into mixed use buildings.

and/or:

2. Are identified as representing the District’s social value or holding *cultural heritage value* for the Kensington Market community.



Figure 29: Many *contributing properties* on Kensington Avenue are Converted House-form buildings with a visibly layered built form.



Within common methodologies for other HCDs, properties that have been substantially *altered* through the loss of *building features*, modifications to fenestration, or the introduction of modern materials, have been classified as “*non-contributing*.” However, this approach was generally not appropriate for Kensington Market, where incremental modifications to the built form are themselves a *heritage attribute* and contribute to the District’s *cultural heritage value*. *Contributing properties* were identified according to the legibility of physical layers in the built environment, reflecting the *cultural heritage value* of the District by providing evidence of the area’s measured evolution over time. *Integrity* within the context of Kensington Market is therefore evaluated as a reflection of the property’s ability to convey visual, functional, and historical coherence and authenticity through any *alterations* that have occurred, rather than through the retention of original materials and massing.

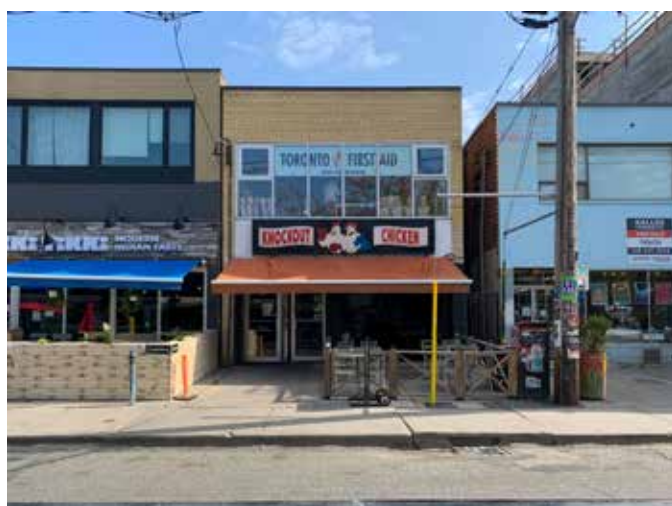
To meet the requirements of Section 41(1)(b) of the OHA, *contributing properties* within the District were evaluated according to Ontario Regulation 9/06 section 3(1). All *contributing properties* in the District satisfy two or more of the criteria for determining *cultural heritage value* or interest.

Appendix C in the Plan includes a schedule of all *contributing properties* within the District, and Appendix D features Statements of Contribution for the *contributing properties*, describing how each property supports the District’s *cultural heritage value* (refer to Volume 2 for Appendices C-F). Appendix E contains a schedule of *non-contributing properties* within the District.

Legibility means that a property’s architectural style and typology can be clearly identified and understood. Legibility relates to the appearance of a building, while *integrity* relates to how the property conveys *cultural heritage value*.



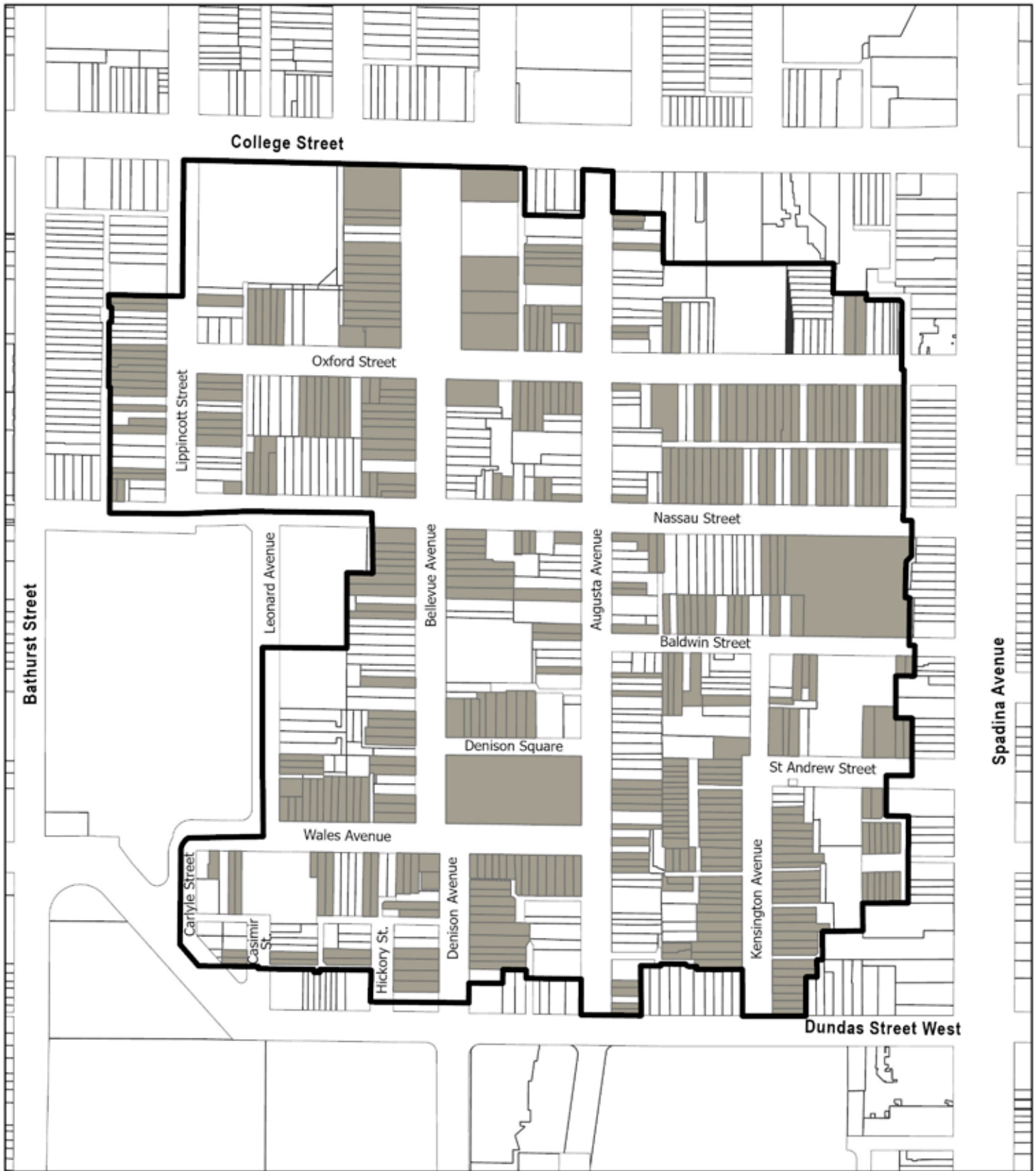
**Figure 30:** Many of the District’s *contributing properties*, such as these pictured at 77-79 Wales Avenue, demonstrate the area’s patterns of change over time.



**Figure 31:** Mid-century commercial infill buildings, such as 207 Augusta Avenue, are *non-contributing properties*.





**Figure 32:** Residential infill properties with large *setbacks*, such as 102-106 Nassau Street, are *non-contributing properties*.



**Toronto**  
Contributing Properties

Kensington Market  
Heritage Conservation District

-  Boundary
-  Contributing Properties

  
Not to Scale



### 5.3 Market Character Sub-Area

The District contains buildings, structures, circulation routes, and public spaces that are valued by the community. The interrelationships between them contribute to understanding the contextual value of the District as a complete community, and to Kensington Market's identity as a distinctive neighbourhood in the city. Properties within the District share several characteristics with each other, including narrow property frontages that create consistent fine-grain streetscapes, and a concentration of late-nineteenth- and early-to-mid-twentieth-century House-form buildings.

Within the District, the market area has been identified as having specific characteristics that are important to understanding and appreciating the *cultural heritage value* of the District.

The Market *Character Sub-Area* is located along Augusta Avenue, Kensington Avenue, Baldwin Street, St. Andrew Street, and a portion of Nassau Street. It also includes Bellevue Square Park and the surrounding *public realm*. Since its emergence as a Jewish market in the 1920s and 1930s, the tradition of

converting residential buildings to serve commercial activities remains most concentrated in this area. It also contains the majority of the District's purpose-built commercial structures. Retail uses are physically reflected in the many front yard *additions*, awning displays, and first-storey enclosures that project into the *public realm*. These evolved buildings contribute to the market's vibrant and eclectic character, and reflect the changes made by the various communities who have lived and worked in the market.

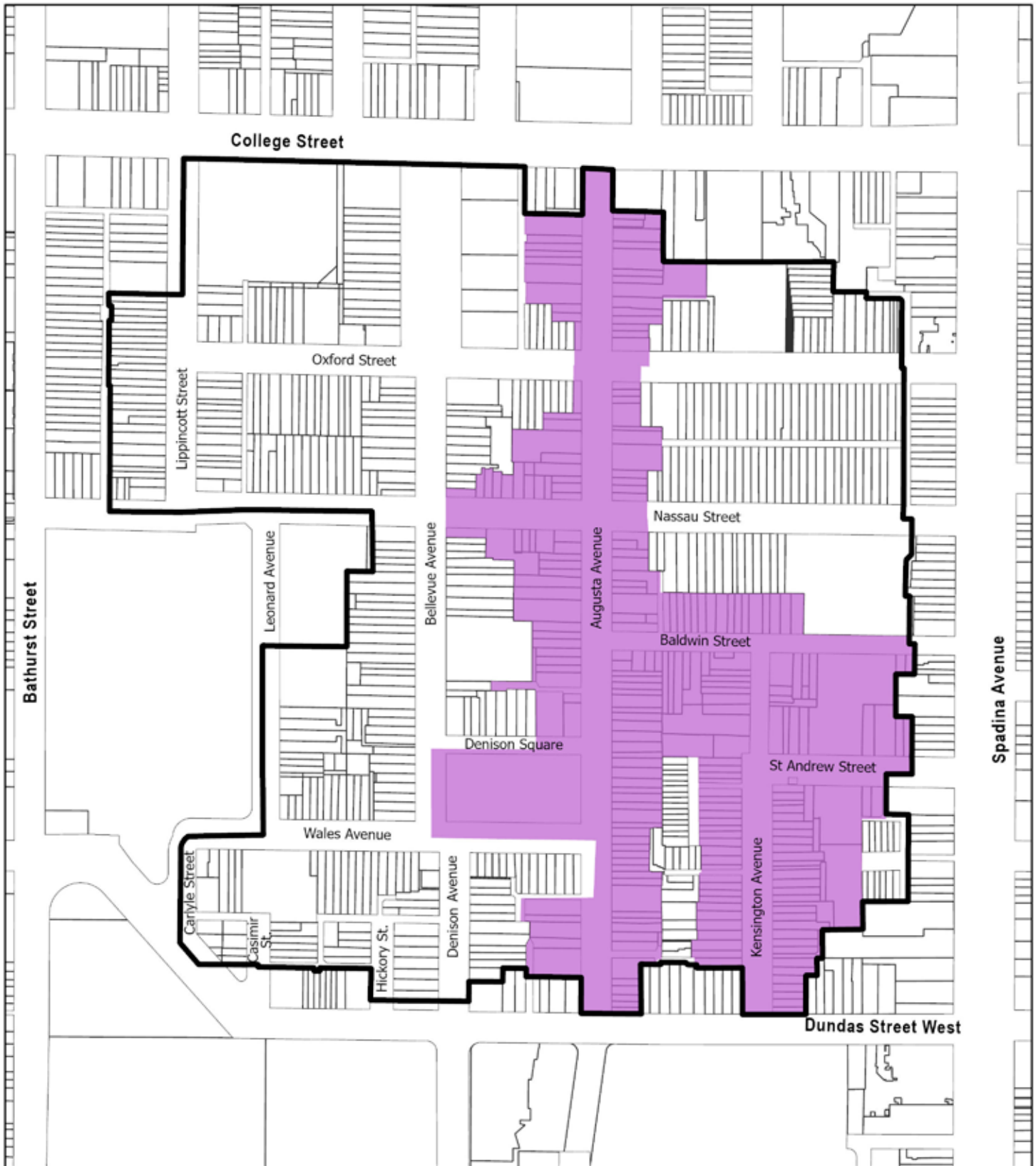
Within the Market *Character Sub-Area*, there are *contributing properties* that define key intersections with entrances configured at corners and storefronts that address both street-facing elevations. These corner properties have been identified as such in their Statements of Contribution.

While the area is predominantly defined by the prevalence of commercial-oriented built form and its correlated *public realm* patterns, residential, institutional, and commercial buildings can be found throughout the District, both within and outside the *character sub-area*.





Figure 33: Commercial activity taking place within the *public realm* is a characteristic of the Market *Character Sub-area*.





**Toronto**  
Character Sub-Area

Kensington Market  
Heritage Conservation District

-  Boundary
-  Market Character Sub-Area



Not to Scale

## 5.4 Building Typologies and Configurations

The identification of building typologies provides a categorization system for understanding patterns of use and development within the District. The HCD Study included an analysis of the area and identified six building typologies based on a combination of the properties' original form and present-day use.<sup>10</sup> Drawing upon this work, the Plan has refined these typologies to better relate to existing City of Toronto documents as well as the District's Statement of *Cultural Heritage Value*. Furthermore, the revised building typologies better clarify and align with the *policies* and *guidelines* intended to manage change within Kensington Market.

Users of the Plan should be aware that the categorization of any property within the District as any of the typologies or configurations identified in this section is intended to facilitate an understanding of the District's *cultural heritage value*, and shall not prevail over the building type according to the City of Toronto's zoning by-law or other OP policies.

### 5.4.1 Typologies

#### 5.4.1.1 House-form

The House-form building typology is the most prevalent building typology in the District and describes a low-rise structure generally built for residential use and linked to the early development of the District, following the subdivision of the original large estates into narrow lots along streets and laneways. Much of the District's housing stock reflects working class origins, and this typology describes many of the oldest buildings in the District as well as newer infill projects. Consequently, House-form buildings in the District comprise a variety of *building features*, configurations, and sub-typologies as described below in Section 5.4.2. These configurations and sub-typologies are important to the understanding and legibility of the typology and a property's visual character. A building of the House-form typology may become a building of the Converted House-form typology (see 5.4.1.2) through adaptive reuse or conversion to commercial use primarily through ground floor *alterations*, often in the form of a one-storey front *addition*.



**Figure 34:** The property at 20 Denison Square is a representative example of the House-form building typology.

<sup>10</sup> These categories included Residential, Commercial, Converted Residential, Modified Commercial, Institutional, and Open Spaces.

#### 5.4.1.2 Converted House-form

The Converted House-form typology is associated with the commercialization of residential streets in Kensington Market and is characterized by a low-rise, House-form structure that has been adaptively reused or converted to commercial use primarily through ground floor *alterations*, often in the form of a one-storey front *addition*. This typology is a defining characteristic within the District, particularly in the Market *Character Sub-Area*. Due to *alterations* that have concealed or *removed* some architectural elements, a distinct architectural style may be less apparent, but the combination of the architectural features that generally remain visible on the upper portion of the building, including its roofline and general massing, permits the building's period of construction to remain legible. Converted House-form is the second-most prevalent building typology in the District.

#### 5.4.1.3 Multi-Residential

The Multi-Residential building typology refers to any building within the District that was purpose-built with living space for more than one tenant or family unit, often stacked entirely or partially above each other. Typically, entrances to units within a Multi-Residential building will be accessed through a common interior area. A House-form building that has been converted to contain multiple units is not a Multi-Residential building.

#### 5.4.1.4 Commercial

The Commercial building typology refers to any building within the District that was originally constructed for commercial purposes on the ground floor, and may include a residential use on upper floors. It also includes buildings constructed for residential use that have been *altered* for commercial purposes to an extent that none of the original built form, including the roof, is visible from the *public realm*.

The buildings are typically of brick construction, and two storeys in height. The typology is associated with the period of commercialization of the Market along Augusta Avenue, Kensington Avenue, and Baldwin Street that began in the early twentieth century, and as such, these buildings are typically newer than the House-form buildings in the District. Stylistically, these buildings are constructed with modest, vernacular detailing. Commercial properties located at intersections may incorporate design features and storefronts on more than one elevation or have chamfered corners in response to their location.



Figure 35: 21-25 Kensington Avenue are representative examples of the Converted House-form building typology.



Figure 36: 88 Oxford Street is an example of the Multi-residential building typology.



Figure 37: 191A-193-1/2 Baldwin Street are representative examples of the Commercial building typology.



### 5.4.1.5 Institutional – Place of Worship, School, or Community Facility

The Institutional typology comprises all the buildings that are neither residential nor commercial and that support community or civic activities and functions, sustaining the District's contextual value as a complete community. It also includes properties with one or more buildings originally constructed for Institutional use that have been adaptively reused. The typology includes places of worship, educational, and community facilities. The buildings comprise a wide range, both in terms of date of construction and stylistic expression. These buildings contribute to the District's historic interest and character, particularly due to their historic associations, design value, and rarity.

Institutional Buildings in the District include:

- 25 Bellevue Avenue - Kiever Synagogue
- 103 Bellevue Avenue – Saint Stephen-in-the-Fields Church
- 132 Bellevue Avenue – Toronto Fire Station 315
- 401 College Street – Kensington Community School
- 3 Nassau Street (21 Nassau Street) – Former William Houston Public School/George Brown College
- 132 Nassau Street – First Portuguese Evangelical Church of Toronto
- 10 St Andrew Street – Anshei Minsk

### 5.4.1.6 Park/Open Space

Parks and Open Space are publicly owned lands used for recreational purposes and gathering spaces. They may or may not contain buildings within their boundaries that support the function of these spaces as parks.



Figure 38: Toronto Fire Station 315 is an example of the Institutional building typology.



Figure 39: The Anshei Minsk Synagogue is an example of the Institutional building typology.



Figure 40: Bellevue Square Park is an example of the Parks and Open Space typology.

## 5.4.2 Configurations and Sub-typologies

House-form and Converted House-form buildings share the same configurations and sub-typologies, which are outlined below. The *policies* and *guidelines* in this Plan recognize the predominance of the House-form and Converted House-form typologies, and emphasize the *conservation* of their massing and form.

### 5.4.2.1 Configurations for House-form and Converted House-form Buildings

#### Detached

The detached building configuration is characterized by a single dwelling unit with no shared party walls on either side.

#### Semi-detached

The semi-detached building configuration is characterized by two dwelling units that share only one common vertical party wall. They have independent entrances and may or may not share a front porch or landing. Where one half of a semi-detached building is *demolished* or replaced, the remaining half of the building is still considered semi-detached.

#### Row

The row building configuration is characterized by three or more dwelling units that share common vertical party walls between dwelling units and have independent entrances.



Figure 41: 68 Bellevue Avenue is an example of the Detached House-form configuration.



Figure 42: 2-12 Glen Baillie Place are examples of the Row House-form configuration.



Figure 43: 50-52 Nassau Street are examples of the Semi-detached House-form configuration.



### 5.4.2.2 Sub-typologies for House-form and Converted House-form Buildings

#### **Bay-and-Gable**

The Bay-and-Gable sub-typology is a distinct variation of a House-form building that was primarily constructed in Toronto from the mid-to-late-nineteenth century. The form responded to the city's residential subdivisions, which typically included long, narrow building lots with minimal street frontage. The Bay-and-Gable sub-typology is generally two to three storeys, with an asymmetrical street-facing wall defined by two bays; one bay contains the main entrance, while the other bay is typically capped by a cross gable – which may include decorative wood bargeboards – above projecting bay windows. Variations of this sub-typology can include homes with a mansard roof, featuring a protruding mansard dormer in place of the cross gable. The Bay-and-Gable type is generally clad with brick or stucco and includes a wide range of window and entrance types, including variations of window bays, recessed entrances, and porches.

#### **Ontario Cottage**

In Toronto, the Ontario Cottage is typically a one-and-a-half storey structure with a side gable roof, although it may be one or two storeys. Commonly, its architectural features are a vernacular derivation of the Gothic Revival style. It is very often symmetrical, with a central door with cross gable above, and flanking windows that are generally flat or segmentally arched. It is commonly brick-clad and may include ornamentation along the fascia.



Figure 44: 58-60 Nassau Street are examples of the Bay-and-Gable sub-typology.



Figure 45: 19 Lippincott Street is an example of the Ontario Cottage sub-typology.

## 5.5 Architectural Styles

The predominant visual character of the District relates to the buildings constructed during the District's initial period of residential development, and is identified as a *heritage attribute*. Due to the prevalence of working-class housing stock, most of the buildings in the District do not fit into defined stylistic categories but are rather vernacular interpretations of a range of architectural styles that broadly represent the Victorian period (c.1840-1900) or early twentieth century (c.1900-1930). The term "vernacular" is typically used to describe buildings or structures that are locally crafted, using local materials and built by local craftsmen. These buildings are diverse in character, size, and age, although most are two storeys in height.

The District's *contributing properties* generally reflect the following architectural styles, either directly as representative examples, or indirectly through visible influence on vernacular designs.

### 5.5.1 Gothic Revival

The Gothic Revival style, which generally dates from 1820-1900 in Canada, referenced medieval design details such as pointed arches, steep gables, and spires. Ecclesiastical and institutional buildings designed this style also typically feature decorative tracery and stonework, buttresses, and stained glass windows. In Ontario, the style also influenced the development of the Ontario Cottage as a prevalent House-form sub-typology.



**Figure 46:** Saint Stephen-in-the-Fields Church at 103 Bellevue is an example of the Gothic Revival style

### 5.5.2 Second Empire

The Second Empire style, generally dating from 1860-1900, is characterized by a distinctive mansard roof and dormer windows. Most examples of Second Empire buildings feature round or segmentally arched windows with decorative window hoods or surrounds. Many examples also feature decorative wood cornices or brackets, polychromatic brickwork, and raised brick detailing.



**Figure 47:** 57-59 Bellevue are examples of the Second Empire style.

### 5.5.3 Queen Anne Revival

The Queen Anne Revival style, generally dating from 1880-1910, is typically characterized by an irregular plan, broad gables, towers or turrets and tall, decorated chimneys. Queen Anne Revival style buildings are often described as eclectic in their decorative features, containing elements such as decorative wood shingles, spindle work, brackets, leaded glass, and window openings of multiple shapes.



**Figure 48:** 193-197 Augusta Avenue feature elements of the Queen Anne Revival style.



### 5.5.4 Victorian Period Vernacular

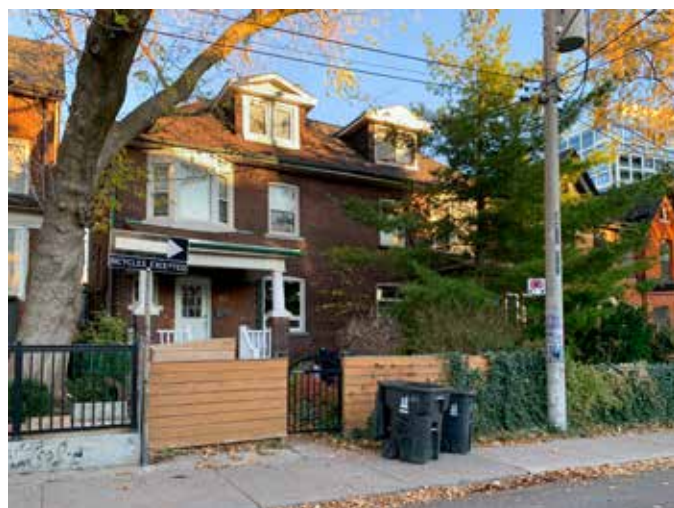
A variety of Classical and Revival styles were popular during this period, and motifs from both would have been drawn upon in the construction of the District's residential buildings. As a result, many vernacular buildings constructed in the latter half of the nineteenth century incorporate an eclectic combination of *building features* and forms including bays, bold roof lines (often with large gables), dormer windows, and ornamentation such as polychromatic brickwork, raised brick detailing, fish-scale shingles, leaded glass transom windows, and wood trim.



**Figure 49:** 71-75 Oxford Street are examples of a vernacular interpretation of Victorian architectural styles.

### 5.5.5 Edwardian

The Edwardian style is noted for its simplified and restrained classical detailing including its regular rhythm of window openings, pediments, columned entrances or porticos, simple rooflines, bay windows, dormers, and brick cladding.



**Figure 50:** 145-147 Denison Avenue feature elements of the Edwardian style.

### 5.5.6 Byzantine Revival

The Byzantine Revival style draws on sixth century precedents of the Eastern Roman Empire. It is characterised by massive round arches, domes atop thick walls, barrel vaults, mosaics on the interior, and tiled dome roofs. The style is closely associated with Eastern European religious architecture.



**Figure 51:** 25 Bellevue Avenue, the Kiever Shul is an example of the Byzantine Revival style.

### 5.5.7 Early-Twentieth-Century Vernacular

Following the exuberance of the Victorian period, the architectural styles of the early twentieth century marked a return to a more restrained classicism with simpler forms and a selective use of strong classical elements. Brick masonry, the predominant cladding material, is typically darker in colour, and *building features* such as stone sills, masonry detailing, and simple cornices create a heavier appearance. Three-sided bay windows are still common on either the ground or upper floors, but windows are no longer arched. Many House-form buildings feature front porches supported by columns.



**Figure 52:** 33-37 Wales Avenue are examples of vernacular interpretations of early twentieth-century architectural styles.

## 5.6 Public Realm

The *public realm* comprises the spaces where people experience public life most directly, including streets, sidewalks, laneways and pedestrian connections, parks and natural areas, and privately owned publicly accessible open spaces, walkways, or easements. Several characteristics of the *public realm* have been identified as *heritage attributes* of the District and the *Market Character Sub-Area*.

In Kensington Market, the *public realm* is critically important to the District's *cultural heritage value*, as it is where people meet informally and come together for large social events, where retail transactions occur, and where culture manifests itself through public art and other forms of expression. The historic and ongoing use of public space has helped shape the character of the District and is one of the predominant features that continue to influence its sense of place.

### 5.6.1 Parks and Open Space

There are two public parks within the District: Bellevue Square Park (5 Bellevue Avenue) and Sonya's Parkette (63-65 Oxford Street), which provide recreational and gathering space.

#### Bellevue Square Park

A remnant of George Taylor Denison's Bellevue Estate, Bellevue Square Park is a small park in the heart of the District, measuring just under a half hectare in size. It features a wading pool, children's playground, outdoor fitness equipment, and public washrooms. In the northwest corner of the park is a life-size bronze statue of Toronto-born actor and director Al Waxman, best known for his role as Larry King in the television series "King of Kensington." The park, which underwent a revitalization in 2018, has an important role in providing a large, central area for social gatherings and community events.

#### Sonya's Parkette

Sonya's Parkette is a smaller green space located on a former industrial site. It is named for Sonya Lunansky, a lifelong resident and community member of Kensington Market, who founded a fruit market in the early 1930s. It contains a small play area for children, a bench, mature trees, landscaping, and artwork along remnant masonry walls.



**Figure 53:** Sonya's Parkette is located on the south side of Oxford Street, between Spadina and Augusta avenues.

### 5.6.2 Streets, Laneways, Sidewalks, and Boulevards

The District features a unique circulation network with blocks of varying size defined by narrow streets. Similar to many older neighbourhoods within the City, landscaping and fencing create front yard spaces within the boulevard that host a majority of the District's tree canopy. The District is also known for its eclectic mix of shops and restaurants that often use the boulevard for merchandise displays and/or seating, blurring the distinction between public and private space. *Accessibility* ramps for businesses and institutions, enclosures and awnings projecting from properties in the *Market Character Sub-Area*, porch structures, and low fencing are also located within the boulevard.

While these extended building uses are cornerstones to the character of the market, the result is that sidewalks and protected space for pedestrians is limited. Consequently, pedestrian activity frequently filters onto the roadways that are primarily devoted to vehicular traffic and parking for local businesses and residents, creating a mixed traffic environment. Streets are periodically closed to vehicular traffic and transformed into pedestrian-only zones for special events, including monthly Pedestrian Sundays throughout the summer and the Winter Solstice Festival.

The District's circulation network also includes several laneways and informal mid-block connections that enhance the permeability of the area for pedestrian and cyclists and provide access to pockets of housing. While most of the laneways are publicly owned and *maintained*, some of the informal mid-block connections are remnant parcels from the initial subdivision of the Park Lots, without clearly identified ownership. Nevertheless, they are popular pedestrian routes connecting



destinations within and outside of the District, and important locations for public art, which contribute to the District's sense of place.

### 5.6.3 Public Art and Cultural Expression

Public art and other forms of cultural expression animate the *public realm* throughout Kensington Market.

To enhance a sense of arrival, several key entrances to the District feature public art components, including signage, and the custom bike rack and sign at the north end of Augusta Avenue. Murals (some of which were commissioned) adorn many exterior walls of buildings, including both side walls and front facades. Many of the artworks were created by community members who live or work in the District.

The boulevard is the part of the public right-of-way that is not used, or intended to be used, for vehicle travel, and is situated between the travelled portion of the road and the adjoining property line.

## 5.7 Archaeological Resources

In general, the *City of Toronto's Archaeological Management Plan* assigns archaeological potential on a simple “yes” or “no” basis. Either a property exhibits archaeological potential, or it does not. An archaeological assessment is required when a property with general archaeological potential is subject to an application under the *Planning Act*.

The City of Toronto's Archaeological Management Plan is subject to regular updates and should be consulted for the most current definition of lands with archaeological potential.





Figure 54: A mural on the side of a building along a laneway off Augusta Avenue.



**Toronto**  
Archaeological Potential

Kensington Market  
Heritage Conservation District

-  Boundary
-  Archaeological Potential



Not to Scale





## 6.0 Policies and Guidelines for Contributing Properties

- 6.1 Understanding
- 6.2 Existing Part IV Designations
- 6.3 Consolidated and Combined Properties
- 6.4 Demolition
- 6.5 Removal and Relocation
- 6.6 Maintenance
- 6.7 Additions and Massing
- 6.8 Roofs
- 6.9 Exterior Walls
- 6.10 Windows and Doors
- 6.11 Entrances, Porches & Balconies
- 6.12 Storefronts
- 6.13 Signage
- 6.14 Parking
- 6.15 Laneway Development

## 6.0 Policies and Guidelines for Contributing Properties

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 direct manner. The directions provided by the *policies* generally use either 'shall' or 'should' language and are to be interpreted accordingly.

The *guidelines* (in regular font) are not mandatory and provide suggested ways in which the Plan's *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 Plan.

In order to account for specific built form and landscape conditions, this section references the Market *Character Sub-Area* (described in section 4.1) identified within the District.

### 6.1 Understanding

Parks Canada's "Standards and Guidelines for the Conservation of Historic Places in Canada" has been adopted by Toronto City Council and provides the basis for the *policies* and *guidelines* for *contributing properties*, which uphold the *conservation process* – understanding, planning, and intervening. The Standards and Guidelines identify three *conservation treatments* – *preservation*, *rehabilitation* and *restoration* – as actions and processes aimed at safeguarding the *cultural heritage value* of a historic place.

**6.1.1 Alterations to a contributing property shall be based on a firm understanding of the contributing property and how it contributes to the cultural heritage value and heritage attributes of the District.**

- (a) The cause of any damage to or deterioration of a building or structure on a *contributing property* should be determined prior to planning any interventions to determine the appropriate scope of work and to *preserve* as much of the *contributing property* as possible.

**6.1.2 Alterations to a contributing property shall be conducted according to the conservation process and using recognized conservation treatments.**

**6.1.3 Alterations to a contributing property may be permitted only once the cultural heritage value and heritage attributes of the District, as expressed through the property, have been documented and described, and the impact of any proposed alteration on those values and attributes has been determined.**

**6.1.4 A Heritage Impact Assessment (HIA) may be required for proposed alterations to a contributing property where additional planning permissions are not required.**

### 6.2 Existing Part IV Designations

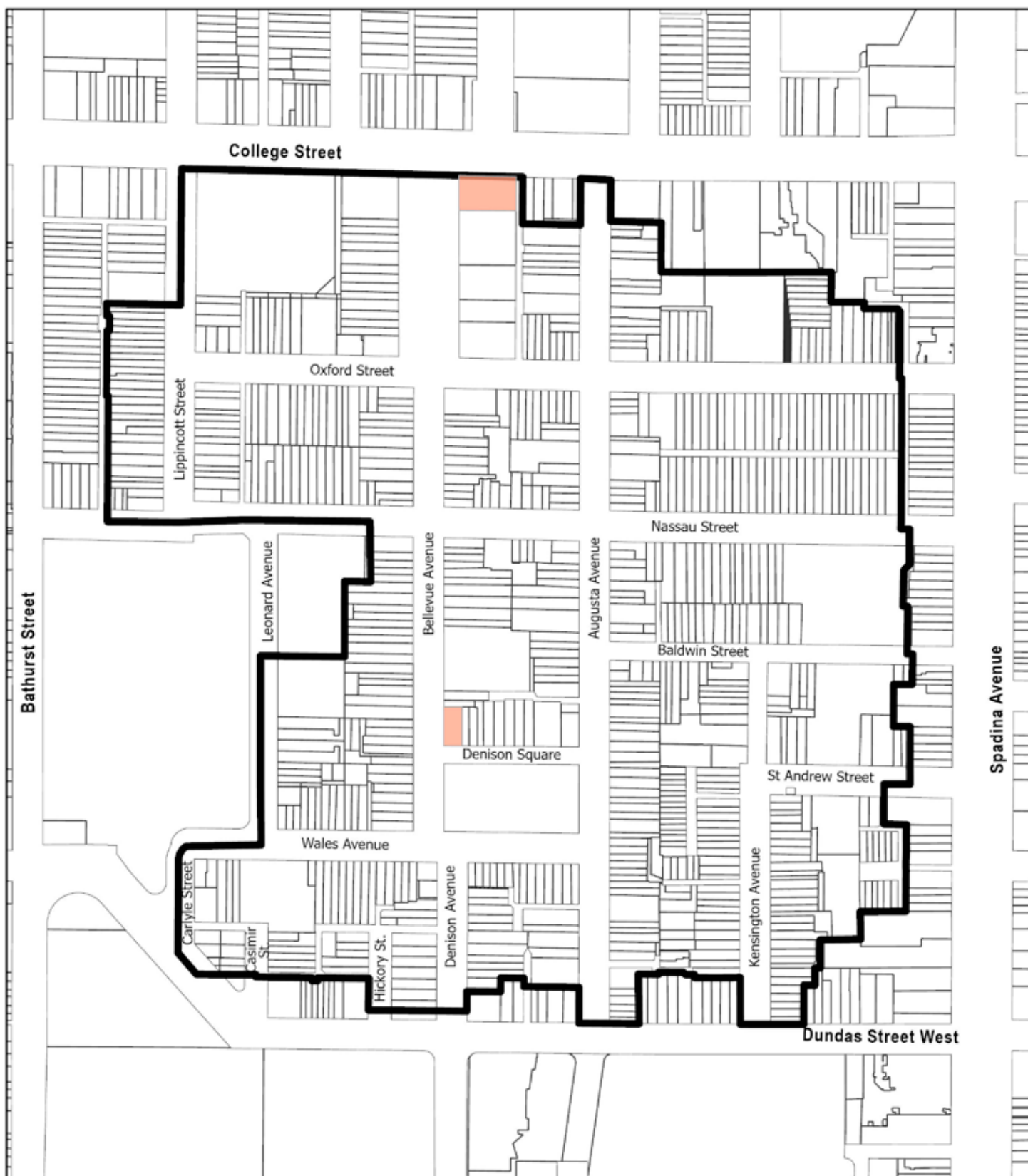
All properties located within an HCD are designated under Part V of the OHA. Some properties located within the District are also designated under Part IV of the OHA, which protects the *cultural heritage value* of individual properties and their identified *heritage attributes*. These properties are designated by municipal by-law containing a Statement of Significance that defines its *cultural heritage value* and *attributes* as an individual property. Interventions on properties designated under Part IV must also *conserve* the individual property's *cultural heritage value* and *heritage attributes*. Part IV properties in Toronto are included on the City's Heritage Register.

**6.2.1 In situations where the requirements of any heritage easement agreement conflict with the requirements of this Plan, conservation of the cultural heritage values and heritage attributes specified for the property subject to the heritage easement agreement will take precedence over the conservation of District-wide cultural heritage values and heritage attributes.**

**6.2.2 In situations where the cultural heritage value and heritage attributes of a designation by-law enacted pursuant to subsection 29(1) of the Ontario Heritage Act differ from this Plan, conservation of the cultural heritage values and heritage attributes specified in the individual property's designating by-law will prevail, unless doing so would expressly conflict with this Plan.**

Figure 55: Previous page: 20-22 Kensington Place





**Toronto**  
Heritage Properties

Kensington Market  
Heritage Conservation District



## 6.3 Consolidated and Combined Properties

Consolidated properties arise from the merging of two or more properties. A *combined property* is a type of consolidated property that contains both *contributing* and *non-contributing properties*. A *contributing property* that contains significant vacant space in addition to buildings or structures is also considered a *combined property*. It is essential that the *conservation process* be followed and that *conservation treatments* be identified to *conserve* the *contributing property* (or *properties*) in the design of any *addition* or *new development*.

**6.3.1 Alterations to consolidated or combined properties shall conserve the portion(s) of the properties identified as contributing to the District according to Section 6.0 of this Plan.**

**6.3.2 New development on those portions of combined properties identified as non-contributing shall be consistent with Section 7.0 of this Plan.**

**6.3.3 An HIA may be required for an application that consolidates two or more adjacent contributing properties; if required, it shall be submitted to the City and shall assess the impact of any proposed new development, alteration, or addition to the satisfaction of the Chief Planner and Executive Director of City Planning.**

- (a) The City will confirm through the Heritage Permit process whether an HIA is required.

**6.3.4 An HIA may be required for an application on the contributing portions of a combined property; if required, it shall be submitted to the City and shall assess the impact of any proposed new development, alteration, or addition to the satisfaction of the Chief Planner and Executive Director of City Planning.**

- (a) The City will confirm through the Heritage Permit process those portions of the property that are considered *contributing* and *non-contributing* for the purposes of identifying applicable *policies* and *guidelines*.

## 6.4 Demolition

The City of Toronto's Official Plan requires an HIA for the proposed *demolition* of a property on the City of Toronto's Heritage Register, including all properties designated under Part V of the OHA. Article IV of the Municipal Code requires that heritage permit applications be submitted for the proposed *demolition* of any property located in an HCD. The Property Standards By-Law protects heritage properties in HCDs from *demolition* by neglect. The Municipal Code and the Property Standards By-Law require that the *demolition* of properties in HCDs may only take place in accordance with the OHA, and the Official Plan requires that the *demolition* of properties in HCDs be in accordance with respective HCD plans.

**6.4.1 Primary structures on contributing properties shall be conserved; applications for the demolition of primary structures will not be permitted, unless:**

- the building or structure has been determined by the Chief Building Official and Executive Director, Toronto Building to be in a condition that is unsafe and the remedial step(s) necessary to render the building or structure safe in an Order issued under the Building Code Act from the Chief Building Official and Executive Director, Toronto Building require the building to be *demolished*; or

- The heritage *integrity* and *cultural heritage value* of the *contributing property* for which the *demolition* application has been submitted has been lost, as informed by an HIA; and

- The loss of heritage *integrity* and *cultural heritage value* of the *contributing property* is not the result of *demolition* by neglect, deferred *maintenance*, or purposeful damage to the property.

- (a) If a *demolition* permit is granted, the classification of the property (i.e., as a *contributing property*) may be re-evaluated. If the property is determined to be *non-contributing*, future redevelopment of the property will be required to follow all *policies* and *guidelines* in this Plan for *non-contributing properties*.

**6.4.2 Subject to Policy 6.4.1, the demolition and reconstruction of the primary structure on a contributing property shall not be permitted.**

**6.4.3 As per the City of Toronto's Property Standards By-law, ensure that contributing properties are protected against demolition by neglect.**



## 6.5 Removal and Relocation

The City of Toronto's Official Plan states that buildings or structures located on properties included on the Heritage Register should be *conserved* on their original location, and that their *removal* or *relocation* may only be permitted where the *removal* is supported by the *cultural heritage value* and *heritage attributes* of the property. The Official Plan also states that *relocation* may only be permitted where it does not conflict with any applicable HCD plans.

In the District, the location of buildings or structures on *contributing properties* relative to the property lines has been identified as a *heritage attribute*. This may include the *setback* of House-form buildings from the front lot lines.

**6.5.1 The *removal* of buildings or structures from a *contributing property* shall not be permitted unless the building or structure is unrelated to the *contributing property's* Statement of Contribution.**

**6.5.2 The *relocation* of a building or structure on a *contributing property*, intact and excepting its sub-surface foundations, may be permitted if the *relocation* is a modest adjustment from the existing location and *conserves* the relationship of the building or structure's built form to the *public realm*.**

## 6.6 Maintenance

Article V (Heritage Property Standards) of the City of Toronto Property Standards By-Law (Chapter 629 of the Municipal Code) specifies minimum standards for *maintenance* and occupancy of Part IV and Part V designated heritage properties, as well as minimum standards for *repairing* and replacing *heritage attributes* in order to ensure that the heritage character and the visual and structural heritage *integrity* of the building or structure are *conserved*.

**6.6.1 *Contributing properties* shall be *maintained* to ensure the *conservation* and *integrity* of the District's *cultural heritage value* and *heritage attributes*.**

- (a) *Maintain* and *monitor contributing properties* on a regular basis using recognized *conservation treatments*.
- (b) Stabilize deteriorated *building features* as required, until *repair* work is undertaken.

- (c) Historically painted surfaces, including masonry, wood, and metal, should be *maintained*.
- (d) Gutters, downspouts, eavestroughs and other water shedding elements should be cleared of debris, and should be directed away from foundation walls to prevent water damage.



**Figure 56:** A sketch that appeared in several planning policy documents for Kensington Market in the 1970s, including Official Plan Proposals (1978).

## 6.7 Additions and Massing

*Additions* refer to any new construction on a property that increases the volume (massing) of the pre-existing building on that property. This may result in an increase to the building's gross floor area, or height, but not necessarily so.

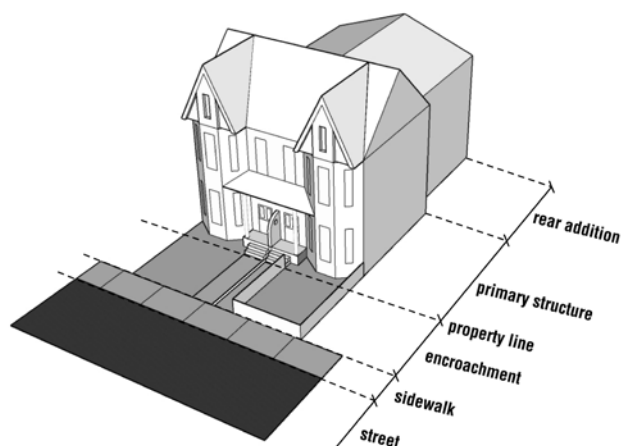
Massing relates to the exterior form of a building and its spatial relationship to its immediate context, including the space in front, behind, beside, and above the building where visible from the *public realm*. It pertains to the overall proportions of the building, its relationship to its *adjacent* properties, and its impact on the scale and character of the streetscape and *public realm*. Massing is interrelated with the composition of street-facing elevations, the roof, as well as architectural expression of the building or structure in its entirety.

The existing massing in the District is reflected by the predominance of low-rise House-form and Converted House-form buildings, and purpose-built commercial buildings, typically two to three storeys in height. These *policies* and *guidelines* have been developed to provide guidance on how *additions* can be accommodated in a manner that *conserves* and enhances the *cultural heritage value* and *heritage attributes* of the District.

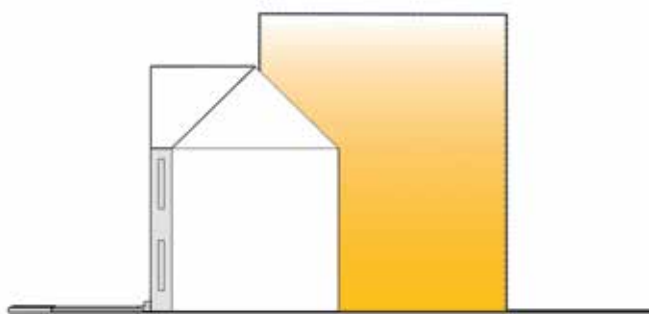
## House-form buildings

**6.7.1 Additions and alterations to House-form typology buildings on contributing properties shall conserve the primary structure of the contributing property so that its three-dimensional integrity is conserved as viewed from the street or laneway the property fronts on to.**

- Existing rear wings that are not integral to a *primary structure* and structures or outbuildings unrelated to the District's *heritage attributes* may be *demolished*.
- Any rear *addition* higher than the ridge must be *set back* from the ridge by at least 0.3 metres. Any part of a rear *addition* that is within 0.3 metres of the roof ridge must be lower than the ridge.



**Figure 57:** A diagram illustrating a representative *contributing property*, comprising a *primary structure* and rear *addition*, and their typical relationship to the property line and public right-of-way.



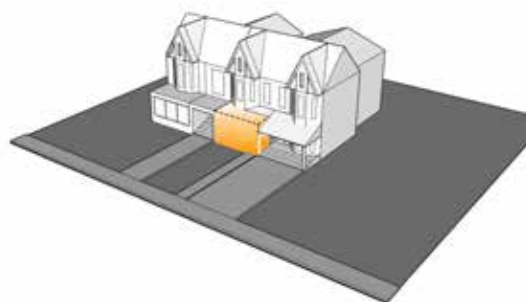
**Figure 58:** Additions and alterations to House-form typology buildings on *contributing properties* shall conserve the *primary structure* of the *contributing property*.

**6.7.2 Where zoning permits commercial use, front additions and alterations to House-form typology buildings on contributing properties to accommodate commercial activity may be permitted, providing they meet the policies and guidelines for Converted House-form buildings within Section 6.0 of this Plan.**

## Converted House-form buildings

**6.7.3 Additions and alterations to Converted House-form typology buildings on contributing properties, including front additions, shall conserve the legibility of the property's architectural style and roof type as viewed from the street or laneway the property fronts on to.**

- Existing rear wings that are not integral to a *primary structure* and structures or outbuildings unrelated to the District's *heritage attributes* may be *demolished*.
- Any rear *addition* higher than the ridge must be *set back* from the ridge by at least 0.3 metres. Any part of a rear *addition* that is within 0.3 metres of the roof ridge must be lower than the ridge.
- To *conserve* the legibility of the property's architectural style and roof type, front *additions* should generally be limited to one storey.



**Figure 59:** To conserve the legibility of a Converted House-form typology building's architectural style and roof type, front *additions* should generally be limited to one storey.

## Commercial Buildings and Multi-residential Buildings

**6.7.4 Additions and alterations to a Commercial typology building or a Multi-residential typology building on a contributing property may be permitted if they are compatible with and distinguishable from the existing massing of the contributing property, provided the legibility of the property's architectural style is conserved.**



- (a) *Additions* and *alterations* may be distinguished either through *stepbacks*, variations in articulation or materiality, or other similar means.
- (b) Existing rear wings that are not integral to a *primary structure* and structures or outbuildings unrelated to the District's *heritage attributes* may be *demolished*.



**Figure 60:** Additions and alterations to a Commercial or Multi-residential typology building may be distinguished either through *stepbacks*, variations in articulation or materiality, or other similar means.

## Institutional Buildings

**6.7.5 Interventions including *new development* and *additions* to an Institutional typology building on a *contributing property* shall be undertaken with a high standard of *conservation* and shall be physically and visually *compatible* with, subordinate to, and distinguishable from the existing structure.**

- (a) *Rehabilitation* of Institutional buildings should incorporate exterior *restoration* where necessary.

## 6.8 Roofs

The diversity of roof types found within Kensington Market reflect the influence of a range of architectural styles and contribute to the *cultural heritage value* of the District. Roof types found in the District include flat; hipped; mansard; and front, side, and cross gable. Roof features include aspects of practical and decorative architectural detail such as: gables, dormers, turrets, chimneys, brackets, raised parapets, fascias, and trim. The stability of the roof assembly, insulation, vapour barrier, and structure below the visible roof material are important to *conserving* the roof itself, as are the condition, performance, and *integrity* of parapets and rainwater diversion elements.

**6.8.1 Alterations to House-form and Converted House-form typology buildings on *contributing properties* shall conserve the legibility of a building's roof type.**

- (a) Fences, guardrails, and new rooftop elements (including mechanical equipment, vents, drainage, sustainable technologies, telecommunications equipment, skylights, metal chimneys, flues, and decks) that extend above the roofline of a *contributing property* may be permitted.

**6.8.2 Alterations shall *conserve* roof features of *contributing properties*.**

- (a) *Alteration* or *removal* of roof features may be permitted where determined to be appropriate, including roof features that are not prominently visible from the *public realm* or do not contribute to the *cultural heritage value* and *heritage attributes* of the District.

**6.8.3 Damaged or deteriorated roof features of a *contributing property* should be *repaired* rather than *replaced*.**

**6.8.4 Where a roof or roof features of a *contributing property* are deteriorated beyond *repair*, replacements shall reference the existing roof and/or roof features.**

- (a) Any application to replace a roof or roof feature due to deterioration may require the submission of a letter or documentation from a qualified person who can demonstrate experience related to the required work, to the satisfaction of Heritage Planning.
- (b) Replace only those portions that have deteriorated beyond *repair*, rather than replacing the entire roof or roof feature.
- (c) Replacement roofs and roof features should be physically *compatible* with the *contributing property* and not result in damage or *removal* of other *building features* that reflect the District's *heritage attributes*.



**Figure 61:** An example of a dormer, at 56 Nassau Street.



**Figure 62:** Wood trim detail on a Bay-and-Gable building on Kensington Avenue.



**Figure 63:** Turret detail on the contributing property at 13 St. Andrew Street.



**Figure 64:** Example of patterned brickwork detail at 46 Nassau Street.

## 6.9 Exterior Walls

Exterior walls include foundation walls, raised basements, and walls from the ground through attic levels, and may include the walls of projecting elements such as parapets, dormers, bays, and turrets. Exterior wall features include decorative details, sills, lintels, and other features within the plane of the wall.

### 6.9.1 Alterations to exterior wall features of contributing properties shall conserve the legibility of the primary structure's architectural style and typology.

- (a) The legibility of a contributing property's architectural style and typology may relate to composition, materials, size, finishes, patterns, and detailing of exterior walls.
- (b) *Alterations* to exterior wall features may be permitted for the storefront portion of a *contributing property*, if applicable.
- (c) New cladding should not be applied to exterior brick walls on *contributing properties* that have not been previously over-clad.
- (d) *Removing* over-cladding from exterior brick walls on *contributing properties* that have been previously re-clad is encouraged where the existing over-cladding may cause deterioration to the underlying brick over time.

### 6.9.2 Damaged or deteriorated exterior wall cladding or exterior wall features on contributing properties should be repaired rather than replaced.

- (a) Any application to replace exterior wall cladding or an exterior wall feature due to deterioration may require the submission of a letter or documentation from a qualified person who can demonstrate experience related to the required work, to the satisfaction of Heritage Planning.
- (b) *Repairs* to exterior cladding or wall features should use appropriate and *compatible* materials and methods to avoid causing damage to existing materials, such as the use of *compatible* mortar mixture and traditional pointing methods when repointing brick masonry; interventions should be tested to determine the appropriate mortar to match the historic composition.
- (c) Where exterior wall features of a *contributing property* are deteriorated beyond *repair*, replacements should *conserve* their form and profile.



## 6.10 Windows and Doors

The form and shape of window and door openings and their features are important to the *integrity of contributing properties* and the District overall. Windows punctuate an elevation and establish the horizontal and vertical datum lines that organize and structure an elevation. Similarly, doors and door openings often provide a focal point for an elevation and structuring the geometry and rhythm of its bays.

Exterior window and door features include architectural detail such as: plain, stained, or coloured glass, original, distinctive frames of wood or metal, with divided lights, decorative treatments, and hardware. There may be mouldings that make the transition between the frame and the framed opening. Some window frames, door frames, sidelights, transoms, and glazing are original to the building, and these elements may be important features to the property's significance.

### 6.10.1 Alterations to the size, shape, and placement of windows and doors of contributing properties shall conserve the legibility of the primary structure's architectural style and typology.

- (a) For *alterations* to storefronts on *contributing properties*, refer to Section 6.12.
- (b) New windows on exterior walls facing the *public realm* should be installed sensitively and should have a design that is *compatible* in terms of proportions, rhythm, and scale with a building's existing window openings.
- (c) *Alterations* to size, shape, and placement of doors of *contributing properties* to increase *accessibility* should *conserve* the legibility of the property's architectural style where possible to minimize the impact to the District's *cultural heritage value* and *attributes*.

### 6.10.2 Alterations to the features and details of windows and doors of contributing properties shall conserve the legibility of the primary structure's architectural style and typology.

- (a) For *alterations* to storefronts on *contributing properties*, refer to Section 6.12.
- (b) *Conserving* the historic muntin and sash profile and dimensions of windows is encouraged, where they exist.
- (c) *Conserving* historically operable windows is encouraged, where they exist.

- (d) When retrofitting windows with new sealed glazing units, original window assemblies, including muntin and glazing configuration, may be referenced.



**Figure 65:** This conversion of a window opening into a door to accommodate commercial use of the ground floor at 78 Nassau Street *conserves* the legibility of the *contributing property's* architectural style and typology.

## 6.11 Entrances, Porches & Balconies

The wide variety of entrance types and treatments reflect the range of architectural styles and expressions found in the District, which contributes to its *cultural heritage value* and creates its streetscape character. Features of entrances, porches and balconies in the Kensington Market District may include: stairs, ramps, railings, porticos, canopies, gables, pilasters, balustrades, metal work, woodwork detail, and decorative treatments.

With respect to entrances and porches, *contributing properties* with storefronts, including Converted House-form and Commercial typology buildings, should follow storefront *policies* in Section 6.12.

### 6.11.1 Alterations to the features and details of entrances, porches and balconies of contributing properties shall conserve the legibility of the primary structure's architectural style and typology.

- (a) Historic wood railings, balustrades and columns that are part of entrances, porches, and balconies that reflect the architectural character of the *contributing property* should be *conserved*, where they exist.

- (b) *Alterations* to entrances or porches of *contributing properties* to increase *accessibility* should *conserve* the legibility of the property's architectural style where possible to minimize the impact to the District's *cultural heritage value* and *attributes*.

#### 6.11.2 Damaged or deteriorated entrance, porch, and balcony features on *contributing properties* should be *repaired* rather than replaced.

- (a) Any application to replace an entrance, porch, or balcony feature due to deterioration may require the submission of a letter or documentation from a qualified person who can demonstrate experience related to the required work, to the satisfaction of Heritage Planning.

#### 6.11.3 New entrances, porches and balconies on *contributing properties* shall be *physically and visually compatible* with the District's *cultural heritage value* and *heritage attributes*.

- (a) Contemporary design and materials may be used for new entrances, porches, and balconies.
- (b) New entrances, including secondary entrances and basement entrances, may be permitted and should be placed to minimize their visual and physical impact on the primary façade where possible.

#### 6.11.4 Where zoning permits commercial use, the *removal* of entrance and porch features of House-form and Converted House-form buildings on *contributing properties* to accommodate commercial activity may be permitted.

## 6.12 Storefronts

Storefronts externally express commercial uses within buildings. Located at ground level, they often feature large windows or openings, providing a high level of transparency to allow for the display of goods. Storefronts are an important feature of the Market *Character Sub-Area* and include those that were designed as part of a purpose-built commercial structure as well as those that are incorporated into an *addition* to a House-form building adapted for commercial use. In many cases, particularly along Kensington Avenue, these commercial *additions* project out from the face of the original building to the property line. They hold *cultural heritage value*, representing layered evidence of the Market's evolution as different immigrant groups settled here. At key intersections within the Market *Character Sub-Area*, storefronts have been

added to both street-facing elevations, creating a continuity of commercial activity around the corner. The *public realm* is further animated at these nodes through various features, including canopies, awnings, and projecting enclosures.

Storefronts that are part of *additions* will also be subject to the *policies* and *guidelines* in Section 6.7.

#### 6.12.1 Existing storefronts and one-storey commercial *additions* on *contributing properties* may be *altered* or *replaced*.

- (a) *Alterations* and replacements of existing storefronts and one-storey commercial *additions* should be visually and physically *compatible* with the *contributing property's* *primary structure*.
- (b) Contemporary design and materials may be used when *altering* or replacing an existing storefront or one-storey commercial *addition*.

#### 6.12.2 For corner properties in the Market *Character Sub-Area*, existing storefronts on *contributing properties* that continue onto street-facing secondary elevations may be *altered* or *replaced*, provided that they continue to be expressed on both elevations.

- (a) *Alterations* to existing storefronts on corner properties should retain a minimum storefront width of 4 metres on both street-facing elevations.

#### 6.12.3 Existing one-storey commercial *additions* on Converted House-form typology buildings may be *removed*.

- (a) When an existing one-storey commercial *addition* is *removed*, the new exterior wall treatment, including any new storefront elements, should be visually *compatible* with the *contributing property's* *primary structure*.

#### 6.12.4 Where zoning permits commercial use, new one-storey commercial *additions* on *contributing properties* may be permitted, providing they meet the *policies* and *guidelines* for the property's typology within Section 6.0 of this Plan.

- (a) New one-storey commercial *additions* should be visually and physically *compatible* with the *contributing property's* *primary structure*.
- (b) Contemporary design and materials may be used for new one-storey commercial *additions*.
- (c) Entrances as part of new one-storey commercial *additions* are encouraged to be located at grade to facilitate connection to the *public realm*.



### 6.12.5 The upper portion of existing two-storey commercial additions on contributing properties shall be conserved.

- (a) Storefront portions of two-storey commercial additions may be altered or replaced.

## 6.13 Signage

In the District, signage is typically found on commercial and institutional buildings. Contributing to the eclectic character of the *public realm*, signage may take a variety of forms, such as wall mounted signs, banners, projecting signs, or roof-mounted signs. It may feature language or written characters from around the world, reflecting the various cultural communities that have settled in the area.

Applications for new signage on *contributing properties* will be reviewed in accordance with the City of Toronto's Sign By-Law and the definitions and regulations specified therein. The *guidelines* developed here provide additional direction on the application of the by-law to *contributing properties* so that new signs will not negatively impact the *cultural heritage value* and *heritage attributes* of the District.

Signage should be mounted in a manner that does not result in any direct or indirect harm to the *integrity* and historic character of the *contributing property* or *adjacent contributing properties*.

1. Where signage is being mounted directly on a building, attachments should be made through mortar joints and not masonry units, using non-corrosive fasteners. Use existing holes in the fascia board, where they exist.
2. New signage should be attached in a manner that ensures its *removal* will not cause damage to the integrity of the *contributing property*.

The following signage types may detract from the heritage character of the *contributing property* and the District and will generally be discouraged:

1. Third party advertising, signage not related to the occupants or programming of the *contributing property*.
2. Large digital display screens, moving signs, signs with electronic copy.

## 6.14 Parking

### 6.14.1 Street-facing integral garages shall not be permitted on contributing properties.

- (a) *Ancillary buildings* on *contributing properties* may have integral garages, including those that face a street or a lane.

## 6.15 Laneway Development

Laneways are an integral component of the pedestrian circulation network throughout the District, and pockets of House-form properties accessed by laneways are a distinctive feature of the District. Many of these examples were constructed in the late nineteenth century and reflect early workers' housing. Laneway housing can provide more opportunities for people to live in ground-related housing and forms an important part of the character and sense of place of Kensington Market.

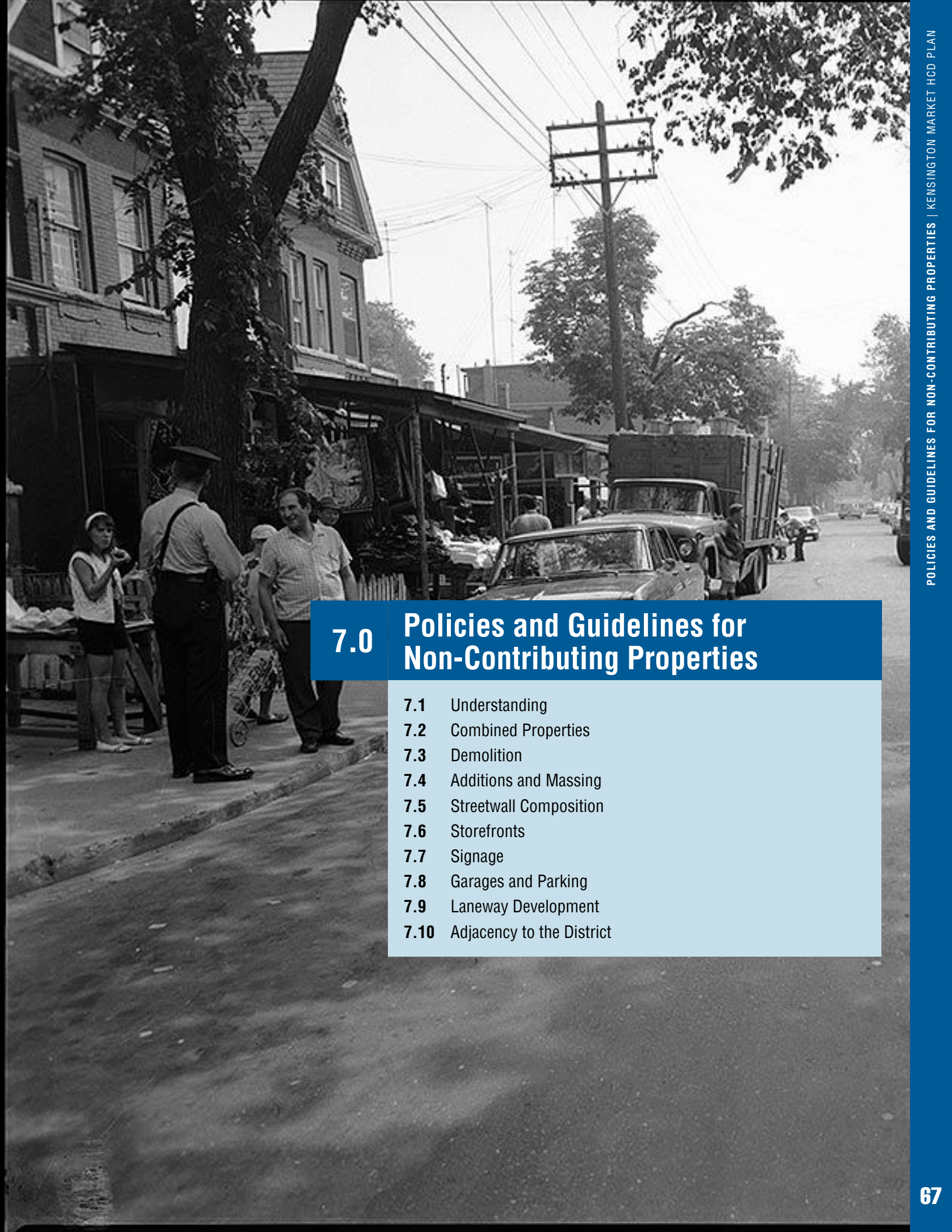
The physical layout of the District's street and laneway network also allows for the construction of new *laneway suites* and other forms of development with primary access from laneways on some *contributing properties*.

The design of *new development* on laneways will be guided by the applicable Official Plan policies and Zoning By-Law regulations that apply across the city. The *guidelines* in this section provide additional direction on the application of the existing policies and regulations to *contributing properties* so that new laneway buildings enhance the *cultural heritage value* and *heritage attributes* of the District.

- (a) The primary entrance of *new development* on laneways, including *laneway suites*, should front onto the laneway.
- (b) Activate the laneway frontage by providing glazing or by incorporating other design elements that provide visual interest.
- (c) Where integral garages are included as part of an *ancillary building*, consider painting a mural on the garage door.

The City of Toronto Zoning By-law 569-2013 considers laneway suites to be *ancillary buildings*. *Ancillary buildings* are separate structures that share a lot with another building, and which are considered subordinate in purpose or floor area to that building. Uses of ancillary buildings are regulated by zoning by-laws.





## 7.0 Policies and Guidelines for Non-Contributing Properties

- 7.1 Understanding
- 7.2 Combined Properties
- 7.3 Demolition
- 7.4 Additions and Massing
- 7.5 Streetwall Composition
- 7.6 Storefronts
- 7.7 Signage
- 7.8 Garages and Parking
- 7.9 Laneway Development
- 7.10 Adjacency to the District

## 7.0 Policies and Guidelines for Non-contributing Properties

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 direct manner. The direction provided by the *policies* use either 'shall' or 'should' language and are to be interpreted accordingly.

The *guidelines* (in regular font) are not mandatory and provide suggested ways in which the Plan's *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 Plan.

*New development* should be designed to *conserve* the District's *heritage attributes*.

### 7.1 Understanding

*New development* should contribute to the overall character and sense of place of the District. Each project must therefore start with an understanding of the District's *cultural heritage value* and *heritage attributes*.

**7.1.1 *New development on non-contributing properties shall be compatible with the District's cultural heritage value and heritage attributes while reflecting its own time.***

### 7.2 Combined Properties

*Combined properties* include consolidated properties (combining *contributing* and *non-contributing properties*), as well as *contributing properties* that contain significant vacant space upon which *new development* could occur. In both cases, it is essential that the *conservation process* be followed and *conservation treatments* identified to *conserve* the *contributing property* in the design of any *addition* or *new development*.

**7.2.1 *Alterations to combined properties shall conserve the portion(s) of the property identified as contributing to the District according to Section 6.0 of this Plan.***

**7.2.2 *New development on those portions of combined properties identified as non-contributing to the District shall be consistent with Section 7.0 of this Plan.***

**7.2.3 *An HIA may be required for an application on the contributing portions of a combined property; if required, it shall be submitted to the City and shall assess the impact of any proposed new development, alteration, or addition to the satisfaction of the Chief Planner and Executive Director of City Planning.***

- (a) The City will confirm through the Heritage Permit process those portions of the property that are considered *contributing* and *non-contributing* for the purposes of identifying applicable *policies* and *guidelines*.

### 7.3 Demolition

The City of Toronto's Official Plan requires an HIA for the proposed *demolition* of a property on the City of Toronto's Heritage Register. The Heritage Register includes all properties designated under Part V of the OHA. Article IV of the Municipal Code requires that heritage permit applications be submitted for the proposed *demolition* of any property located in an HCD.

Managing change on *non-contributing properties*, although they do not significantly contribute to the *cultural heritage value* of the District, is critical to *conserving* its overall character, *heritage attributes*, and sense of place as it evolves. *Demolition* should therefore be closely followed by construction of a *compatible* design. *Demolition* that results in empty lots or other gaps in the urban fabric is strongly discouraged. The reuse and adaptation of buildings on *non-contributing properties* is strongly encouraged.

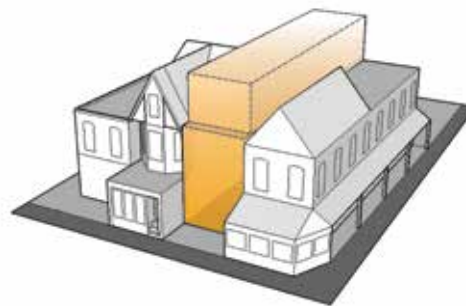
**7.3.1 *The demolition of buildings or structures on non-contributing properties may be permitted.***

**7.3.2 *If permission to demolish a building or structure on a non-contributing property is granted, demolition activity shall not begin until plans for the replacement building(s) or structure(s) have been approved, and a heritage permit issued by the City.***

Figure 66: Previous page: Augusta Avenue, south of Baldwin Street looking south, 1963 (City of Toronto Archives, Fonds 1257, Series 1057, Item 5613).



- (a) Substantial progress should be made in the construction of the replacement building(s) within two years of the *demolition* of the previous building.
- (b) If construction of the replacement building(s) is delayed due to unforeseen circumstances, the City of Toronto may require interim landscape treatment of the site.



**Figure 67:** *New development* should generally reflect the scale and massing of the District's *contributing properties*.

## 7.4 Additions and Massing

*Additions* refer to any new construction on a property that increases the volume (massing) of the pre-existing building on that property. This may result in an increase to the building's gross floor area, or height, but not necessarily so.

Massing relates to the exterior form of a building and its spatial relationship to its immediate context, including the space in front, behind, beside and above the building where visible from the *public realm*. It pertains to the overall proportions of the building, its relationship to its *adjacent* properties and its impact on the scale and character of the streetscape and *public realm*. Massing is interrelated to the composition of street facing elevations, the roof, as well as architectural expression of the building or structure in its entirety.

The existing massing in the District is reflected by the predominance of low-rise House-form and Converted House-form buildings, and purpose-built Commercial buildings, typically two to three storeys in height. These *policies* and *guidelines* have been developed to provide guidance on how *additions* and *new development* can be accommodated in a manner that *conserves* and enhances the *cultural heritage value* and *heritage attributes* of the District.

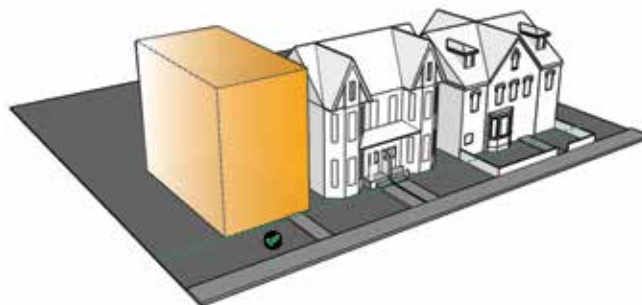
**7.4.1** *New development and additions to non-contributing properties shall be designed to be compatible with the District's heritage attributes.*

**7.4.2** *New development on non-contributing properties should be compatible with the scale and massing of the District's contributing properties.*

**7.4.3** *New development should be compatible with the visual character of the District and its visibly layered built form by creating façades that have variations in depth, materiality, and/or detailing.*

**7.4.4** *New development and additions to non-contributing properties should generally be consistent with the front yard setback condition of the District's contributing properties.*

- (a) Larger *setbacks* on Institutional properties may be permitted where appropriate.
- (b) Larger *setbacks* may be considered where they introduce features that enhance the *public realm*.



**Figure 68:** *Setbacks* on *new developments* should complement the District's *heritage attributes*, such as the fine-grain streetscapes with minimal *setbacks*.

## 7.5 Streetwall Composition

The *streetwall* is the portion(s) of a building immediately fronting onto a street, forming a built form edge to the *adjacent* right-of-way. *Streetwall* composition refers to all those visual aspects and physical features that comprise the appearance of a building. The rhythm, patterns, and datum lines established by the architectural treatment of *contributing properties'* street-facing elevations (often referred to as horizontal and vertical articulation), fenestration patterns, bay distribution, floor heights, and material treatment all contribute to the visual character of buildings on a given streetscape.

Window and door openings establish the proportions and solid-to-void (wall surface to window/ door openings) ratios of a building. Responding to the proportions of window and door openings established by *contributing properties* in the District can help to ensure that *new development* and *additions* are *compatible* with the character and overall heritage context of the District.

**7.5.1** *New development* should be of its time; avoid creating an inauthentic historic appearance that uses *building features* or components from other places, properties, or historic periods.

**7.5.2** To be *compatible* with the District's *contributing properties* and the low-rise streetscapes, *new development* and *additions on non-contributing properties* should reference existing floor levels, and solid-to-void ratios found on the façades of the District's *contributing properties*.

- (a) Avoid large areas of blank wall on building façades.
- (b) Generally avoid the use of uninterrupted, full-height vertical elements on building façades.

**7.5.3** *New development on non-contributing properties* shall have regard for the fine-grain scale of the District and its pattern of historically narrow lots by incorporating design measures to reflect the historic fabric.

- (a) The fine-grain scale and pattern of historically narrow lots may be articulated on the façade through subtle massing *setbacks* and *stepbacks*, projections, façade length breaks, cladding detail articulation, referencing the rhythm of window and door openings, and/or material selections.
- (b) Avoid the use of continuous horizontal glazing across the width of the façade on upper storeys.
- (c) On sites with three or more dwelling units with access from grade, variation in the design of individual units across the front elevation is encouraged.



**Figure 69:** *New development* shall have regard for the fine-grain scale of the District and its pattern of historically narrow lots. Widths of storefronts on the same property may vary, but shall be less than 9 metres.

## 7.6 Storefronts

Storefronts externally express commercial uses within buildings. Located at ground level, they often feature large windows or openings, providing a high level of transparency to allow for the display of goods. In the District, storefronts provide an interface between businesses and the pedestrian experience of the *public realm*.

**7.6.1** To *conserve* the relationship between commercial activity and the *public realm*, *new storefront entrances* shall be located at grade.

- (a) Storefronts that promote visibility of commercial activity and permeability with the *public realm* are encouraged.
- (b) Ensure that any secondary entrances, including entrances to other units within the building, are subordinate to storefronts.

**7.6.2** For corner properties in the *Market Character Sub-Area*, *new storefronts* shall be expressed on both street-facing elevations.

- (a) Storefront entrances on *new development* on *non-contributing corner properties* are encouraged to be located on the corner and/or both street-facing elevations, rather than only one elevation.
- (b) New storefronts on corner properties do not need to be provided for the full extent of the secondary elevation. A minimum of 4 metres is encouraged.

**7.6.3** *New development and/or additions on non-contributing properties* shall be *compatible* with the District's fine-grain streetscapes by providing visually separated storefronts of less than 9 metres and generally no higher than 1 storey that are expressed on the elevation of the *new development and/or addition*. A storefront that spans multiple storeys is not permitted.

- (a) *New development* should provide separated storefronts at grade for the full extent of the street-facing primary elevation of the *new development*.
- (b) For corner properties, storefronts should continue onto street-facing secondary elevations, but do not need to be provided for the full extent of the secondary elevation.
- (c) Separate individual entrances with storefront display windows where possible, to be *compatible* with the District's character of distinct and narrow storefronts.



## 7.7 Signage

Applications for new signage on *non-contributing properties* will be reviewed in accordance with the City of Toronto's Sign By-Law and the definitions and regulations specified therein. The *guidelines* in this section provide additional direction on the application of the Sign By-Law to *non-contributing properties* without detracting from the *cultural heritage value* and *heritage attributes* of the District.

- (a) The signage should be located and designed so that it does not detract from or obscure the *building features* of *adjacent contributing properties*, including features of exterior walls, roofs, windows, and storefronts.
- (b) The following signage types may detract from the heritage character of the District and will generally be discouraged:
  1. Third party signs: signage not related to the occupants or programming of the property.
  2. Digital display screens, moving signs, signs with electronic copy.

## 7.8 Garages and Parking

**7.8.1 Street-facing integral garages shall not be permitted except for vehicular access to structured below-grade parking and required loading where laneway access is unavailable.**

- (a) Vehicular access to below-grade parking should be designed to minimize its visual impact on the streetscape.
- (b) Private parking areas should be located to the side or rear of buildings.



**Figure 70:** A sketch of a parking officer that appeared in several planning policy documents for Kensington Market in the 1970s, including Official Plan Proposals (1978).

## 7.9 Laneway Development

Laneways are an integral component of the pedestrian circulation network throughout the District. Pockets of residential properties accessed by laneways are a distinctive feature of the District, including those constructed in the late nineteenth century as workers' housing and more recent contemporary examples.

The physical layout of the District's street and laneway network allows for the construction of new *laneway suites* and other forms of development with primary access from laneways on some *non-contributing properties*. Laneway housing can provide more opportunities for people to live in ground-related housing.

The design of *new development* on laneways will be guided by the applicable Official Plan policies and Zoning By-Law regulations that apply across the city. The *policies* and *guidelines* in this section provide additional direction on the application of the existing policies and regulations so that new laneway buildings enhance the *cultural heritage value* and *heritage attributes* of the District.

**7.9.1 New development on non-contributing properties where the primary entrance fronts onto a public laneway shall follow the policies in Section 7.0 of this Plan.**

**7.9.2 New development of laneway suites on non-contributing properties should be compatible with the cultural heritage value and heritage attributes of the District.**

- (a) The primary entrance of new *laneway suites* on *non-contributing properties* should front onto the laneway.
- (b) Activate the laneway frontage by providing glazing or by incorporating other design elements that provide visual interest.
- (c) Where integral garages are included as part of an *ancillary building*, consider painting a mural on the garage door.

## 7.10 Adjacency to the District

The Provincial Planning Statement and the City of Toronto's Official Plan set the framework for addressing the potential impacts associated with development on lands *adjacent* to protected heritage properties. Lands *adjacent* to a heritage conservation district are not subject to the *policies* and *guidelines* contained within a heritage conservation district plan. The City of Toronto's Official Plan requires proposed *alterations*, *new development* and/or public works *adjacent* to properties on the Heritage Register to ensure that the *integrity* of the *adjacent* properties' *cultural heritage value* and *heritage attributes* be retained, prior to work commencing and to the satisfaction of the City. The designation of the Kensington Market HCD means that properties within the boundaries of the District are protected heritage properties on the Heritage Register. Therefore, if development or site *alteration* is proposed on lands *adjacent* to the Heritage Conservation District, the proponent is required to submit an HIA, consistent with Schedule 3 of the Official Plan, to the satisfaction of the City.

### 7.10.1 As per the OP, development and site *alteration* to properties *adjacent* to the District shall *conserve the cultural heritage value, heritage attributes, and integrity of the District*.

- (a) The impact of any proposed *alteration* on properties *adjacent* to the District will be described and evaluated through an HIA. City staff can scope such studies depending on the specifics of the development, the location of the *adjacency* and the nature of the potential impact. Examples of potential impacts may include shadow impacts, isolation from surrounding environment, context or significant relationships, and construction impacts.





## 8.0 Policies and Guidelines for Public Realm

- 8.1 Market Character Sub-Area
- 8.2 Landscaping within the Public Right-of-way
- 8.3 Streets, Laneways & Circulation
- 8.4 Placemaking, Placekeeping, Public Art & Cultural Expression
- 8.5 Utilities and Public Works



## 8.0 Policies and Guidelines for Public Realm

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 direct manner. The direction provided by the *policies* use either 'shall' or 'should' language and are to be interpreted accordingly.

The *guidelines* (in regular font) are not mandatory and provide suggested ways in which the Plan's *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 Plan.

### 8.1 Market Character Sub-Area

A number of distinct *public realm* patterns characterize the Market *Character Sub-Area* and support the area's traditions of public events, street art and other forms of cultural expression, and outdoor commercial activity.

Augusta Avenue is recognized for its contributions to the District's *cultural heritage value* and is associated with the development and expansion of the commercial market area within the District. As the only uninterrupted north-south street that spans the District, it continues to function as the spine of the neighbourhood.

**8.1.1 Public realm enhancements along Augusta Avenue should reinforce the street's evolving role as the spine of cultural events and festivals within the District.**

**8.1.2 Public realm enhancements in the Market Character Sub-Area should consider incorporating elements that animate the streetscape while complementing the ongoing commercial use of the public realm.**

**8.1.3 Enhancements to public art and signage at entrances to the Market Character Sub-Area on College Street and Dundas Street West should reinforce the cultural heritage values of the District.**



**Figure 72:** Streets in the Market *Character Sub-area* are closed to vehicles once a month throughout the summer for Pedestrian Sunday events.

### 8.2 Landscaping within the Public Right-of-way

Similar to many older neighbourhoods within the City, landscaping and fencing create front yard spaces within the public boulevard that host a majority of the District's tree canopy. Within the Market *Character Sub-Area*, on Kensington Avenue, street trees in the public boulevard reflect the early residential origins of the District.

**8.2.1 Soft landscaping within the public boulevard adjacent to House-form and Institutional buildings shall be conserved.**

- (a) Soft landscapes should be maximized.
- (b) Historic fencing in front yards, where it exists, should be *conserved* and retained.
- (c) Where fencing is installed, open fencing styles are preferred to *maintain* the high visual permeability of the edge of the *public realm*.

**8.2.2 Street trees on Kensington Avenue that are injured, destroyed, or removed should be replaced.**

**8.2.3 Find opportunities to increase access to the natural environment within the public realm and honour the natural heritage of the area through the introduction of pocket gardens or other landscaped features.**

- (a) When choosing plants for new landscaped areas, prioritize the selection of native plant species.

**Figure 71:** Previous page: A rainbow-painted bench in Sonya's Parkette



**Figure 73:** A recent infill development at 88 Nassau St. incorporated soft landscaping within the public boulevard adjacent to the property.

### 8.3 Streets, Laneways & Circulation

**8.3.1** The street and laneway network shall be *conserved*.

**8.3.2** The existing *network of laneways* should be retained and extended where possible, and the creation of new mid-block connections in the design of *new development* is encouraged.

### 8.4 Placemaking, Placekeeping, Public Art & Cultural Expression

Placemaking and placekeeping are the collective re-imagining of public spaces to strengthen the connection between place, community, values, culture, past, present, and future. They often involve diverse tactics such as streetscape improvements and event programming to attract social and economic activities to a specific area. The design of the *public realm* contributes to placemaking and placekeeping when it responds to an area's social and cultural importance.

Public art contributes to the heritage character of the District by expressing the community's identity, and sense of place.

Cultural Expression goes beyond traditional forms of public art and includes any manifestation of a group of people's (or community's) values and traditions through words, actions, or artistic forms.

**8.4.1** Honour and commemorate the history of Kensington Market, including Indigenous heritage and the District's history of immigration and community activism, through placemaking and placekeeping initiatives, public art, and cultural expression.

- (a) In consultation with Indigenous communities and nations and the Aboriginal Affairs Advisory Committee:
  1. Honour and recognize Indigenous heritage and languages through the naming of streets, laneways, and public spaces.
  2. *Maintain* and enhance the *public realm* through the creation of interpretive features, public art, or other art installations by Indigenous artists.
  3. Prioritize the creation of spaces appropriate for Indigenous cultural and ceremonial practices in Bellevue Square Park and Sonya's Parkette.
- (b) Opportunities for public art in Sonya's Parkette should be maintained and encouraged.
- (c) Applications for *new development* should include engagement and coordination with a range of stakeholders including City programs, local agencies and groups, non-profit organizations, and the Kensington Market BIA to assess placemaking, placekeeping, and public art opportunities in the community.
- (d) Murals on blank walls of existing buildings are strongly encouraged. Consultation with the community is encouraged in the process of selection for murals.



**Figure 74:** Many existing buildings in Kensington Market have colourful murals painted on the walls, which contributes to the vibrant character of the District.



## 8.5 Utilities and Public Works

### 8.5.1 Public works and utility upgrades shall meet the requirements of this Plan.

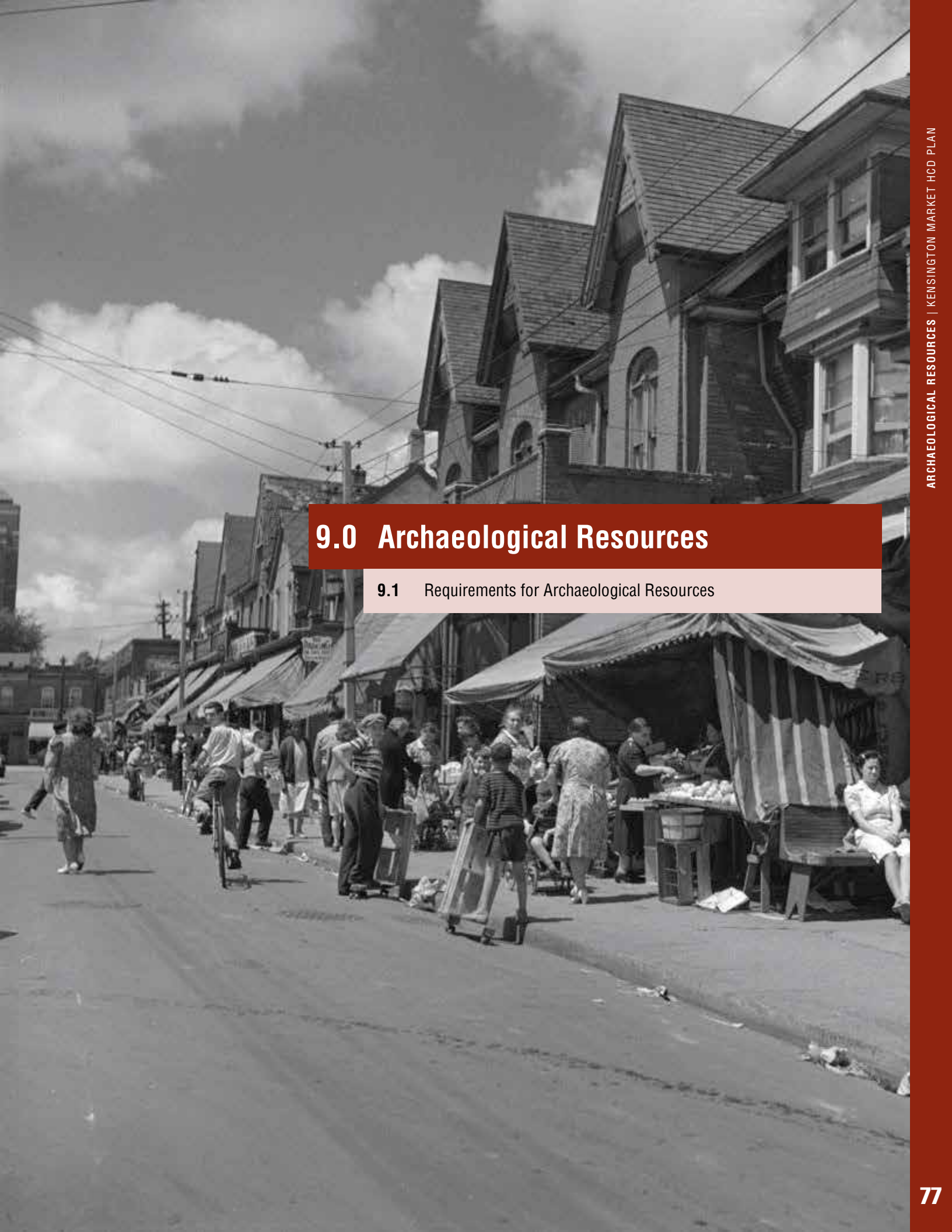
- (a) Utility boxes and meters should be located in an inconspicuous but accessible location, preferably along the side of the building.
- (b) Transformers should be pole-mounted, or located out of view of the *public realm*.
- (c) New or replaced underground infrastructure should be consolidated and located as close to the centre of the roadway as possible to allow ongoing and enhanced use of the *public realm*.

### 8.5.2 Heritage Planning shall be consulted prior to work relating to public works and utility upgrades being undertaken within the District.

### 8.5.3 Installation of under and above ground services, and other public works or utilities shall avoid non-reversible and visible *alterations to contributing properties or adjacent to contributing properties*.



Figure 75: A variety of uses of the *public realm* in front of the *Contributing and Non-contributing properties* at 219-225 Augusta Avenue.



## 9.0 Archaeological Resources

### 9.1 Requirements for Archaeological Resources



## 9.0 Archaeological Resources

### 9.1 Requirements for Archaeological Resource Assessment

In general, the *City of Toronto’s Archaeological Management Plan* assigns archaeological potential on a simple “yes” or “no” basis. Either a property exhibits archaeological potential, or it does not. An archaeological assessment is required when a property with general archaeological potential is subject to an application under the *Planning Act*.

For *contributing* and *non-contributing properties* within areas of archaeological potential, soil disturbance activities associated with large scale development, such as applications under the *Planning Act*, will be subject to archaeological review by Heritage Planning and an archaeological assessment may be required prior to any on-site work.

Research undertaken for the HCD Study and Plan has identified additional types of activities that would likely require an archaeological assessment, or trigger review by Heritage Planning staff to determine the need for an archaeological assessment, prior to activities that will result in some form of ground disturbance, and that might not otherwise be subject to an archaeological assessment through a *Planning Act* application. These are outlined in Table 1.

Table 1: Development/Alteration Types for Properties with Archaeological Potential	
	Development/Alteration Type
	<i>Additions</i> to existing structures requiring subsurface disturbances
	New structures/installations in open space areas within other part(s) of the property requiring subsurface disturbances
	Foundation <i>repair/alteration</i> to existing buildings
	New service hook ups or <i>repairs</i> to a building frontage with a minimal <i>setback</i> and originating from the <i>adjacent</i> right-of-way
	New service hook ups or <i>repairs</i> to a building <i>set back</i> from the right-of-way of origin
	Landscape <i>alterations</i> requiring subsurface excavation/grade changes

Figure 76: Previous page: Baldwin Street, between 1939-1951 (photo by Ronny Jaques, Library and Archives Canada).



## 10.0 Procedures

- 10.1 Heritage Permits Deemed to be Issued
- 10.2 Heritage Permit Process
- 10.3 Heritage Impact Assessment
- 10.4 Archaeological Assessment



# 10.0 Procedures

## 10.1 Heritage Permits Deemed to be Issued

Applications for erection, *demolition*, *alteration*, or *removal* of a building or structure within the District require a heritage permit. In accordance with Part V of the OHA and with Chapter 103 of the City of Toronto Municipal Code, certain classes of *alterations* to the external portions of a building or structure are considered minor in nature and may be carried out without applying for a heritage permit. These include:

- Painting of wood, stucco, or metal finishes
- *Repair* of existing features, including roofs, wall cladding, dormers, cresting, cupolas, cornices, brackets, columns, balustrades, porches and steps, entrances, windows, foundations, and decorative wood, metal, stone or terra cotta, provided that the same type of materials are used
- Installation of eavestroughs
- Weatherproofing, including installation of *removable* storm windows and doors, caulking, and weatherstripping
- Installation of exterior lights

In addition to the minor *alterations* identified in the Municipal Code, the following *alterations* to a property in the Kensington Market Heritage Conservation District may be carried out without applying for a heritage permit:

- *Encroachments* into the *public realm* shall be subject to Chapter 743 of the Municipal Code; applicants are responsible for obtaining the required approvals for *encroachments* from City of Toronto Transportation Services unless otherwise permitted by the Municipal Code. Where an approval for an awning, patio, and other *encroachment* has been granted by Transportation Services, property owners are not required to obtain a heritage permit providing they do not *alter* the *primary structure* of the property above the ground floor

- Commercial signage
- *Maintenance* of existing *building features* on *contributing properties*
- Landscaping (hard and soft) that does not require subsurface excavation/grade changes
- *Repair* of existing utilities or public works
- Temporary or seasonal installations, such as planters and seasonal decorations

Although a heritage permit is not required for the above classes of *alterations*, property owners and tenants are encouraged to conform to the spirit and intent of the Plan for all work undertaken on their properties.

According to the City of Toronto’s Municipal Code (Chapter 743), an *encroachment* is “any device, equipment, object, structure or vegetation that is located on, over, along, across, under or in a street, or any portion thereof, but excluding any vegetation planted or any device, equipment, object, or structure installed and maintained by the City.”

## 10.2 Heritage Permit Process

Owners of property within the District are required to submit a heritage permit application for *alterations* that are visible from the *public realm*. Proposed *alterations* are reviewed for consistency with this Plan, as well as with any applicable heritage designation by-laws, easement agreements, or other heritage protections registered to the individual property.

While other heritage protections may apply to specific interior or exterior portions of the property that are not visible from the *public realm*, this Plan does not apply to the *alteration* of interiors or to exteriors that cannot be seen from the *public realm*.

Section 10.1 of this Plan includes a list of minor *alterations* that do not require a heritage permit within the District.

Figure 77: Previous page: 272-274 Augusta Avenue.

## Heritage Permit Process



**Figure 78:** For *alterations* that are visible from the *public realm*, property owners will need to apply for a heritage permit.



### 10.3 Heritage Impact Assessment

A Heritage Impact Assessment (HIA) is a document that provides relevant information on the nature and significance of a heritage property. The HIA must be prepared by a qualified heritage professional. The purpose of an HIA is to describe and assess the existing physical condition of a heritage resource, the potential for the *restoration* and reuse of the heritage resource, and how the proposed *alteration* or development *conserves* the heritage resource. It outlines the policy framework in which such properties can be *conserved* and identifies practical options to inform decisions and may also provide directions for the development of a Heritage Property Conservation Plan or Heritage Interpretation Plan for the heritage resource.

The City of Toronto's Official Plan states that an HIA may be requested for development proposals on any property that is listed on the Heritage Register; this includes any property within the District. As outlined in Schedule 3 of the Official Plan, an HIA will be required to accompany any applications for an Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, Consent to Sever or Site Plan Control. The HIA must be prepared by a qualified heritage professional. The purpose of an HIA is to describe and assess the existing physical condition of a heritage resource, the potential for the *restoration* and reuse of the heritage resource, and how the proposed *alteration* or development *conserves* the heritage resource.

An HIA may be required for the following additional application types for properties within the Kensington Market HCD:

- Minor Variance applications for any property on the Heritage Register
- Heritage Permit applications for any property designated under Part IV (individual) or Part V (Heritage Conservation District) of the OHA.

It is recommended that prior to planning any *alterations*, property owners should contact Heritage Planning to find out whether an HIA is required.

### 10.4 Archaeological Assessment

Requirements for General Archaeological Potential Areas

For *contributing* and *non-contributing properties* within areas of general archaeological potential, soil disturbance activities associated with large scale development, such as applications under the Planning Act, will be subject to archaeological review by Heritage Planning and an archaeological assessment may be required prior to any on-site work.

Furthermore, proposed small-scale *alterations* to *contributing properties* and *non-contributing properties* will be subject to archaeological review by City staff and an archaeological assessment may be required prior to any on-site work that involves:

- *Additions* to existing structures requiring subsurface disturbances
- New structures/installations in open space areas within other part(s) of the property requiring subsurface disturbances
- Foundation *repair / alteration* to existing buildings
- New service hook ups or *repairs* to a building frontage with a minimal *setback* and originating from the *adjacent* right-of-way
- New service hook ups or *repairs* to a building *set back* from the right-of-way of origin
- Landscape *alterations* requiring subsurface excavation/grade changes.

Not all properties necessarily require review and/or assessment for all types of identified *alterations* (see Section 9.1).

## 11.0 Recommendations

11.1 Public Awareness and Implementation

11.2 Periodic Review



## 11.0 Recommendations

### 11.1 Public Awareness and Implementation

It is recommended that, following the approval of the Plan, City staff and the community meet to discuss the potential creation of an HCD Advisory Committee. The Advisory Committee will serve as a conduit for community-based feedback to the City regarding the consistency of heritage permit applications with the *policies* and *guidelines* of the Plan, and may also assist owners in understanding how to follow the *policies* and *guidelines* when planning *alterations* to properties within the District. The Advisory Committee will provide valuable input in decisions under the OHA; however, it will not have the authority to issue permits or exemptions to the HCD Plan requirements, or to override decisions made by City staff or Council.

The City will provide a draft terms of reference for the Advisory Committee based upon that provided in HCDs in Toronto, and modified as appropriate to reflect the unique stakeholder and community interests within the District.

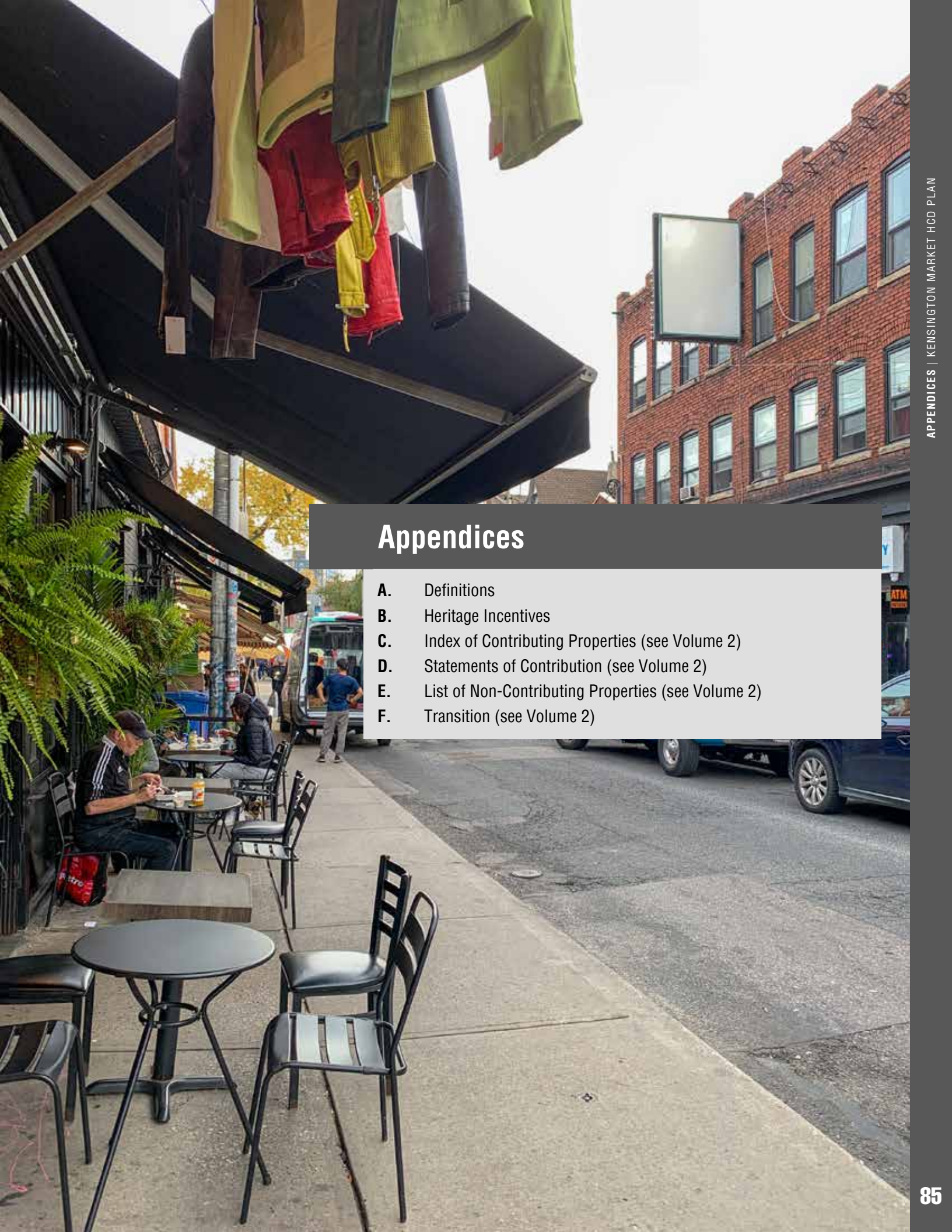
The enactment of the Plan is also an opportunity to facilitate heritage awareness within the District as it relates to heritage *conservation*. City staff will work with Business Improvement Areas (BIAs), residents' associations, the councillor's office, and other community members to increase awareness of the benefits of heritage *conservation* within the District, and to facilitate access to incentives available to owners of *contributing properties*. City staff will use the Plan to inform other City initiatives, including but not limited to culture and economic development.

### 11.2 Periodic Review

It is recommended that the City undertake a review of the Plan and its objectives no more than ten years after it has come into force. The failure to review the contents of the Plan within the recommended review period will in no way invalidate the Plan or its ability to be enforced.

A preliminary review may be initiated by the City, who will initiate the review in coordination with the local HCD advisory committee. If the preliminary review determines that changes to the Plan are required, then an in-depth review will be completed to determine the specific nature and content of changes to the Plan. An outside consultant may be retained for the purpose of completing the intensive review.

Changes to the Plan must be carefully considered, and only undertaken in the spirit of *conservation* which informed its preparation. Where Council accepts recommended changes to the Plan it will do so through an amendment to the Plan and its by-law.



## Appendices

- A. Definitions
- B. Heritage Incentives
- C. Index of Contributing Properties (see Volume 2)
- D. Statements of Contribution (see Volume 2)
- E. List of Non-Contributing Properties (see Volume 2)
- F. Transition (see Volume 2)



## A: Definitions

**Accessibility:** The degree to which an historic place is easy to access by as many people as possible, including people with disabilities.

**Addition:** New construction that extends an existing building's envelope in any direction, and which increases the building's existing volume.

**Adjacent:** Lands adjoining a property on the Heritage Register or lands that are directly across from and near to a property on the Heritage Register and separated by land used as a private or public road, highway, street, lane, trail, right-of-way, walkway, green space, park and/or easement, or an intersection of any of these; whose location has the potential to have an impact on a property on the Heritage Register.

**Alteration:** To change a property on the Heritage Register in any manner, including *restoration*, renovation, *repair* or disturbance, or a change, *demolition* or *removal* of an *adjacent* property that may result in any change to a property on the Heritage Register. *Alteration* and *alter* have corresponding meanings.

**Ancillary building:** A building or structure that is naturally and normally incidental, subordinate in purpose or floor area, and exclusively devoted to a permitted use.

**Archaeological resources:** Includes artifacts, archaeological sites and marine archaeological sites as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon assessments carried out by archaeologists licensed under the *Ontario Heritage Act*. (PPS 2024)

**Building Features:** Architectural details and components that make up a building's design and physical character. *Building features* include, but are not limited to: façade features, window features, and roof features, which also have their own constituent components that are defined in the relevant section of this Plan.

**Character sub-area:** A geographic area within the District that is a component part of the District and that contributes to the District's *cultural heritage value* while retaining unique *heritage attributes* that reflect a distinct character.

**Combined property:** A property that contains both *contributing* and *non-contributing properties* due to the consolidation of two or more properties or a *contributing property* that contains significant vacant space in addition to buildings or structures.

**Compatible:** In the context of this document refers to the physical and visual impacts of *new development* on existing structures and *contributing properties*. Physical *compatibility* refers to the use of materials and construction methods that do not negatively impact the *contributing property*, detract from or damage its *heritage attributes*. Visual *compatibility* refers to designing new work in such a way that it is distinguishable from the historic building, while complementing its design, massing, and proportions. *Compatible* and *compatibility* have corresponding meanings.

**Conservation:** The identification, protection, management and use of built heritage resources, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their *cultural heritage value* is retained under the *Ontario Heritage Act*. *Conservation* can include *preservation*, *rehabilitation*, *restoration*, or a combination of these *conservation treatments*. *Conservation* and *conserve* have corresponding meanings.

**Conservation process:** As defined by the Standards and Guidelines, the sequential process of understanding, planning and intervening required when undertaking *conservation* projects.

**Conservation treatments:** The actions of *preservation*, *rehabilitation*, and *restoration* as defined by the Standards and Guidelines to be used individually or in combination when undertaking *conservation* projects.

**Contributing property:** A property, structure, landscape element or other feature of an HCD that supports the identified significant *cultural heritage value*, *heritage attributes* and *integrity* of the District.

Figure 80: Previous page: Kensington Avenue, looking south towards St. Andrew Street.

**Cultural heritage landscape:** A defined geographical area that may have been modified by human activity and is identified as having *cultural heritage value* or interest by a community, including an Indigenous community. The area may involve features such as buildings, structures, spaces, views, archaeological sites, or natural elements that are valued together for their interrelationship, meaning or association. (PPS 2024)

**Cultural heritage value:** The aesthetic, historic, scientific, cultural, social, or spiritual importance or significance for past, present and future generations. The *cultural heritage value* of an historic place is embodied in its *heritage attributes* and its character-defining materials, forms, location, spatial configurations, uses and cultural associations or meanings.

**Demolition:** The complete destruction of a heritage structure or property from its site, including the disassembly of structures and properties on the Heritage Register for the purpose of reassembly at a later date. *Demolition* and *demolish* have corresponding meanings.

**Encroachment:** Any device, equipment, object, structure, or vegetation that is located on, over, along, across, under or in a street, or any portion thereof, but excluding any vegetation planted or any device, equipment, object, or structure installed and *maintained* by the City.

**Guideline:** In this document, *guidelines* are not mandatory and provide suggested ways in which the Plan's *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 this Plan.

**Heritage attributes:** In relation to real property, and to the buildings and structures on the real property, the *attributes* or principal features of the property that contribute to their *cultural heritage value* as described in the District Significance section of this Plan and also the designation by-law of individual properties (designated under Part IV of the *Ontario Heritage Act*), if applicable. These may include the property's built or manufactured elements, as well as natural landforms, vegetation, visual setting, materials, forms, location, spatial configurations, and cultural associations or meanings that contribute to the *cultural heritage value* of an historic place, which must be retained to *conserve* its *cultural heritage value*. They also include the elements, features and building

components that hold up, support or protect the *cultural heritage values* and *attributes* and without which the *cultural heritage values* and *attributes* may be at risk.

**Integrity:** A measure of the wholeness and intactness of the *cultural heritage values* and *heritage attributes* of a *contributing property* or the District. Examining the conditions of *integrity* requires assessing the extent to which the property includes all elements necessary to express its *cultural heritage value*; is of adequate size to ensure the complete representation of the features and processes that convey the property's significance; and the extent to which it suffers from adverse effects of development and/or neglect. *Integrity* should be assessed within a Heritage Impact Assessment.

**Laneway Suite:** A self-contained living accommodation for a person or persons living together as a separate single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the suite and is in an *ancillary building* abutting a lane. A garden suite is not a *laneway suite*.

**Maintenance:** Routine, cyclical, non-destructive actions necessary to slow the deterioration of an historic place. It entails periodic inspection; routine, cyclical, non-destructive cleaning; minor *repair* and refinishing operations and the replacement of damaged or deteriorated materials that are impractical to save. *Maintenance* and *maintain* have corresponding meanings.

**Monitoring:** The systematic and regular inspection or measurement of the condition of the materials and elements of an historic place to determine their behaviour, performance, and rate of deterioration over time. *Monitoring* and *monitor* have corresponding meanings.

**Network of laneways:** The historic and existing system of service access, pedestrian, and mid-block connections within the District.

**New development:** New construction and/or *additions* to existing buildings or structures.

**Non-contributing property:** A property, structure, landscape element or feature of a district that does not support the overall *cultural heritage value*, *heritage attributes* and *integrity* of the district.



**Policy:** In this document, *policies* set the direction for management of the District in a clear and direct manner. The direction provided by the *policies* use either ‘shall’ or ‘should’ language and are to be interpreted accordingly.

**Preservation:** The action or process of protecting, *maintaining*, and/or stabilizing the existing materials, form, and *integrity* of a historic place or of an individual component, while protecting its *cultural heritage value*. *Preservation* and *preserve* have corresponding meanings.

**Primary structure:** The main structure of a *contributing property*, in three dimensions, and does not include *additions* that are not visible from the *public realm* or that are unrelated to the property’s Statement of Contribution. *Encroachments* are not considered to be part of a *primary structure*.

**Public realm:** Any public space, including but not limited to: streets, sidewalks, laneways, parks, and privately owned publicly-accessible open spaces, walkways or easements.

**Rehabilitation:** The action or process of making possible a continuing or *compatible* contemporary use of a historic place or an individual component, while protecting its *cultural heritage value*.

**Relocation:** The dislocation of a building from one portion of a property and placement onto another portion of the property or onto a different property. *Relocation* and *relocate* have corresponding meanings.

**Removal:** The complete and permanent dislocation of a building, structure, or *heritage attribute* from its site. *Removal* and *remove* have corresponding meanings.

**Repair:** *Maintenance* -type work that does not require a significant material change and that has no negative impact on the property’s *integrity*.

**Restoration:** The action or process of accurately revealing, recovering, or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its *cultural heritage value*. *Restoration* and *restore* have corresponding meanings.

**Setback:** A horizontal distance measured at a right angle from any lot line to the nearest part of the main wall of a building or structure.

**Stepback:** The measure by which a portion of a building mass above grade level is recessed from the wall of the building directly below.

**Streetwall:** The *streetwall* is the portion(s) of a building immediately fronting onto a street, forming a built form edge to the *adjacent* right-of-way.

**Three-dimensional integrity:** A building in three dimensions, on all of its sides including its roof planes.

## B: Heritage Incentives

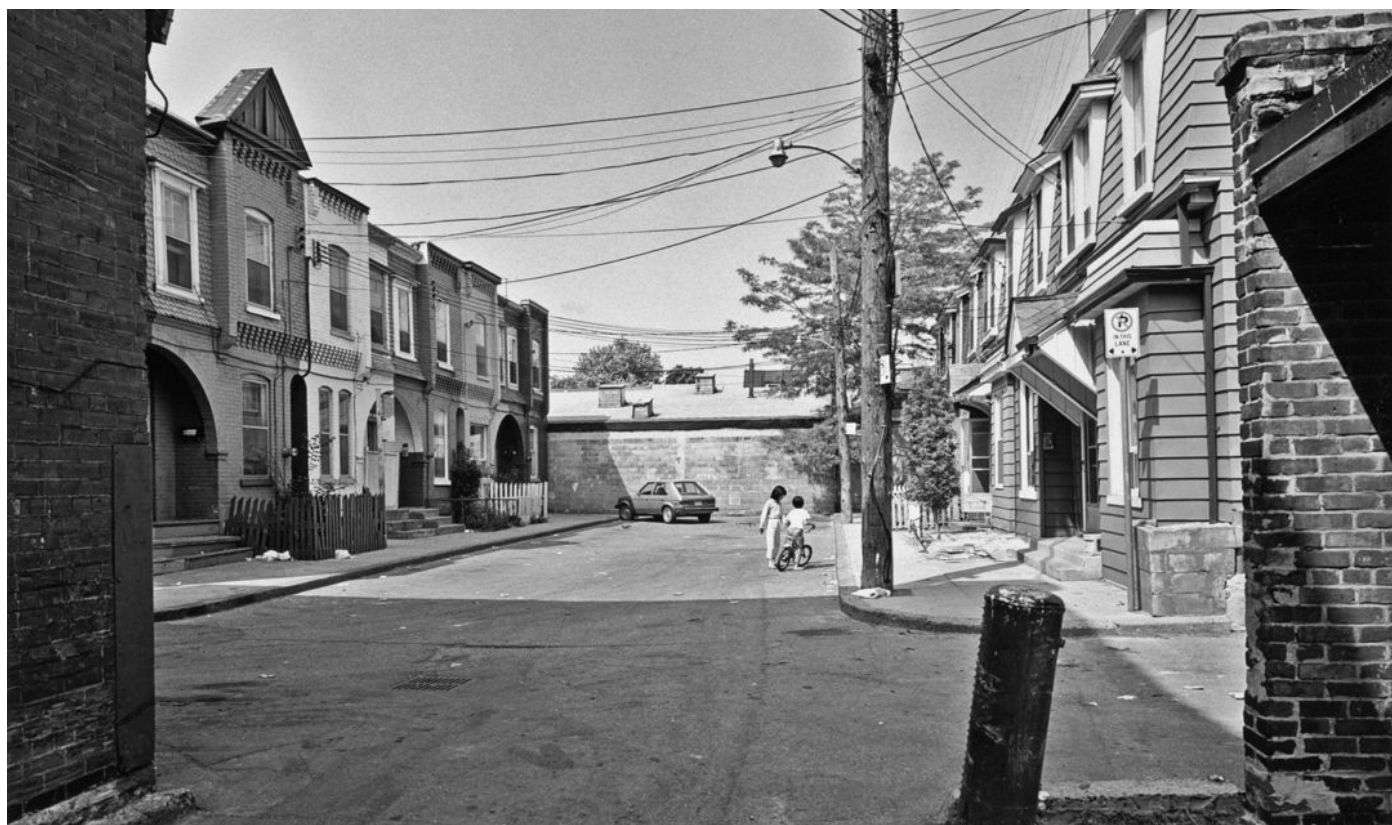
Heritage conservation district designation supports long-term economic prosperity by encouraging a sense of place through the protection of a sustainable physical and cultural environment. Such places are able to offer a wide variety of lifestyle options and economic activities while still maintaining physical continuity and social cohesion. These are often attractive areas for commercial, residential, and mixed use investment.

Incentive programs from all levels of government are critical *conservation* tools. They can provide funding support for property owners who are *conserving* their properties, often at considerable expense.

The City of Toronto offers two heritage incentive programs to assist owners of eligible heritage properties with the cost of *conservation*: the Toronto Heritage Grant Program, and the Toronto Heritage Property Tax Rebate Program. Beyond providing funding support, these programs assist successful applicants in reaching the highest *conservation* standards possible for their projects.

The Heritage Property Tax Rebate Program offers a tax rebate of 40% of taxes paid on the portions of eligible properties that have been identified as *heritage attribute* in a Heritage Easement Agreement. Revisions to the program in 2015 updated eligibility to include commercial or industrial properties exclusively, including properties within Heritage Conservation Districts (identified as *contributing properties*). This update included revisions that recalculate rebates to provide matching funds for eligible *conservation* work. The provincial government shares the cost of rebates with the City according to the education portion of the property taxes.

The Toronto Heritage Grant Program provides matching grant funds for eligible heritage *conservation* work to owners of properties that are either designated under Part IV or identified as *contributing properties* designated under Part V of the OHA. The program receives stable annual funding; at the time of writing, funding is at just over \$300,000 annually. Revisions to the program in 2015 updated eligibility for the program to include residential and tax-exempt properties exclusively.



**Figure 81:** Glen Baillie Place, looking west from Spadina Avenue, 1984, photo by Peter MacCallum (City of Toronto Archives, Fonds 1581, Series 466, Item 4).



