

**SIX MINUTE MUNICIPAL LAWYER 2017**

**HERITAGE CONSERVATION DISTRICTS:  
A GROWING INDUSTRY IN THE CITY OF TORONTO,  
WHAT YOU NEED TO KNOW**

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**McMillan LLP**

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**INDEX**

<b>SCHEDULE</b>	<b>DOCUMENT</b>
<b>A</b>	<b>Map of Heritage Conservation Districts in Toronto</b>
<b>B</b>	<b>Map of Proposed King-Spadina Heritage Conservation District (Heritage Register)</b>
<b>C</b>	<b>Map of Proposed King-Spadina Heritage Conservation District (Character Sub-Areas)</b>
<b>D</b>	<b>Map of Proposed King-Spadina Heritage Conservation District (Contributing Properties)</b>

# HERITAGE CONSERVATION DISTRICTS: A GROWING INDUSTRY IN THE CITY OF TORONTO, WHAT YOU NEED TO KNOW

## INTRODUCTION

In June of 1973 the Council of the City of Toronto (the “City”) adopted the first “list” of properties, within its boundaries, on its official *Inventory of Heritage Properties*. The initial list contained approximately 400 properties considered by City Council to be of historical or cultural significance.<sup>1</sup> The mere listing of a property on the *Inventory of Heritage Properties* provided no legal protection to the properties. With the passage of the *Ontario Heritage Act* (the “OHA”) in 1975, the City began designating heritage properties for protection under the OHA. Until 2005, the designation of a property under Part IV of the OHA, as being of cultural heritage value or interest, merely allowed a municipality to delay the issuance of a demolition permit by 180 days, but did not ultimately prevent the demolition of the property.

In 2005, the province of Ontario enacted significant amendments to strengthen the OHA and granted expanded powers to local municipalities regarding alteration and demolition of properties designated under Part IV of the OHA.<sup>2</sup> In addition to the individual designation of properties under Part IV of the OHA, municipalities could also designate an area, within the municipality, as a heritage conservation district (“HCD”) under Part V of the OHA. The 2005 amendments to the OHA also strengthened municipalities’ powers to protect their HCDs.

While the City began designating HCD’s in 1985, subsequent to the amendments to the OHA in 2005, the City significantly increased its focus on conserving heritage resources throughout the City. In January of 2012 there were a total of 20 HCD’s in the City of Toronto. As of February 2017 there are now a total of 24 approved HCD’s, a further 7 HCD studies and plans were completed in 2015/2016, and 11 HCD studies and plans have been prioritized and are in progress

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<sup>1</sup> City of Toronto, *Report for Action: Update on Heritage Studies to Planning and Growth Management Committee*, March 27, 2017 at 3.

<sup>2</sup> *Ontario Heritage Act*, RSO 1990, c O18.

(attached as Schedule “A”)<sup>3</sup>. One of the largest areas recently completed is the King-Spadina Study Area. In addition to the HCD studies and plans identified above, there are 11 HCD studies authorized by Council, but not yet prioritized. If all of the HCD’s currently pending or authorized for study are ultimately designated, there will be a total of 53 HCD’s in the City.<sup>4</sup> This would represent an increase of 33 HCD’s since 2012. Also increasing at lightning speed is the number of individual properties being designated under Part IV of the OHA.

As set out in the City’s January 2012, *Heritage Conservation Districts in Toronto: Procedure, Policies and Terms of Reference*, HCD’s are important “because they ensure that areas valued for their significant history and character and are protected and managed in the long term”.<sup>5</sup> It is through the HCD Plans that the City and the community will have a clear set of policies and guidelines “that respond to the unique historic qualities and attributes of a neighbourhood, so that appropriate change can be guided and welcomed”.<sup>6</sup>

The goal of preserving the City’s history is an important goal, however, as noted by then Chair of the Ontario Municipal Board (“OMB”), Marie Hubbard in her May 4, 2009 ruling on the request for a section 43 review of the Board’s decision in *Port Dalhousie Revitalization Corp. v. PROUD*, OMB Case File No. PL060850, “heritage conservation also recognizes the importance of rehabilitation, renovation or conversion of existing uses”.<sup>7</sup> Therefore, for an HCD to truly be successful it must not simply freeze history, it must also allow for change and growth. The preservation of a municipality’s history must also be reviewed within the context of important provincial policies such as the Provincial Policy Statement, 2014 (“PPS”) and the Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) with respect to intensification of land uses and the promotion of long term economic vitality. Accordingly, the task before each

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<sup>3</sup> City of Toronto, *Kensington Market Heritage Conservation District Study: Community Consultation Meeting No. 2*, February 9, 2017 at 4 of Introduction; also found at Schedule A, “*Heritage Conservation Districts in Toronto*”.

<sup>4</sup> City of Toronto, *supra* note 1 at 4-6.

<sup>5</sup> City of Toronto, *Heritage Conservation Districts in Toronto: Procedure, Policies and Terms of Reference*, January 2012 (Toronto: City of Toronto, City Planning Division, 2012) at 8.

<sup>6</sup> *Ibid.*

<sup>7</sup> Letter Ruling of Chair Maria Hubbard on section 43 of the *Ontario Municipal Board Act*, R.S.O. 1990 c. O.28, para 7 (4 May 2009).

municipality in preserving its history is to reach an appropriate balance between preserving its history and maintaining growth and prosperity.

To determine whether the City is on the correct path to achieving this delicate balance, this paper will consider one of the recent draft HCD's of the City. Specifically, this paper will consider the draft King-Spadina Heritage Conservation District Plan (the "**Draft HCD**") released in October of 2016, with a focus on its proposed policies and guidelines.<sup>8</sup>

### ***THE ONTARIO HERITAGE ACT, 2005***

Prior to reviewing the Draft HCD, it is important to first understand the powers granted to municipalities regarding the preservation of heritage resources within its municipal boundaries. The OHA is the central piece of provincial legislation for the conservation of heritage resources in the province of Ontario. The OHA regulates how municipal councils can identify and protect heritage resources. This is accomplished through the maintenance of a municipal heritage register, the designation of individual properties under Part IV, and the designation of HCD's under Part V.

#### **1. Municipal Heritage Register**

Pursuant to section 27 of Part IV of the OHA, the clerk of a municipality shall keep a register of property situated in the municipality that is of cultural heritage value or interest. The register shall list all properties situated in the municipality that have been designated and may include properties that have not been designated under Part IV, but that the Council of the municipality believes to be of cultural heritage value or interest. Where a municipality has appointed a municipal heritage committee, the Council shall, before including a property that has not been designated, consult with its municipal heritage committee. The Council of the City's municipal heritage committee is called the Toronto Preservation Board and consists of 7 citizen members appointed by Council, the Chair of each Community Preservation Panel and three members of

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<sup>8</sup> City of Toronto, *King-Spadina Heritage Conservation District Plan [Draft]*, October 2016 (Toronto: City of Toronto, City Planning Division, 2016).

City Council. The Toronto Preservation Board is assisted by Heritage Preservation Services staff. The section 27 register for the City is called the City of Toronto Heritage Register.

If a property included in the register has not been designated, the owner of the property shall not demolish or remove a building or structure on the property or permit the demolition or removal of the building or structure, unless the owner gives the Council of the municipality at least 60 days written notice, of the owner's intention to demolish or remove the building or structure.<sup>9</sup> As many of the properties listed in the City of Toronto Heritage Register are not officially designated as heritage properties under Part IV of the OHA, once an owner of an undesignated property provides the City with the 60 days notice of an intention to demolish, the City will immediately take steps to officially designate the property under Part IV.

## **2. Part IV of the *Ontario Heritage Act, 2005* – Individual Property Designations**

A municipality must give notice of its intention to designate a property under Part IV of the OHA. The notice will contain a description of the property, together with a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property.<sup>10</sup> The landowner may serve on the clerk, within 30 days after the date of publication of the notice, a notice of objection setting out the reason for the objection and all relevant facts. The Council shall then refer the matter to the Conservation Review Board (the “CRB”), a provincial tribunal, for a hearing.<sup>11</sup> The CRB shall hold a hearing, open to the public, to determine whether the property in question should be designated. Within 30 days after the conclusion of the hearing, the CRB shall make a report to the Council setting out its findings of fact and its recommendation regarding designation. After considering the CRB's report, the

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<sup>9</sup> *Ontario Heritage Act, supra* note 2 at ss 27(3).

<sup>10</sup> *Ibid* at ss 29(4).

<sup>11</sup> *Ibid* at ss 29(7).

Council, without holding a further hearing, shall pass a by-law designating the property or withdraw the notice of intention to designate. The decision of the Council is final.<sup>12</sup>

**(a) Demolition of a Designated Property, section 34:**

Once a property is designated under section 29 of the OHA, no owner shall demolish or remove a building or structure on the property unless the owner applies to the Council of the municipality and receives consent in writing to the demolition or removal. The Council must, within 90 days of the receipt of an application to demolish, after consultation with its municipal heritage committee consent to the application, consent to the application with terms and conditions or refuse the application. If the Council consents to an application, subject to terms and conditions, or refuses an application, the owner may appeal the Council's decision to the OMB within 30 days of the day the owner received notice of Council's decision. After holding a hearing, the OMB may dismiss the appeal or order that the municipality consent to the demolition without terms and conditions or with such terms and conditions as the OMB specifies in its Order. The decision of the OMB is final.

**(b) Alteration of a Designated Property, section 33:**

Once a property is designated under section 29 of the OHA, no owner shall alter the property or permit the alteration of the property, if the alteration is likely to affect the property's heritage attributes, as set out in the description of the property's heritage attributes, unless the owner applies to the Council of the municipality and receives consent in writing to the alteration. The Council, within 90 days of the receipt of an application to alter the property, after consultation with its municipal heritage committee, may consent to the application, consent to the application on terms and conditions or refuse the application. The applicant may within 30 days of the receipt of Council's notice,

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<sup>12</sup> *Ibid* at ss 29(14.1).

apply to Council for a hearing before the CRB. The Council shall refer the matter to the CRB for a hearing. Within 30 days after the conclusion of the hearing, the CRB shall make a report to the Council setting out its findings of fact and its recommendations regarding the request to alter. After considering the CRB's report, the Council, without holding a further hearing, shall confirm or revise its decision. The decision of Council is final.<sup>13</sup>

As you will have noted, the appeal rights for an alteration permit are very different from the appeal rights for a demolition permit. The appeal for a demolition permit is to the OMB and after a hearing, the OMB's decision is final. The request for alteration, if denied, is appealed to the CRB for a hearing. The CRB makes only a recommendation and not a decision. The CRB's recommendation is then sent back to the very Council that denied the alteration permit in the first instance. The Council does not hold a further hearing, rather it considers the recommendations of the CRB and renders its decision and there is no further recourse or appeal procedure for the applicant. This creates a rather circular appeal process that puts the applicant in an unusual position of appealing the municipal Council's refusal to the CRB, who may agree with the applicant and recommend that the alteration permit be granted, only to have it refused by the same Council that refused it in the first instance. One almost wonders why an applicant would even bother appealing Council's decision if the odds are so heavily set against reversing Council's original decision. Regrettably, no one is able to explain why the legislature decided on two different appeal procedures.

I would be remiss if I did not mention that when a municipality is designating a property it will use the full legal description of the property. Pursuant to subsection 26(1) of the OHA, property "means real property and includes all buildings and structures". Consequently, the owner of a large property, containing a heritage structure, may believe that if they are preserving the heritage structure and merely severing the lot in order to develop the remaining portion of the lands, that they will not encounter difficulties with the OHA. Unfortunately, that is often not the

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<sup>13</sup> *Ibid* at ss 33(13).

case as many municipalities will argue that the land upon which the heritage structure is situated, is equally as important to heritage conservation as the heritage structure. Although the owner is not applying for a demolition permit of the structure, the municipality will insist that the development application to build on the remaining lands, constitutes an alteration under section 33 of the OHA and requires a permit to alter. As noted above, if the Council is not in support of the development application it is unlikely that the Council will support the alteration permit and the decision on the alteration permit is wholly within the sole jurisdiction of the municipal Council.

### **3. Part V of the *Ontario Heritage Act*, 2005 – Heritage Conservation District (HCD)**

A HCD is an area within a municipality that is protected by a municipal by-law passed under Part V of the OHA. HCD designations are intended to protect an area considered to be historically or culturally significant that requires special attention in the planning process to ensure that they are conserved. HCD's can be made up of residential neighbourhoods, commercial areas, main streets, institutional and industrial campuses and natural areas. The organization of streets, blocks, properties, structures, landscape streetscape, plantings and other features of a HCD can contribute to the identified cultural heritage values of an area.<sup>14</sup>

Section 40 of the OHA allows a municipality to undertake a study of any area within a municipality for the purpose of designating one or more HCDs. Subsection 40(2) requires that the scope of the study shall examine the character and appearance of the area, including buildings, structures and other property features of the area to determine if it should be preserved. As well, the study will make recommendations as to the geographic boundaries and content of the heritage conservation district plan, as well as to changes that will be required to the municipality's official plan and any municipal by-laws, including zoning by-laws.<sup>15</sup> Once a municipality undertakes a study under section 40, the Council may, by by-law, designate the area as a heritage conservation study area for a period of one year. During the study period the

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<sup>14</sup> City of Toronto, *Heritage Conservation Districts in Toronto*, *supra* note 5 at 6.

<sup>15</sup> *Ontario Heritage Act*, *supra* note 2 at ss 40(2).

municipality, through a by-law passed under section 40(1), may prohibit or set limitations with respect to the alteration of property within the study area and the erection, demolition or removal of buildings and structures within the study area. Any owner of property within the study area may appeal the by-law establishing a study area to the OMB.<sup>16</sup>

The designation of a HCD is authorized under section 41 of the OHA, but only if the municipality has in effect an official plan that contains provisions relating to the establishment of HCDs. An individual property that is designated under Part IV of the OHA may be included in an area designated as a HCD. If a property is designated under Part IV and is also in a HCD, it is subject to section 33 with respect to obtaining an alteration permit and not the Part V rules.<sup>17</sup> An appeal for the alteration permit of a double designated property, therefore, is made to the CRB and not the OMB.

Section 41.1 of the OHA requires that a by-law designating a HCD shall adopt a HCD plan. The HCD plan must include the following:

“Section 41.1

- (5) A heritage conservation district plan shall include,
  - (a) A statement of the objectives to be achieved in designating the area as a heritage conservation district;
  - (b) A statement explaining the cultural heritage value or interest of the heritage conservation district;
  - (c) A description of the heritage attributes of the heritage conservation district and of properties in the district;
  - (d) Policy statements, guidelines and procedures for achieving the stated objectives and managing change in the heritage conservation district; and

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<sup>16</sup> *Ibid* at ss 40(4).

<sup>17</sup> *Ibid* at ss 41(2.2).

- (e) A description of the alterations or classes of alterations that are minor in nature and that the owner of property in the heritage conservation district may carry out or permit to be carried out on any part of the property, other than the interior of any structure or building on the property, without a permit under section 42.”

Prior to the passage of a HCD, the municipality is required to hold a public meeting and allow oral submissions. Any person may make written submissions to Council with respect to the plan, any time before passage of the by-law adopting the plan. Once a by-law is passed designating the HCD, any person may appeal the designating by-law to the OMB within 30 days of the date of publication of the notice. The OMB, after holding a hearing may dismiss the appeal, allow the appeal in whole or in part, or repeal the by-law. It is also important to note that subsection 41(8) permits the OMB, on its own motion or on the motion of any party, to dismiss all or part of an appeal, if the OMB is of the opinion that the reasons for appeal do not disclose any apparent ground upon which the OMB could allow all or part of the appeal or if the appeal is not made in good faith, is frivolous or vexatious or is made only for the purpose of delay or if the person has not participated in the public process for the adoption of the HCD by either making an oral submission at a public meeting or by submitting written submissions.

Once a HCD has been designated under Part V no owner of a property in the HCD is permitted to alter any part of the property, other than the interior of any structure, or erect, demolish or remove any building or structure on the property, unless the owner obtains a permit from the municipality. An owner may apply to the municipality for a permit to alter the property or erect or demolish a building or structure within a HCD. Should the municipality refuse the permit or grants the permit with terms and conditions, the owner of the property may appeal the refusal to the OMB. The OMB shall hear the appeal and dismiss the appeal or direct that the permit be issued without terms and conditions or with such terms and conditions as the OMB may direct.<sup>18</sup>

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<sup>18</sup> *Ibid* at ss 41(7).

## **DRAFT KING-SPADINA HERITAGE CONSERVATION DISTRICT PLAN – OCTOBER 2016**

The introduction of the Draft HCD states that “the City’s existing HCD’s 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”.<sup>19</sup> In addition, the Draft HCD states that “HCDs are 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 Official Plan”.<sup>20</sup>

The Draft HCD was authorized by City Council in October 2012 and commenced in April 2013. Through the study process the HCD boundary was expanded to the west to capture both sides of Bathurst Street and to the north to include both sides of Adelaide Street West, as well as St. Andrew’s playground. The study recommended that the area be divided into two parts and that plans for the two areas (King East and King West) proceed. In the initial stages of the plan process for each area, it was determined by City staff and the consultants that there was significant overlap between the two plans and repetition in their cultural heritage value and heritage attributes. It was therefore determined that a single plan would be better able to align with existing and developing planning initiatives within the area. The Draft HCD combines the two plans as a single plan and creates character sub-areas to reflect “fine-grained and unique attributes”.<sup>21</sup>

The Draft HCD Plan will create one of the largest HCD’s in Toronto, consisting of 45 hectares of land located in the southwest area of the downtown core bounded by Richmond Street West to the north, Simcoe Street to the east, Wellington Street and King Street West to the south and Bathurst Street to the west. It contains 512 properties with 65 properties already listed in the City of Toronto Heritage Register and 4 properties subject to heritage easement agreements. The

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<sup>19</sup> City of Toronto, *King-Spadina Heritage Conservation District Plan [Draft]*, *supra* note 8 at 10.

<sup>20</sup> *Ibid* at 10.

<sup>21</sup> *Ibid* at 11.

Draft HCD is adjacent to the Draper Street HCD to the south and the Queen Street West HCD to the north. The Draft HCD recommends a total of 8 character sub-areas. (see attached Schedule “B”<sup>22</sup> and Schedule “C”<sup>23</sup>).

The specific objectives of the Draft HCD are found in section 3.0 and include the following:

1. Conserve, maintain, and enhance the cultural heritage value of the District as expressed through its heritage attributes, contributing properties, building typologies, character sub-areas, public realm and archaeological resources.
2. Conserve the legibility of the District's period of significance, particularly the early phase of residential development, and the later commercial phase of development, as expressed through the District's heritage attributes.
3. Conserve the physical form and scale of the identified building typologies, including the residential, commercial, institutional and public works typologies.
4. Conserve and enhance contributing properties, Part IV designated properties, listed properties and National Historic Sites.
5. Conserve the predominant scale and built form pattern in each character sub-area.
6. Ensure complementary alterations to contributing properties and prevent the removal of heritage attributes from contributing properties within the District.
7. Ensure that new development and additions conserve and enhance the cultural heritage value of the District in general, as well as the character sub-area in which it is located, particularly with respect to scale, public realm and the general pattern of the built form.
8. Ensure that archaeological resources are conserved.
9. Encourage high quality architecture in the design of new development, additions and alterations that is complementary to the District's cultural heritage value.
10. Conserve, enhance and extend the network of laneways, both public and private, to support an understanding of their historic and contemporary uses.

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<sup>22</sup> City of Toronto, *King-Spadina Heritage Conservation District Plan [Draft]*, *supra* note 8 at 43.

<sup>23</sup> *Ibid* at 51.

11. Conserve and enhance views of contributing properties from the public realm, and specific views and vistas that contribute to an understanding of the District's cultural heritage value.
12. Conserve Clarence Square, Victoria Memorial Square and St. Andrew's Playground, and their relationships to adjacent contributing properties.
13. Conserve and enhance the social, cultural and community values of the District as a mixed-use area through the adaptive reuse of contributing properties to facilitate commercial, cultural and community based activities.
14. Ensure development and alterations adjacent to the District conserve the District's cultural heritage value.

Section 4.3 establishes the built form heritage attributes of the general Draft HCD, together with the built form typologies of the character sub-areas. Section 5.3 sets out the contributing and non-contributing properties within the Draft HCD. Although all properties within the Draft HCD will be designated under Part V of the OHA, each property within the Draft HCD has been classified as either being 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 recognizes that a higher standard of conservation must be applied to contributing properties.

A contributing property is defined as “a property, structure, landscape element or other feature of a HCD that supports the identified significant culture heritage values, character and integrity of the District”. A non-contributing property is “a property, structure, landscape element or feature of a District that does not support the overall cultural heritage values, character and integrity of the District.”<sup>24</sup> The total number of properties identified as contributing to the District's cultural heritage value is 287 of the 512 total properties located within the District (**see attached Schedule “D”**).<sup>25</sup> It is important to note that a contributing property is not necessarily a property on the City's Heritage Register.

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<sup>24</sup> *Ibid* at 46.

<sup>25</sup> *Ibid* at 48.

The policies and guidelines for contributing properties can be found in section 6.0 of the Draft HCD. The policies and guidelines are intended to manage change within the District in order to meet the objectives of the plan. The policies describe what is required when undertaking work on a property within the District and are required components of the designating by-law. The guidelines provide suggested methods of satisfying associated policies, but do not carry the mandatory weight of policy.

A Heritage Impact Assessment must be submitted to the City that evaluates the impact of any proposed alteration or addition on the contributing property to the satisfaction of the Chief Planner and Executive Director of City Planning. Policy 6.4.1 prohibits the demolition of buildings or structures on contributing properties unless the integrity of the contributing property has been lost and the loss of integrity of the property is not the result of demolition by neglect, deferred maintenance or purposeful damage to the property.

Any restoration projects on contributing properties must reinstate building features from the period to which a building is being restored that have been removed or damaged. Alterations to contributing properties shall be complementary with and subordinate to the District's cultural heritage value and heritage attributes.

Some of the more controversial policies in the Draft HCD can be found in sections 6.10.1 – 6.10.14 which require that the massing of additions to contributing properties shall conserve the historic buildings' three dimensional integrity. All additions are required to be complementary with the scale, height, massing and form of the contributing property, adjacent contributing properties and the District's heritage attributes. As well, additions on elevations facing a street of contributing properties are not permitted. Additions to contributing properties shall be designed to maintain the primary vertical and horizontal articulation of bays, rooflines, and floor to floor dimensions.

The policies and guidelines for non-contributing properties, adjacent to contributing properties, is found at Section 7.2 of the Draft HCD. Specifically, section 7.2.1 states that alterations to a non-contributing property shall conserve the cultural heritage value and heritage attributes of the

District and adjacent contributing properties. However, section 7.4 stipulates that the demolition of buildings or structures on non-contributing properties may be permitted. Demolition, however, cannot occur until plans for the replacement building have been submitted and approved by Council and the replacement building must conform to applicable policies contained in the plan. Alterations and additions to non-contributing properties is not permitted, except where the proposed work has been evaluated and it has been demonstrated that the heritage attributes of the District are conserved. New development and additions to non-contributing properties must be designed to be complementary to the scale height, massing and form of adjacent contributing properties and the District's heritage attributes. Additional policies for each character sub-area are found in section 8.0.

The aforementioned policies described above are but a few examples of the policies that may significantly curtail or restrict redevelopment within this 45 hectare area of the City. Many property owners within the Draft HCD have expressed serious concerns with the restrictive policies found in the plan and have submitted written comments that the Draft HCD unduly restricts the development potential of not only the contributing properties, but also the non-contributing properties. Other criticisms of the Draft HCD include that it does not acknowledge development or redevelopment or modifications of the properties that have occurred after the mid-20<sup>th</sup> century. The Draft HCD isolates the goals and objectives of the plan to a specific historical period (1880 – 1940) and ignores the modifications and renovations that have occurred during the evolution of the area.

## **CONCLUSION**

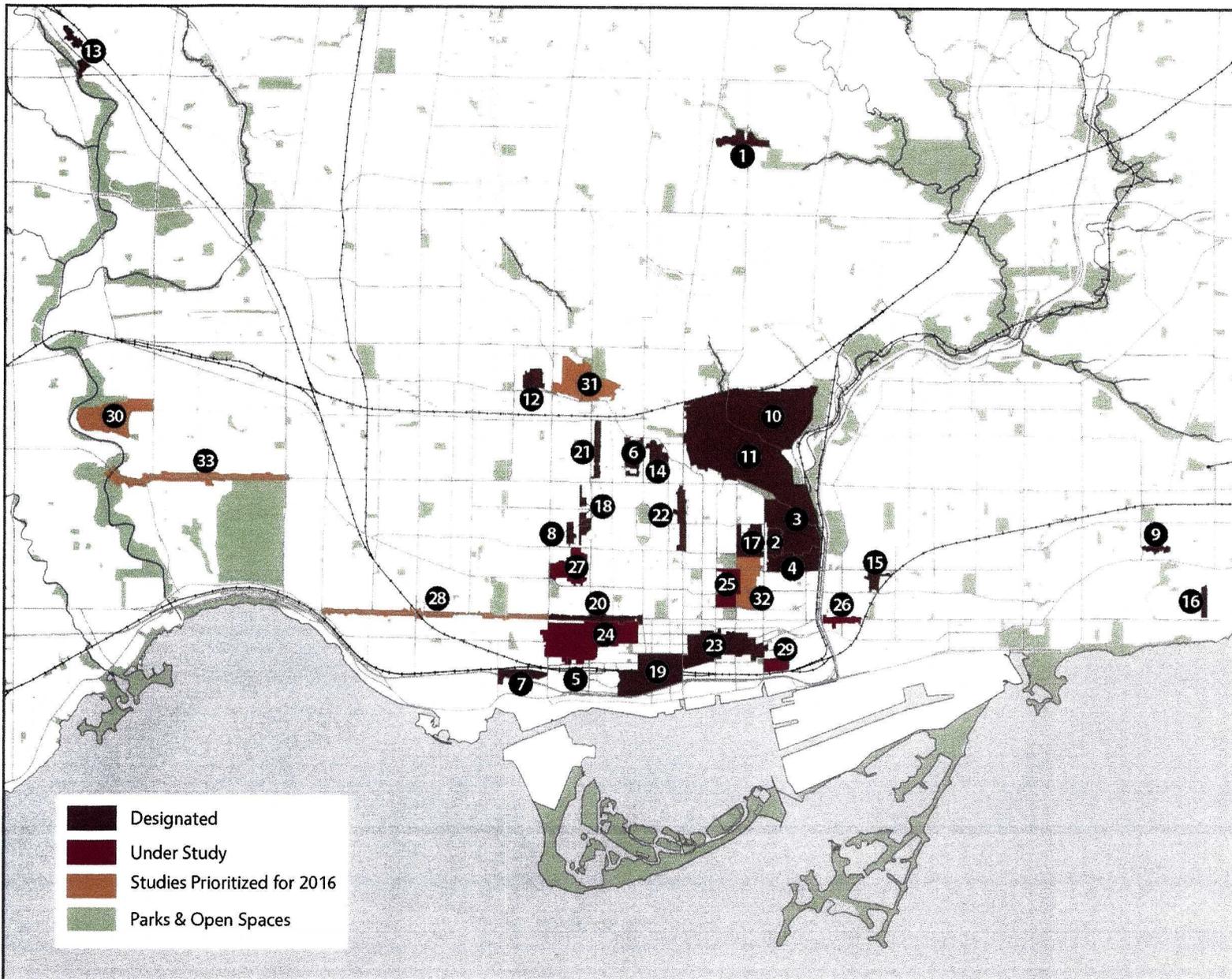
Preserving the City's history is a laudable goal however, preservation should not ignore the need for change and growth. The Draft HCD isolates the goals and objectives of the plan to a specific historical period (1880 – 1940) and ignores the numerous modifications and renovations that have occurred during the evolution of the area. It is overly onerous to expect present landowners to restore properties to previous building iterations. It is also equally unfair and onerous to classify extensively modified and renovated buildings to the category of contributing properties and then require strict adherence to the contributing property policies.

Many of the policies contained in the Draft HCD would appear to make intensification nearly impossible for both contributing and non-contributing properties. A number of the policies are unduly onerous and impose excessive step-back requirements, the introduction of maintaining the three dimensional integrity of contributing buildings and the requirement of non-contributing properties to maintain the scale, height, massing and form of adjacent contributing properties. It is difficult to see how the policies, as currently drafted, would encourage growth and prosperity.

The preservation of a municipality's heritage must be reviewed within the context of important provincial policies such as the PPS and the Growth Plan with respect to intensification of land uses and the promotion of long term economic vitality. In reviewing the Map of contributing properties found at Schedule D, almost half of the properties within the 45 hectare area are classified as contributing properties. At the time of preparing the Draft HCD staff confirmed that only 65 of the 517 properties are found on the City's Heritage Register, yet 287 properties are classified as contributing properties. The likelihood of growth and redevelopment within this area will be seriously challenged by the present policies in the Draft HCD. The overreaching policies of the Draft HCD, as presently drafted, may create unrealistic standards that may seriously impede growth and reinvestment in this important area of the City.

# **SCHEDULE “A”**

# Heritage Conservation Districts in Toronto



### Designated HCDs

1. Blythwood Road
2. Cabbagetown-Metcalf Area
3. Cabbagetown North
4. Cabbagetown South
5. Draper Street
6. East Annex
7. Fort York
8. Harbord Village
9. Lyall Avenue
10. North Rosedale
11. South Rosedale
12. Wychwood Park
13. Weston
14. Yorkville-Hazelton
15. Riverdale
16. Balmy Beach-Kingswood South
17. Cabbagetown Northwest
18. Harbord Village - Phase II
19. Union Station
20. Queen Street West
21. Madison Avenue (West Annex Phase I)
22. Historic Yonge Street
23. St. Lawrence Neighbourhood

### HCDs Under Study

24. King-Spadina
25. Garden District
26. Queen Street East
27. Kensington Market
28. West Queen West
29. Distillery District

### HCD Studies Prioritized for 2016

30. Baby Point
31. Casa Loma
32. Cabbagetown South West
33. Bloor West Village

Adopted by City Council in 2017

# **SCHEDULE “B”**

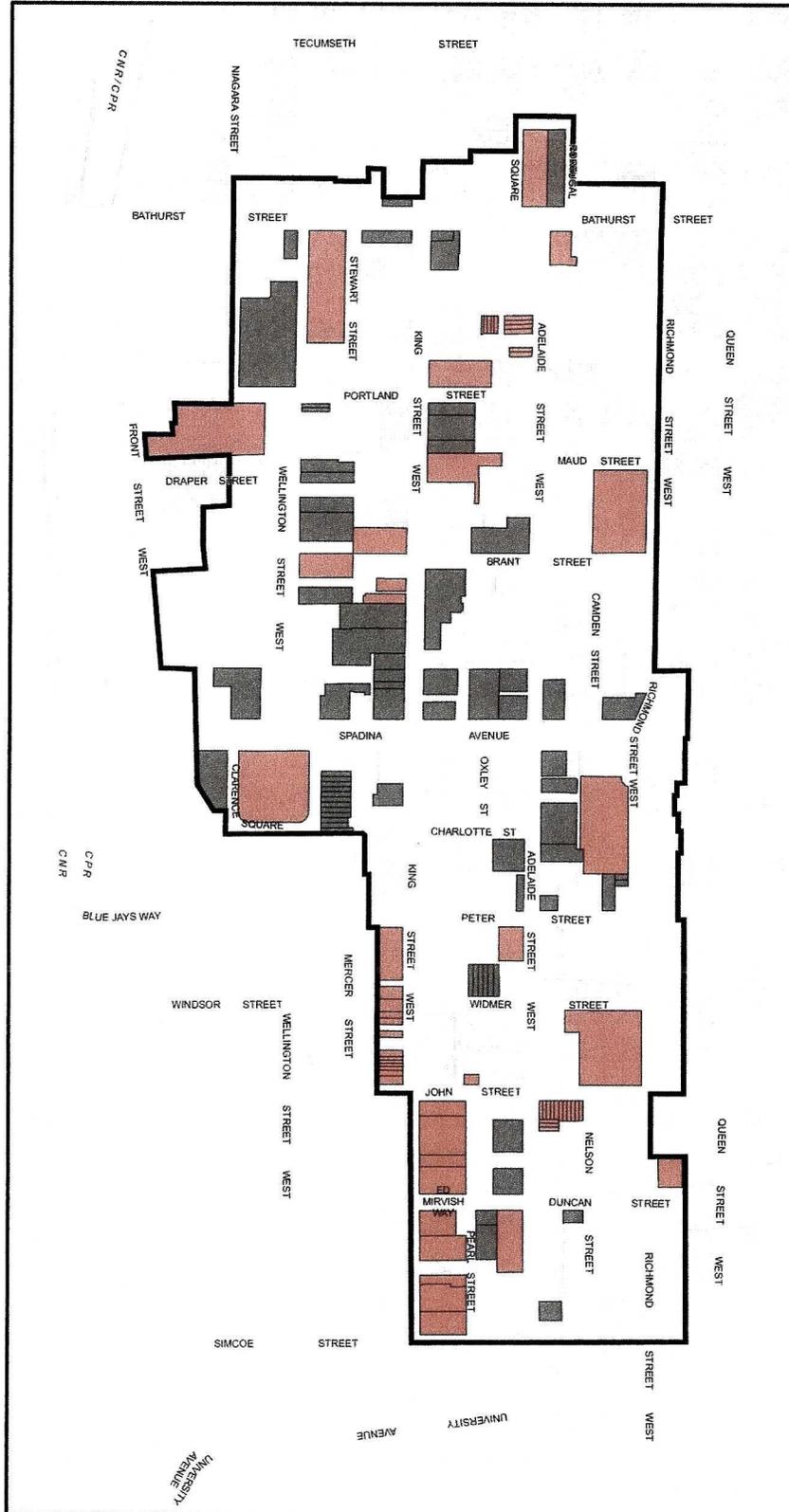
**Toronto**  
Heritage Register

**Proposed King-Spadina**  
Heritage Conservation District

Proposed Plan Area

Listed Properties

Designated Part IV Properties



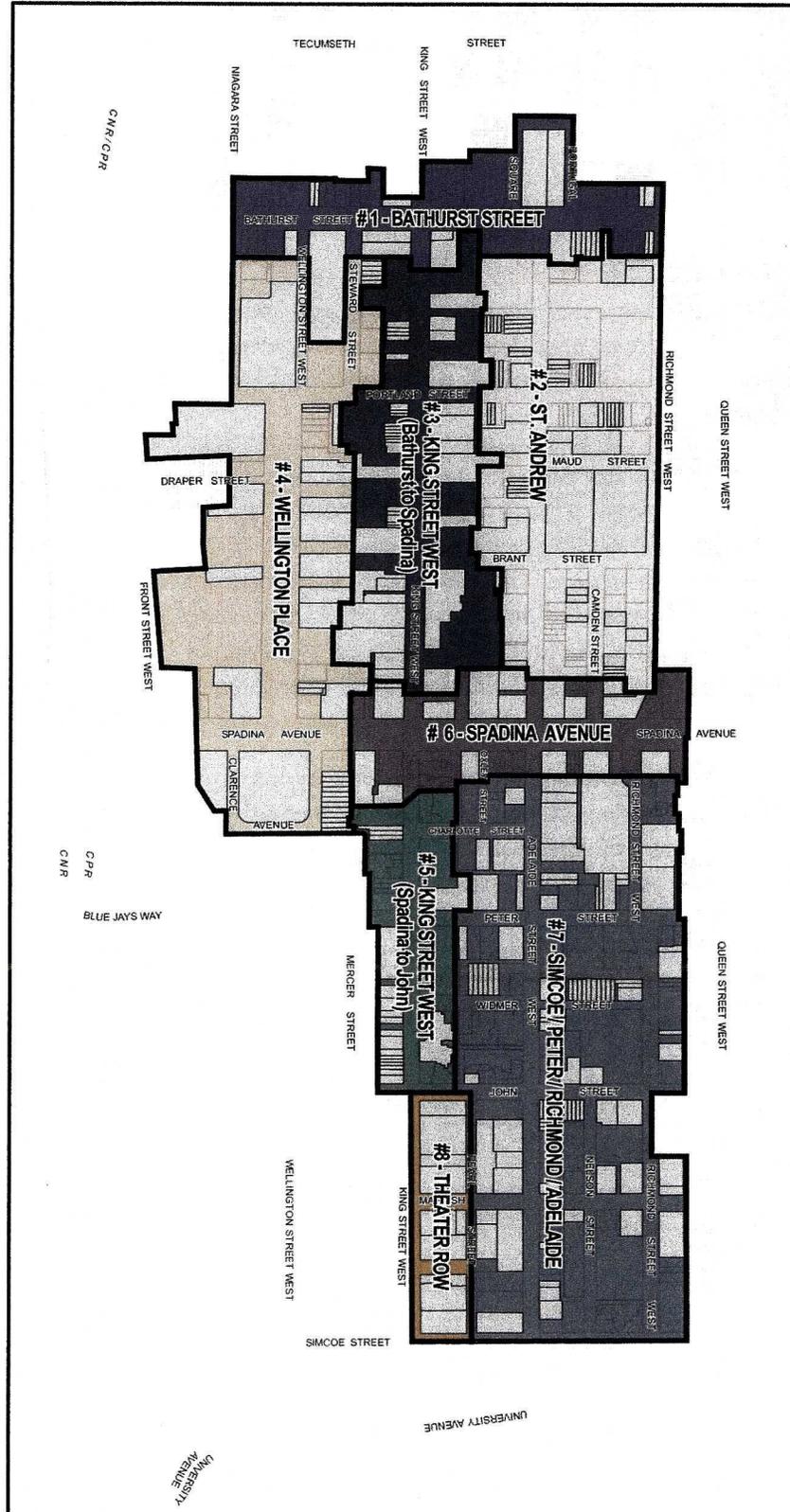
Not to Scale  
04/2016

# **SCHEDULE “C”**

**TORONTO**  
Character Sub-Areas

**Proposed King-Spadina  
Heritage Conservation District**

-  Proposed Plan Area
-  Contributing Properties



Not to Scale  
Oct/2016

# **SCHEDULE “D”**

**TORONTO**  
Contributing Properties

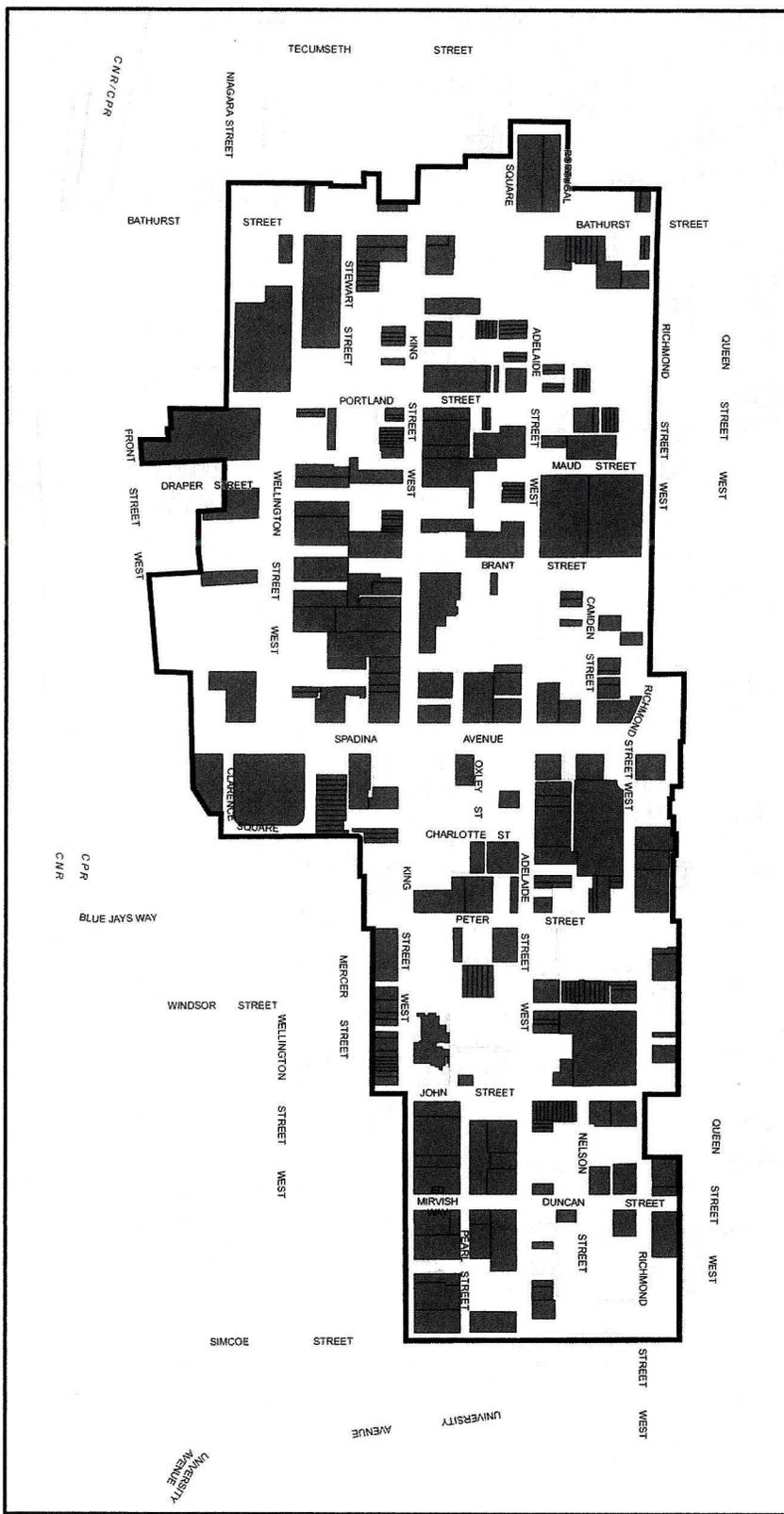
Proposed King Spadina  
Heritage Conservation District



Proposed Plan Area



Contributing Properties



Not to Scale  
Oct/2016