

Clause embodied in Report No. 9 of the Toronto East York Community Council, as adopted by the Council of the City of Toronto at its Special Meeting held on July 30, 31 and August 1, 2002.

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**Yorkville-Hazelton Avenue Area
Heritage Conservation District
(Toronto Centre-Rosedale, Ward 27)**

(City Council at its Special Meeting held on July 30, 31 and August 1, 2002, adopted this Clause, without amendment.)

The Toronto East York Community Council recommends the adoption of the following report (June 10, 2002) from the Commissioner of Economic Development, Culture and Tourism:

Purpose:

To recommend that City Council designate the Yorkville-Hazelton Avenue area as a Heritage Conservation District.

Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that:

- (1) in accordance with Section 41 of the *Ontario Heritage Act*, Council designate the area shown on Attachment No. 1, save and except those properties which have been designated under Part IV of the *Act*, as the Yorkville-Hazelton Avenue Area Heritage Conservation District;
- (2) Council adopt Attachment No.2, the Yorkville-Hazelton Avenue Area Heritage Conservation District Plan as a guide for property owners, City staff, advisory committees and Council when making decisions regarding matters set out under Sections 42 and 43 of the *Ontario Heritage Act*; and
- (3) the appropriate officials be authorized to take the necessary action to give effect thereto.

Background:

The Toronto Preservation Board at its meeting held on May 30, 2002 endorsed the staff recommendations.

Starting in the early nineties, local residents raised concerns about alterations to individual properties affecting the heritage character of the area. In 1998, City Council passed an Interim Control By-law to study the area and introduce appropriate zoning by-law changes. The zoning by-law was amended and it was recommended at that time that certain sections of the Yorkville-Triangle area should be considered for designation as a Heritage Conservation District as an additional mechanism for preserving the area character.

At its meeting of March 30, 1999, City Council requested the former Heritage Toronto to consider the merits of District designation of the Hazelton Avenue Area. A preliminary survey of the area was conducted and Council was advised that the area exhibited heritage characteristics that would merit further study. At its meeting held on May 11 and 12, 1999, City Council passed By-law No. 267-1999 authorising that the area be examined for possible designation under Part V of the *Act*.

At its October 2000 meeting, City Council allocated funds from a Section 37 (*Planning Act*) Agreement from the development at 100 Bloor Street West to engage consultants to conduct a Heritage Conservation District study of the area. The group led by the consulting firm of IBI Group, David Eckler Architect and Commonwealth Associates was hired in August 2001 to conduct the study.

Comments:

Historical and Architectural Significance of the Proposed District

The built origins of Yorkville date to 1808 when the Red Lion Hotel was established near Yonge and Bloor Streets. In 1836, Sheriff William Botsford Jarvis and brewer Joseph Bloor laid out village lots on five adjoining Form Lots north-east and north-west of the Yonge-Bloor intersection. The area evolved into a residential, working class and commuter suburb of the City of Toronto. The Village of Yorkville was incorporated in 1853. In 1883, the portion of the Village of Yorkville west of Yonge Street was annexed to the City of Toronto.

This area is one of the City of Toronto's original Victorian neighbourhoods. The late nineteenth century architectural character remains visible today. There are many surviving examples of single, semi-detached and row housing with Victorian decorative features throughout the area. Of almost 200 properties within the area, a majority was built before 1900. There is a coherent sense of scale, material and rhythm of house fronts and bays. The landscape features, particularly along Hazelton Avenue, enhance the residential character of the neighbourhood.

Within the proposed Heritage Conservation District, seven properties are individually designated under Part IV of the *Ontario Heritage Act*. The *Act* specifies that no properties designated under Part IV of the *Act* can be designated as part of a Heritage Conservation District. Therefore,

within the Yorkville-Hazelton Avenue Area, the properties at 35 Hazelton Avenue and 31, 33, 35, 37, 39, and 41 Bishop Street will be excluded from the District.

Official Plan Provisions

Section 41 (1) of the *Ontario Heritage Act* enables a municipal Council to designate heritage conservation districts where the municipal official plan contains provisions relating to establishing such districts. The Official Plan of the former City of Toronto contains such provisions. Specifically, the Toronto Official Plan, Section 5.5, states:

‘It is the policy of Council to designate Heritage Conservation Districts within the City on the basis of appropriate studies and, to take all necessary steps to encourage preservation and conservation of the heritage buildings, structures and sites, including all areas in the public domain, within such districts.

In designating a Heritage Conservation District, Council shall first define such area as a Heritage Conservation District Study Area, and direct that a study of the proposed district be undertaken. Once completed, the study will form the basis of the Heritage Conservation District Plan. Council may proceed to designate all or part of the area by by-law as a Heritage Conservation District and shall use its powers of review and regulation to implement the objectives of the Heritage Conservation District Plan.’

These Official Plan requirements have been met with respect to the Yorkville-Hazelton Avenue Heritage Conservation District.

The Yorkville-Hazelton Avenue area is a special neighbourhood in the City that has been largely defined as two “Areas of Special Identity” (Yorkville Triangle and Scollard/Hazelton) in the former City of Toronto Official Plan. City Council may designate “Areas of Special Identity” in order to conserve and strengthen areas and streets with unique and significant built form or landscape qualities, or noteworthy civic, historic or open spaces. However, “Areas of Special Identity”, which are established under the Planning Act, cannot address architectural detail.

Inventory Research for the Proposed District

The consultants, engaged to conduct the study, researched building histories to establish the construction dates and predominant architectural character. This property inventory includes a photograph of each structure and identification of significant heritage features. The properties researched number approximately 200. This inventory provides a comprehensive record of the area’s heritage features.

This inventory, which is available for viewing in the offices of Heritage Preservation Services, provides the necessary information in developing the Heritage Character Statement and the District Plan. It also will be of assistance for City Officials and residents in the future when reviewing proposed building alterations in the District.

District Steering Committee Established

A steering committee, composed of The ABC Ratepayers Association, a representative of the Toronto East York Preservation Panel together with City staff and a representative from the Councillor's office, was established. The steering committee provided advice and comments to the Consultants throughout the study phase. They also assisted by participating at community meetings and identifying and addressing local concerns regarding the proposed district.

The steering committee, established in October 2001, met 3 times during the course of the study.

Public Participation

The Heritage Conservation District study of the Yorkville-Hazelton Avenue area has had considerable public input, which is outlined in Attachment No. 3. Three public meetings were held and property owners were advised of each meeting through mailed notification. In addition, the ABC Ratepayers Association provided updates on the progress of the study at its monthly meetings. Comments voiced either at the public meetings or in written submissions have been considered in the determining the recommended District boundaries and the District Plan.

A total of 68 written comments were received within two weeks of the last public meeting. Of the total, 58 were written by property owners within the study boundaries and 10 from interested parties. Of the 58 letters from property owners, 53 supported District designation.

The District Character and Heritage Attributes Statement

The District character and heritage attributes form the rationale for defining the District. This includes its urban form, Victorian architecture, streetscape and character of new construction. The full statement is contained in Section 1.5 on pages 4 to 6 of Attachment No. 2, the Yorkville-Hazelton Heritage Conservation District Plan.

In addition, the District Plan includes the conservation intent for the District, which is to maintain the existing residential and institutional heritage and the scale and character of the neighbourhood.

District Boundaries

The recommended District boundaries are shown in Attachment No. 1. The consultant and the steering committee, after comments from the three public meetings, concurred with the final District boundary. In general, this area displays integrity and consistency in architectural character, even in much of the new development in the area. Additional areas were considered at the request of some members of the public but are not recommended for inclusion in the District.

The District Plan

The approach of the District Plan is to provide a tool for managing change consistent with good heritage conservation principles so as to encourage continued maintenance of the heritage

character of the District. The District Plan is not intended to prevent property owners from making changes. The District Plan consists of:

- (a) Heritage Conservation Principles (Section 1.4)
- (b) Guidelines: Alterations, Additions, Demolition and New Construction (Section 2)
- (c) Landscape Guidelines (Section 2.5)
- (d) Implementation (Section 3.0)

Heritage Conservation Principles flow from the conservation intent of the District Character and Heritage Attributes. These principles relate to demolition, heritage buildings, landscape, new development and form the basis for the rest of the District Plan.

Guidelines: Alterations, Additions and New Construction are more detailed guidelines that are based on the Conservation Principles. This section provides the broad framework for evaluating changes to heritage buildings and their fabric. In addition it provides guidance to owners when evaluating broad design related issues including alterations and additions to heritage buildings and new building construction. This section also identifies the criteria for evaluating proposals for demolition within the District.

Landscape Guidelines provides an overview of the character defining landscape features and encourages property owners to maintain landscape styles appropriate to heritage buildings and their fabric. Compliance with the Landscape Conservation Guidelines does not require a heritage permit under the *Ontario Heritage Act*.

Planning and Implementation examines legislation, planning policy context for heritage district designation and describes the implementation procedure, including information requirements when an owner makes application under Section 42 and 43 of the *Ontario Heritage Act*.

Appendices to the District Plan include a sample of Technical Advisory Notes that provide practical conservation guidance on building fabric and architectural features and serves as a tool for property owners. *Advisory Notes* deals with maintenance, repairs, replacements, restoration and provides detailed advice to owners about a conservation approach when it comes to making alterations to their properties.

Implementation

The designation of the Yorkville-Hazelton Avenue Area Heritage Conservation District and the endorsement of the Plan by Council will enable the City and property owners to better protect and maintain the heritage resources in the District. Once designated and in accordance with City By-law 1005-2001, proposals that comply with the District Plan may be approved by staff, while proposals that do not comply or result in demolition require City Council approval. Applicants are encouraged to consult with the Culture Division staff prior to making an application.

Next Steps

In accordance with Section 42 of the *Ontario Heritage Act*, implementation of the Plan occurs as soon as Council passes the by-law designating the Heritage Conservation District. However, the

Ontario Heritage Act requires the Ontario Municipal Board to provide a hearing and to approve the Heritage Conservation District by-law, following a municipal council's passing such a by-law.

Conclusions:

The Yorkville-Hazelton Avenue area is a significant historical and architectural neighbourhood in the City of Toronto. In accordance with the Official Plan, City Council passed a by-law authorising a study of the proposed area. Consultants were engaged to conduct the study. The consultants and City staff worked with a Steering Committee. Three public meetings were held with property owners from the District. The three public meetings resulted in a strong expression of support for establishing a Heritage Conservation District in the Yorkville-Hazelton Avenue Area. It is appropriate at this time to recommend designation of the District and to endorse the District Plan.

Contact:

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(Attachment referred to in the foregoing report were forwarded to all Members of the Toronto East York Community Council with the agenda for its meeting on July 17, 2002, and copies have been forwarded to Council under separate cover.)

The Toronto East York Community Council reports, for the information of Council, having also had before it during consideration of the foregoing matter, the following communications, and a copy is on file in the office of the City Clerk.

- (June 27, 2002) from Dianne Robinson;
- (June 27, 2002) from A. Kaszuba;
- (June 16, 2002) from Clementina Chilver; and
- (July 16, 2002) from Shirley Morriss, ABC Residents' Association

The following persons appeared before the Toronto East York Community Council in connection with the foregoing matter:

- Stacie Marune, MTCC #576, and ABC and GYRA Member;
- Shirley Morriss, ABC Residents' Association; and
- Jane Beecroft.

The Heritage Conservation District Boundaries

(Councillor Disero, at the special meeting of Council held on July 30, 31 and August 1, 2002, declared an interest in the foregoing Clause, in that she owns property in the subject area.)