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G. Barrett

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE PUBLIC PARTICIPATION MEETING SEPTEMBER 9, 2014
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	WORTLEY VILLAGE - OLD SOUTH HERITAGE CONSERVATION DISTRICT

RECOMMENDATIONS

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, with respect to the creation of a heritage conservation district for the Wortley Village-Old South neighbourhood:

- i) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 16, 2014 to designate the Wortley Village-Old South Heritage Conservation District pursuant to Part V (Section 41.(1)) of the *Ontario Heritage Act* (Schedule "1") and to adopt the Wortley Village Heritage Conservation District Plan + Guidelines (Schedule "2") pursuant to Section 41.1(1) of the *Ontario Heritage Act*, and,
- ii) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on September 16, 2014 to amend Section 13.3.5 Implementation-Heritage Conservation District Plans and to add Figure 13-_, amend Section 13.3.8-Specific Heritage Conservation Districts to add a character statement and policies for the Wortley Village-Old South Heritage Conservation District, amend Chapter 13-Properties of Cultural Heritage Value or Interest to add a new Figure 13-_ to identify the boundaries of the Wortley Village-Old South Heritage Conservation District, and to amend Section 19.2.2-Guideline Documents to add the Wortley Road-Old South Heritage Conservation District Plan + Guidelines to the list of guideline documents.

It being noted that this matter was previously considered by Municipal Council at its meeting of November 5, 2013 following a public participation meeting before the Planning and Environment Committee on October 29, 2013.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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2013 October 29, 2013: Public Participation Meeting-Proposed Wortley Village-Old South Heritage Conservation District.

2013 April 09: Report to PEC- Wortley Village –Old South Heritage Conservation District

2011 December 12 – Report to PEC –Wortley Village-Old South Heritage Conservation District Study

2009 November 2: Report to Planning -Wortley Village – Old South Heritage Conservation District Study

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2003, August 25: Planning Staff Report – **Potential Heritage Conservation District Priority List**

1999, March: Planning Staff Report – **Implementation of Heritage Conservation District Studies and Plans**

1993: Guideline Document – ***Heritage Places: A Description of Potential Heritage Conservation Areas in the City of London***

BACKGROUND

On November 5, 2013, Municipal Council resolved that:

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the creation of a Heritage Conservation District for the Wortley Village-Old South neighbourhood:

- a) *the proposed by-law, as appended to the staff report dated October 29, 2013 BE INTRODUCED at a future meeting of the Municipal Council to designate the Wortley Village-Old South Heritage Conservation District under Part V (Section 41.(1)) of the Ontario Heritage Act;*
- b) *the proposed by-law, as appended to the staff report dated October 29, 2013 BE INTRODUCED at a future meeting of the Municipal Council to amend Section 13.3.5 Implementation-Heritage Conservation District Plans to add Figure 13-6, to amend Section 13.3.8 Specific Heritage Conservation Districts to add a character statement and policies for the Wortley Village-Old South Heritage Conservation District and to amend Chapter 13 Properties of Cultural Heritage Value or Interest to add a new Figure 13-6 to identify the boundaries of the Wortley Village-Old South Heritage Conservation District; and,*
- c) *the Wortley Village Heritage Conservation District Plan and Guidelines BE REFERRED to the Civic Administration to:*
 - i) *amend Section 19.2.2 Guideline Documents of the Official Plan to include the Wortley Village-Old South Heritage Conservation District Plan and Guidelines as a guideline document;*
 - ii) *to adopt the Wortley Village-Old South Heritage Conservation District Plan and Guidelines as a heritage conservation district plan pursuant to Section 41.1(1) of the Ontario Heritage Act; and,*
 - iii) *to report back on parts i) and ii), above, at a future meeting of the Planning and Environment Committee;*

it being noted that the proposed by-laws referred to in parts a) and b), above, will be introduced at the Municipal Council meeting following the Planning and Environment Committee meeting when the Wortley Village-Old South Heritage Conservation District Plan and Guidelines are considered;

it being pointed out that at the public participation meeting associated with this matter, the following individuals made oral submissions in connection therewith:

- *David Winninger, 497 Old Wonderland Road – echoing the Heritage Planner’s comment that it has been 20 years since Wortley Village-Old South was identified as a potential heritage conservation district; noting that Wortley Village-Old South has been waiting very patiently while five other districts were designated; expressing support for the designation of Wortley Village-Old South; and indicating that there are a lot of unique*

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- heritage homes and buildings in Old South, such as the former Normal School, which has been described as the jewel in the crown for heritage in all of London.*
- *Bob Porter, President, Old South Community Organization, 50 Byron Avenue East – expressing appreciation to the City for bringing this matter forward; advising that most of the residents in Old South have been very excited about this happening; and believing that this is a great initiative for the City.*
 - *Gary Brown, Member, Old South Community Organization, 35A – 59 Ridout Street – expressing support for this initiative; expressing appreciation to the staff and the consultants for all of their efforts in this endeavor; indicating that he learned a lot about the neighbourhood during the process; advising that, on page 163 of the Planning and Environment Committee Agenda, part f) mentions the retention of existing grass boulevards; noting that he does not like the use of the word “grass” as people sometimes naturalize their boulevard; requesting the use of the word “naturalized” instead of “grass”; indicating that on page 166 of the Planning and Environment Committee Agenda, it mentions the London Normal School; and expressing concern that, as this is the only good sized open space in the area, any proposed changes to the grounds should require public site plan approval; and reiterating that the green is just as important as the Normal School to the community.*
 - *Doug Lansink, 66 Byron Avenue – expressing disagreement with the proposed Heritage Conservation District; indicating that he believes that it is a way to control density; and advising that he believes that it is important for Wortley Village to have an increase in density. (2013-D09)*

In the October 29, 2013 report to the Planning and Environment Committee, staff identified areas of the draft Wortley Village Heritage Conservation District Plan and Guidelines that would be revised to provide clarification where there may be some confusion or inconsistency on the application of the recommendations of the Plan.

Staff have completed that review, and the revised Plan and Guidelines are presented for adoption.

One change that was made throughout the document relates to the use of the terms “preserve” and “conserve”. Both the *Ontario Heritage Act* and the Provincial Policy Statement (2014) use the term “conserve”. This term is used to recognize that these districts, nor the elements and features of the district are intended to be “frozen in time”, which is what is often meant by the term “preserve”. The Wortley Village-Old South Heritage Conservation District represents a period of London suburbanization that occurred primarily between 1850 and 1930, meaning that the neighbourhood reflects changes that occurred over that 80 year time. The Plan and Guidelines for the District recognize this, and provide a context for sympathetic change over time.

Other changes are summarized below:

Section 4-District Policies

The changes in this Section clarify that as a result of the adoption of the Heritage Conservation District Plan, all properties are then considered to be designated under Part V of the *Ontario Heritage Act*. This clarification is required because for the purposes of the Wortley Village – Old South Heritage Conservation District Plan and Guidelines, all properties have been rated as Category A, B, C or D. Properties rated as Category A, B or C or considered “heritage properties” in the Plan, and Category D properties are considered “non-heritage properties”. This distinction is important in the Plan, as there are different policies and guidelines for the different categories of properties. The clarification states that, notwithstanding this categorization of “heritage” or “non-heritage”, these properties are all designated under the *Ontario Heritage Act*.

Additional clarification has been added to note that alterations or additions that are visible from

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the street are subject to more rigorous review than alterations or additions that would not be visible from the street.

Section 5-Municipal Policies

The changes in this section again clarify the requirements resulting from the designation of the Heritage Conservation District, and cover such municipal processes as the Official Plan, Zoning By-law, Consents, Minor Variances, Site Plan Control, Demolition, Signage and Property Standards. An extract of the Property Standards By-law has been added for reference.

Section 6-Heritage Alteration Permit Process

This Section outlines the process for reviewing Heritage Alteration Permits, and the types of works that would require a Heritage Alteration Permit.

Section 10-Landscape Conservation and Design Guidelines

Minor revisions were made throughout this section to clarify the municipal role in conserving landscape elements that are important features of the District.

CONCLUSION

The Wortley Road-Old South Heritage Conservation District Plan is the culmination of a multi-year process responding to a community initiated request. It will provide guidance and direction for future change in the proposed area.

The previous Staff report of October, 2013 provides the justification for the creation of the Wortley Village-Old South Heritage Conservation District, as well as a summary of the Heritage Conservation District Plan and Guidelines.

The Plan and Guidelines will provide a context for the evaluation of proposals for new development or redevelopment in the District, as well as guidelines to assist homeowners who wish to make alterations or changes to their properties.

The Wortley Village-Old South Heritage Conservation District meets the criteria of both the City's Official Plan and the *Ontario Heritage Act* for the designation and identification of heritage conservation districts. The Wortley Village-Old South Heritage Conservation District Plan and Guidelines are recommended for adoption to assist in the conservation of this important London neighbourhood.

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PREPARED AND SUBMITTED BY:
G. BARRETT, AICP MANAGER, LONG RANGE PLANNING & RESEARCH
RECOMMENDED BY:
J.M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER

August 19, 2014

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Appendix A- Map – Proposed Boundaries

Appendix B – Wortley Village Heritage Conservation District; Plan and Guidelines

Appendix C – Proposed By-law to establish the Wortley Village-Old South HCD and adopt the Wortley Village-Old South Heritage Conservation District Plan and Guidelines.

Appendix D – Proposed By-law to Amend the Official Plan

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Appendix “A”

Bill No. (number to be inserted by Clerk's Office)
2014

By-law No. L.S.P. _____

A by-law to designate a heritage conservation district known as Wortley Village-Old South and to adopt a heritage conservation district plan and guidelines for the heritage conservation district known as Wortley Village – Old South.

WHEREAS pursuant to subsection 41 (1) of the *Ontario Heritage Act, R.S.O., 1990, c 0/18*, the Council of a municipality may by by-law designate the municipality or any defined area or areas thereof as a heritage conservation district;

AND WHEREAS pursuant to subsection 41.1 (1) of the *Ontario Heritage Act, R.S.O., 1990, c 0/18*, the Council of a municipality shall by by-law adopt a Plan for the heritage conservation district;

AND WHEREAS the Official Plan for the City of London contains policies relating to the establishment of heritage conservation districts and the adoption of heritage conservation district plans;

AND WHEREAS it is intended to designate the area defined by the by-law as a heritage conservation district and adopt a heritage conservation district plan;

The Municipal Council of The Corporation of the City of London enacts as follows:

1. The area shown on Schedule “1” hereto annexed and forming part of this by-law is hereby designated as a Heritage Conservation District.
2. The Wortley Village Heritage Conservation District Plan and Guidelines, attached as Schedule “2” is hereby adopted.
3. This by-law shall come into effect in accordance with section 41 of the *Ontario Heritage Act, R.S.O 1990*, either on the day following the last day of the prescribed appeal period or as otherwise provided by subsection 41(10) of the *Act*.

PASSED in Open Council on September 16, 2014.

Joni Baechler
Mayor

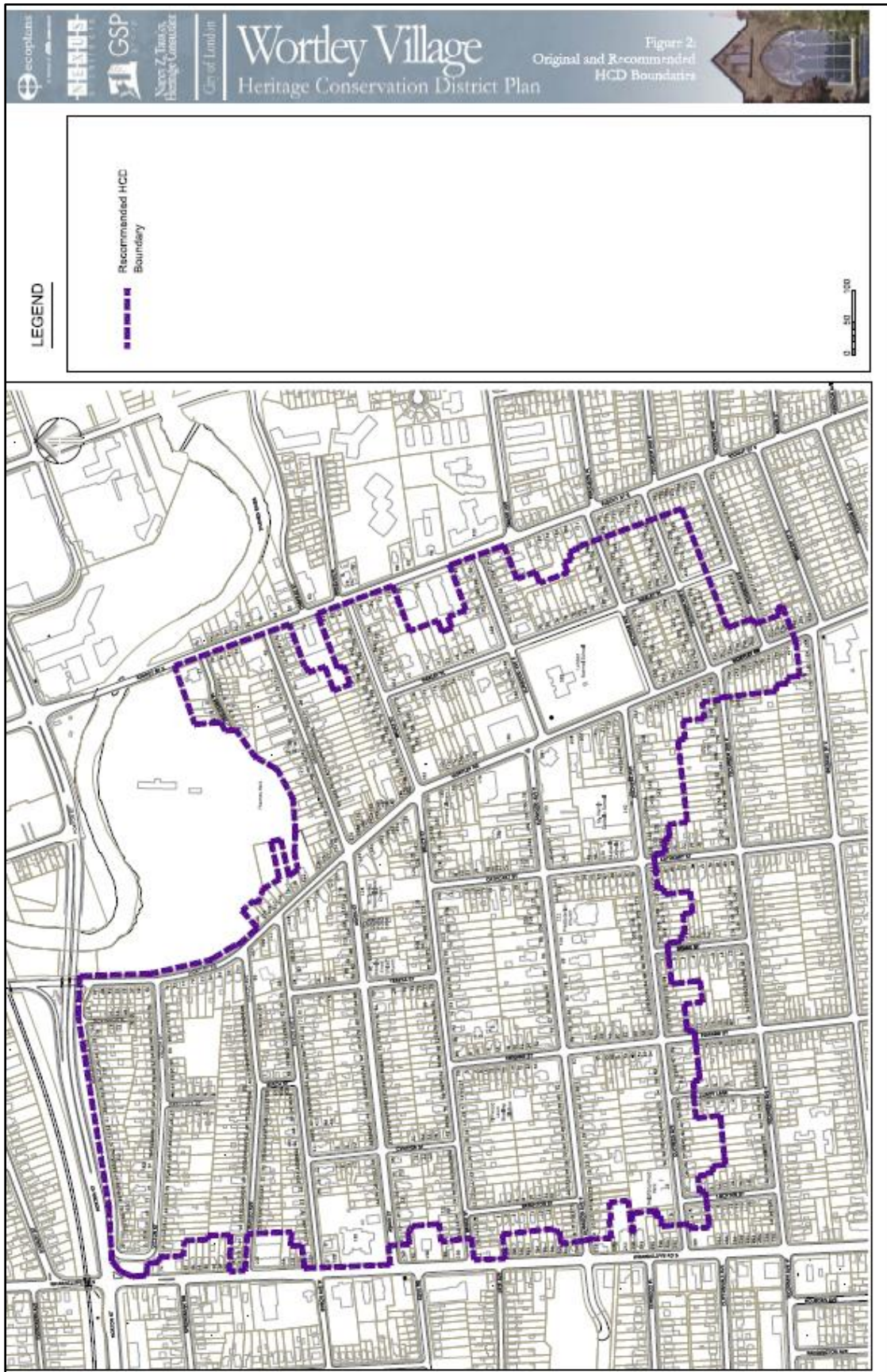
Catherine Saunders
City Clerk

First Reading – September 16, 2014
Second Reading – September 16, 2014
Third Reading – September 16, 2014

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Schedule "1": Wortley Village-Old South Heritage Conservation District



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Schedule "2": Wortley Village-Old South Heritage Conservation District: Plan + Guidelines

(Provided as a separate, bound document.)

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Appendix “B”

Bill No. (number to be inserted by Clerk's Office)
2014

By-law No. C.P.-1284-_____

A by-law to amend Section 13 (Heritage Resources) and Section 19 (Implementation) of the Official Plan for the City of London, 1989 to designate a heritage conservation district known as Wortley Village-Old South.

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text and on “Figure 13- _” attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on September 16, 2014.

Joni Baechler
Mayor

Catherine Saunders
City Clerk

First Reading – September 16, 2014
Second Reading – September 16, 2014
Third Reading – September 16, 2014

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AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to recognize and add Wortley Village –Old South Heritage Conservation District to Sections 13.3.5, 13.3.8 and 19.2.2 of the Official Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

This amendment applies to lands located within the Wortley Village - Old South Heritage Conservation District which is shown on the attached “Figure 13. _” in the City of London.

C. BASIS OF THE AMENDMENT

Section 41 (1) of *The Ontario Heritage Act* enables Municipal Councils to create, by by-law, in consultation with the London Advisory Committee on Heritage (LACH), one or more areas of a municipality for designation as heritage conservation districts. Such a designation enables the municipality to protect groups of properties that, collectively, represent a certain aspect of the development of the municipality considered worthy of preservation. The creation of such districts allows municipalities to manage change and development within the area so as to protect and enhance the heritage character there. Section 13.3 of the City of London Official Plan provides for the designation of heritage conservation districts under Section 41 of the *Ontario Heritage Act* and provides some detail relating to the process that is to be followed for such designation.

The City’s Guideline Document, *Heritage Places* (1993), identified three areas in the Wortley Village-Old South neighbourhood as potential heritage districts:, Wortley Village, Marley Place and Elmwood Avenue. By Council resolution in November, 2009, Council directed that a Wortley Village –Old South Heritage Conservation District process begin. Consultants were hired to complete the Background Study required for such a district. A Wortley Village –Old South Steering Committee was formed and consultation was held with the London Advisory Committee on Heritage, City departments and the public. In 2011, Council approved the expanded boundaries for a proposed district and further directed that the second phase of the process continue The consulting process included three public meetings, three meetings with the LACH, a community questionnaire, three Living in the City notices and property owner notification letters on four occasions. Throughout the process, the LACH has expressed its support for the establishment of a Wortley Village – Old South Heritage Conservation District.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

1. Section 13.3.5 to the Official Plan is amended by adding the phrase “Figure 13. _” after the phrase “Figure 13.5” and before the word “Council” in the second sentence.
2. Section 13 of the Official Plan for the City of London Is amended by adding the attached Figure 13. _ Wortley Village –Old South Heritage Conservation District after Fig. 13.5.
3. Section 13.3.8 to the Official Plan is amended by adding a new section as follows:

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“13.3.8._ Wortley Village – Old South”

- i. The Wortley Village - Old South Heritage Conservation District, identified on Figure 13._ encompasses an area within the larger Old South Planning District generally bounded by Ridout Street /Wortley Road on the east, Beaconsfield on the north, Wharncliffe on the west and Duchess/Tecumseh on the South. Historically, this area was part of what was known as London South within Westminster Township prior to its annexation by the City of London in 1891. It has a lengthy history as a residential suburb with an independent village character. Its historical evolution is reflected in the concentration and stylistic mixture of historic buildings dating from the area’s formative years circa 1850-1930. These generally well preserved historic homes and institutional buildings, along with the rather haphazardly incremental character of the Wortley Road Commercial core give the area both visual and cultural distinctiveness.

The architectural character of Wortley Village-Old South is established by the recurrent use of consistent building materials, forms and details in the majority of the buildings within the district. The building form and details are largely dictated by Victorian tastes, although there are other examples of architectural styles. This character is strengthened by significant, large buildings forming the commercial area along Wortley Road to form a visual core of landmark buildings.

The linear street grid pattern and generally consistent building scale and setbacks thereon establish a strong rhythm and coherent character within the area. The combination of trees in both the public and private realms contributes greatly to a generally enclosed feeling and contributes to the comfortable and friendly pedestrian environment of the neighbourhood adding to the “village” flavor.

- ii. It is the intention of Council to maintain, protect and conserve the Wortley Village – Old South Heritage Conservation District. Council shall have regard to Official Plan policies as they apply to heritage conservation districts in Section 13._ and, in particular, in accordance with Official Plan policies and the Wortley Village-Old South Heritage Conservation District Plan and Guidelines.

- 4. Section 19.2.2 (ii) of the Official Plan for the City of London is amend by adding the following sub-section:

_) Wortley Village – Old South Heritage Conservation District Plan and Guidelines.

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Figure 13-_ Wortley Village-Old South Heritage Conservation District

