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TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	PROPOSED WORTLEY VILLAGE - OLD SOUTH HERITAGE CONSERVATION DISTRICT PUBLIC PARTICIPATION MEETING OCTOBER 29, 2013

RECOMMENDATIONS

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:

1. The proposed by-law attached hereto as Appendix "C" **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*;
2. The proposed by-law attached hereto as Appendix "D" **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 , 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 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,
3. The attached Wortley Village Heritage Conservation District Plan + Guidelines **BE REFERRED** to staff to be brought back at a future meeting of the Planning and Environment Committee to amend Section 19.2.2 Guideline Documents of the Official Plan to include the Wortley Village-Old South Heritage Conservation District Plan + Guidelines as a guideline document, and to adopt the Wortley Village-Old South Heritage Conservation District Plan + Guidelines as a heritage conservation district plan pursuant to Section 41.1(1) of the *Ontario Heritage Act*.

It being noted that the attached proposed by-laws referred to above will be introduced at the Municipal Council meeting following the Planning and Environment Committee meeting to consider the Wortley Village-Old South Heritage Conservation District Plan + Guidelines.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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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**

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

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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

Establishing a Heritage Conservation District

In a municipality where there is an official plan that contains provisions relating to the establishment of heritage conservation districts, Section 41 (Part V) of the *Ontario Heritage Act*, enables the municipality to designate one or more heritage conservation districts. Such a designation enables the municipality to protect groups of properties that, collectively, represent certain aspects of the development of the community that are deemed 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 the *Ontario Heritage Act* and provides details related to the process that is to be followed for such designation. Official Plan Amendment 438 identifies both municipal criteria for the creation of a heritage conservation district and the required background information needed for its creation.

Five heritage conservation districts have been established in London to date - East Woodfield (1993), Bishop Hellmuth (2003), Old East Village (2006), West Woodfield (2009) and the historic Downtown (2012).

The process for developing heritage conservation districts within the City of London is related to the Guideline document, *Heritage Places: A Description of Potential Heritage Conservation Areas in the City of London* (1994). This document had identified four potential heritage conservation districts within what is commonly referred to as the old South neighbourhood. For the purposes of evaluating the potential for a heritage conservation district in the Old South neighbourhood, three of these - Wortley Village, Marley Place and Elmwood Avenue East - were combined for the study conducted in 2010-2011. That study led to a recommendation from Council in December, 2011 that staff work with consultants and the community to go forward with the preparation of a District Plan and Conservation Guidelines for a proposed district known as Wortley Village- Old South with the boundaries noted. (Appendix 1- Area Map).

Criteria for a Heritage Conservation District

The City of London Official Plan describes the criteria that must be considered by Council in the evaluation of an area for designation as a Heritage Conservation District:

- a) the association of the area with a particular historical event or era that is unique to the community;
- b) the presence of properties which are considered significant to the community as a result of their location or setting;
- c) the presence of properties representing a design or method of construction which is considered architecturally and/or historically significant to the community, region, province, or nation.
- d) the presence of properties which collectively, represent a certain aspect of the development of the City which is worthy of maintaining; and
- e) the presence of physical, environmental, or aesthetic elements which, individually, may

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not constitute sufficient grounds for the designation of a Heritage Conservation District, but which collectively are significant to the community.

The City's Official Plan policies in this regard reflect the Provincial expectations pursuant to both the Provincial Policy Statement 2.6.1 which states that "significant built heritage resources and significant cultural heritage landscapes shall be conserved." The *Ontario Heritage Toolkit* produced by the Ministry of Tourism, Culture and Sport points out that Heritage Conservation Districts are a means of providing for planning processes that respect a community's history and identity and for developing a process that sustains these elements into the future. Districts are unique but often share a common set of characteristics including:

- a concentration of heritage buildings, sites structures, designed landscapes, natural landscapes that are linked by aesthetic, historical and socio-cultural contexts or use.
- A framework of structured elements including major natural features and built form such as pathways and street patterns, landmarks, notes or intersections, approaches and edges.
- A sense of visual coherence through the use of such elements as building scale, mass height, material, proportion, colour, etc. that convey a distinct sense of time and place.
- A distinctiveness which enable districts to be recognized and distinguishable from their surroundings or neighbouring areas.(*Ontario Heritage Toolkit*, p.8-11)

Following the completion of an inventory for the expanded study area, in December 2011, Municipal Council received the report from the consultants for Wortley Village-Old South and staff which recommended the Wortley Road-Old South area for the creation of the city's next heritage conservation district as the study process findings suggested that the proposed district would meet the above characteristics. It also suggested the boundaries for the proposed district. Recommendations were also made to launch "Phase 2" of the process, the preparation of a District Plan to serve as the basis for a by-law that would include Conservation Guidelines, prepared with community consultation, for the area's properties. This has now been accomplished and is the basis for the remainder of this report.

Heritage Conservation District Plan

With respect to the creation of a heritage conservation district, such a by-law requires the municipality to adopt a heritage conservation district plan for the proposed district. The content of a heritage conservation district plan must 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 the properties in the district.
- d) a description of the alterations or classes of alterations that are minor in nature and that the owner of the 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.

Each of the above is considered in the following section.

WORTLEY VILLAGE - OLD SOUTH DISTRICT PLAN
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The basis for the designating by-law for the proposed Wortley Village-Old South Heritage Conservation District can be found in the *Wortley Village-Heritage Conservation District Plan + Guidelines* produced for the City by the consulting team in consultation with the community, staff and the London Advisory Committee on Heritage over the course of 2012. The District Plan is broken into several sections. Some sections relate to required content which is outlined below. As well, the Plan incorporates the proposed boundary approved by Council in December 2011

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(Appendix A). Further, it identifies specific policies related to the conservation and protection of the heritage character of the area including recommendations for a heritage alteration permit process and for the implementation of the Plan. A major section of the Plan contains architectural conservancy guidelines to assist property owners with potential conservation and restoration information as well as cultural heritage landscape conservation and design guidelines. A number of appendices provide additional information including a summary homeowners' brochure for quick reference.

The following is a summary of the recommendations of the proposed Wortley Village-Old South Conservation District Plan + Guidelines:

a) Statement of Objectives

The following goals and objectives are identified in the proposed District Plan:

1. Recognize, protect, enhance and appreciate Wortley Village - Old South's cultural heritage resources, including buildings, landscapes and historical connections and value their contribution to the community.
2. Avoid the destruction and / or inappropriate alterations of the existing building stock, materials and details.
3. Maintain and enhance the visual, contextual and pedestrian-oriented character of Wortley Village-Old South's streetscape and public realms.
4. Maintain the low-density residential character of the Wortley Village-Old South Heritage Conservation Districts as the predominant land use, while recognizing that certain areas of the district already have or are intended for a wider range of uses.
5. Ensure that the permit approvals process for the Wortley Village-Old South Heritage Conservation district is effective, streamlined and easily understood

b) Statement of Cultural Heritage Value or Interest of the Wortley Village – Old South District

The area within the proposed district has a long history as a residential suburb of London with an independent village character that is reflected in the concentration and mix of historic buildings dating from c. 1850-1930. Along with a more eclectic mix of commercial properties along the Wortley Road commercial heart, the collection of well-preserved historic homes and institutional buildings give the area a visual and cultural distinctiveness meeting one of the major criteria for a heritage conservation district. The land uses within the boundaries of the recommended district had reached the present built form largely before World War I with the more dominant commercial character along Wortley Road established by the later 20th century.

While the architectural character of the proposed district is not dissimilar to surrounding neighbourhoods built over the same time span, there is an identifiable recurrent use of consistent building materials, forms and details in the district along with the presence of certain landmark buildings with similar design details that help define the area.

The historical evolution and architectural character of the proposed district are emphasized by the linear grid streetscapes found throughout the district with their consistent building scale and setbacks providing a distinctive sense of rhythm and coherence. The streetscape itself is defined also by the tree canopy provided by public and private trees creating a strongly pedestrian character to the area.

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c) Description of Heritage Attributes of the District and the Properties in the District

With respect to the cultural heritage value or interest of the proposed district there are a number of general heritage attributes that are worthy of preservation by means of the creation of a heritage conservation district:

- The mix of architectural styles including Gothic Revival, Italianate, Neoclassical, Victorian, Queen Anne and Four style as well as vernacular buildings which reflect the evolution of the architectural styles from c. 1850-1930.
- The consistency of one to three storey buildings with institutional exceptions to this average height.
- The extensive use of buff brick as a fairly common building material.
- The linear grid street pattern with generally consistent setbacks of buildings from the street.
- The extensive tree canopy on both public and private property.
- The presence of a number of landmark buildings including the former Normal School, churches, St. Martin's and Victoria schools with their adjacent playground spaces.
- The views and vistas related to the presence of the Normal School.
- The green space provided by the grounds of the Normal School.
- The eclectic mix of commercial properties many of which feature commercial additions to former residential properties along Wortley Road in the business area.
- The pedestrian centred environment emphasizing the neighbourhood character of the area.

In an architectural analysis conducted as part of the Study for the area, consultants categorized the buildings in the area using a classification of A, B, C or D depending on the degree to which buildings retained their architectural integrity and so contributed to the heritage character of the area. From the summary, 94.8% of the total 1032 buildings were categorized as contributory buildings. Only 54 buildings (5.2%) were seen as non-contributory because of recent construction, style or condition. A significantly large number (28.3%) of all the properties were identified as being particularly important because of designation or listing in the *Heritage Inventory* or for other features that defined the property as a fine example. Twenty-two properties have previously been designated under Part IV (Section 29) of the *Ontario Heritage Act*.

d) Description of Alterations that are Minor in Nature

Similar to what was produced for Old East Village and West Woodfield districts, consultants have identified work for which either heritage alteration approval by Council is needed, after consultation with the LACH or, in many instances, where no alteration approval is required (Appendix B – *District Plan + Guidelines*). In addition, to streamline the application process a recommendation is made that delegation authority be granted to a designated municipal authority to process simple applications for which neither LACH nor Council consideration may be needed. The primary purpose of the heritage application process is to ensure that major heritage features are not lost with inappropriate renovations or redevelopment.

Conclusion

Sections a) – d) above indicate that the essential requirements for a heritage conservation district Plan have been provided in the *Wortley Village Heritage Conservation District: Plan + Guidelines*. The Wortley Village Heritage Conservation District Plan conforms to the City's Official Plan policies for the identification and creation of a Heritage Conservation District, and is consistent with the criteria of the *Ontario Heritage Act*.

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POLICY RECOMMENDATIONS

In addition to the items described above that support meeting the requirements needed for a heritage conservation district, the Draft Plan and Conservation Guidelines for Wortley Village - Old South contain a number of specific policy recommendations to support the maintenance of the heritage character of the proposed district. These have been summarized below for quick reference. To date, there has been little public feedback received through the public consultation process, however, in the Staff review, it is recommended that some clarification be added to the proposed Guidelines prior to final adoption, in addition to any revisions or clarifications that may be required as a result of public feedback.

Development Pattern - Residential Area

To maintain the general consistency of the land uses and development pattern in the district, the following residential area policies are proposed:

- a) Maintain the residential amenity and human scale by ensuring that the low rise, low density character remains dominant.
- b) New land uses that are not in keeping with the character of the residential area, and/or may have a negative impact on the residential area are discouraged.
- c) Higher intensity uses or redevelopment opportunities shall be focussed outside of the low rise residential area of the district, to areas designated by the City of London for intensification (i.e. Ridout Street South).
- d) Where new uses or intensification is proposed, adaptive reuse of the existing heritage building stock should be considered, wherever feasible.
- e) Severances which would create new lots are strongly discouraged, unless the resulting lots are of compatible width to adjacent lots.
- f) Where existing detached residential buildings are lost due to circumstances such as severe structural instability, fire or other reasons, the setback of replacement building(s) shall be generally consistent with the original building(s).
- g) Parking for new or replacement dwellings is to be located in the driveways at the side of the dwelling or in garages at the rear of the main building, wherever possible. New attached garages at the front of the building are discouraged.

Suggested clarification: Clarify that these policies do not over-ride the current zoning applied to properties in the neighbourhood, and that these zone variations describe the uses and regulations associated with the zones.

Clarify policy related to location of attached garages to prohibit garages from extending beyond the main building façade.

Wortley Commercial Area

To maintain the general compatibility of the land uses and development pattern in the district, the following policies are proposed for the Wortley Village Area:

- a) Maintain a diverse mix of uses and building styles.
- b) Maintain the staggered setbacks, building heights and scale to achieve an eclectic and interesting streetscape.
- c) Maintain sufficient parking opportunities.
- d) Discourage off street parking in front of buildings (within front yards) along Wortley Road.

Suggested clarification: Require main building entrances for new commercial development to be oriented to the sidewalk.

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Require vision glazing along the front façade; discourage graphic details, tinted glass and lifestyle panels along the front façade.

Heritage Buildings – Alterations and Additions

- a) Minor exterior alterations and additions to commercial buildings shall be permitted; such alterations on the side of the building facing a public street are discouraged.
- b) Minor exterior alterations and additions to single detached dwellings shall be permitted; such alterations within any front or side yard are discouraged.
- c) Conversion of use will be permitted, if permitted by zoning, and if the conversion does not significantly alter the street appearance of the building.
- d) Structural alterations to the exterior of buildings are not permitted in the event of residential conversions. Any exterior stairs or fire escapes are to be designed to be sympathetic to the original construction of the building and kept away from the street façade of the structure.
- e) Major alterations to the exterior façade of buildings facing a public street are discouraged. Such alterations will only be considered where the intent is to restore or achieve the heritage objectives of either the HDC plan or the Official Plan.
- f) Additions shall be subordinate to the original structure to allow the heritage features and built form to take visual precedence on the street.
- g) Design guidelines provided in the Conservation Guidelines will be used to review and evaluate applications for additions and alterations to ensure that the proposed changes are compatible with the existing building and do not result in the irreversible loss of heritage attributes.
- h) Evaluation of additions and alterations to properties adjacent to the Wortley Village-Old South Heritage Conservation District will be required in order to demonstrate that the heritage attributes of the district will be conserved (per Section 2.6.3 of the Provincial Policy Statement).

Suggested clarification: Provide definition of “heritage buildings” for the purposes of this section, noting that all properties within the heritage Conservation District are designated under Part V of the Ontario Heritage Act.

Clarify policies regarding “minor modifications”, noting that modifications visible from the street (front or exterior side yard) are discouraged.

Demolitions

- a) Heritage buildings in the district should not be demolished. Where a building has been severely damaged by fire or other calamity, or if a building is determined to be non-contributing to the heritage character of the HCD (a group D building), the existing building may be considered for demolition and replacement in accordance with policies and guidelines for new buildings.
- b) The City of London will vigorously enforce property maintenance standards for heritage properties to ensure that heritage assets are not diminished from neglect and not put at risk of demolition from neglect.
- c) Any proposal to demolish a heritage building or portion of a heritage building that is visible from the street or other public space within the district shall require a heritage permit from the municipality.
- d) Where demolition of a heritage property is proposed, the property owner shall provide supporting documentation demonstrating appropriate reasons for the demolition. Council shall have the prerogative of refusing such applications unless it is clearly justified on the basis of building condition, heritage ranking and attributes, and impact on adjacent heritage properties and the streetscape or other such criteria as may be required by the City of London.
- e) Where demolition of a heritage home is proposed, the owner/applicant shall be encouraged to maintain traditional setbacks, scale, and massing in their new

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development/redevelopment plans.

- f) Where demolition of a heritage building is proposed, the Chief Building Official shall be directed that, prior to the issuance of any demolition permits, either Site Plan approval or a Building permit be obtained in advance of the demolition permit to allow the LACH and Council the opportunity to view the planned redevelopment prior to any demolition of a building /structure and to mitigate against any premature demolition.
- g) In situations where demolition is approved by Council, written and / photographic documentation of any notable architectural features and construction techniques will be required to create a record of the building and its key features.
- h) Reclamation of suitable building materials such as windows, doors, mouldings, columns, bricks, etc. for potential reuse in a new building on the site or as replacement components for other buildings in the area which require repair and restoration over time is strongly encouraged if demolition is approved for any heritage buildings in the district.

Suggested clarification: Provide definition of "heritage buildings" for the purposes of this section, noting that all properties within the heritage Conservation District are designated under Part V of the Ontario Heritage Act.

Clarify that where a demolition is proposed, Municipal Council may impose or establish conditions on the demolition.

Non-Heritage Buildings- Alterations and Additions

- a) Minor exterior alterations and additions to commercial buildings shall be permitted; such alterations to the side of a building facing a public street are discouraged.
- b) Minor exterior alterations and additions to single detached dwellings shall be permitted; such alterations within any front or side yard are discouraged.
- c) Conversion of use will be permitted, if permitted by zoning and if the conversion does not significantly alter the street appearance of the building.
- d) Structural alterations to the exterior of the buildings in the event of residential conversions are discouraged. Any exterior stairs or fire escape are to be designed to be sympathetic to the original construction of the building and kept away from the street façade of the structure.
- e) Major alterations to the exterior façade of non-heritage buildings facing a public street are permitted where the intent is achieve the heritage objectives of either the HDC plan or the Official Plan.
- f) Design guidelines provided in Sections 8 and 9 of this Plan will be used to review and evaluate applications for additions and alterations to ensure that the proposed changes are compatible with the surrounding buildings and to not negatively impact the heritage attributes of the area and surrounding buildings.
- g) Evaluations of additions and alterations to properties adjacent to the Wortley Village-Old South Heritage Conservation District will be required in order to demonstrate that the heritage attributes of the district will be conserved (as per Section 2.6.3 of the Provincial Policy Statement -2005).

Suggested clarification: Provide definition of "non-heritage buildings" for the purposes of this section, noting that all properties within the heritage Conservation District are designated under Part V of the Ontario Heritage Act.

Clarify policies regarding "minor modifications", noting that modifications visible from the street (front or exterior side yard) are discouraged

Non-Heritage Buildings and Demolitions

- a) Where demolition of a non-heritage building is proposed, the property owner shall provide supporting documentation demonstrating appropriate reasons for the demolition. Council shall have the prerogative of refusing such applications unless it is clearly

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justified on the basis of building condition, heritage ranking and attributes, and impact on adjacent heritage properties and the streetscape or other such criteria as may be required by the City of London.

- b) Prior to the demolition of a non-heritage building the City may require the submission of permit drawings for an approved replacement building that promotes the goals and objectives of the Heritage Conservation District and is in keeping with appropriate City policies. The City may also require interim landscape treatment of the site if redevelopment may be delayed.

Suggested clarification: Provide definition of "non-heritage buildings" for the purposes of this section, noting that all properties within the heritage Conservation District are designated under Part V of the Ontario Heritage Act.

New Development

- a) New buildings shall respect and be compatible with the heritage character of the Wortley Village-Old South area, through attention to height, built form, massing, setbacks, building material and other architectural elements such as doors, windows, roof lines and established cornice lines.
- b) The Architectural Design guidelines provided in Section 8 of the Plan will be used to review and evaluate proposals for new buildings to ensure that new development is compatible with the adjacent context.
- c) The purpose of the HCD is to respect both the age and the quality of design of the heritage buildings in the district. The City may consider exceptional examples of good current architectural design for integration into the heritage fabric of the district if the proposed design exhibits sensitivity to the adjacent massing of buildings and texture of the streetscape.
- d) Where a new building replaces a demolished heritage building, the new building will recapture the mass and building presence of the original building and should avoid having a contemporary purpose-built appearance determined only by the new use.
- e) Evaluation of new buildings adjacent to the Wortley Village-Old South Heritage Conservation District will be required in order to demonstrate that the heritage attributes of the district will be conserved (as per Section 2.6.3 of the Provincial Policy Statement - 2005).
- f) A heritage impact assessment, in accordance with the policies of the City of London will be required for any development proposals within the Heritage Conservation District.
- g) Where zoning permits taller and / or higher density buildings (i.e. in the Wortley Village commercial area), studies on shadowing, potential loss of view, increased traffic, noise and parking congestion should be conducted and measures taken to mitigate significant potential impacts.
- h) To discourage the demolition of an existing heritage building in the HCD, the City shall require approval of replacement building plans as part of the demolition application. The design for the replacement building shall be limited to the same envelope size, or street façade extent and placement.
- i) To encourage the retention of existing buildings that contribute to the heritage character of the district, the Heritage Planner may, with the consent of the LACH, recommend a density bonus be approved by Council to permit additional construction at the side or rear of the property in location less visible from the street.

Suggested clarification: Provide definition of "heritage buildings" for the purposes of this section, noting that all properties within the heritage Conservation District are designated under Part V of the Ontario Heritage Act.

Clarify that the consideration of bonusing would be in the context of an application for a Zoning By-law amendment, and not an application for demolition..

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Public Realm

- a) Approvals for municipal works projects that contradict the objectives of this Plan shall follow the heritage alteration permit process.
- b) Mature street trees are to be protected and preserved unless they present a public safety hazard or are in a serious state of decline due to age or disease. When removal of street trees is required, they should be replaced with new trees of an appropriate size and species as determined by the City of London Planning Division and the Urban Forester.
- c) The City is encouraged to implement a street tree planting program to fill in gaps that exist in the neighbourhood in order to enhance canopy coverage.
- d) Landscaping that complements the existing landscapes of the District, screens parking areas and contributes to the overall pedestrian quality is encouraged for all new development. Specific landscape elements will be governed by Site Plan Approval requirements.
- e) The City is encouraged to adopt a heritage tree designation policy. The process for selecting and designating a heritage tree should be a collaborative process between the Forestry Group and the LACH.
- f) Retention of existing grass boulevards and street trees throughout the neighbourhood is strongly encouraged whenever repairs or improvements are made to roads, sidewalks or underground services. Should removal of trees and boulevards be unavoidable as part of the infrastructure works, every effort should be made to replace them upon completion of the work.
- g) Existing road right-of-ways and widths of paved surfaces should not be increased unless required for reasons of public health and safety or where previously indicated for the provision of bike lanes.
- h) Where required, street furnishings, including benches, garbage cans, bicycle racks and other components, should be consistent throughout the neighbourhoods and be of a style and material that complements the heritage attributes of the district.
- i) City of London street signage for heritage conservation districts should be expanded from the Wortley Village Commercial Core to all areas of the district in order to identify the area as a Heritage Conservation District.

Part IV Designations

- a) The policies and guidelines of the Wortley Village-Old South Heritage Conservation District Plan are to apply to all properties previously designated under Part IV of the *Ontario Heritage Act*.
- b) In addition to the policies and guidelines of this Plan, all interior and exterior features previously designated under Part IV of the *Ontario Heritage Act* will continue to be protected in the same manner as prior to their designation under Part V.

Adjacent Areas

- a) A Heritage Impact Assessment, in accordance with the policies of the City of London may be required for any development proposals within or adjacent to the Heritage Conservation District. The City of London Official Plan identifies adjacent lands as those lands that are contiguous to and lands that are directly opposite a protected heritage property, separated only by a laneway or municipal road.

Municipal Policies

Land Use and Built Form

While no changes are recommended to the land use designations within the Wortley Village-Old South area, it is recommended that a policy be added to Section 13-Heritage Resources to add a character statement and policies to the Official Plan. The amendment is attached as

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Schedule "D" to this report.

Recommendation:

- a) Incorporate the character statement and policies of the Wortley Village-Old South Heritage Conservation District into the heritage section of the City of London Official Plan (Section 13.3.8)

Zoning By-Law

No changes or recommendations for changes are made with respect to the Zoning By-law.

Severances and Minor Variances

- a) The Heritage Planner must be circulated with all severance and minor variance applications within the Wortley Village- Old South HCD and provide comments to be considered by the Committee of Adjustment.
- b) Severances should not be considered where the result is a parcel size not in keeping with the immediate neighbourhood and where there are significant zoning deficiencies.
- c) Where appropriate, in consultation with the Heritage Planner, a Heritage Impact Assessment, in accordance with the policies of the City of London, may be required in support of the creation of new lot(s) through Consent to Sever, depending on the context, location and potential impact of the severance.
- d) The Committee should apply the policies and guidelines of this Plan when reviewing applications within the Wortley Village-Old South HCD.

Site Plan Control

- a) A public site plan meeting shall be required at Planning Committee for the development of vacant parcels within the HCD to provide an opportunity for community input and awareness of potential changes.
- b) Where development is to occur, Heritage staff review and Urban Design staff review should be required to ensure compatible and appropriate development.
- c) Where development is to occur (other than for single and semi-detached dwellings), Urban Design staff review and a Heritage Impact Assessment must be required to ensure compatible and appropriate development. The Heritage Impact Statement shall be prepared by a qualified heritage professional.
- d) Dimensioned elevation drawings must be included on all site plan applications.

Building Permits

No changes to current policies and practices are recommended.

Signage By-Law

No changes to current policies and practices are recommended but there are guidelines to assist property/business owners with selecting and displaying signs that are compatible with the character of the area.

Demolition Control

While demolition in a heritage conservation district is discouraged, it is recognized that there may be circumstances where demolition approval can be made for situations related to catastrophic damage, structural instability and, occasionally redevelopment in keeping with appropriate City Policies.

Buildings that are ranked category "D" on as non-contributing to the heritage character of the

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district may be demolished with an appropriate demolition permit from the Building Department, if required, and upon submission of an application for a building permit for a new building in accordance with the "New Development" guidelines.

Existing heritage buildings that are being considered for demolition because of structural deficiencies or non-compliance with the current Building Code may be suitable for remediation or repair under Part 11 of the Ontario Building Code that permits alternative solutions or reduced performance criteria.

In situations where demolition is necessary, for buildings that are ranked as A, B, C in the Architectural rating Figure in the Plan, the following actions should be undertaken where feasible:

- a) Photographic documentation of any notable architectural features and construction techniques are to be taken to create a record of the building and its components.
- b) Owners/applicants shall be encouraged, where possible, to maintain traditional setbacks, building heights, and massing in their new development/redevelopment plans.
- c) The Chief Building Official shall be directed that, prior to the issuance of a demolition permit, Site Plan Approval or a Building Permit for the new development/redevelopment shall be obtained, to mitigate against premature demolition and to ensure that LACH and Council have an opportunity to review the development plans prior to removal of the building.
- d) Reclamation of suitable building materials such as windows, doors, mouldings, columns, bricks, etc. for potential reuse in a new building on the site or as replacement options for other buildings in the neighbourhood which require repair and restoration over time.

Property Standards By-Law

No changes are recommended.

Urban Design Guidelines

When necessary, the Urban Design Unit shall review applications for development to ensure they are in keeping with the spirit and intention of the guidelines.

Heritage Alteration Permits

See Appendix B and Section 6 of the Plan for details.

Municipal Policies Summary

This section of the HCD Plan and Guidelines described above provides direction for how other municipal regulations such as zoning, building control, severances, site plan and demolition control should be implemented within the Wortley Village-Old South Heritage Conservation District. This Section also lays out the Heritage Alteration Permit process, which identifies the various works that may require a Heritage Alteration Permit.

Suggested clarification: Ensure that references to other municipal processes and regulation are consistent with current practice and policies. The Heritage Alteration Permit process makes reference to possible delegation authority for certain matters in the HCD. This will be addressed in a future report to Council

Site Specific Development

London Normal School

- a) Community consultation should be undertaken for any redevelopment plan for the

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London Normal School.

- b) Public site plan review shall be required for any development on the London Normal School.

Wortley Village Commercial Area

- a) Where there are development or re-development proposals, the building setback should be determined based on a range or the average building setback immediately adjacent to the development /redevelopment parcel. In instances where there is a corner lot, the building setback shall be determined based on a range of the average building setback of the opposite corner lot.
- b) Where there are development or re-development proposals, the building height should be determined based on a range or the average of the building heights immediately adjacent to the new development /redevelopment parcel. In instances where there is a corner lot, the building height should be determined based on a range or the average building height of the opposite corner lot.
- c) Public site plan review shall be required for any development within the Wortley Village Commercial Area.
- d) City of London Staff should undertake a review of the parking standards and utilization within the Wortley Village Commercial Area to determine if a reduced parking requirement could be implemented. This would serve to allow the street front along Wortley Road to be used for such things as patio areas, and street furniture, and would help to create a lively and attractive streetscape. Through a comprehensive review of the parking standards and utilization within the Wortley Village Commercial Area, City of London Staff could also explore the possibility of implementing a cash-in-lieu of parking policy, whereby funds are provided in lieu of parking spaces where appropriate. The funds could then be used by the City of London to construct and maintain an off-street parking lot to serve the Wortley Village Commercial Area.

Suggested clarification: Clarify that these policies do not over-ride the current zoning applied to properties in the neighbourhood, and that these zone variations describe the uses and regulations associated with the zones

Intensification Opportunities

Where there are opportunities for intensification, developers shall be encouraged to adaptively reuse existing heritage building stock, where feasible. Additionally consultation with the City's Heritage Planner for the redevelopment plans shall also be undertaken.

PROCESS AND PUBLIC PARTICIPATION

The Wortley Village –Old South heritage conservation district began with a request in 2009 from the Old South Community Organization for the City to initiate a study as part of the City's program of considering pre-identified areas as potential heritage conservation districts. Council approval was given in November 2009 and a consulting team was engaged in 2010. Members of the consulting group are: Ecoplans, now associated with MMM Group Ltd (David Waverman and Erin Eldridge), Nexus Architects (Richard Coombs), GSP Group (Kendra Murphy), Golder Associates (Chris Andreae and Meghan Nelligan-Rivard) and Nancy Z. Tausky. Several members of the group had previously been involved with the creation of the Old East Village and West Woodfield Heritage Conservation Districts.

Over the course of the study and the preparation of the Guidelines three formal public participation meetings were conducted: June 16, 2010, October 26, 2011 (prior to the completion of Phase 1- the Study), September 13, 2012 – (presentation of the Draft Guidelines). Each of these meetings was preceded by a public mail-out to property owners and by announcement in the public newspaper. As well, notices appeared on both the City's website

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and the OSCO website. The period of time for the project was extended following the October 2011 public meeting when it became evident that there was a desire to expand the original study area to include adjacent portions of the neighbourhood. Public engagement was also sought through a questionnaire distributed throughout the community. Prior to the October 2011 meeting, this questionnaire was distributed by hand to each of the properties in the expanded study area. Following the presentation of the draft Guidelines in September, 2012 and prior to the completion of this Draft Plan, members of the Steering Committee, with the presence of one of the consultants, met to discuss aspects of the draft related to demolition in response to a recent demolition issue in the West Woodfield District. Comments received up to September, 2012 are reflected in the *Wortley Village-Old South Plan + Guidelines* attached to this report.

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CONCLUSIONS AND RECOMMENDATIONS

The recommended adoption of the Wortley Road-Old South Heritage Conservation District is the culmination of a multi-year process responding to a community initiated request. The Wortley Road-Old South Heritage Conservation District Plan + Guidelines will provide guidance and direction for future changes within the designated Heritage Conservation District.

The Background Study undertaken for the District provides the justification for the designation of the area as a Heritage Conservation District pursuant to Part V (Section 41.(1) of the *Ontario Heritage Act*. The Study also meets the requirements of the City's Official Plan, and is the basis for the recommended amendments to Chapter 13 Heritage Resources of the Official Plan.

While there has been extensive public consultation throughout this process, there has been little public feedback to the proposed Plan + Guidelines. In the Staff review, it is recommended that some clarification be added to the proposed Guidelines prior to final adoption, in addition to any revisions or clarifications that may be required as a result of public feedback. As there has been little feedback, Staff are of the opinion that is appropriate to identify the nature of clarifications that are proposed to the document prior to its adoption by Council. Subject to any additional comments that may be received, Staff will prepare revised Guidelines that reflect these proposed changes, and bring them forward at a future Public Meeting of the Planning and Environment Committee.

PREPARED BY:	SUBMITTED BY:
	
D. MENARD HERITAGE PLANNER POLICY PLANNING & PROGRAMS	G. BARRETT, AICP MANAGER POLICY PLANNING & PROGRAMS
RECOMMENDED BY:	
	
J.M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

October 06, 2013
dm/

- Appendix 1: Significant Agency and Public Comments
- Appendix A- Map –Proposed Boundaries
- Appendix B – Wortley Village Heritage Conservation District; Plan + Guidelines
- Appendix C – Draft Proposed By-law to establish the Wortley Village-Old South HCD.
- Appendix D – Draft Proposed By-law to Amend the Official Plan

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October 29, 2013 Rev.docx

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Appendix 1: Significant Department/Agency and Public Comments

City of London –

Building Division Preliminary Comments Summarized

- questioned the recommendation with respect to the need for site plan agreement or building permit issuance prior to any demolition
- noted that the demolition control by-law referred to in the report was repealed in December 2010 and that the current Ontario Building Code is the 2006 edition, not as written, 1997
- questioned the report’s interpretation of the current Sign and Canopy By-law and suggested working towards a new Sign By-law to incorporate both Heritage Districts and Urban Design Guidelines.

Transportation Comments Summarized

- notes the western boundary includes, in some areas, the road allowance on Wharncliffe Road and advises that the map should be changed as per the text.
- requests clarification of the heritage alteration application process noting that the District Plan overrides other by-laws.
- notes that Section 4.6 identifies various elements in the public domain that may impact maintenance and capital budgets and notes the importance of staff awareness of the requirements of the Plan.
- notes the possible need for heritage alteration permits in consultation with the heritage planner for works in the public realm.
- questions recommendations related to Wortley Road and the requirements for the public Right of Way as outlined in the Plan
- notes added cost implications with respect to tree replacement guidelines in the Right of Way.
- notes the request in the Plan to maintain existing boulevards as green space.
- notes Plan requests related to heritage street signs, street furniture, historic infrastructure.
- notes new Guidelines recommends streetscape enhancements that may have impact on overall costs to road reconstruction as well as operating costs.
- advises that Council needs to be aware of potential cost implications and funding requirements that may be generated by the Plan.

Environmental and Parks Planning – Forestry

- requests that tree preservation be treated in a similar fashion as provided for buildings in a heritage district with respect to permits for removals, impact on adjacent areas.
- suggests the need for more emphasis on preservation of natural environment

Wastewater and Drainage Engineering Division

- has “No Comment” on this application.

London Hydro

London Hydro has not objection to this proposal or possible official plan and/ or zoning amendment.

Public Liaison

On August 30, 2013 a Notice of Application & Notice of Public Meeting before the Planning and Environment Committee to amend the Official Plan was sent to all property owners within the proposed district. Notice of Application was also published on October and .

Responses- 11 responses were received – 6 by phone, 4 by email, 1 personal communication.

Matters raised by respondents are identified below:

- query about implications of creation of heritage conservation district and question about a site specific zoning application for 120 Wortley Village
- query about implications with respect to specific matters related to owner’s property

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- query about rationale for southern boundary (from resident just outside the suggested boundary)
- query about site specific implications for possible future expansion of three story building.
- query about Ridout Street Boundary and rationale
- statement of support related to strengthening of historical character of neighbourhood
- request for more information
- opposed to amendment –concern with increasing restrictions on new growth in the area and its ultimate sustainability
- statement of opposition to the heritage designation for Old South
- comments regarding parking recommendation in Plan.

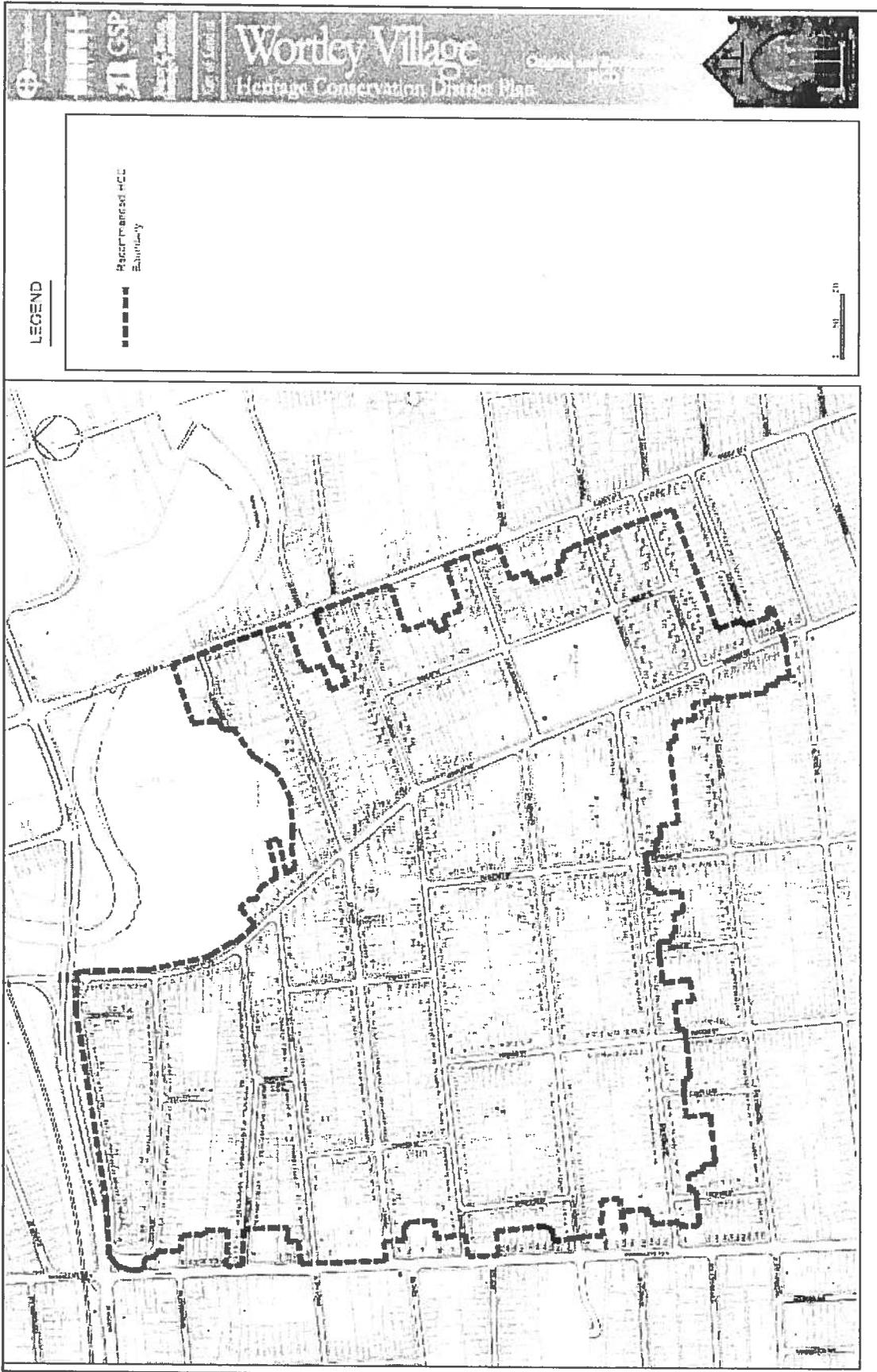
Responses to Public Liaison and Publication in “Living in the City” as of October 6, 2013
(Comments received by email, telephone and personal communication)

G. Brown
P. Dewdney / K. Dewdney
C. Doughty
S. Elson
B. Gillis
T. Koivu
D. Lansink
J. Petro
C. Wells
G. Yarrow

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Appendix A: Map – Proposed Boundaries –Wortley Village-Old South HCD



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Appendix B: Wortley Village Heritage Conservation District: Plan + Guidelines

(Provided as a separate, bound document. Note this document combines the District Plan, the policy statements, and the suggested Conservation Guidelines for the preservation of the heritage character of the proposed District.)

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Appendix C: Draft By-law

Bill No. (number to be inserted by Clerk's Office)
2013

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

A by-law to amend the Official Plan for the City of London, 1989 to designate a 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 thereof as a heritage conservation district;

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

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

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. This by-law shall come into effect in accordance with section 41 (1) 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 _____, 2013.

Joe Fontana
Mayor

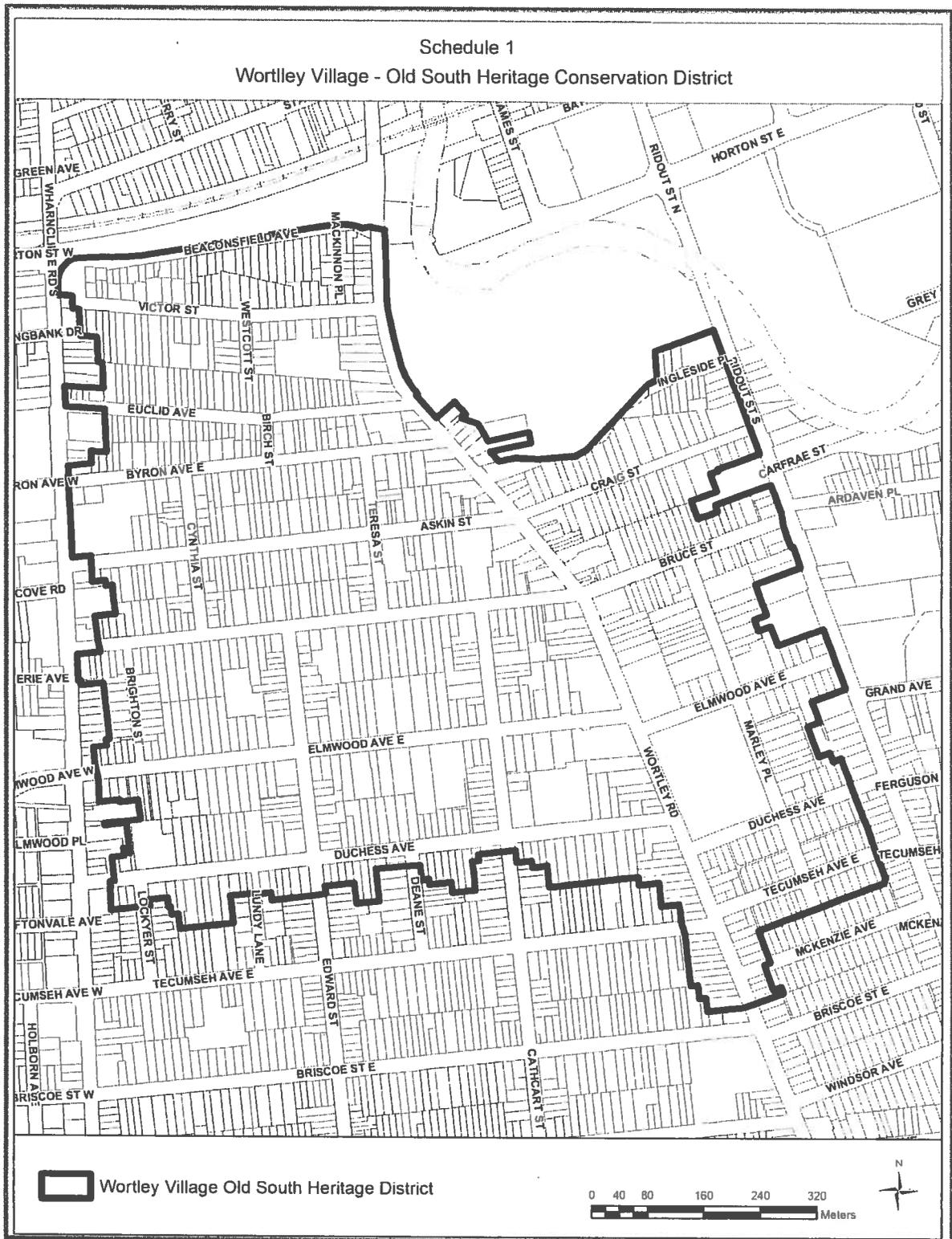
Catherine Saunders
City Clerk

First Reading – _____, 2013
Second Reading – _____, 2013
Third Reading – _____, 2013

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Schedule 1: Wortley Village-Old South Heritage Conservation District



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Appendix “D” –Draft Amendment

Bill No. (number to be inserted by Clerk’s Office)
2013

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.

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 13-6” 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 _____, 2013.

Joe Fontana
Mayor

Catherine Saunders
City Clerk

First Reading - 2013
Second Reading – 2013
Third Reading – 2013

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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 13.3.6, 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 13.6” 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 dated 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 be conducted. 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 13-6” 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 13.6 Wortley Village –Old South Heritage Conservation District after Fig. 13.5.

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3. Section 13.3.8. to the Official Plan is amended by adding a new section as follows:

“13.3.8. Wortley Village – Old South”

- i. The Wortley Village –Old South Heritage Conservation District, identified on Figure 13.6 encompasses an area within the larger Old South Planning District. The District generally bounded by Ridout Street South / Wortley Road on the east, Beaconsfield on the north, Wharnccliffe 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 13.3 and, in particular, in accordance with Official Plan policies and the Wortley Village- Old South Heritage Conservation District Plan and Guidelines.